CHAPTER 500. EFU--EXCLUSIVE FARM USE

Sec. 500.001. Purpose.

The purpose of the Exclusive Farm Use (EFU) Zone is to implement the farming and resource management designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The EFU zone allows for the practice of agricultural and forestry uses.

(Prior Code, § 500.001; Ord. No. 31-13)

Sec. 500.005. Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the EFU zone are set forth in Table 500-1.

Table 500-1. Uses

Use	Status	Limitations & Qualifications
Household Living		
Single family	C	The following single family activities: □ Single family detached dwelling, in conjunction with agriculture or keeping of livestock and other animals. □ Manufactured dwelling, in conjunction with agriculture or keeping of livestock and other animals.
	N	All other single family.
Two family	N	
Multiple family	N	
Group Living		
Room and board	N	
Residential care	N	
Nursing care	N	
Lodging		
Short-term commercial lodging	N	
Long-term commercial lodging	N	
Nonprofit shelters	N	
Retail Sales and Service		
Eating and drinking establishments	N	
Retail sales	C	Retail sales, in conjunction with agriculture and keeping of livestock and other animals, involving products that are produced on the property.
	N	All other retail sales.
Personal services	N	

Table 500-1. Uses		
Use	Status	Limitations & Qualifications
Postal services and retail financial services	N	
Business and Professional Services		
Office	N	
Audio/visual media production	N	
Laboratory research and testing	N	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	
Commercial parking	N	
Park-and-ride facilities	N	
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	N	
Commercial entertainment—outdoor	C	Golf courses.
	N	All other commercial entertainment—indoor.
Major event entertainment	N	
Recreational and cultural community services	C	Golf courses.
	N	All other recreational and cultural community services.
Parks and open space	N	
Nonprofit membership assembly	N	
Religious assembly	N	
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	N	
Educational Services		
Day care	N	
Basic education	N	
Post-secondary and adult education	N	
Civic Services		

Table 500-1. Uses		
Use	Status	Limitations & Qualifications
Governmental services	N	
Social services	N	
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	N	
Detention facilities	N	
Military installations	N	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	N	
Building and grounds services and construction contracting	N	
Cleaning plants	N	
Industrial services	N	
Wholesale Sales, Storage, and Distribution		
General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	N	
Self-service storage	N	
Manufacturing		
General manufacturing	N	
Heavy manufacturing	N	
Printing	N	
Transportation Facilities		
Aviation facilities	N	
Passenger ground transportation facilities	N	
Marine facilities	N	
Utilities		
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	N	

Table 500-1. Uses		
Use	Status	Limitations & Qualifications
Power generation facilities	C	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	N	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	P	
Forestry	P	
Agriculture and forestry services	N	
Keeping of livestock and other animals	P	
Animal services	N	
Other Uses		
Home occupations	N	

(Prior Code, § 500.005; Ord. No. 31-13)

Sec. 500.010. Development standards.

Development within the EFU zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the EFU zone shall conform to the standards set forth in Table 500-2.

TABLE 500-2. LOT STANDARDS		
Requirement	**Standard**	**Limitations & Qualifications**
Lot Area		
All uses	Min. 75 acres	
Lot Width		
All uses	None	
Lot Depth		
All uses	None	
Street Frontage		
All uses	None	

(b) *Setbacks.* Setbacks within the EFU zone shall conform to the setback, lot coverage, and height standards set forth in Table 500-3.

TABLE 500-3. SETBACKS		
Requirement	**Standard**	**Limitations & Qualifications**
Abutting Street		
Buildings		
All uses	Min. 12 ft.	
Accessory Structures		
Accessory to single family	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
Accessory to all other uses	Min. 12 ft.	
Interior Front		
Buildings		
All uses	Min. 12 ft.	
Accessory Structures		
Accessory to all uses	Min. 12 ft.	
Interior Side		
Buildings		
All uses	Min. 5 ft.	Applicable to buildings not more than 35 ft. in height.
	Min. 5 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	Applicable to buildings greater than 35 ft. in height.
Accessory Structures		
Accessory to single family	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.
Accessory to all other uses	Min. 5 ft.	Applicable to accessory structures not more than 35 ft. in height.
	Min. 5 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	Applicable to accessory structures greater than 35 ft. in height.
Interior Rear		
Buildings		
All uses	Min. 14 ft.	Applicable to any portion of a building not more than 15 ft. in height.

TABLE 500-3. SETBACKS		
Requirement	**Standard**	**Limitations & Qualifications**
	Min. 20 ft.	Applicable to any portion of a building greater than 15 ft. in height.
Accessory Structures		
Accessory to single family	None	Applicable to accessory structures not more than 9 ft. in height.
	Min. 1 ft. for each 1 ft. of height over 9 feet.	Applicable to accessory structures greater than 9 ft. in height.
Accessory to all other uses	Min. 14 ft.	Applicable to any portion of an accessory structure not more than 15 ft. in height.
	Min. 20 ft.	Applicable to any portion of an accessory structure greater than 15 ft. in height.

(c) *Lot coverage; height.* Buildings and accessory structures within the EFU zone shall conform to the setback, lot coverage, and height standards set forth in Table 500-4.

TABLE 500-4. LOT COVERAGE; HEIGHT		
Requirement	**Standard**	**Limitations & Qualifications**
Lot Coverage		
Buildings and Accessory Structures		
All uses	No Max.	
Rear Yard Coverage		
Buildings		
All uses	N/A	
Accessory Structures		
Accessory to all uses	No Max.	
Height		
Buildings and Structures		
Agriculture, forestry, and keeping of livestock and other animals	No Max.	
All other uses	Max. 35 ft.	
Accessory Structures		
Accessory to agriculture, forestry, and keeping of livestock and other animals	No Max.	
Accessory to single family	Max. 15 ft.	
Accessory to all other uses	Max. 35 ft.	

(Prior Code, § 500.010; Ord. No. 31-13)

Sec. 500.015. Other provisions.

In addition to the standards set forth in this chapter, development within the EFU zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807.

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 500.015; Ord. No. 31-13)

CHAPTERS 501—509. RESERVED

CHAPTER 510. RA--RESIDENTIAL AGRICULTURE

Sec. 510.001. Purpose.

The purpose of the Residential Agriculture (RA) Zone is to implement the developing residential designation for the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The RA zone generally allows single family residential and agricultural uses.

(Prior Code, § 510.001; Ord. No. 31-13)

Sec. 510.005. Uses.

(a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the RA zone are set forth in Table 510-1.

TABLE 510-1. USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	P	The following single family activities: □ Single family detached dwelling. □ Residential home, as defined under ORS 197.660. □ Manufactured dwelling park, subject to SRC chapter 235.
	S	The following Single Family activities: □ Manufactured home, subject to SRC 700.025. □ Townhouse, subject to SRC 700.085. □ Zero side yard dwelling, subject to SRC 700.095.
	N	All other single family.
Two family	P	The following two family activities: □ Duplex, when located on a corner lot. □ Duplex, when located on a lot whose side abuts property other than a street or alley in a Commercial (C) or Industrial (I) Zone, and the entire lot is located within 165 feet of the C or I zone.
	S	Two family shared dwelling, subject to SRC 700.090.
	N	All other two family.
Multiple family	N	
Group Living		
Room and board	N	
Residential care	C	Residential facility, as defined under ORS 197.660, when located on a lot with frontage on an arterial or collector street.
	N	All other residential care.

Nursing care	C	Nursing care, when located on a lot with frontage on an arterial or collector street.
	N	All other nursing care.
Lodging		
Short-term commercial lodging	C	Short-term rentals.
	N	All other short-term commercial lodging.
Long-term commercial lodging	N	
Nonprofit shelters	C	Nonprofit shelters serving 5 or fewer persons, when located on a lot with frontage on an arterial or collector street.
	P	Nonprofit shelters serving victims of domestic violence for 10 or fewer persons.
	N	All other nonprofit shelters.
Retail Sales and Service		
Eating and drinking establishments	N	
Retail sales	P	Retail sales of agricultural products, when the sales area does not exceed 1,000 square feet in size.
	N	All other retail sales.
Personal services	C	The following personal services activities: □ Beauty salons. □ Barber shops.
	N	All other personal services.
Postal services and retail financial services	N	
Business and Professional Services		
Office	C	Landscape architects and planners.
	N	All other office.
Audio/visual media production	N	
Laboratory research and testing	N	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	
Commercial parking	N	Parking structures.
	S	All other commercial parking, subject to SRC 700.050.
Park-and-ride facilities	N	
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	

Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	N	
Commercial entertainment—outdoor	S	Golf courses, subject to SRC 700.015.
	N	All other commercial entertainment—outdoor.
Major event entertainment	N	
Recreational and cultural community services	P	Libraries.
	S	Golf courses, subject to SRC 700.015.
	C	All other recreational and cultural community services.
Parks and open space	C	Arboreta and botanical gardens.
	P	All other parks and open space.
Nonprofit membership assembly	C	
Religious assembly	S	Religious assembly, subject to SRC 700.055.
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	N	
Educational Services		
Day care	P	The following day care activities: □ Child day care home. □ Adult day care home.
	C	The following day care activities: □ Child day care center. □ Adult day care center.
	N	All other day care.
Basic education	S	Basic education, subject to SRC 700.010.
Post-secondary and adult education	N	
Civic Services		
Governmental services	N	
Social services	S	Social services, subject to SRC 700.080.
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	N	The following emergency services activities: □ Ambulance stations.

		□ Ambulance service facilities.
	P	All other emergency services.
Detention facilities	N	
Military installations	N	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	Crematories.
	C	All other funeral and cremation services.
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	N	
Building and grounds services and construction contracting	C	The following building and grounds services and construction contracting activities: □ Landscape, lawn, and garden services. □ Tree and shrub services.
	N	All other building and grounds services and construction contracting.
Cleaning plants	N	
Industrial services	N	
Wholesale Sales, Storage, and Distribution		
General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	N	
Self-service storage	N	
Manufacturing		
General manufacturing	N	
Heavy manufacturing	N	
Printing	N	
Transportation Facilities		
Aviation facilities	N	
Passenger ground transportation facilities	P	Transit stop shelters.
	N	All other passenger ground transportation facilities.
Marine facilities	N	
Utilities		
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	C	

Power generation facilities	N	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	N	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	Marijuana production.
Forestry	P	All other agriculture.
Agriculture and forestry services	N	
Keeping of livestock and other animals	P	Raising of livestock, fowl, and other animals by residents of the premises for their own private noncommercial use on a lot 10,000 square feet or greater.
	C	All other keeping of livestock and other animals.
Animal services	S	Small animal veterinary services, subject to SRC 700.075.
	C	All other animals services.
Other Uses		
Accessory short-term rentals	S	Accessory short-term rental, subject to SRC 70.006.
Temporary uses	P	The following temporary uses: □ Christmas tree sales, subject to SRC 701.015. □ Residential sales/development office, subject to SRC 701.030. □ Replacement single family dwelling, subject to SRC 701.025.
Home occupations	S	Home Occupations, subject to SRC 700.020.
Guest houses and guest quarters	P	Guest houses and guest quarters are permitted as an accessory use to single family, provided such houses and quarters are dependent upon the main building for either kitchen or bathroom facilities, or both, and are used for temporary lodging and not as a place of residence.
Taking of borders or leasing of rooms by resident family	P	Taking of boarders or leasing of rooms by a resident family is permitted as an accessory use to household living, provided the total number of boarders and roomers does not exceed 2 in any dwelling unit.
Storage of commercial vehicle as an accessory use to Household Living	P	Storage of a commercial vehicle as an accessory use to household living is permitted, provided no more than 1 commercial vehicle is stored per dwelling unit.
Historic resource adaptive reuse pursuant to SRC chapter 230	Allowed	Historic resource adaptive reuse pursuant to SRC chapter 230 is allowed, subject to SRC 230.085.

Accessory dwelling units	S	Accessory dwelling units, subject to SRC 700.0067.

(b) Continued uses. Existing cottage housing within the RA zone constructed prior to May 15, 1979, but which would otherwise be made non-conforming by this chapter, is hereby deemed a continued use.

(1) Building or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 510.010(e).

(2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for that use; provided, however, conversion of the building or structure to another use shall thereafter prevent conversion back to that use.

(Prior Code, § 510.005; Ord. No. 31-13; Ord. No. 22-15, § 3, 11-23-2015; Ord. No. 6-17, § 1, 5-8-2017; Ord. No. 5-17, § 25(510.005), 6-12-2017; Ord. No. 10-17, § 5, 7-10-2017)

Sec. 510.010. Development standards.

Development within the RA zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the RA zone shall conform to the standards set forth in Table 510-2.

TABLE 510-2. LOT STANDARDS

Requirement	Standard	Limitations & Qualifications
Lot Area		
Single family	Min. 4,000 sq. ft.	
Two family	Min. 4,000 sq. ft.	Applicable to two family shared housing.
	Min. 7,000 sq. ft.	Applicable to all other two family.
Nonprofit shelters	Min. 4,000 sq. ft.	Applicable to nonprofit shelters serving victims of domestic violence.
	Min. 6,000 sq. ft.	Applicable to all other nonprofit shelters.
All other uses	Min. 6,000 sq. ft.	
Infill lot	Min. 5,500 sq. ft.	Applicable to all infill lots, unless a greater minimum lot area is required for the specific use.
Lot Width		
Single family and two family	Min. 40 ft.	
All other uses	Min. 60 ft.	
Lot Depth		
Single family and two family	Min. 70 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	Max. 300% of average lot width	
All other uses	Min. 80 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	Max. 300% of average lot width	

Street Frontage		
Single family and two family	Min. 40 ft.	
	Min. 30 ft.	Applicable to lots fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line.
All other uses	Min. 60 ft.	

(b) *Setbacks.* Setbacks within the RA zone shall be provided as set forth in Table 510-3.

TABLE 510-3. SETBACKS		
Requirement	**Standard**	**Limitations & Qualifications**
Abutting Street		
Buildings		
All uses	Min. 12 ft.	
	Min. 20 ft.	Applicable along collector or arterial streets.
Accessory Structures		
Accessory to all uses	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
	Min. 20 ft.	Applicable to accessory structures greater than 4 ft. in height, when located in a yard adjacent to a collector or arterial street.
Interior Front		
Buildings		
All uses	Min. 12 ft.	
Accessory Structures		
Accessory to all uses	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
Interior Side		
Buildings		
Single family	Min. 5 ft.	Applicable to new buildings, other than zero side yard dwellings and townhouses.
	Min. 3 ft.	Applicable to existing buildings, other than zero side yard dwellings and townhouses.

TABLE 510-3. SETBACKS		
Requirement	**Standard**	**Limitations & Qualifications**
	Per SRC 700.085	Applicable to townhouses.
	Per SRC 700.095	Applicable to zero side yard dwellings.
Two family	Min. 5 ft.	
All other uses	Min. 5 ft.	Applicable to buildings not more than 35 ft. in height.
	Min. 5 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	Applicable to buildings greater than 35 ft. in height.
Infill lot	Min. 10 ft.	Applicable to buildings not more than 35 ft. in height where the interior side setback abuts lots zoned RA or RS.
	Min. 10 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	Applicable to buildings greater than 35 ft. in height where the interior side setback abuts lots zoned RA or RS.
	Min. 5 ft.	Applicable to buildings not more than 35 ft. in height where the interior side setback abuts lots zoned other than RA or RS.
	Min. 5 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	Applicable to buildings greater than 35 ft. in height where the interior side setback abuts lots zoned other than RA or RS.
Accessory Structures		
Accessory to all uses; infill lot	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.
Interior rear		
Buildings		
All uses	Min. 14 ft.	Applicable to any portion of a building not more than 1 story in height.
	Min. 20 ft.	Applicable to any portion of a building greater than 1 story in height.
Accessory Structures		
Accessory to all uses	None	Applicable to accessory structures not more than

TABLE 510-3. SETBACKS		
Requirement	**Standard**	**Limitations & Qualifications**
		9 ft. in height.
	Min. 1 ft. for each 1 ft. of height over 9 feet.	Applicable to accessory structures greater than 9 ft. in height.
	Min. 1 ft.	Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure.

(c) *Lot coverage; height.* Buildings and accessory structures within the RA zone shall conform to the lot coverage and height standards set forth in Table 510-4.

TABLE 510-4. LOT COVERAGE; HEIGHT		
Requirement	**Standard**	**Limitations & Qualifications**
Lot Coverage		
Buildings and Accessory Structures		
Single family and two family	Max. 60%	
Nonprofit shelters	Max. 60%	Applicable to nonprofit shelters serving victims of domestic violence.
	Max. 35%	Applicable to all other nonprofit shelters.
All other uses	Max. 35%	
Rear Yard Coverage		
Buildings		
All uses	N/A	
Accessory Structures		
Accessory to single family and two family	Max. 25%	
Accessory to all other uses	No Max.	
Height		
Buildings		
Single family and two family	Max. 35 ft.	
All other uses	Max. 50 ft.	
Accessory Structures		
Accessory to all uses	Max. 15 ft.	

(d) *Garages required.*

(1) Except as otherwise provided in SRC 700.025 for manufactured homes on individual lots, each dwelling constructed after February 8, 2006, within the RA zone shall have, at the time of original construction, a garage that is constructed of like materials and color as the dwelling. The garage

may be attached to, or detached from, the dwelling. Nothing in this ~~paragraph~~ subsection shall prevent subsequent removal or conversion of the garage, so long as the minimum number of required off-street parking spaces is maintained.

(2) Exception to this standard may be made if, at the time of building permit review, the applicant can show that the construction of the dwelling is being provided by a not-for-profit organization to families at or below the City's 60 percent median income level, as defined by the U.S. Department of Housing and Urban Development; and provision is made for a minimum of 480 cubic feet of on-site storage within a portion of the dwelling unit, or within a detached accessory structure. Such exemption shall only be made for those dwellings built on lots created through a subdivision.

(e) *Development standards for continued uses.* Buildings or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the following standards:

(1) The altered, enlarged, or rebuilt building or structure shall conform to development standards set forth in this chapter, and to all other applicable provisions of the UDC.

(2) Any building or structure altered or enlarged shall not exceed the square footage and height of the original building or structure by more than 20 percent.

(3) Any building or structure rebuilt shall be located on the same location on the lot as the original building or structure, or in compliance with the setbacks set forth in Table 510-3. The square footage and height of the rebuilt building or structure shall not exceed the square footage and height of the original building or structure by more than 20 percent.

(Prior Code, § 510.010; Ord. No. 31-13; Ord. No. 22-15, § 3, 11-23-2015; Ord. No. 6-17, § 2, 5-8-2017)

Sec. 510.015. Other provisions.

In addition to the standards set forth in this chapter, development within the RA zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807.

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 510.015; Ord. No. 31-13)

CHAPTER 511. RS—SINGLE FAMILY RESIDENTIAL

Sec. 511.001. Purpose.

The purpose of the Single Family Residential (RS) Zone is to implement the single family residential designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The RS zone generally allows single family residential uses, along with a mix of other uses that are compatible with and/or provide services to the residential area.

(Prior Code, § 511.001; Ord. No. 31-13)

Sec. 511.005. Uses.

(a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the RS zone are set forth in Table 511-1.

TABLE 511-1. USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	P	The following single family activities: □ Single family detached dwelling. □ Residential home, as defined under ORS 197.660. □ Manufactured dwelling park, subject to SRC chapter 235.
	S	The following single family activities: □ Manufactured home, subject to SRC 700.025. □ Townhouse, subject to SRC 700.~~080~~085. □ Zero side yard dwelling, subject to SRC 700.~~090.~~095.
	N	All other Single Family.
Two family	P	The following two family activities: □ Duplex, when located on a corner lot. □ Duplex, when located on a lot whose side abuts property other than a street or alley in a Commercial (C) or Industrial (I) Zone, and the entire lot is located within 165 feet of the C or I zone.
	S	Two family shared dwelling, subject to SRC 700.~~085.~~090.
	N	All other two family.
Multiple family	N	
Group Living		
Room and board	N	
Residential care	C	Residential facility, as defined under ORS 197.660, when located on a lot with frontage on an arterial or collector street.

TABLE 511-1. USES		
Use	**Status**	**Limitations & Qualifications**
	N	All other residential care.
Nursing care	C	Nursing care, when located on a lot with frontage on an arterial or collector street.
	N	All other nursing care.
Lodging		
Short-term commercial lodging	C	Short-term rentals.
	N	All other short-term commercial lodging.
Long-term commercial lodging	N	
Nonprofit shelters	C	Nonprofit shelters serving 5 or fewer persons, when located on a lot with frontage on an arterial or collector street.
	P	Nonprofit shelters serving victims of domestic violence for 10 or fewer persons.
	N	All other nonprofit shelters.
Retail Sales and Service		
Eating and drinking establishments	N	
Retail sales	N	
Personal services	C	The following personal services activities: □ Beauty salons. □ Barber shops.
	N	All other personal services.
Postal services and retail financial services	N	
Business and Professional Services		
Office	N	
Audio/visual media production	N	
Laboratory research and testing	N	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	
Commercial parking	N	Parking structures.
	S	All other commercial parking, subject to SRC 700.~~045.~~050.
Park-and-ride facilities	N	
Taxicabs and car services	N	

TABLE 511-1. USES		
Use	**Status**	**Limitations & Qualifications**
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	N	
Commercial entertainment—outdoor	S	Golf courses, subject to SRC 700.015.
	N	All other commercial entertainment—outdoor.
Major event entertainment	N	
Recreational and cultural community services	P	Libraries.
	S	Golf courses, subject to SRC 700.015.
	C	Community or neighborhood club buildings, including swimming pools and similar recreation facilities when operated by a nonprofit community club.
	N	All other recreation and cultural community services.
Parks and open space	N	Arboreta and botanical gardens.
	P	All other parks and open space.
Nonprofit membership assembly	C	
Religious assembly	S	Religious assembly, subject to SRC 700.~~050.~~055.
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	N	
Educational Services		
Day care	P	The following day care activities: □ Child day care home. □ Adult day care home.
	C	The following day care activities: □ Child day care center. □ Adult day care center.
	N	All other day care.
Basic education	S	Basic education, subject to SRC 700.010.
Post-secondary and adult education	N	
Civic Services		
Governmental services	N	

TABLE 511-1. USES		
Use	**Status**	**Limitations & Qualifications**
Social services	N	
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	N	The following emergency services activities: □ Ambulance stations. □ Ambulance service facilities.
	P	All other emergency services.
Detention facilities	N	
Military installations	N	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	Crematories.
	C	All other funeral and cremation services.
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	N	
Building and grounds services and construction contracting	N	
Cleaning plants	N	
Industrial services	N	
Wholesale Sales, Storage, and Distribution		
General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	N	
Self-service storage	N	
Manufacturing		
General manufacturing	N	
Heavy manufacturing	N	
Printing	N	
Transportation Facilities		
Aviation facilities	N	
Passenger ground transportation facilities	P	Transit stop shelters.
	N	All other passenger ground transportation facilities.
Marine facilities	N	
Utilities		

TABLE 511-1. USES		
Use	**Status**	**Limitations & Qualifications**
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	C	
Power generation facilities	N	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	N	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	Marijuana production.
	P	All other agriculture.
Forestry	P	
Agriculture and forestry services	N	
Keeping of livestock and other animals	N	
Animal services	C	Existing wildlife rehabilitation facility.
	N	All other animal services.
Other Uses		
Accessory short-term rentals	S	Accessory short-term rental, subject to SRC 700.006.
Temporary uses	P	The following temporary uses: □ Christmas tree sales, subject to SRC 701.015. □ Residential sales/development office, subject to SRC 701.030. □ Replacement single family dwelling, subject to SRC 701.025.
Home occupations	S	Home occupations, subject to SRC 700.020.
Guest houses and guest quarters	P	Guest houses and guest quarters are permitted as an accessory use to single family, provided such houses and quarters are dependent upon the main building for either kitchen or bathroom facilities, or both, and are used for temporary lodging and not as a place of residence.

TABLE 511-1. USES		
Use	**Status**	**Limitations & Qualifications**
Taking of borders or leasing of rooms by resident family	P	Taking of boarders or leasing of rooms by a resident family is permitted as an accessory use to household living, provided the total number of boarders and roomers does not exceed 2 in any dwelling unit.
Storage of commercial vehicle as an accessory use to household living	P	Storage of a commercial vehicle as an accessory use to household living is permitted, provided no more than 1 commercial vehicle is stored per dwelling unit.
Historic resource adaptive reuse pursuant to SRC chapter 230	Allowed	Historic resource adaptive reuse pursuant to SRC chapter 230 is allowed, subject to SRC 230.085.
Accessory dwelling units	S	Accessory dwelling units, subject to SRC 700.006~~7~~.

(b) Continued uses. Existing cottage housing within the RS zone constructed prior to May 15, 1979, but which would otherwise be made nonconforming by this chapter, is hereby deemed a continued use.

(1) Building or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 511.010(f).

(2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for that use; provided, however, conversion of the building or structure to another use shall thereafter prevent conversion back to that use.

(Prior Code, § 511.005; Ord. No. 31-13; Ord. No. 22-15, § 4, 11-23-2015; Ord. No. 6-17, § 3, 5-8-2017; Ord. No. 5-17, § 26(511.005), 6-12-2017; Ord. No. 10-17, § 6, 7-10-2017)

Sec. 511.010. Development standards.

Development within the RS zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the RS zone shall conform to the standards set forth in Table 511-2.

TABLE 511-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
Single family	Min. 4,000 sq. ft.	
Two family	Min. 4,000 sq. ft.	Applicable to two family shared housing.
	Min. 7,000 sq. ft.	Applicable to all other two family.
Nonprofit shelters	Min. 4,000 sq. ft.	Applicable to nonprofit shelters serving victims of domestic violence.
	Min. 6,000 sq. ft.	Applicable to all other nonprofit shelters.
All other uses	Min. 6,000 sq. ft.	
Infill lot	Min. 5,500 sq. ft.	Applicable to all infill lots, unless a greater minimum lot area is required for the specific use.
Lot Width		
All Uses	Min. 40 ft.	

TABLE 511-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Depth		
Single family and two family	Min. 70 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	Max. 300% of average lot width	
All other uses	Min. 80 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	Max. 300% of average lot width	
Street Frontage		
Single family	Min. 40 ft.	
	Min. 30 ft.	Applicable to lots fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line.
All other uses	Min. 40 ft.	

(b) *Setbacks.* Setbacks within the RS zone shall be provided as set forth in Table 511-3.

TABLE 511-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	Min. 12 ft.	
	Min. 20 ft.	Applicable along collector or arterial streets.
Accessory Structures		
Accessory to all uses	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
	Min. 20 ft.	Applicable to accessory structures greater than 4 ft. in height, when located in a yard adjacent to a collector or arterial street.
Interior Front		
Buildings		
All uses	Min. 12 ft.	

TABLE 511-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Accessory Structures		
Accessory to all uses	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
Interior Side		
Buildings		
Single family	Min. 5 ft.	Applicable to new buildings, other than zero side yard dwellings and townhouses.
	Min. 3 ft.	Applicable to existing buildings, other than zero side yard dwellings and townhouses.
	Per SRC 700.~~080~~085	Applicable to townhouses.
	Per SRC 700.~~090~~095	Applicable to zero side yard dwellings.
Two family	Min. 5 ft.	
All other uses	Min. 5 ft.	Applicable to buildings not more than 35 ft. in height.
	Min. 5 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	Applicable to buildings greater than 35 ft. in height.
Infill lot	Min. 10 ft.	Applicable to buildings not more than 35 ft. in height where the interior side setback abuts lots zoned RA and RS.
	Min. 10 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	Applicable to buildings greater than 35 ft. in height where the interior side setback abuts lots zoned RA or RS.
	Min. 5 ft.	Applicable to buildings not more than 35 ft. in height where the interior side setback abuts lots zoned other than RA or RS.
	Min. 5 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	Applicable to buildings greater than 35 ft. in height where the interior side setback abuts lots zoned other than RA or RS.
Accessory Structures		
Accessory to all uses; infill lot	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.

TABLE 511-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Interior Rear		
Buildings		
All uses	Min. 14 ft.	Applicable to any portion of a building not more than 1 story in height.
	Min. 20 ft.	Applicable to any portion of a building greater than 1 story in height.
Accessory Structures		
Accessory to all uses	None	Applicable to accessory structures not more than 9 ft. in height.
	Min. 1 ft. for each 1 ft. of height over 9 ft.	Applicable to accessory structures greater than 9 ft. in height.
	Min. 1 ft.	Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure.

(c) *Lot coverage; height.* Buildings and accessory structures within the RS zone shall conform to the lot coverage and height standards set forth in Table 511-4.

TABLE 511-4. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
Single family and two family	Max. 60%	
Nonprofit shelters	Max. 60%	Applicable to nonprofit shelters serving victims of domestic violence.
	Max. 35%	Applicable to all other nonprofit shelters.
All other uses	Max. 35%	
Rear Yard Coverage		
Buildings		
All uses	N/A	
Accessory Structures		
Accessory to single family and two family	Max. 25%	
Accessory to all other uses	No Max.	
Height		
Buildings		
Single family and two family	Max. 35 ft.	Applicable to new buildings.

TABLE 511-4. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
	Max. 28 ft. or existing building height, whichever is greater	Applicable to existing buildings.
All other uses	Max. 50 ft.	
Accessory Structures		
Accessory to all uses	Max. 15 ft.	

(d) *Maximum square footage for all accessory structures.* In addition to the maximum coverage requirements established in Table 511-4, accessory structures to single family and two family uses shall be limited to the maximum aggregate total square footage set forth in Table 511-5.

TABLE 511-5. MAXIMUM SQUARE FOOTAGE FOR ALL ACCESSORY STRUCTURES	
Main Building Gross Area	Maximum Aggregate Total Square Footage for All Accessory Structures
1,200 square feet or less.	600 sq. ft.
Greater than 1,200 square feet.	1,000 sq. ft. or 50% of main building gross area, whichever is less.

(e) *Garages required.*

(1) Except as otherwise provided in SRC 700.025 for manufactured homes on individual lots, each dwelling constructed after February 8, 2006, within the RS zone shall have, at the time of original construction, a garage that is constructed of like materials and color as the dwelling. The garage may be attached to, or detached from, the dwelling. Nothing in this ~~paragraph~~ subsection shall prevent subsequent removal or conversion of the garage, so long as the minimum number of required off-street parking spaces is maintained.

(2) Exception to this standard may be made if, at the time of building permit review, the applicant can show that the construction of the dwelling is being provided by a not-for-profit organization to families at or below the City's 60 percent median income level, as defined by the U.S. Department of Housing and Urban Development; and provision is made for a minimum of 480 cubic feet of on-site storage within a portion of the dwelling unit, or within a detached accessory structure. Such exemption shall only be made for those dwellings built on lots created through a subdivision.

(f) *Development standards for continued uses.* Buildings or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the following standards:

(1) The altered, enlarged, or rebuilt building or structure shall conform to development standards set forth in this chapter, and to all other applicable provisions of the UDC.

(2) Any building or structure altered or enlarged shall not exceed the square footage and height of the original building or structure by more than 20 percent.

(3) Any building or structure rebuilt shall be located on the same location on the lot as the original building or structure, or in compliance with the setbacks set forth in Table 511-3. The square

footage and height of the rebuilt building or structure shall not exceed the square footage and height of the original building or structure by more than 20 percent.

(Prior Code, § 511.010; Ord. No. 31-13; Ord. No. 6-17, § 4, 5-8-2017)

Sec. 511.015. Other provisions.

In addition to the standards set forth in this chapter, development within the RS zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807.

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 511.015; Ord. No. 31-13)

CHAPTER 512. RD--DUPLEX RESIDENTIAL

Sec. 512.001. Purpose.

The purpose of the Duplex Residential (RD) Zone is to establish the allowed uses and development standards for the RD zone district. The RD zone generally allows two family and single family residential uses, along with a mix of other uses that are compatible with and/or provide services to the residential area.

(Prior Code, § 512.001; Ord. No. 31-13)

Sec. 512.005. Zone change restriction.

Notwithstanding any other provision of the UDC, no zone change to RD shall ever be made.

(Prior Code, § 512.005; Ord. No. 31-13)

Sec. 512.010. Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the RD zone are set forth in Table 512-1.

TABLE 512-1: USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	P	The following single family activities: □ Single family detached dwelling. □ Residential home, as defined under ORS 197.660.
	S	The following single family activities: □ Manufactured home, subject to SRC 700.025. □ Townhouse, subject to SRC 700.~~080.~~085. □ Zero side yard dwelling, subject to SRC 700.~~090.~~095.
	N	All other single family.
Two family	P	
Multiple family	N	
Group Living		
Room and board	N	
Residential care	S	Residential facility, as defined under ORS 197.660, subject to SRC 700.~~055~~060.
	N	All other residential care.
Nursing care	S	Nursing care, subject to SRC 700.~~040~~045.
Lodging		
Short-term commercial lodging	C	Short-term rentals.
	N	All other short-term commercial lodging.
Long-term commercial lodging	N	

TABLE 512-1: USES		
Use	Status	Limitations & Qualifications
Nonprofit shelters	C	Nonprofit shelters serving 5 or fewer persons.
	P	Nonprofit shelters serving victims of domestic violence for 10 or fewer persons.
	N	All other nonprofit shelters.
Retail Sales and Service		
Eating and drinking establishments	N	
Retail sales	N	
Personal services	N	
Postal services and retail financial services	N	
Business and Professional Services		
Office	N	
Audio/visual media production	N	
Laboratory research and testing	N	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	
Commercial parking	N	
Park-and-ride facilities	N	
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	C	Membership sports and recreation clubs.
	N	All other commercial entertainment—indoor.
Commercial Entertainment—outdoor	C	Membership sports and recreation clubs.
	N	All other commercial entertainment—outdoor.
Major event entertainment	N	
Recreational and cultural community services	P	Libraries.
	N	All other recreation and cultural community services.
Parks and open space	N	Arboreta and botanical gardens.
	P	All other parks and open space.

TABLE 512-1: USES		
Use	Status	Limitations & Qualifications
Nonprofit membership assembly	N	
Religious assembly	S	Religious assembly, subject to SRC 700.~~050~~.055.
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	N	
Educational Services		
Day care	P	Child day care home.
	C	Child day care center.
	N	All other day care.
Basic education	N	
Post-secondary and adult education	N	
Civic Services		
Governmental services	N	
Social services	N	
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	N	The following emergency services activities: □ Ambulance stations. □ Ambulance service facilities.
	P	All other emergency services.
Detention facilities	N	
Military installations	N	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	N	
Building and grounds services and construction contracting	N	
Cleaning plants	N	
Industrial services	N	
Wholesale Sales, Storage, and Distribution		

TABLE 512-1: USES		
Use	Status	Limitations & Qualifications
General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	N	
Self-service storage	N	
Manufacturing		
General manufacturing	N	
Heavy manufacturing	N	
Printing	N	
Transportation Facilities		
Aviation facilities	N	
Passenger ground Transportation facilities	P	Transit stop shelters.
	N	All other passenger ground transportation facilities.
Marine facilities	N	
Utilities		
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	C	
Power generation facilities	N	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	N	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	Marijuana production.
	P	All other agriculture.
Forestry	P	
Agriculture and forestry services	N	
Keeping of livestock and other animals	N	
Animal services	N	

TABLE 512-1: USES		
Use	Status	Limitations & Qualifications
Other Uses		
Accessory short-term rentals	S	Accessory short-term rental, subject to SRC 700.006.
Temporary uses	P	Christmas tree sales, subject to SRC 701.015.
Home occupations	S	Home occupations, subject to SRC 700.020.
Guest houses and guest quarters	P	Guest houses and guest quarters are permitted as an accessory use to single family, provided such houses and quarters are dependent upon the main building for either kitchen or bathroom facilities, or both, and are used for temporary lodging and not as a place of residence.
Taking of borders or leasing of rooms by a resident family	P	Taking of boarders or leasing of rooms by a resident family is permitted as an accessory use to household living, provided the total number of boarders and roomers does not exceed 2 in any dwelling unit.
Storage of commercial vehicle as an accessory use to household living	P	Storage of a commercial vehicle as an accessory use to household living is permitted, provided no more than 1 commercial vehicle is stored per dwelling unit.
Historic Resource adaptive reuse pursuant to SRC chapter 230	Allowed	Historic resource adaptive reuse pursuant to SRC chapter 230 is allowed, subject to SRC 230.085.
Accessory dwelling units	S	Accessory dwelling units, subject to SRC 700.0067.

(Prior Code, § 512.010; Ord. No. 31-13; Ord. No. 22-15, § 5, 11-23-2015; Ord. No. 6-17, § 5, 5-8-2017; Ord. No. 5-17, § 27(512.010), 6-12-2017; Ord. No. 10-17, § 7, 7-10-2017)

Sec. 512.015. Development standards.

Development within the RD zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the RD zone shall conform to the standards set forth in Table 512-2.

TABLE 512-2: LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
Single family	Min. 4,000 sq. ft.	
Two family	Min. 7,000 sq. ft.	Two family activities constructed on lots less than 7,000 square feet prior to February 1, 2007, shall be considered conforming with respect to lot area and may be continued so long as they remain otherwise lawful.
Nonprofit shelters	Min. 4,000 sq. ft.	Applicable to nonprofit shelters serving victims of domestic violence.
	Min. 6,000 sq. ft.	Applicable to all other nonprofit shelters.
All other uses	Min. 6,000 sq. ft.	

TABLE 512-2: LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Width		
All uses	Min. 40 ft.	
Lot Depth		
Single family and two family	Min. 70 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	Max. 300% of average lot width	
All other uses	Min. 80 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	Max. 300% of average lot width	
Street Frontage		
Single family	Min. 40 ft.	
	Min. 30 ft.	Applicable to lots fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line.
All other uses	Min. 40 ft.	

(b) *Setbacks.* Setbacks within the RD zone shall be provided as set forth in Table 512-3.

TABLE 512-3. SETBACKS		
Requirement	**Standard**	**Limitations & Qualifications**
Abutting Street		
Buildings		
All uses	Min. 12 ft.	
	Min. 20 ft.	Applicable along collector or arterial streets.
Accessory Structures		
Accessory to all uses	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
	Min. 20 ft.	Applicable to accessory structures greater than 4 ft. in height, when located in a yard adjacent to a collector or arterial street.
Interior Front		

TABLE 512-3. SETBACKS		
Requirement	**Standard**	**Limitations & Qualifications**
Buildings		
All uses	Min. 12 ft.	
Accessory Structures		
Accessory to all uses	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
Interior Side		
Buildings		
Single family	Min. 5 ft.	Applicable to new buildings, other than zero side yard dwellings and townhouses.
	Min. 3 ft.	Applicable to existing buildings, other than zero side yard dwellings and townhouses.
	Per SRC 700.~~080~~085	Applicable to townhouses.
	Per SRC 700.~~090~~095	Applicable to zero side yard dwellings.
Two family	Min. 5 ft.	
All other uses	Min. 5 ft.	Applicable to ~~new~~ buildings not more than 35 ft. in height.
	Min. 5 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	Applicable to ~~new~~ buildings greater than 35 ft. in height.
Accessory Structures		
Accessory to all uses	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.
Interior Rear		
Buildings		
All uses	Min. 14 ft.	Applicable to any portion of a building not more than 1 story in height.
	Min. 20 ft.	Applicable to any portion of a building greater than 1 story in height.
Accessory Structures		
Accessory to all uses	None	Applicable to accessory structures not more than 9 ft. in height.
	Min. 1 ft. for each 1 ft. of height over 9 feet.	Applicable to accessory structures greater than 9 ft. in height.
	Min. 1 ft.	Applicable to accessory structures adjacent to an

TABLE 512-3. SETBACKS		
Requirement	**Standard**	**Limitations & Qualifications**
		alley, unless a greater setback is required based on the height of the accessory structure.

(c) *Lot coverage; height.* Buildings and accessory structures within the RD zone shall conform to the lot coverage and height standards set forth in Table 512-4.

TABLE 512-4. LOT COVERAGE; HEIGHT		
Requirement	**Standard**	**Limitations & Qualifications**
Lot Coverage		
Buildings and Accessory Structures		
Single family and two family	Max. 60%	
Nonprofit shelters	Max. 60%	Applicable to nonprofit shelters serving victims of domestic violence.
	Max. 35%	Applicable to all other nonprofit shelters.
All other uses	Max. 35%	
Rear Yard Coverage		
Buildings		
All uses	N/A	
Accessory Structures		
Accessory to single family and two family	Max. 25%	
Accessory to all other uses	No Max.	
Height		
Buildings		
Single family and two family	Max. 35 ft.	Applicable to new buildings.
	Max. 28 ft. or existing building height, whichever is greater	Applicable to existing buildings.
All other uses	Max. 50 ft.	
Accessory Structures		
Accessory to all uses	Max. 15 ft.	

(d) *Maximum square footage for all accessory structures.* In addition to the maximum coverage requirements established in Table 512-4, accessory structures to single family and two family uses shall be limited to the maximum aggregate total square footage set forth in Table 512-5.

TABLE 512-5. MAXIMUM SQUARE FOOTAGE FOR ALL ACCESSORY STRUCTURES	
Main Building Gross Area	**Maximum Total Square Footage for All Accessory Structures**
1,200 square feet or less.	600 sq. ft.
Greater than 1,200 square feet.	1,000 sq. ft. or 50% of main building gross area, whichever is less.

(e) *Garages required.*

(1) Except as otherwise provided in SRC 700.025 for manufactured homes on individual lots, each dwelling constructed after February 8, 2006, within the RD zone shall have, at the time of original construction, a garage that is constructed of like materials and color as the dwelling. The garage may be attached to, or detached from, the dwelling. Nothing in this ~~paragraph~~ subsection shall prevent subsequent removal or conversion of the garage, so long as the minimum number of required off-street parking spaces is maintained.

(2) Exception to this standard may be made if, at the time of building permit review, the applicant can show that the construction of the dwelling is being provided by a not-for-profit organization to families at or below the City's 60 percent median income level, as defined by the U.S. Department of Housing and Urban Development; and provision is made for a minimum of 480 cubic feet of on-site storage within a portion of the dwelling unit, or within a detached accessory structure. Such exemption shall only be made for those dwellings built on lots created through a subdivision.

(Prior Code, § 512.020; Ord. No. 31-13; Ord. No. 22-15, § 5, 11-23-2015; Ord. No. 6-17, § 6, 5-8-2017; Ord. No. 10-17, § 8, 7-10-2017)

Sec. 512.020. Other provisions.

In addition to the standards set forth in this chapter, development within the RD zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807.

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 512.020; Ord. No. 31-13)

CHAPTER 513. RM-I—MULTIPLE FAMILY RESIDENTIAL

Sec. 513.001. Purpose.

The purpose of the Multiple Family Residential- I (RM-I) Zone is to implement the multiple family residential designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The RM-I zone generally allows multiple family and two family residential uses, along with a mix of other uses that are compatible with and/or provide services to the residential area.

(Prior Code, § 513.001; Ord. No. 31-13)

Sec. 513.005. Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the RM-I zone are set forth in Table 513-1.

TABLE 513-1. USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	P	The following single family activities are permitted: □ Single family detached dwelling. □ Townhouse. □ Residential home, as defined under ORS 197.660. □ Manufactured dwelling park, subject to SRC chapter 235.
	S	The following single family activities: □ Manufactured home, subject to SRC 700.025. □ Zero side yard dwelling, subject to SRC 700.~~090.~~095.
	N	All other single family.
Two family	P	
Multiple family	P	
Group Living		
Room and board	P	Room and board serving 5 or fewer persons.
	C	Room and board serving 6 to 10 persons.
	N	All other room and board.
Residential care	P	
Nursing care	S	Nursing care, subject to SRC 700.~~040.~~045.
Lodging		
Short-term commercial lodging	P	Short-term rentals.
	N	All other short-term commercial lodging.
Long-term commercial lodging	N	
Nonprofit shelters	C	Nonprofit shelters serving up to 10 persons.

TABLE 513-1. USES		
Use	Status	Limitations & Qualifications
	P	Nonprofit shelters serving victims of domestic violence for 10 or fewer persons.
	N	All other nonprofit shelters.
Retail Sales and Service		
Eating and drinking establishments	N	
Retail sales	N	
Personal services	N	
Postal services and retail financial services	N	
Business and Professional Services		
Office	N	
Audio/visual media production	N	
Laboratory research and testing	N	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	
Commercial parking	P	Commercial parking, when located on a lot whose side abuts property, other than a street or alley, within a commercial or industrial zone, and the lot is located entirely within 165 feet of the abutting commercial or industrial zone.
	N	All other commercial parking.
Park-and-ride facilities	P	Park-and ride facilities, when located on a lot whose side abuts property, other than a street or alley, within a commercial or industrial zone, and the lot is located entirely within 165 feet of the abutting commercial or industrial zone.
	N	All other park-and-ride facilities.
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	C	Membership sports and recreation clubs.
	N	All other commercial entertainment—indoor.
Commercial entertainment—	C	Membership sports and recreation clubs.

TABLE 513-1. USES		
Use	Status	Limitations & Qualifications
outdoor	N	All other commercial entertainment—outdoor.
Major event entertainment	N	
Recreational and cultural community services	P	Libraries.
	C	All other recreation and cultural community services.
Parks and open space	C	Arboreta and botanical gardens.
	P	All other parks and open space.
Nonprofit membership assembly	N	
Religious assembly	S	Religious assembly, subject to SRC 700.~~050.~~055.
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	N	
Educational Services		
Day care	P	The following day care activities: □ Child day care home. □ Adult day care home.
	C	The following day care activities: □ Child day care center. □ Adult day care center.
	N	All other day care.
Basic education	S	Basic education, subject to SRC 700.010.
Post-secondary and adult education	N	
Civic Services		
Governmental services	N	
Social services	N	
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	N	The following emergency services activities: □ Ambulance stations. □ Ambulance service facilities.
	P	All other emergency services.
Detention facilities	N	
Military installations	N	

TABLE 513-1. USES		
Use	Status	Limitations & Qualifications
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	N	
Building and grounds services and construction contracting	N	
Cleaning plants	N	
Industrial services	N	
Wholesale Sales, Storage, and Distribution		
General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	N	
Self-service storage	N	
Manufacturing		
General manufacturing	N	
Heavy manufacturing	N	
Printing	N	
Transportation Facilities		
Aviation facilities	N	
Passenger ground transportation facilities	P	Transit stop shelters.
	N	All other passenger ground transportation facilities.
Marine facilities	N	
Utilities		
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	C	
Power generation facilities	N	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	N	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	

TABLE 513-1. USES		
Use	Status	Limitations & Qualifications
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	
Forestry	N	
Agriculture and forestry services	N	
Keeping of livestock and other animals	N	
Animal services	N	
Other Uses		
Temporary uses	P	The following temporary uses: □ Christmas tree sales, subject to SRC 701.015. □ Residential sales/development office, subject to SRC 701.030.
Home occupations	S	Home Occupations, subject to SRC 700.020.
Taking of borders or leasing of rooms by a resident family	P	Taking of boarders or leasing of rooms by a resident family is permitted as an accessory use to household living, provided the total number of boarders and roomers does not exceed 2 in any dwelling unit.
Historic resource adaptive reuse pursuant to SRC chapter 230	Allowed	Historic resource adaptive reuse pursuant to SRC chapter 230 is allowed, subject to SRC 230.085.
Accessory dwelling units	S	Accessory dwelling units, subject to SRC 700.006~~7~~.

(Prior Code, § 513.005; Ord. No. 31-13; Ord. No. 22-15, § 5, 11-23-2015; Ord. No. 6-17, § 7, 5-8-2017; Ord. No. 5-17, § 28(513.005), 6-12-2017; Ord. No. 10-17, § 9, 7-10-2017)

Sec. 513.010. Development standards.

Development within the RM-I zone must comply with the development standards set forth in this section.

(a) *Land division in the RM-I zone.* Lots subdivided or partitioned in the RM-I zone shall be a minimum of 20,000 square feet in size, unless the lots are restricted to contain two or more attached dwelling units per lot, are used for townhouse development, or are used for allowed uses other than household living.

(b) *Lot standards.* Lots within the RM-I zone shall conform to the standards set forth in Table 513-2.

TABLE 513-2. LOT STANDARDS		
Requirement	**Standard**	**Limitations & Qualifications**
Lot Area		
Single family	Min. 1,500 sq. ft.	Applicable to townhouses.
	Min. 4,000 sq. ft.	Applicable to all other single family.
All other uses	Min. 4,000 sq. ft.	
Lot Width		

TABLE 513-2. LOT STANDARDS		
Requirement	**Standard**	**Limitations & Qualifications**
Single family	Min. 20 ft.	Applicable to townhouses.
	Min. 40 ft.	Applicable to all other single family.
All other uses	Min. 40 ft.	
Lot Depth		
All uses	Min. 70 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	Max. 300% of average lot width	
Street Frontage		
Single family	Min. 20 ft.	Applicable to townhouses.
	Min. 40 ft.	Applicable to all other single family.
	Min. 30 ft.	Applicable to all other single family, when located on a lot fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line.
All other uses	Min. 40 ft.	

(c) *Dwelling unit density.* Dwelling unit density within the RM-I zone shall conform to the standards set forth in Table 513-3. Maximum dwelling unit density cannot be varied or adjusted.

TABLE 513-3: DWELLING UNIT DENSITY			
Use	**Standard**		**Limitations & Qualifications**
	Minimum	**Maximum**	
Single family, two family, and multiple family	8 dwelling units per acre	14 dwelling units per acre	
	6 dwelling unit per acre	14 dwelling units per acre	Applicable to manufactured dwelling parks developed pursuant to SRC chapter 235.

(d) *Setbacks.* Setbacks within the RM-I zone shall be provided as set forth in Tables 513-4 and 513-5.

TABLE 513-4. SETBACKS		
Requirement	**Standard**	**Limitations & Qualifications**
Abutting Street		

TABLE 513-4. SETBACKS		
Requirement	**Standard**	**Limitations & Qualifications**
Buildings		
Single family and two family	Min. 12 ft.	
	Min. 20 ft.	Applicable along collector or arterial streets.
All other uses	Min. 12 ft., plus 1 ft. for each 1 ft. of height over 12 ft., but need not exceed 20 ft. in depth.	
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
	Min. 20 ft.	Applicable to accessory structures greater than 4 ft. in height, when located in a yard adjacent to a collector or arterial street.
Accessory to all other uses	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft., plus 1 ft. for each 1 ft. of height over 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
Vehicle Use Areas		
All uses, other than single family and two family	Min. 12 ft.	
Interior Front		
Buildings		
Single family and two family	Min. 12 ft.	
All other uses	Zone-to-zone setback (Table 513-5)	
Accessory structures		
Accessory to single family and two family	Min. 5 ft.	
Accessory to all other uses	Zone-to-zone setback (Table 513-5)	
Vehicle use areas		
All uses, other than single family and two family	Zone-to-zone setback (Table 513-5)	
Interior Side		
Buildings		
Single family	Min. 5 ft.	Applicable to new buildings, other than townhouses and zero side yard dwellings.

TABLE 513-4. SETBACKS		
Requirement	**Standard**	**Limitations & Qualifications**
	Min. 3 ft.	Applicable to existing buildings, other than townhouses and zero side yard dwellings.
	None	Applicable to townhouses.
	Per SRC 700.~~090~~095	Applicable to zero side yard dwellings.
Two family	Min. 5 ft.	
All other uses	Zone-to-zone setback (Table 513-5)	
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.
Accessory to all other uses	Zone-to-zone setback (Table 513-5)	
Vehicle Use Areas		
All uses, other than single family and two family	Zone-to-zone setback (Table 513-5)	
Interior Rear		
Buildings		
Single family and two family	Min. 14 ft.	Applicable to any portion of a building not more than 1 story in height.
	Min. 20 ft.	Applicable to any portion of a building greater than 1 story in height.
All other uses	Zone-to-zone setback (Table 513-5)	
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures not more than 9 ft. in height.
	Min. 1 ft. for each 1 ft. of height over 9 ft.	Applicable to accessory structures greater than 9 ft. in height.
	Min. 1 ft.	Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure.
Accessory to all other uses	Zone-to-zone setback (Table 513-5)	
Vehicle Use Areas		
All uses, other than single family and two family	Zone-to-zone setback (Table 513-5)	

TABLE 513-5. ZONE-TO-ZONE SETBACKS			
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening
EFU	Buildings and accessory structures Vehicle use areas	Min. 10 ft.	Type C
Residential Zone	Buildings and accessory structures Vehicle use areas	Min. 10 ft.	Type C
Mixed-Use Zone	Buildings and accessory structures Vehicle use areas	Min. 10 ft.	Type C
Commercial Zone	Buildings and accessory structures Vehicle use areas	Min. 10 ft.	Type C
Public Zone	Buildings and accessory structures Vehicle use areas	Min. 10 ft.	Type C
Industrial and Employment Zone	Buildings and accessory structures Vehicle use areas	Min. 15 ft.	Type C
Limitations and Qualifications (1) Zone-to-Zone setbacks are not required abutting an alley.			

(e) *Lot coverage; height.* Buildings and accessory structures within the RM-I zone shall conform to the lot coverage and height standards set forth in Table 513-6.

TABLE 513-6. LOT COVERAGE; HEIGHT		
Requirement	**Standard**	**Limitations & Qualifications**
Lot Coverage		
Buildings and Accessory Structures		
All uses	Max. 50%	
Rear Yard Coverage		
Buildings		
All uses	N/A	
Accessory Structures		
Accessory to single family and two family	Max. 25%	
Accessory to all other uses	No Max.	
Height		
Buildings		
Single family, two family, multiple Family, residential care, nursing care, and short-term commercial	Max. 35 ft.	

TABLE 513-6. LOT COVERAGE; HEIGHT		
Requirement	**Standard**	**Limitations & Qualifications**
lodging		
All other uses	Max. 70 ft.	
Accessory Structures		
Accessory to all uses	Max 15 ft.	

(f) *Maximum square footage for all accessory structures.* In addition to the maximum coverage requirements established in Table 513-6, accessory structures to single family and two family uses shall be limited to the maximum aggregate total square footage set forth in Table 513-7.

TABLE 513-7. MAXIMUM SQUARE FOOTAGE FOR ALL ACCESSORY STRUCTURES	
Main Building Gross Area	**Maximum Aggregate Total Square Footage for All Accessory Structures**
1,200 square feet or less.	600 sq. ft.
Greater than 1,200 square feet.	1,000 sq. ft. or 50% of main building gross area, whichever is less.

(g) *Landscaping.* Landscaping within the RM-I zone shall be provided as set forth in this subsection.

(1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

(2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and ~~SRC chapter~~ 807.

(h) *Outdoor storage.* Within the RM-I zone, outdoor storage shall be screened from streets and adjacent properties by a minimum six-foot-high sight-obscuring fence, wall, or hedge.

(Prior Code, § 513.010; Ord. No. 31-13; Ord. No. 22-15, § 6, 11-23-2015)

Sec. 513.015. Design review.

Design review under SRC chapter 225 is required for development within the RM-I as follows:

(a) Multiple family development shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(b) Residential care with three or more self-contained dwelling units shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(Prior Code, § 513.015; Ord. No. 31-13)

Sec. 513.020. Other provisions.

In addition to the standards set forth in this chapter, development within the RM-I zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 513.020; Ord. No. 31-13)

CHAPTER 514. RM-II—MULTIPLE FAMILY RESIDENTIAL

Sec. 514.001. Purpose.

The purpose of the Multiple Family Residential-II (RM-II) Zone is to implement the multiple family residential designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The RM-II zone generally allows multiple family residential uses, along with a mix of other uses that are compatible with and/or provide services to the residential area.

(Prior Code, § 514.001; Ord. No. 31-13)

Sec. 514.005. Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the RM-II zone are set forth in Table 514-1.

TABLE 514-1. USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	P	The following single family activities: □ Replacement of existing single family detached dwelling. □ New single family detached dwelling on a nonconforming lot of record less than 6,000 square feet in area. □ Townhouse. □ Residential home, as defined under ORS 197.660. □ Manufactured dwelling park, subject to SRC chapter 235.
	S	The following single family activities: □ Replacement of existing manufactured home, subject to SRC 700.025. □ Zero side yard dwelling, subject to SRC 700.~~090.~~095.
	N	All other single family.
Two family	P	
Multiple family	P	
Group Living		
Room and board	P	Room and board serving 5 or fewer persons.
	C	Room and board serving 6 to 10 persons.
	N	All other room and board.
Residential care	P	
Nursing care	S	Nursing care, subject to SRC 700.040.
Lodging		

TABLE 514-1. USES		
Use	Status	Limitations & Qualifications
Short-term commercial lodging	P	Short-term rentals.
	N	All other short-term commercial lodging.
Long-term commercial lodging	N	
Nonprofit shelters	P	Nonprofit shelters serving 5 or fewer persons.
	C	Nonprofit shelters serving 6 to 10 persons.
	P	Nonprofit shelters serving victims of domestic violence for 10 or fewer persons.
	N	All other nonprofit shelters.
Retail Sales and Service		
Eating and drinking establishments	N	
Retail sales	N	
Personal services	C	The following personal services activities: □ Beauty salons. □ Barber shops.
	N	All other personal services.
Postal services and retail financial services	N	
Business and Professional Services		
Office	N	
Audio/visual media production	N	
Laboratory research and testing	N	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	
Commercial parking	P	Commercial parking, when located on a lot whose side abuts property, other than a street or alley, within a commercial or industrial zone, and the lot is located entirely within 165 feet of the abutting commercial or industrial zone.
	N	All other commercial parking.
Park-and-ride facilities	P	Park-and ride facilities, when located on a lot whose side abuts property, other than a street or alley, within a commercial or industrial zone, and the lot is located entirely within 165 feet of the abutting commercial or industrial zone.
	N	All other park-and-ride facilities.

TABLE 514-1. USES		
Use	Status	Limitations & Qualifications
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	C	Membership sports and recreation clubs.
	N	All other commercial entertainment—indoor.
Commercial entertainment—outdoor	S	Golf courses, subject to SRC 700.015.
	C	Membership sports and recreation clubs.
	N	All other commercial entertainment—outdoor.
Major event entertainment	N	
Recreational and cultural community services	P	Libraries.
	C	All other recreation and cultural community services.
Parks and open space	C	Arboreta and botanical gardens.
	P	All other parks and open space.
Nonprofit membership assembly	C	
Religious assembly	S	Religious assembly, subject to SRC 700.~~050~~055.
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	N	
Educational Services		
Day care	P	The following day care activities: □ Child day care home. □ Adult day care home.
	C	The following day care activities: □ Child day care center. □ Adult day care center.
	N	All other day care.
Basic education	S	Basic education, subject to SRC 700.010.
Post-secondary and adult education	N	
Civic Services		
Governmental services	N	
Social services	N	

TABLE 514-1. USES		
Use	Status	Limitations & Qualifications
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	N	Ambulance service facilities.
	P	All other emergency services.
Detention facilities	N	
Military installations	N	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	Crematories.
	C	All other funeral and cremation services.
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	N	
Building and grounds services and construction contracting	N	
Cleaning plants	N	
Industrial services	N	
Wholesale Sales, Storage, and Distribution		
General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	N	
Self-service storage	N	
Manufacturing		
General manufacturing	N	
Heavy manufacturing	N	
Printing	N	
Transportation Facilities		
Aviation facilities	N	
Passenger ground transportation facilities	P	Transit stop shelters.
	N	All other passenger ground transportation facilities.
Marine facilities	N	
Utilities		
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.

TABLE 514-1. USES		
Use	Status	Limitations & Qualifications
Drinking water treatment facilities	C	
Power generation facilities	N	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	N	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	Marijuana production.
	P	All other agriculture.
Forestry	P	
Agriculture and forestry services	N	
Keeping of livestock and other animals	N	
Animal services	N	
Other Uses		
Temporary uses	P	Christmas tree sales, subject to SRC 701.015.
Home occupations	S	Home occupations are allowed subject to SRC 700.020.
Guest houses and guest quarters	P	Guest houses and guest quarters are permitted as an accessory use to single family, provided such houses and quarters are dependent upon the main building for either kitchen or bathroom facilities, or both, and are used for temporary lodging and not as a place of residence.
Taking of borders or leasing of rooms by resident family	P	The taking of boarders or leasing of rooms by a resident family is permitted as an accessory use to household living, provided the total number of boarders and roomers does not exceed 2 in any dwelling unit.
Storage of commercial vehicle as an accessory use to household living	P	Storage of a commercial vehicle as an accessory use to household living is permitted, provided no more than 1 commercial vehicle is stored per dwelling unit.
Historic resource adaptive reuse pursuant to SRC chapter 230	Allowed	Historic resource adaptive reuse pursuant to SRC chapter 230 is allowed, subject to SRC 230.085.
Accessory dwelling units	S	Accessory dwelling units, subject to SRC 700.006~~7~~.

(Prior Code, § 514.005; Ord. No. 31-13; Ord. No. 22-15, § 7, 11-23-2015; Ord. No. 6-17, § 8, 5-8-2017; Ord. No. 5-17, § 29(514.005), 6-12-2017; Ord. No. 10-17, § 10, 7-10-2017)

Sec. 514.010. Development standards.

Development within the RM-II zone must comply with the development standards set forth in this section.

(a) *Land division in the RM-II zone.* Lots subdivided or partitioned in the RM-II zone shall be a minimum of 20,000 square feet in size, unless the lots are restricted to contain three or more attached dwelling units per lot, are used for townhouse development, or are used for allowed uses other than household living.

(b) *Lot standards.* Lots within the RM-II zone shall conform to the standards set forth in Table 514-2.

TABLE 514-2. LOT STANDARDS

Requirement	Standard	Limitations & Qualifications
Lot Area		
Single family	Min. 1,500 sq. ft.	Applicable to townhouses.
	Min. 6,000 sq. ft.	Applicable to all other single family, except new single family detached dwellings on nonconforming lots of record less than 6,000 square feet in area.
All other uses	Min. 6,000 sq. ft.	
Lot Width		
Single family	Min. 20 ft.	Applicable to townhouses.
	Min. 40 ft.	Applicable to all other single family.
All Other Uses	Min. 40 ft.	
Lot Depth		
Single family	Min. 70 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	Max. 300% of average lot width	
All other uses	Min. 80 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	Max. 300% of average lot width	
Street Frontage		
Single family	Min. 20 ft.	Applicable to townhouses.
	Min. 40 ft.	Applicable to all other single family.
	Min. 30 ft.	Applicable to all other single family, when located on a lot fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line.
All other uses	Min. 40 ft.	

(c) *Dwelling unit density.* Dwelling unit density within the RM-II zone shall conform to the standards set forth in Table 514-3. Maximum dwelling unit density cannot be varied or adjusted.

TABLE 514-3. DWELLING UNIT DENSITY			
Use	Standard		Limitations & Qualifications
	Minimum	Maximum	
Single family, two family, and multiple family	12 dwelling units per acre	28 dwelling units per acre	
	N/A	N/A	Applicable to new single family detached dwelling on nonconforming lot of record less than 6,000 square feet in area.
	6 dwelling unit per acre	28 dwelling units per acre	Applicable to manufactured dwelling parks developed pursuant to SRC chapter 235.

(d) *Setbacks.* Setbacks within the RM-II zone shall be provided as set forth in Tables 514-4 and 514-5.

TABLE 514-4. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
Single family and two family	Min. 12 ft.	
	Min. 20 ft.	Applicable along collector or arterial streets.
All other uses	Min. 12 ft., plus 1 ft. for each 1 ft. of height over 12 ft., but need not exceed 20 ft. in depth.	
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
	Min. 20 ft.	Applicable to accessory structures greater than 4 ft. in height, when located in a yard adjacent to a collector or arterial street.
Accessory to all other uses	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft., plus 1 ft. for each 1 ft. of height over 12 ft.	Applicable to accessory structures greater than 4 ft. in height.

TABLE 514-4. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Vehicle Use Areas		
All uses, other than single family and two family	Min. 12 ft.	
Interior Front		
Buildings		
Single family and two family	Min. 12 ft.	
All other uses	Zone-to-zone setback (Table 514-5)	
Accessory Structures		
Accessory to single family and two family	Min. 5 ft.	
Accessory to all other uses	Zone-to-zone setback (Table 514-5)	
Vehicle Use Areas		
All uses, other than single family and two family	Zone-to-zone setback (Table 514-5)	
Interior Side		
Buildings		
Single family	Min. 5 ft.	Applicable to new buildings, other than townhouses and zero side yard dwellings.
	Min. 3 ft.	Applicable to existing buildings, other than townhouses and zero side yard dwellings.
	None	Applicable to townhouses.
	Per SRC 700.~~090~~095	Applicable to zero side yard dwellings.
Two family	Min. 5 ft.	
All other uses	Zone-to-zone setback (Table 514-5)	
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.
Accessory to all other uses	Zone-to-zone setback (Table 514-5)	
Vehicle Use Areas		
All uses, other than single family and two family	Zone-to-zone setback (Table 514-5)	
Interior Rear		
Buildings		

TABLE 514-4. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Single family and two family	Min. 14 ft.	Applicable to any portion of a building not more than 1 story in height.
	Min. 20 ft.	Applicable to any portion of a building greater than 1 story in height.
All other uses	Zone-to-zone setback (Table 514-5)	
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures not more than 9 ft. in height.
	Min. 1 ft. for each 1 ft. of height over 9 ft.	Applicable to accessory structures greater than 9 ft. in height.
	Min. 1 ft.	Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure.
Accessory to all other uses	Zone-to-zone setback (Table 514-5)	
Vehicle Use Areas		
All uses, other than single family and two family	Zone-to-zone setback (Table 514-5)	

TABLE 514-5. ZONE-TO-ZONE SETBACKS			
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening
EFU	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		
Residential Zone	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		
Mixed-Use Zone	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		
Commercial Zone	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		
Public Zone	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		
Industrial and Employment Zone:	Buildings and accessory structures	Min. 15 ft.	Type C
	Vehicle use areas		
Limitations and Qualifications (1) Zone-to-Zone setbacks are not required abutting an alley.			

(e) *Lot coverage; height.* Buildings and accessory structures within the RM-II zone shall conform to the lot coverage and height standards set forth in Table 514-6.

TABLE 514-6. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
All uses	Max. 50%	
Rear Yard Coverage		
Buildings		
All uses	N/A	
Accessory Structures		
Accessory to single family and two family	Max. 25%	
Accessory to all other uses	No Max.	
Height		
Buildings		
Single family and two family	Max. 35 ft.	
Multiple family, residential care, nursing care, and short-term commercial lodging	Max. 50 ft.	
All other uses	Max. 70 ft.	
Accessory Structures		
Accessory to all uses	Max 15 ft.	

(f) *Maximum square footage for all accessory structures.* In addition to the maximum coverage requirements established in Table 514-6, accessory structures to single family and two family uses shall be limited to the maximum aggregate total square footage set forth in Table 514-7.

TABLE 514-7. MAXIMUM SQUARE FOOTAGE FOR ALL ACCESSORY STRUCTURES	
Main Building Gross Area	Maximum Total Square Footage for All Accessory Structures
1,200 square feet or less.	600 sq. ft.
Greater than 1,200 square feet.	1,000 sq. ft. or 50% of main building gross area, whichever is less.

(g) *Landscaping.* Landscaping within the RM-II zone shall be provided as set forth in this subsection.

(1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set

forth in SRC chapter 807.

(2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and ~~SRC chapter~~ 807.

(h) *Outdoor storage.* Within the RM-II zone, outdoor storage shall be screened from streets and adjacent properties by a minimum six-foot-high sight-obscuring fence, wall, or hedge.

(Prior Code, § 514.010; Ord. No. 31-13; Ord. No. 22-15, § 7, 11-23-2015)

Sec. 514.015. Design review.

Design review under SRC chapter 225 is required for development within the RM-II as follows:

(a) Multiple family development shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(b) Residential care with three or more self-contained dwelling units shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(Prior Code, § 514.015; Ord. No. 31-13)

Sec. 514.020. Other provisions.

In addition to the standards set forth in this chapter, development within the RM-II zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807.

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 514.020; Ord. No. 31-13)

CHAPTER 515. RH—MULTIPLE FAMILY HIGH-RISE RESIDENTIAL

Sec. 515.001. Purpose.

The purpose of the Multiple Family High-Rise Residential (RH) Zone is to establish the allowed uses and development standards for the RH zone district. The RH zone generally allows multiple family residential uses, along with a mix of other uses that are compatible with and/or provide services to the residential area.

(Prior Code, § 515.001; Ord. No. 31-13)

Sec. 515.005. Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the RH zone are set forth in Table 515-1.

TABLE 515-1. USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	P	The following single family activities: □ Replacement of single family detached dwelling existing on October 23, 2013. □ Residential home, as defined under ORS 197.660.
	C	New single family detached dwelling, other than the replacement of a single family detached dwelling existing on October 23, 2013.
	N	All other single family.
Two family	P	
Multiple family	P	
Group Living		
Room and board	P	Room and board serving 5 or fewer persons.
	C	Room and board serving 6 to 10 persons.
	N	All other room and board.
Residential care	P	
Nursing care	S	Nursing care, subject to SRC 700.~~040.~~045.
Lodging		
Short-term commercial lodging	P	Short-term rentals.
	N	All other short-term commercial lodging.
Long-term commercial lodging	P	
Nonprofit shelters	P	Nonprofit shelters serving 5 or fewer persons.
	C	Nonprofit shelters serving 6 to 10 persons.
	P	Nonprofit shelters serving victims of domestic violence for 10 or fewer persons.

TABLE 515-1. USES		
Use	Status	Limitations & Qualifications
	N	All other nonprofit shelters.
Retail Sales and Service		
Eating and drinking establishments	N	
Retail sales	N	
Personal services	C	The following personal services activities: □ Beauty salons. □ Barber shops.
	N	All other personal services.
Postal services and retail financial services	N	
Business and Professional Services		
Office	N	
Audio/visual media production	N	
Laboratory research and testing	N	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	
Commercial parking	P	Commercial parking, when located on a lot whose side abuts property, other than a street or alley, within a commercial or industrial zone, and the lot is located entirely within 165 feet of the abutting commercial or industrial zone.
	N	All other commercial parking.
Park-and-ride facilities	P	Park-and ride facilities, when located on a lot whose side abuts property, other than a street or alley, within a commercial or industrial zone, and the lot is located entirely within 165 feet of the abutting commercial or industrial zone.
	N	All other park-and-ride facilities.
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	C	Membership sports and recreation clubs.
	N	All other commercial entertainment—indoor.

TABLE 515-1. USES		
Use	Status	Limitations & Qualifications
Commercial entertainment—outdoor	C	Membership sports and recreation clubs.
	N	All other commercial entertainment—outdoor.
Major event entertainment	N	
Recreational and cultural community services	P	Libraries.
	C	All other recreation and cultural community services.
Parks and open space	C	Arboreta and botanical gardens.
	P	All other parks and open space.
Nonprofit membership assembly	C	
Religious assembly	S	Religious Assembly is allowed, subject to SRC 700.~~050~~.055.
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	N	
Educational Services		
Day care	P	The following day care activities: □ Child day care home. □ Adult day care home.
	C	The following day care activities: □ Child day care center. □ Adult day care center.
	N	All other day care.
Basic education	S	Basic education, subject to SRC 700.010.
Post-secondary and adult education	N	
Civic Services		
Governmental services	N	
Social services	N	
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	N	Ambulance service facilities.
	P	All other emergency services.
Detention facilities	N	
Military installations	N	

TABLE 515-1. USES		
Use	Status	Limitations & Qualifications
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	N	
Building and grounds services and construction contracting	N	
Cleaning plants	N	
Industrial services	N	
Wholesale Sales, Storage, and Distribution		
General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	N	
Self-service storage	N	
Manufacturing		
General manufacturing	N	
Heavy manufacturing	N	
Printing	N	
Transportation Facilities		
Aviation facilities	N	
Passenger ground transportation facilities	P	Transit stop shelters.
	N	All other passenger ground transportation facilities.
Marine facilities	N	
Utilities		
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	C	
Power generation facilities	N	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	N	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	

TABLE 515-1. USES		
Use	Status	Limitations & Qualifications
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	Marijuana production.
	P	All other agriculture.
Forestry	P	
Agriculture and forestry Services	N	
Keeping of livestock and other animals	N	
Animal services	N	
Other Uses		
Temporary uses	P	The following temporary uses: □ Christmas tree sales, subject to SRC 701.015. □ Residential sales/development office, subject to SRC 701.030.
Home occupations	S	Home occupations, subject to SRC 700.020.
Guest houses and guest quarters	P	Guest houses and guest quarters are permitted as an accessory use to single family, provided such houses and quarters are dependent upon the main building for either kitchen or bathroom facilities, or both, and are used for temporary lodging and not as a place of residence.
Taking of borders or leasing of rooms by a resident family	P	The taking of boarders or leasing of rooms by a resident family is permitted as an accessory use to household living, provided the total number of boarders and roomers does not exceed 2 in any dwelling unit.
Storage of commercial vehicle as an accessory use to household living	P	Storage of a commercial vehicle as an accessory use to household living is permitted, provided no more than 1 commercial vehicle is stored per dwelling unit.
Nonresidential uses in a mixed-use project	S	Nonresidential uses in a mixed-use project, subject to SRC 700.~~035.~~040.
Historic resource adaptive reuse pursuant to SRC chapter 230	Allowed	Historic resource adaptive reuse pursuant SRC chapter 230 is allowed, subject to SRC 230.085.
Accessory dwelling units	S	Accessory dwelling units, subject to SRC 700.00~~6~~7.

(Prior Code, § 515.005; Ord. No. 31-13; Ord. No. 22-15, § 8, 11-23-2015; Ord. No. 6-17, § 9, 5-8-2017; Ord. No. 5-17, § 30(515.005), 6-12-2017; Ord. No. 10-17, § 11, 7-10-2017)

Sec. 515.010. Development standards.

Development within the RH zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the RH zone shall conform to the standards set forth in Table 515-2.

TABLE 515-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
All uses	None	
Lot Width		
All uses	None	
Lot Depth		
All uses	None	
Street Frontage		
Single family	Min. 40 ft.	
All other uses	Min. 16 ft.	

(b) *Setbacks.* Setbacks within the RH zone shall be provided as set forth in Table 515-3.

TABLE 515-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	None	Applicable to buildings on lots located within the CSDP area.
	Min. 12 ft.	Applicable to buildings on lots located outside the CSDP area.
Accessory Structures		
Accessory to all uses	None	Applicable to accessory structures not more than 4 ft. in height.
	None	Applicable to accessory structures greater than 4 ft. in height on lots located within the CSDP area.
	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height on lots located outside the CSDP area.
Vehicle Use Areas		
All uses	Per SRC chapter 806	
Interior Front		
Buildings		
All uses	None	Applicable to buildings on lots located within the CSDP area.
	Min. 12 ft.	Applicable to buildings on lots located outside the CSDP area.

TABLE 515-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Accessory Structures		
Accessory to all uses	None	Applicable to accessory structures not more than 4 ft. in height.
	None	Applicable to accessory structures greater than 4 ft. in height on lots located within the CSDP area.
	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height on lots located outside the CSDP area.
Vehicle Use Areas		
All uses	Per SRC chapter 806	
Interior Side		
Buildings		
All uses	Min. 5 ft.	Applicable to buildings not more than 35 ft. in height.
	Min. 5 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	Applicable to buildings greater than 35 ft. in height.
Accessory Structures		
Accessory to all uses	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.
Vehicle Use Areas		
All uses	Per SRC chapter 806	
Interior Rear		
Buildings		
All uses	Min. 5 ft.	Applicable to buildings not more than 35 ft. in height.
	Min. 5 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	Applicable to buildings greater than 35 ft. in height.
Accessory Structures		
Accessory to all uses	None	Applicable to accessory structures not more than 9 ft. in height.

TABLE 515-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
	Min. 1 ft. for each 1 ft. of height over 9 ft.	Applicable to accessory structures greater than 9 ft. in height.
	Min. 1 ft.	Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure.
Vehicle Use Areas		
All uses	Per SRC chapter 806	

(c) *Lot coverage; height.* Buildings and accessory structures within the RH zone shall conform to the lot coverage and height standards set forth in Table 515-4.

TABLE 515-4. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
All uses	No Max.	
Rear Yard Coverage		
Buildings		
All uses	N/A	
Accessory Structures		
Accessory to single family and two family	Max. 25%	
Accessory to all other uses	No Max.	
Height		
Buildings		
All uses	No Max.	
Accessory Structures		
Accessory to single family, two family, and multiple family	Max 15 ft.	
Accessory to all other uses	No Max.	

(d) *Maximum square footage for all accessory structures.* In addition to the maximum coverage requirements established in Table 515-4, accessory structures to single family and two family uses shall be limited to the maximum aggregate total square footage set forth in Table 515-5.

TABLE 515-5. MAXIMUM SQUARE FOOTAGE FOR ALL ACCESSORY STRUCTURES	
Main Building Gross Area	Maximum Total Square Footage for All Accessory Structures
1,200 square feet or less.	600 sq. ft.
Greater than 1,200 square feet.	1,000 sq. ft. or 50% of main building gross area, whichever is less.

(e) *Landscaping.* Landscaping within the RH zone shall be provided as set forth in this subsection.

(1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

(2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and ~~SRC chapter~~ 807.

(f) *Outdoor storage.* Within the RH zone, outdoor storage shall be screened from streets and adjacent properties by a minimum six-foot-high sight-obscuring fence, wall, or hedge.

(Prior Code, § 515.010; Ord. No. 31-13)

Sec. 515.015. Design review.

Design review under SRC chapter 225 is required for development within the RH as follows:

(a) Multiple family development shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(b) Residential care with three or more self-contained dwelling units shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(Prior Code, § 515.015; Ord. No. 31-13)

Sec. 515.020. Other provisions.

In addition to the standards set forth in this chapter, development within the RH zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807.

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 515.020; Ord. No. 31-13)

CHAPTERS 516—519. RESERVED

CHAPTER 520. CN--NEIGHBORHOOD COMMERCIAL

Sec. 520.001. Purpose.

The purpose of the Neighborhood Commercial (CN) Zone is to implement the commercial designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The CN zone is generally intended to provide areas of small-scale retail, office, and service uses that are compatible with the scale and character of surrounding residential areas, and that serve nearby residents.

(Prior Code, § 520.001; Ord. No. 31-13)

Sec. 520.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*CN district*~~:~~ means the aggregate area of all contiguous properties zoned CN.

(Prior Code, § 520.005; Ord. No. 31-13)

Sec. 520.010. Requirements for application of neighborhood commercial zone.

(a) *Site plan required.*

(1) In addition to the submittal requirements for zone changes set forth in SRC chapter 265, proposals to zone land CN shall include a site plan that shall be approved with the zone change application. The site plan shall contain the following information:

(A) The size and location of existing and proposed buildings, structures, accesses, off-street parking and loading spaces, and landscaping.

(2) The approved site plan shall be binding on the property; provided, however, the site plan may be amended upon review and approval by the Planning Commission. An amendment to an approved site plan is processed as a Type III procedure under SRC chapter 300.

(b) *Approval criteria.* In addition to the approval criteria for zone changes set forth in SRC chapter 265, proposals to zone land CN shall meet the following criteria:

(1) The total street frontage of the proposed CN district will be not more than 800 feet; provided, however, that portion of the CN district fronting a street with restricted access shall not be included in the total street frontage.

(2) Not less than one-fourth of the total street frontage of the proposed CN district will be on collector and/or arterial streets.

(3) The proposed CN district will not be more than:

(A) 1.5 acres, when abutting a collector street; or

(B) Three acres, when abutting an arterial street and regardless of whether the aggregate area also abuts a collector street.

(4) The boundaries of the proposed CN district will be separated from all other commercial zones, including other CN districts, by not less than one-half mile;

(5) If two or more contiguous lots will be zoned CN, no lot shall have less than 50 feet of property line contiguous with another lot zoned CN.

(Prior Code, § 520.010; Ord. No. 31-13)

Sec. 520.015. Uses.

(a) *General.* Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and

prohibited (N) uses in the CN zone are set forth in Table 520-1.

TABLE 520-1. USES		
Use	Status	Limitations and Qualifications
Household Living		
Single family	P	1 dwelling unit for each business use on a lot.
	N	All other single family.
Two family	P	1 dwelling unit for each business use on a lot.
	N	All other two family.
Multiple family	P	1 dwelling unit for each business use on a lot.
	N	All other multiple family.
Group Living		
Room and board	P	Room and board serving 5 or fewer persons.
	N	All other room and board.
Residential care	P	
Nursing care	N	
Lodging		
Short-term commercial lodging	P	Short-term rentals.
	N	All other short-term commercial lodging.
Long term commercial lodging	N	
Nonprofit shelters	P	Nonprofit shelters serving 5 or fewer persons.
	P	Nonprofit shelters serving victims of domestic violence for 10 or fewer persons.
	N	All other nonprofit shelters.
Retail Sales and Service		
Eating and drinking establishments	N	Bars and taverns, where the sale of alcohol is a primary use.
	P	All other eating and drinking establishments, subject to SRC 520.015 (c).
Retail sales	P	Retail sales, subject to SRC 520.015(c).
Personal services	P	Personal services, subject to SRC 520.015(c).
Postal services and retail financial services	P	Postal and retail financial services, subject to SRC 520.015(c).
Business and Professional Services		
Office	P	Office, subject to SRC 520.015(c).
Audio/visual medial production	N	
Laboratory research and testing	P	Laboratory research and testing, subject to SRC 520.015(c).
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		

TABLE 520-1. USES		
Use	Status	Limitations and Qualifications
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	
Commercial parking	N	
Park-and-ride facilities	N	
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	P	The following commercial entertainment—indoor activities, subject to SRC 520.015(c): □ Dance studios and schools for the instruction of children 18 years and under. □ Membership sports and recreation clubs.
	N	All other commercial entertainment—indoor.
Commercial entertainment—outdoor	P	Membership sports and recreation clubs, subject to SRC 520.015(c).
	N	All other commercial entertainment—outdoor.
Major event entertainment	N	
Recreational and cultural Community services	P	Recreational and cultural community services, subject to SRC 520.015(c).
Parks and open space	P	
Nonprofit membership assembly	P	Nonprofit membership assembly, subject to SRC 520.015(c).
Religious assembly	P	Religious assembly, subject to SRC 520.015(c).
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	P	Outpatient medical services and laboratories, subject to SRC 520. 015(c).
Education Services		
Day care	P	Day care, subject to SRC 520. 015(c).
Basic education	P	Basic education, subject to SRC 520.015(c).
Post-secondary and adult education	P	Post-secondary and adult education, subject to SRC 520.015(c).
Civic Services		
Governmental services	N	

TABLE 520-1. USES		
Use	Status	Limitations and Qualifications
Social services	P	Social Services, subject to SRC 520.015(c).
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	P	
Detention facilities	N	
Military installations	N	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	N	
Building and grounds services and construction contracting	P	Lawn and garden services, subject to SRC 520.015(c).
	N	All other building and grounds services and construction contracting.
Cleaning plants	N	
Industrial services	N	
Wholesale Sales, Storage, and Distribution		
General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	N	
Self-service storage	N	
Manufacturing		
General manufacturing	N	
Heavy manufacturing	N	
Printing	N	
Transportation Facilities		
Aviation facilities	N	
Passenger ground transportation facilities	P	Transit stop shelters.
	N	All other passenger ground transportation facilities.
Marine facilities	N	
Utilities		
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.

TABLE 520-1. USES		
Use	Status	Limitations and Qualifications
Drinking water treatment facilities	N	
Power generation facilities	N	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	N	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	Marijuana production.
	P	All other agriculture.
Forestry	P	
Agriculture and forestry services	N	
Keeping of livestock and other animals	N	
Animal services	N	
Other Uses		
Temporary uses	P	Christmas tree sales, subject to SRC 701.015.
Home occupations	S	Home occupations, subject to SRC 700.020.

(b) *Additional prohibited uses.* Notwithstanding Table 520-1, eating and drinking establishments otherwise permitted within the CN zone shall be a prohibited use within the CN zone if developed with a drive-through.

(c) *Limitations on uses.* Where a use is allowed subject to the provisions of this subsection, the use shall conform to the following additional limitations:

(1) Establishments under the following uses shall be limited to no more than 2,000 square feet of total floor area per establishment:

(A) Personal services.

(B) Postal services and retail financial services.

(C) Office.

(D) Laboratory research and testing.

(E) Outpatient medical services and laboratories.

(F) Building and grounds services and construction contracting.

(2) Establishments under the following uses shall be limited to no more than 4,000 square feet of total floor area per establishment.

(A) Retail sales.

(3) Establishments under the following uses shall be limited to no more than 5,000 square feet of total floor area per establishment.

(A) Eating and drinking establishments.

(B) Commercial entertainment—indoor.

(C) Commercial entertainment—outdoor.

(D) Recreational and cultural community services.

(E) Nonprofit membership assembly.

(F) Religious assembly.

(G) Day care.

(H) Basic education.

(I) Post-secondary and adult education.

(J) Social services.

(Prior Code, § 520.015; Ord. No. 31-13; Ord. No. 22-15, § 9, 11-23-2015; Ord. No. 6-17, § 10, 5-8-2017; Ord. No. 5-17, § 31(520.015), 6-12-2017)

Sec. 520.020. Development standards.

Development within the CN zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the CN zone shall conform to the standards set forth in Table 520-2.

TABLE 520-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
All uses	Min. 5,000 sq. ft.	
Lot Width		
All uses	None	
Lot Depth		
All uses	Min. 80 ft.	
Street Frontage		
All uses	Min. 16 ft.	

(b) *Setbacks.* Setbacks within the CN zone shall be provided as set forth in Tables 520-3 and 520-4.

TABLE 520-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	Min. 12 ft.	
Accessory structures		
Accessory to all uses	Min. 12 ft.	Not applicable to transit stop shelters.

TABLE 520-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Vehicle use areas		
All uses	Min. 12 ft.	
Interior Front		
Buildings		
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 520-4)	
Accessory Structures		
Accessory to multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
Accessory to all other uses	Zone-to-zone setback (Table 520-4)	
Vehicle Use Areas		
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 520-4)	
Interior Side		
Buildings		
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 520-4)	
Accessory Structures		
Accessory to multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
Accessory to all other uses	Zone-to-zone setback (Table 520-4)	
Vehicle Use Areas		
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 520-4)	
Interior Rear		
Buildings		
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback	

TABLE 520-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
	(Table 520-4)	
Accessory Structures		
Accessory to multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
Accessory to all other uses	Zone-to-zone setback (Table 520-4)	
Vehicle Use Areas		
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 520-4)	

TABLE 520-4. ZONE-TO-ZONE SETBACKS			
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening
EFU	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft.	Type A
Residential Zone	Buildings and accessory structures	Min. 15 ft.	Type B
	Vehicle use areas		
Mixed-Use Zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft.	Type A
Commercial Zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft.	Type A
Public Zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft.	Type A
Industrial and Employment Zone: EC, IC, IBC, and IP	Buildings and accessory structures	Min. 5 ft.	Type A
	Vehicle use areas		
Industrial and Employment Zone: IG and II	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		
Limitations and Qualifications (1) Zone-to-Zone setbacks are not required abutting an alley.			

(c) *Lot coverage; height.* Buildings and accessory structures within the CN zone shall conform to the lot coverage and height standards set forth in Table 520-5.

TABLE 520-5. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
All uses	Max. 50%	
Rear Yard Coverage		
Buildings		
All uses	N/A	
Accessory Structures		
Accessory to all uses	No Max.	
Height		
Buildings		
All uses	Max. 35 ft.	
Accessory Structures		
Accessory to single family, two family, and multiple family	Max. 15 ft.	
Accessory to all other uses	Max 35 ft.	

(d) *Landscaping.*

(1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

(2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and ~~SRC chapter~~ 807.

(3) *Development site.* A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicle use areas, may count towards meeting this requirement.

(e) *Outdoor storage.* Within the CN zone, outdoor storage of materials and equipment is prohibited.

(f) *Access.* Not more than two driveway approaches serving lots within a CN district shall have direct access onto local streets.

(g) *Hours of operation.* Except for grocery stores and eating and drinking establishments, establishments within the CN zone shall not be open for business earlier than 6:00 a.m. and shall close no later than 12:00 midnight.

(Prior Code, § 520.020; Ord. No. 31-13)

Sec. 520.025. Design review.

Design review under SRC chapter 225 is required for development within the CN as follows:

(a) Multiple family development shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(b) Residential Care with three or more self-contained dwelling units shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(Prior Code, § 520.025; Ord. No. 31-13)

Sec. 520.030. Other provisions.

In addition to the standards set forth in this chapter, development within the CN zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806

(i) Landscaping and Screening: SRC chapter 807.

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 520.025; Ord. No. 31-13)

CHAPTER 521. CO--COMMERCIAL OFFICE

Sec. 521.001. Purpose.

The purpose of the Commercial Office (CO) Zone is to implement the commercial designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The CO zone generally allows office and professional services, along with a mix of housing and limited retail and personal services.

(Prior Code, § 521.001; Ord. No. 31-13)

Sec. 521.005. Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the CO zone are set forth in Table 521-1.

TABLE 521-1. USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	P	The following single family activities: □ Single family detached dwelling. □ 1 dwelling unit for each business use on a lot. □ Residential home, as defined under ORS 197.660.
	S	The following single family activities: □ Townhouse, subject to SRC 700.~~080.~~085. □ Zero side yard dwelling, subject to SRC 700.~~090.~~095.
	N	All other single family.
Two family	P	Duplex.
	N	All other two family.
Multiple family	P	
Group Living		
Room and board	P	Room and board serving 5 or fewer persons.
	C	Room and board serving 6 to 75 persons.
	N	All other room and board.
Residential care	P	
Nursing care	S	Nursing care, subject to SRC 700.~~040.~~045.
Lodging		
Short-term commercial lodging	P	Short-term rentals.
	N	All other short-term commercial lodging.
Long-term commercial lodging	P	
Nonprofit shelters	P	Nonprofit shelters serving 5 or fewer persons.
	C	Nonprofit shelters serving 6 to 75 persons.

TABLE 521-1. USES		
Use	Status	Limitations & Qualifications
	P	Nonprofit shelters serving victims of domestic violence for 10 or fewer persons.
	N	All other nonprofit shelters.
Retail Sales and Service		
Eating and drinking establishments	P	Eating places, located within buildings devoted principally to uses otherwise permitted in the CO zone, provided that not more than 25 percent of the floor area of a 1 story building, and not more than 50 percent of the floor area of a 2 or more story building, is occupied by the eating place.
	N	All other eating and drinking establishments.
Retail sales	P	The following retail sales activities: □ News dealers and newsstands. □ Caterers. □ Retail sales of agricultural products, when the sales area does not exceed 1,000 square feet in size.
	N	All other Retail Sales.
Personal services	P	The following personal services activities are permitted: □ Beauty salons. □ Barber shops. □ Photographic portrait studios.
	N	All other personal services.
Postal services and retail financial services	P	
Business and Professional Services		
Office	P	
Audio/visual media production	C	
Laboratory research and testing	P	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	
Commercial parking	P	Commercial parking is permitted, unless noted below.
	N	Parking structures.
Park-and-ride facilities	P	Park-and-ride facilities are permitted, unless noted below.
	N	Parking structures.
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	

TABLE 521-1. USES		
Use	Status	Limitations & Qualifications
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	P	Dance studios, dance schools, yoga studios, karate instruction, and other similar physical fitness instructional activities are permitted, provided that the total building floor area of the use does not exceed 2,500 square feet.
	N	All other commercial entertainment—indoor.
Commercial entertainment—outdoor	S	Golf courses, subject to SRC 700.015.
	N	All other commercial entertainment—outdoor.
Major event entertainment	N	
Recreational and cultural community services	S	Golf courses, subject to SRC 700.015.
	P	All other recreational and cultural community services.
Parks and open space	P	
Nonprofit membership assembly	P	
Religious assembly	S	Religious assembly, subject to SRC 700.~~050~~055.
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	P	
Education Services		
day care	P	
Basic education	P	
Post-secondary and adult education	N	
Civic Services		
Governmental services	P	
Social services	P	
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	P	
Detention facilities	N	
Military installations	P	
Funeral and Related Services		
Cemeteries	N	

TABLE 521-1. USES		
Use	Status	Limitations & Qualifications
Funeral and cremation services	P	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	N	
Building and grounds services and construction contracting	N	
Cleaning plants	N	
Industrial services	N	
Wholesale Sales, Storage, and Distribution		
General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	N	
Self-service storage	N	
Manufacturing		
General manufacturing	N	
Heavy manufacturing	N	
Printing	N	
Transportation Facilities		
Aviation facilities	N	
Passenger ground transportation facilities	P	Transit stop shelters.
	N	All other passenger ground transportation facilities.
Marine facilities	N	
Utilities		
Basic utilities	C	Reservoirs; water storage facilities.
	P	All other basic utilities.
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	C	
Power generation facilities	C	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	N	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	

TABLE 521-1. USES		
Use	Status	Limitations & Qualifications
Farming, Forestry, and Animal Services		
Agriculture	N	Marijuana production.
	P	All other agriculture.
Forestry	P	
Agriculture and forestry services	C	
Keeping of livestock and other animals	N	
Animal services	S	Small animal veterinary services, subject to SRC 700.~~070~~075.
	N	All other animals services.
Other Uses		
Temporary uses	P	Christmas tree sales, subject to SRC 701.015.
Home occupations	S	Home occupations, subject to SRC 700.020.
Guest houses and guest quarters	P	Guest houses and guest quarters are permitted as an accessory use to single family, provided such houses and quarters are dependent upon the main building for either kitchen or bathroom facilities, or both, and are used for temporary lodging and not as a place of residence.
Taking of borders or leasing of rooms by resident family	P	Taking of boarders or leasing of rooms by a resident family is permitted as an accessory use to household living, provided the total number of boarders and roomers does not exceed 2 in any dwelling unit.
Storage of commercial vehicle as an accessory use to household living	P	Storage of a commercial vehicle as an accessory use to household living is permitted, provided no more than 1 commercial vehicle is stored per dwelling unit.
Historic resource adaptive reuse pursuant to SRC chapter 230	Allowed	Historic resource adaptive reuse pursuant to SRC chapter 230 is allowed, subject to SRC 230.085.
Accessory dwelling units	S	Accessory dwelling units, subject to SRC 700.00~~6~~7.

(Prior Code, § 521.005; Ord. No. 31-13; Ord. No. 15-15; Ord. No. 22-15, § 10, 11-23-2015; Ord. No. 5-17, § 32(521.005), 6-12-2017; Ord. No. 7-16, § 11, 6-27-2016; Ord. No. 10-17, § 12, 7-10-2017)

Sec. 521.010. Development standards.

Development within the CO zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the CO zone shall conform to the standards set forth in Table 521-2.

TABLE 521-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
Single family	Min. 4,000 sq. ft.	

TABLE 521-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Two family	Min. 5,000 sq. ft., plus additional lot area based on number of bedrooms within each dwelling unit	Additional lot area required as follows: □ 750 sq. ft. for each dwelling unit with 1 bedroom. □ 1,000 sq. ft. for each dwelling unit with 2 bedrooms. □ 1,200 sq. ft. for each dwelling unit with 3 or more bedrooms.
Multiple family	Min. 5,000 sq. ft., plus additional lot area based on number of bedrooms within each dwelling unit	Applicable to multiple family consisting of 5 or fewer dwelling units. Additional lot area required as follows: □ 750 sq. ft. for each dwelling unit with 1 bedroom. □ 1,000 sq. ft. for each dwelling unit with 2 bedrooms. □ 1,200 sq. ft. for each dwelling unit with 3 <u>to 5</u> bedrooms.
	Min. 5,000 sq. ft., plus additional lot area based on number of bedrooms within each dwelling unit	Applicable to multiple family consisting of 6 or more dwelling units. Additional lot area required as follows: First through fifth dwelling units. □ 750 sq. ft. for each dwelling unit with 1 bedroom. □ 1,000 sq. ft. for each dwelling unit with 2 bedrooms. □ 1,200 sq. ft. for each dwelling unit with 3 to 5 bedrooms. Sixth and additional dwelling units. □ 1,000 sq. ft. for each dwelling unit with no more than 2 bedrooms in a 2 or more story structure. □ 1,250 sq. ft. for each dwelling unit with no more than 2 bedrooms in a 1 story structure. □ 1,700 sq. ft. for each dwelling unit with 3 or more bedrooms.
All other uses	Min. 6,000 sq. ft.	
Lot Width		
Single family, two family, and multiple family	Min. 40 ft.	
All other uses	None	
Lot Depth		

TABLE 521-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Single family	Min. 70 ft.	
	Max. 300% of average lot width	
Two family and multiple family	Min. 80 ft.	
All other uses	None	
Street Frontage		
Single family	Min. 40 ft.	
	Min. 30 ft.	Applicable to lots fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line.
All other uses	Min. 16 ft.	

(b) *Setbacks.* Setbacks within the CO zone shall be provided as set forth in Tables 521-3 and 521-4.

TABLE 521-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	Min. 12 ft.	
Accessory Structures		
Accessory to single family, two family, and multiple family	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
Accessory to all other uses	Min. 12 ft.	Not applicable to transit stop shelters.
Vehicle Use Areas		
All uses, other than single family and two family	Min. 12 ft.	
Interior Front		
Buildings		
Single family and two family	Min. 5 ft.	
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 521-4)	

TABLE 521-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Accessory Structures		
Accessory to single family and two family	Min. 5 ft.	
Accessory to multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
Accessory to all other uses	Zone-to-zone setback (Table 521-4)	
Vehicle Use Areas		
Single family and two family	Per SRC chapter 806	
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 521-4)	
Interior Side		
Buildings		
Single family	Min. 5 ft.	Applicable to buildings, other than townhouses and zero side yard dwellings.
	Per SRC 700.~~080~~085	Applicable to townhouses.
	Per SRC 700.~~090~~095	Applicable to zero side yard dwellings.
Two family	Min. 5 ft.	
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 521-4)	
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.
Accessory to multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
Accessory to all other uses	Zone-to-zone setback (Table 521-4)	
Vehicle Use Areas		
Single family and two family	Per SRC chapter 806	
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 521-4)	
Interior Rear		

TABLE 521-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Buildings		
Single family and two family	Min. 5 ft.	
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 521-4)	
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures not more than 9 ft. in height.
	Min. 1 ft. for each 1 ft. of height over 9 ft.	Applicable to accessory structures greater than 9 ft. in height.
	Min. 1 ft.	Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure.
Accessory to multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
Accessory to all other uses	Zone-to-zone setback (Table 521-4)	
Vehicle Use Areas		
Single family and two family	Per SRC chapter 806	
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 521-4)	

TABLE 521-4. ZONE-TO-ZONE SETBACKS			
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening
EFU	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft.	Type A
Residential Zone	Buildings and accessory structures	Min. 15 ft.	Type C
	Vehicle use areas		
Mixed-Use Zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft.	Type A
Commercial Zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft.	Type A
Public Zone	Buildings and accessory structures	None	N/A

TABLE 521-4. ZONE-TO-ZONE SETBACKS			
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening
	Vehicle use areas	Min. 5 ft.	Type A
Industrial and Employment Zone: EC, IC, IBC, and IP	Buildings and accessory structures	Min. 5 ft.	Type A
	Vehicle use areas		
Industrial and Employment Zone: IG and II	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		
Limitations and Qualifications (1) Zone-to-Zone setbacks are not required abutting an alley.			

(c) *Lot coverage; height.* Buildings and accessory structures within the CO zone shall conform to the lot coverage and height standards set forth in Table 521-5.

TABLE 521-5. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
All uses	Max. 60%	
Rear Yard Coverage		
Buildings		
All uses	N/A	
Accessory Structures		
Accessory to all uses	No Max.	
Height		
Buildings		
Single family and two family	Max. 35 ft.	
Multiple family and long-term commercial lodging	Max. 50 ft.	
All other uses	Max. 70 ft.	
Accessory Structures		
Accessory to single family, two family, and multiple family	Max. 15 ft.	
Accessory to all other uses	Max 70 ft.	

(d) *Landscaping.*

(1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

(2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and ~~SRC chapter~~ 807.

(3) *Development site.* A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicle use areas, may count towards meeting this requirement.

(e) *Outdoor storage.* Within the CO zone, outdoor storage of materials and equipment is prohibited, except in conjunction with residential uses where the storage is screened from adjacent streets and properties by a sight-obscuring fence, wall, or hedge.

(Prior Code, § 521.015; Ord. No. 31-13; Ord. No. 22-15, § 10, 11-23-2015)

Sec. 521.015. Design review.

Design review under SRC chapter 225 is required for development within the CO as follows:

(a) Multiple family development shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(b) Residential care with three or more self-contained dwelling units shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(Prior Code, § 521.015; Ord. No. 31-13)

Sec. 521.020. Other provisions.

In addition to the standards set forth in this chapter, development within the CO zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807.

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 521.020; Ord. No. 31-13)

CHAPTER 522. CR--RETAIL COMMERCIAL

Sec. 522.001. Purpose.

The purpose of the Commercial Retail (CR) Zone is to implement the commercial designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The CR zone generally allows a wide array of retail sales and office uses.

(Prior Code, § 522.001)

Sec. 522.005. Uses.

(a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the CR zone are set forth in Table 522-1.

TABLE 522-1. USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	P	Residential home, as defined under ORS 197.660, within an existing single family dwelling allowed as a continued use pursuant to SRC 522.005(b).
	S	Secondary dwellings and guest rooms, subject to SRC 700.~~065~~.070.
	N	All other single family.
Two family	N	
Multiple family	C	
Group Living		
Room and board	P	Room and board serving 5 or fewer persons.
	C	Room and board serving 6 to 75 persons.
	N	All other room and board.
Residential care	P	
Nursing care	P	
Lodging		
Short-term commercial lodging	P	
Long-term commercial lodging	C	
Nonprofit shelters	P	Nonprofit shelters serving 5 or fewer persons.
	C	Nonprofit shelters serving 6 to 75 persons.
	P	Nonprofit shelters serving victims of domestic violence for 10 or fewer persons.
	N	All other nonprofit shelters.
Retail Sales and Service		
Eating and drinking establishments	P	

TABLE 522-1. USES		
Use	Status	Limitations & Qualifications
Retail sales	N	Used merchandise stores, where sales and storage of merchandise and equipment is not conducted entirely within a building.
	P	All other retail sales.
Personal services	P	
Postal services and retail financial services	P	
Business and Professional Services		
Office	P	
Audio/visual media production	P	
Laboratory research and testing	P	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Motor vehicle and manufactured dwelling and trailer sales	C	
Motor vehicle services	P	Gasoline service stations.
	C	All other motor vehicle services.
Commercial parking	P	
Park-and-ride facilities	P	
Taxicabs and car services	P	
Heavy vehicle and trailer sales	C	Truck rental and leasing.
	N	All other heavy vehicle and trailer sales.
Heavy vehicle and trailer service and storage	P	Truck stops.
	C	The following heavy vehicle and trailer service and storage activities: □ Heavy vehicle and equipment operation instruction. □ Tire retreading and tire repair shops.
	N	All other heavy vehicle and trailer service and storage.
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	C	Nightclubs, located within 200 feet of a residential zone.
	P	All other commercial entertainment—indoor.
Commercial entertainment—outdoor	C	Privately owned camps, campgrounds, and recreational vehicle parks.
	N	The following commercial entertainment—outdoor activities: □ Amusement parks. □ Drive-in movie theaters.

TABLE 522-1. USES		
Use	Status	Limitations & Qualifications
	P	All other commercial entertainment—outdoor.
Major event entertainment	C	
Recreational and cultural community services	P	
Parks and open space	P	
Nonprofit membership assembly	P	
Religious assembly	P	
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	P	
Education Services		
Day care	P	
Basic education	P	
Post-Secondary and adult education	P	
Civic Services		
Governmental services	P	
Social services	P	
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	P	
Detention facilities	N	
Military Installations	P	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	P	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	P	
Building and grounds services and construction contracting	P	The following buildings and grounds services and construction contracting activities: □ Landscape, lawn, and garden services. □ Tree and shrub services.
	C	Carpet and upholstery cleaning establishments.

TABLE 522-1. USES		
Use	Status	Limitations & Qualifications
	N	All other building and grounds services and construction contracting.
Cleaning plants	N	
Industrial services	P	
Wholesale Sales, Storage, and Distribution		
General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	C	Distribution centers for online, mail order, and catalog sales.
	N	All other warehousing and distribution.
Self-service storage	N	
Manufacturing		
General manufacturing	P	General manufacturing, provided the manufacturing does not exceed 10,000 square feet of total floor area per development site and retail sales of the products manufactured is provided on-site.
	C	The following general manufacturing activities, when exceeding 10,000 square feet of total floor area per development site: □ Industrial and institutional food service contractors. □ Costume jewelry and precious metals metalsmithing. □ Sundries and notions. □ Signs.
	N	All other general manufacturing.
Heavy manufacturing	N	
Printing	P	
Transportation Facilities		
Aviation facilities	N	
Passenger ground transportation facilities	P	Transit stop shelters.
	C	The following passenger ground transportation facilities: □ Local and suburban passenger transportation. □ Intercity and rural highway passenger transportation within 2,000 feet from the center point of an I-5 interchange and having direct access on to a major arterial.
	N	All other passenger ground transportation facilities.
Marine facilities	N	
Utilities		

TABLE 522-1. USES		
Use	Status	Limitations & Qualifications
Basic utilities	C	Reservoirs; water storage facilities.
	P	All other basic utilities.
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	C	
Power generation facilities	C	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	C	The following waste-related facilities are allowed conditionally: □ Recycling depots. □ Solid waste transfer stations.
	N	All other waste-related facilities.
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	Marijuana production.
	P	All other agriculture.
Forestry	P	
Agriculture and forestry services	P	
Keeping of livestock and other animals	N	
Animal services	N	New wildlife rehabilitation facility.
	P	All other animal services.
Other Uses		
Temporary uses	P	The following temporary uses: □ Temporary motor vehicle and recreational vehicle sales, subject to SRC 701.035.
Home occupations	S	Home occupations, subject to SRC 700.020.
Accessory dwelling units	S	Accessory dwelling units, subject to SRC 700.0067.

(b) Continued uses. Existing single family and two family uses, other than manufactured dwellings, within the CR zone constructed prior to February 1, 1983, but which would otherwise be made nonconforming by this chapter, are hereby deemed continued uses.

(1) Building or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 522.010(e).

(2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for a residential use; provided, however, conversion of the building or structure to a nonresidential use shall thereafter prevent conversion back to a residential use.

(Prior Code, § 522.005; Ord. No. 31-13; Ord. No. 11-14; Ord. No. 22-15, § 11, 11-23-2015; Ord. No. 7-16, § 12, 6-27-2016; Ord. No. 10-17, § 13, 7-10-2017)

Sec. 522.010. Development standards.

Development within the CR zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the CR zone shall conform to the standards set forth in Table 522-2.

Table 522-2. Lot Standards

Requirement	Standard	Limitations & Qualifications
Lot Area		
All uses	None	
Lot Width		
All uses	None	
Lot Depth		
All uses	None	
Street Frontage		
Single family	Min. 40 ft.	
	Min. 30 ft.	Applicable to lots fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line.
All other uses	Min. 16 ft.	

(b) *Setbacks.* Setbacks within the CR zone shall be provided as set forth in Tables 522-3 and 522-4.

TABLE 522-3. SETBACKS

Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	Min. 5 ft.	
Accessory Structures		
Accessory to single family and multiple family	None	Applicable to accessory structures not more than 4 ft. in height.

TABLE 522-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
	Min. 5 ft.	Applicable to accessory structures greater than 4 ft. in height.
Accessory to all other uses	Min. 5 ft.	Not applicable to transit stop shelters.
Vehicle Use Areas		
All uses	Per SRC chapter 806	
Interior Front		
Buildings		
Single family	None	
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 522-4)	
Accessory Structures		
Accessory to single family	Min. 5 ft.	
Accessory to multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
Accessory to all other uses	Zone-to-zone setback (Table 522-4)	
Vehicle Use Areas		
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 522-4)	
Interior Side		
Buildings		
Single family	None	
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 522-4)	
Accessory Structures		
Accessory to single family	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.
Accessory to multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
Accessory to all other uses	Zone-to-zone setback (Table 522-4)	

TABLE 522-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Vehicle Use Areas		
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 522-4)	
Interior Rear		
Buildings		
Single family	None	
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 522-4)	
Accessory Structures		
Accessory to single family	None	Applicable to accessory structures not more than 9 ft. in height.
	Min. 1 ft. for each 1 ft. of height over 9 ft.	Applicable to accessory structures greater than 9 ft. in height.
	Min. 1 ft.	Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure.
Accessory to multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
Accessory to all other uses	Zone-to-zone setback (Table 522-4)	
Vehicle Use Areas		
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 522-4)	

TABLE 522-4. ZONE-TO-ZONE SETBACKS			
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening
EFU	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft.	Type A
Residential Zone	Buildings and accessory structures	Min. 15 ft.	Type C
	Vehicle use areas		
Mixed-Use Zone	Buildings and accessory structures	None	N/A

TABLE 522-4. ZONE-TO-ZONE SETBACKS			
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening
	Vehicle use areas	Min. 5 ft.	Type A
Commercial Zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft.	Type A
Public Zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft.	Type A
Industrial and Employment Zone: EC, IC, IBC, and IP	Buildings and accessory structures	Min. 5 ft.	Type A
	Vehicle use areas		
Industrial and Employment Zone: IG and II	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		
Limitations and Qualifications (1) Zone-to-Zone setbacks are not required abutting an alley.			

(c) *Lot coverage; height.* Buildings and accessory structures within the CR zone shall conform to the lot coverage and height standards set forth in Table 522-5.

TABLE 522-5. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
All uses	No Max.	
Rear Yard Coverage		
Buildings		
All uses	N/A	
Accessory Structures		
Accessory to all uses	No Max.	
Height		
Buildings		
All uses	Max. 50 ft.	
Accessory Structures		
Accessory to single family and multiple family	Max. 15 ft.	
Accessory to all other uses	Max. 50 ft.	

(d) *Landscaping.*

(1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set

forth in SRC chapter 807.

(2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and ~~SRC chapter~~ 807.

(3) *Development site.* A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicle use areas, may count towards meeting this requirement.

(e) *Development standards for continued uses.*

(1) *Buildings.* Buildings housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to development standards of the Single Family Residential (RS) Zone set forth in SRC chapter 511~~,~~ and to all other applicable provisions of the UDC, except for lot size and dimension standards in SRC chapter 511.

(2) *Accessory structures.* Existing accessory structures to a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, and new accessory structures to a continued use may be constructed, provided such alteration, enlargement, rebuilding, or new accessory structure construction conforms to the development standards of the Single Family Residential (RS) Zone set forth in SRC chapter 511, except the lot size and dimensions standards, and to all other applicable provisions of the UDC.

(3) *Option to rebuild in same location.* Notwithstanding SRC 522.010(e)(1) and (2), any building or accessory structure rebuilt following damage or destruction may either be located on the same location on the lot as the original building or structure, or in compliance with the setbacks of the Single Family Residential (RS) Zone set forth in SRC 511.010(b).

(Prior Code, § 522.010; Ord. No. 31-13; Ord. No. 7-16, § 3, 6-27-2016)

Sec. 522.015. Design review.

Design review under SRC chapter 225 is required for development within the CR as follows:

(a) Multiple family development shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(b) Residential care with three or more self-contained dwelling units shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(Prior Code, § 522.015; Ord. No. 31-13)

Sec. 522.020. Other provisions.

In addition to the standards set forth in this chapter, development within the CR zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807.

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 522.020; Ord. No. 31-13)

CHAPTER 523. CG--GENERAL COMMERCIAL

Sec. 523.001. Purpose.

The purpose of the General Commercial (CG) Zone is to implement the commercial designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The CG zone generally allows a wide variety of commercial uses, including the sale of commodities, performance of services, repair facilities, motor vehicle sales and services, offices, and general wholesaling.

(Prior Code, § 523.001; Ord. No. 31-13)

Sec. 523.005. Uses.

(a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the CG zone are set forth in Table 523-1.

TABLE 523-1. USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	P	Residential home, as defined under ORS 197.660, within an existing single family dwelling allowed as a continued use pursuant to SRC 523.005 (b).
	N	All other single family.
Two family	N	
Multiple family	C	
Group Living		
Room and board	P	Room and board serving 5 or fewer persons.
	C	Room and board serving 6 to 75 persons.
	N	All other room and board.
Residential care	C	
Nursing care	P	
Lodging		
Short-term commercial lodging	P	
Long- term commercial lodging	P	
Nonprofit shelters	P	Nonprofit shelters serving 5 or fewer persons.
	C	Nonprofit shelters serving 6 to 75 persons.
	P	Nonprofit shelters serving victims of domestic violence for 10 or fewer persons.
	N	All other nonprofit shelters.
Retail Sales and Service		
Eating and drinking establishments	P	

TABLE 523-1. USES		
Use	Status	Limitations & Qualifications
Retail sales	N	Used merchandise stores, where sales and storage of merchandise and equipment is not conducted entirely within a building or within a yard fully enclosed by a sight-obscuring fence, wall, or hedge.
	P	All other retail sales.
Personal services	P	
Postal services and retail financial services	P	
Business and Professional Services		
Office	P	
Audio/visual media production	P	
Laboratory research and testing	P	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Motor vehicle and manufactured dwelling and trailer sales	P	
Motor vehicle services	P	
Commercial parking	P	
Park-and-ride facilities	P	
Taxicabs and car services	P	
Heavy vehicle and trailer sales	P	
Heavy vehicle and trailer service and storage	P	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	C	Nightclubs, located within 200 feet of a residential zone.
	P	All other commercial entertainment—indoor.
Commercial entertainment—outdoor	C	Drive-in movie theaters.
	P	All other commercial entertainment—outdoor.
Major event entertainment	C	Race tracks.
	P	All other major event entertainment.
Recreational and cultural community services	P	
Parks and open space	P	
Nonprofit membership assembly	P	
Religious assembly	P	
Health Services		
Medical centers/hospitals	N	

TABLE 523-1. USES		
Use	Status	Limitations & Qualifications
Outpatient medical services and laboratories	P	
Education Services		
Day care	P	
Basic education	P	
Post-secondary and adult education	P	
Civic Services		
Governmental services	P	
Social services	P	
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	P	
Detention facilities	N	
Military Installations	P	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	P	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	P	
Building and grounds services and construction contracting	P	
Cleaning plants	P	
Industrial services	P	
Wholesale Sales, Storage, and Distribution		
General wholesaling	P	
Heavy wholesaling	P	The following heavy wholesaling activities: □ Nursery stock wholesalers. □ Tractor and farm equipment wholesalers.
	C	The following heavy wholesaling activities: □ Firearms wholesalers. □ Wood products and timber wholesalers.
	N	All other heavy wholesaling.

TABLE 523-1. USES		
Use	Status	Limitations & Qualifications
Warehousing and distribution	P	The following warehousing and distribution activities: □ Distribution centers for online, mail order, and catalog sales. □ Postal processing and distribution centers.
	N	All other warehousing and distribution.
Self-service storage	N	
Manufacturing		
General manufacturing	P	General manufacturing, provided the manufacturing does not exceed 10,000 square feet of total floor area per development site and retail sales of the products manufactured is provided on-site.
	C	The following general manufacturing activities, when exceeding 10,000 square feet of total floor area per development site: □ Industrial and institutional food service contractors. □ Costume jewelry and precious metals metalsmithing. □ Sundries and notions. □ Signs.
	N	All other general manufacturing.
Heavy manufacturing	N	
Printing	P	
Transportation Facilities		
Aviation facilities	N	
Passenger ground transportation facilities	P	
Marine facilities	N	
Utilities		
Basic utilities	C	Reservoirs; water storage facilities.
	P	All other basic utilities.
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	C	
Power generation facilities	C	
Data center facilities	N	
Fuel dealers	P	
Waste-related facilities	P	Recycling depots.
	C	Solid waste transfer stations.

TABLE 523-1. USES		
Use	Status	Limitations & Qualifications
	N	All other waste-related facilities.
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	Marijuana production.
	P	All other agriculture.
Forestry	P	
Agriculture and forestry services	P	
Keeping of livestock and other animals	C	
Animal services	C	Wildlife rehabilitation facilities.
	P	All other animal services.
Other Uses		
Temporary uses	P	The following temporary uses: □ Temporary motor vehicle and recreational vehicle sales, subject to SRC 701.035.
Home occupations	S	Home occupations, subject to SRC 700.020.
Accessory dwelling units	S	Accessory dwelling units, subject to SRC 700.00~~6~~7.

(b) Continued uses. Existing single family and two family uses, other than manufactured dwellings, within the CG zone constructed prior to February 1, 1983, but which would otherwise be made nonconforming by this chapter, are hereby deemed continued uses.

(1) Building or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 523.010(e).

(2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for a residential use; provided, however, conversion of the building or structure to a nonresidential use shall thereafter prevent conversion back to a residential use.

(Prior Code, § 523.005; Ord. No. 31-13; Ord. No. 11-14; Ord. No. 22-15, § 12, 11-23-2015; Ord. No. 7-16, § 4, 6-27-2016; Ord. No. 6-17, § 13, 5-8-2017; Ord. No. 10-17, § 14, 7-10-2017)

Sec. 523.010. Development standards.

Development within the CG zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the CG zone shall conform to the standards set forth in Table 523-2.

TABLE 523-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
All uses	None	
Lot Width		
All uses	None	
Lot Depth		
All uses	None	
Street Frontage		
Single family	Min. 40 ft.	
	Min. 30 ft.	Applicable to lots fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line.
All other uses	Min. 16 ft.	

(b) *Setbacks.* Setbacks within the CG zone shall be provided as set forth in Tables 523-3 and 523-4.

TABLE 523-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	Min. 5 ft.	
Accessory Structures		
Accessory to single family and multiple family	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 5 ft.	Applicable to accessory structures greater than 4 ft. in height.
Accessory to all other uses	Min. 5 ft.	Not applicable to transit stop shelters.
Vehicle Use Areas		
All uses	Per SRC chapter 806	
Interior Front		
Buildings		
Single family	None	
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback	

TABLE 523-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
	(Table 523-4)	
Accessory Structures		
Accessory to single family	Min. 5 ft.	
Accessory to multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
Accessory to all other uses	Zone-to-zone setback (Table 523-4)	
Vehicle Use Areas		
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 523-4)	
Interior Side		
Buildings		
Single family	None	
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 523-4)	
Accessory Structures		
Accessory to single family	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.
Accessory to multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
Accessory to all other uses	Zone-to-zone setback (Table 523-4)	
Vehicle Use Areas		
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 823-4)	
Interior Rear		
Buildings		
Single family	None	
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback	

TABLE 523-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
	(Table 523-4)	
Accessory Structures		
Accessory to single family	None	Applicable to accessory structures not more than 9 ft. in height.
	Min. 1 ft. for each 1 ft. of height over 9 ft.	Applicable to accessory structures greater than 9 ft. in height.
	Min. 1 ft.	Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure.
Accessory to multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
Accessory to all other uses	Zone-to-zone setback (Table 523-4)	
Vehicle Use Areas		
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 523-4)	

TABLE 523-4. ZONE-TO-ZONE SETBACKS			
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening
EFU	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft.	Type A
Residential Zone	Buildings and accessory structures	Min. 15 ft.	Type C
	Vehicle use areas		
Mixed-Use Zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft.	Type A
Commercial Zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft.	Type A
Public Zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft.	Type A
Industrial and Employment Zone: EC, IC, IBC, and IP	Buildings and accessory structures	Min. 5 ft.	Type A
	Vehicle use areas		
Industrial and Employment Zone: IG and II	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		

TABLE 523-4. ZONE-TO-ZONE SETBACKS			
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening
Limitations and Qualifications (1) Zone-to-Zone setbacks are not required abutting an alley.			

(c) *Lot coverage; height.* Buildings and accessory structures within the CG zone shall conform to the lot coverage and height standards set forth in Table 523-5.

TABLE 523-5. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and accessory structures		
All uses	No Max.	
Rear Yard Coverage		
Buildings		
All uses	N/A	
Accessory Structures		
Accessory to all uses	No Max.	
Height		
Buildings		
All uses	Max. 70 ft.	
Accessory Structures		
Accessory to single family and multiple family	Max. 15 ft.	
Accessory to all other uses	Max. 70 ft.	

(d) *Landscaping.*

(1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

(2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and ~~SRC chapter~~ 807.

(3) *Development site.* A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicular use areas, may count towards meeting this requirement.

(e) *Development standards for continued uses.*

(1) *Buildings.* Buildings housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to development standards of the Single Family Residential (RS) Zone set forth in SRC chapter 511,

and to all other applicable provisions of the UDC, except the lot size and dimensions standards in SRC chapter 511.

(2) *Accessory structures.* Existing accessory structures to a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, and new accessory structures to a continued use may be constructed, provided such alteration, enlargement, rebuilding, or new accessory structure construction conforms to the development standards of the Single Family Residential (RS) Zone set forth in SRC chapter 511, except the lot size and dimensions standards, and to all other applicable provisions of the UDC.

(3) *Option to rebuild in same location.* Notwithstanding ~~SRC 523.010~~ subsections (e)(1) and (2) of this section, any building or accessory structure rebuilt following damage or destruction may either be located on the same location on the lot as the original building or structure, or in compliance with the setbacks of the Single Family Residential (RS) Zone set forth in SRC 511.010(b).

(Prior Code, § 523.010; Ord. No. 31-13; Ord. No. 7-16, § 5, 6-27-2016)

Sec. 523.015. Design review.

Design review under SRC chapter 225 is required for development within the CG as follows:

(a) Multiple family development shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(b) Residential care with three or more self-contained dwelling units shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(Prior Code, § 523.015; Ord. No. 31-13)

Sec. 523.020. Other provisions.

In addition to the standards set forth in this chapter, development within the CG zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807.

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 523.020; Ord. No. 31-13)

CHAPTER 524. CB--CENTRAL BUSINESS DISTRICT

Sec. 524.001. Purpose.

The purpose of the Central Business District (CB) Zone is to implement the central business district designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The CB zone serves Salem and the region as a principal center of business and commerce. It allows a compact arrangement of retail and commercial enterprises together with office, financial, cultural, entertainment, governmental, and residential use designed and situated to afford convenient access by pedestrians.

(Prior Code, § 524.001; Ord. No. 31-13)

Sec. 524.005. Uses.

(a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the CB zone are set forth in Table 524-1.

TABLE 524-1. USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	P	The following single family activities: □ Single family detached dwelling. □ Residential home, as defined under ORS 197.660.
	N	All other single family.
Two family	P	Duplex.
	N	All other two family.
Multiple family	P	
Group Living		
Room and board	P	Room and board serving 5 or fewer persons.
	C	The following room and board activities: □ Room and board serving 6 to 75 persons. □ Relocation of an existing room and board facility within the CB zone serving more than 75 persons, provided the facility has existed within the CB zone as of September 1, 1993, and there is no increase in bed capacity.
	N	All other room and board.
Residential care	P	
Nursing care	P	
Lodging		
Short-term commercial lodging	P	
Long-term commercial lodging	N	
Nonprofit shelters	P	Nonprofit shelters serving 5 or fewer persons.

TABLE 524-1. USES		
Use	Status	Limitations & Qualifications
	C	The following nonprofit shelters: □ Nonprofit shelters serving 6 to 75 persons. □ Relocation of an existing nonprofit shelter within the CB zone serving more than 75 persons, provided the shelter has existed within the CB zone as of September 1, 1993, and there is no increase in bed capacity.
	P	Nonprofit shelters serving victims of domestic violence for 10 or fewer persons.
	N	All other nonprofit shelters.
Retail Sales and Services		
Eating and drinking establishments	P	
Retail sales	N	Medical marijuana and recreational marijuana sales or transfers.
	P	All other retail sales.
Personal services	P	
Postal services and retail financial services	P	
Business and Professional Services		
Office	P	
Audio/visual media production	P	
Laboratory research and testing	P	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Motor vehicle and manufactured dwelling and trailer sales	N	Mobile home dealers.
	P	All other motor vehicle and manufactured dwelling and trailer sales.
Motor vehicle services	P	
Commercial parking	P	
Park-and-ride facilities	P	
Taxicabs and car services	P	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	P	
Commercial entertainment—outdoor	N	Drive-in movie theaters.
	P	All other commercial entertainment—outdoor.

TABLE 524-1. USES		
Use	Status	Limitations & Qualifications
Major event entertainment	P	Major event entertainment conducted indoors.
	N	All other major event entertainment.
Recreational and cultural community services	P	
Parks and open space	P	
Nonprofit membership assembly	P	
Religious assembly	P	
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	P	
Educational Services		
Day care	P	
Basic education	P	
Post-secondary and adult education	P	
Civic Services		
Governmental services	P	
Social services	P	
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	P	
Detention facilities	N	
Military installations	P	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	P	
Building and grounds services and construction contracting	N	The following building and grounds services and construction contracting activities: □ Building construction. □ Heavy construction. □ Disinfecting and pest control services. □ Building cleaning and maintenance services.

TABLE 524-1. USES		
Use	Status	Limitations & Qualifications
	P	All other building and grounds services and construction contracting.
Cleaning plants	P	
Industrial services	P	
Wholesale Sales, Storage, and Distribution		
General wholesaling	P	General wholesaling is permitted, provided that it is combined with retail sales in the same line of goods.
Heavy wholesaling	P	Nursery stock, provided that it is combined with retail sales in the same line of goods.
	C	The following heavy wholesaling activities, provided they are combined with retail sales in the same line of goods: □ Minerals and ore. □ Metal service centers and wholesalers. □ Firearms. □ Wood products and timber.
	N	All other heavy wholesaling.
Warehousing and distribution	P	Distribution centers for online, mail order, and catalog sales.
	N	All other warehousing and distribution.
Self-service storage	N	
Manufacturing		
General manufacturing	P	General manufacturing, provided the manufacturing does not exceed 10,000 square feet of total floor area per development site and retail sales of the products manufactured is provided on-site.
	C	The following general manufacturing activities, when exceeding 10,000 square feet of total floor area per development site: □ Industrial and institutional food service contractors. □ Costume jewelry and precious metals metalsmithing. □ Sundries and notions. □ Signs.
	N	All other general manufacturing.
Heavy manufacturing	N	
Printing	P	
Transportation Facilities		
Aviation facilities	C	Helicopter landing areas, with or without passenger terminal facilities.

TABLE 524-1. USES		
Use	Status	Limitations & Qualifications
	N	All other aviation facilities.
Passenger ground transportation facilities	P	
Marine facilities	P	
Utilities		
Basic utilities	C	Reservoirs; water storage facilities.
	P	Basic utilities are permitted, unless noted below.
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	C	
Power generation facilities	C	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	C	The following waste-related facilities: □ Recycling depots. □ Solid waste transfer stations.
	N	All other waste-related facilities.
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	Marijuana production.
	P	All other agriculture.
Forestry	N	
Agriculture and forestry services	P	
Keeping of livestock and other animals	N	
Animal services	N	
Other Uses		
Home occupations	S	Home occupations, subject to SRC 700.020.
Accessory dwelling units	S	Accessory dwelling units, subject to SRC 700.006~~7~~.

(b) Drive-through uses in Salem Downtown Historic District.

(1) Notwithstanding Table 524-1, banks and credit unions constructed on or after October 1, 2011, within

the Salem Downtown Historic District shall be conditional uses within the Salem Downtown Historic District if developed with a drive-through, and adequate measures are taken to ensure pedestrian safety.

(2) Notwithstanding Table 524-1, any permitted, special, or conditional use within the Salem Downtown Historic District, except for banks and credit unions constructed on or after October 1, 2011, shall be a prohibited use within the Downtown Historic District if developed with a drive-through.

(Prior Code, § 524.005; Ord. No. 31-13; Ord. No. 11-14; Ord. No. 22-15, § 13, 11-23-2015; Ord. No. 10-16, § 2, 8-8-2016; Ord. No. 6-17, § 14, 5-8-2017; Ord. No. 10-17, § 15, 7-10-2017)

Sec. 524.010. Development standards.

Development within the CB zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the CB zone shall conform to the standards set forth in Table 524-2.

TABLE 524-2. LOT STANDARDS

Requirement	Standard	Limitations and Qualifications
Lot Area		
All uses	None	
Lot Width		
All uses	None	
Lot Depth		
All uses	None	
Street Frontage		
Single family	Min. 40 ft.	
	Min. 30 ft.	Applicable to lots fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line.
All other uses	Min. 16 ft.	

(b) *Setbacks.* Setbacks within the CB zone shall be provided as set forth in Table 524-3.

TABLE 524-3. SETBACKS

Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	0 ft. or 10 ft.	
Accessory Structures		
Accessory to single family, two family, and multiple family	None	Applicable to accessory structures not more than 4 ft. in height.
	0 ft. or 10 ft.	Applicable to accessory structures greater

TABLE 524-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
		than 4 ft. in height.
Accessory to all other uses	0 ft. or 10 ft.	Not applicable to transit stop shelters.
Vehicle Use Areas		
All uses	Per SRC chapter 806	
Interior Front		
Buildings		
All uses	None	
Accessory Structures		
Accessory to all uses	None	
Vehicle Use Areas		
All uses	Per SRC chapter 806	
Interior Side		
Buildings		
All uses	None	
Accessory Structures		
Accessory to all uses	None	
Vehicle Use Areas		
All uses	Per SRC chapter 806	
Interior Rear		
Buildings		
All uses	None	
Accessory Structures		
Accessory to all uses	None	
Vehicle Use Areas		
All uses	Per SRC chapter 806	

(c) *Lot coverage; height.* Buildings and accessory structures within the CB zone shall conform to the lot coverage and height standards set forth in Table 524-4.

TABLE 524-4. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
All uses	No Max.	
Rear Yard Coverage		

TABLE 524-4. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Buildings		
All uses	N/A	
Accessory Structures		
Accessory to all uses	No Max.	
Height		
Buildings		
All uses	No Max.	
Accessory Structures		
Accessory to single family, two family, and multiple family	Max. 15 ft.	
Accessory to all other uses	No Max.	

(d) *Landscaping.* Landscaping within the CB zone shall be provided as set forth in this subsection.

(1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

(2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and ~~SRC chapter~~ 807.

(Prior Code, § 524.010; Ord. No. 31-13)

Sec. 524.015. Other provisions.

In addition to the standards set forth in this chapter, all development within the CB zone must comply with the applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807.

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 524.015; Ord. No. 31-13)

CHAPTERS 525—529. RESERVED

CHAPTER 530. FMU--FAIRVIEW MIXED-USE

Sec. 530.001. Purpose.

The purpose of the Fairview Mixed-Use (FMU) Zone is to implement the mixed-use designation of the Salem Area Comprehensive Plan by establishing a master planning process through which allowed uses are identified and development standards are established that:

(a) Encourage innovative planning resulting in mixed-use development, improved protection of open spaces and natural features, and greater housing and transportation options;

(b) Encourage the innovative integration of park and school uses;

(c) Encourage developments that recognize the relationship between buildings, their use, open space, and infrastructure; providing varied opportunities for innovative and diversified living environments in line with the principles of sustainable development and sustainable business practices;

(d) Support affordable housing options and mixed-income neighborhoods;

(e) Facilitate the resourceful use of land through the arrangement of land uses, buildings, circulation systems, open space, and infrastructure;

(f) Encourage economic opportunity;

(g) Preserve, to the greatest extent possible, existing natural areas and open space that may not otherwise be protected through conventional development;

(h) Recognize and preserve the historical and archeological significance of buildings, structures, and sites, and encourage historic resource designation of those buildings, structures, and sites that merit official recognition; and

(i) Encourage energy conservation and improved air and water quality.

(Prior Code, § 530.001; Ord. No. 31-13)

Sec. 530.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Building footprint*~~:~~ means the total area enclosed by the exterior walls of a building at ground level, exclusive of courtyards.

~~(b)~~ *Development*~~:~~ means the construction or demolition of a building or structure; or alterations or improvements to the land, including, but not limited to, grading, for the purposes of enhancing its economic value or productivity.

~~(c)~~*Master plan*~~:~~ means a comprehensive long-range plan intended to guide the growth and development of a region and that includes analysis, recommendations, and proposals for the region's population, economy, housing, transportation, community facilities, natural resources, and land use.

~~(d)~~ *Mixed-use building*~~:~~ means a single building containing more than one type of land use such as, but not limited to, residential, office, manufacturing, retail, public, or entertainment.

(Prior Code, § 530.005; Ord. No. 31-13)

Sec. 530.010. Overlay areas.

For the purpose of regulating development within the FMU zone, the following overlay areas, identified in Figure 530-1, are established:

(a) *Low-intensity residential (LI).* The low-intensity residential area comprises single family activities in

detached housing types sited on separate lots with private yards and street and/or alley access. Nonresidential uses, except for a few limited exceptions, are prohibited.

(b) *Mixed-intensity (MI).* The mixed-intensity area comprises primarily residential uses, along with a mix of small-scale neighborhood commercial, employment, and public services uses. Buildings will be a mix of one-story to three-story detached, attached, or stacked housing types sited on smaller individually-owned lots with private yards and street and/or alley access, or larger lots under multiple or separate ownership with shared street and/or alley access. Townhouse development is appropriate at the higher density range.

(c) *Adaptive use (AU).* The adaptive use area is intended to comprise the highest concentration of existing buildings and historic development patterns. Residential and nonresidential development within this area may occur within existing structures that have been rehabilitated or within new structures.

(d) *Village center (VC).* The village center area comprises the most intense and pedestrian-oriented residential, commercial, employment, and public services uses. Residential uses will have densities of no less than 16 dwelling units per net acre. Nonresidential uses include a mix of large and small scale commercial establishments, which cumulatively will be limited to not more than approximately 80,000 square feet of pedestrian-oriented retail. Office uses are encouraged.

(Prior Code, § 530.010; Ord. No. 31-13)

Sec. 530.015. Development within the FMU zone.

All development within the FMU zone shall be undertaken pursuant to the fairview plan, a refinement plan, and the development standards set forth in this chapter.

(Prior Code, § 530.015; Ord. No. 31-13)

Sec. 530.020. Fairview plan.

The fairview plan is a master plan that identifies the goals and policies, and serves as the guiding document, for development within the FMU zone. Unless otherwise provided in this chapter, the fairview plan controls all development proposed to be undertaken within the FMU zone.

(a) *Applicability.* An approved fairview plan shall be required prior to the approval of any refinement plan.

(b) *Procedure type.* An application for the fairview plan is processed as a Type III procedure under SRC chapter 300.

(c) *Submittal requirements.* In addition to the submittal requirements for a Type III application under SRC chapter 300, an application for the fairview plan shall include the following in the form of map(s), text, or both, as applicable:

(1) A description of the purpose, main concepts, goals, policies, and general development guidelines for development within the FMU zone in light of the purpose of this chapter.

(2) An open space plan for the entire FMU zone identifying an integrated network of open spaces for the purpose of preserving and enhancing identified natural drainage patterns, significant trees and vegetation, and wetlands; responding to significant topographical features; and providing opportunities for active and passive recreation.

(3) A transportation and mobility plan for the entire FMU zone addressing the integration of pedestrian, transit, and vehicular use on the site and providing safe and efficient pedestrian, bicycle, and other non-single occupancy vehicle (SOV) mobility; promoting transit; and reducing SOV trips.

(4) A transportation impact analysis (TIA) of the major transportation and circulation elements intended to serve the FMU zone.

(5) A site analysis, which shall include the following:

(A) Identification of significant natural and built constraints of the site and surroundings;

(B) Identification of existing and potential transit connections;

(C) Identification of adjacent parcels and structures within 150 feet of the FMU zone boundary;

(D) On-site open space, recreational facilities, parks, and trails;

(E) Identification and delineation of existing natural resources, including, but not limited to, wetlands, as identified on the Local Wetlands Inventory, perennial and intermittent streams, and significant tree stands or groves. Proposed methods for the preservation or conservation of these resources shall be identified, with attention given to the Natural Resource Guidelines under 530.065;

(F) Identification of existing structures, roads, and other development;

(G) Identification of existing provisions for city infrastructure and utilities;

(H) Identification of area hydrology and water resources;

(I) Identification of existing topography and slope;

(J) General geologic character of the site;

(K) Identification of general soil types on the site;

(L) Identification and visual analysis of area viewsheds; and

(M) An inventory of buildings, structures, sites, objects, and known archeological sites which possess the criteria for historic resource designation under SRC chapter 230. The inventory shall identify any buildings, structures, sites, objects, or known archeological sites for which official historic resource designation will be sought. The inventory may identify any buildings, structures, or sites designated by the applicant as "historically significant" that may be adaptively reused or renovated, but for which historic resource designation will not be sought.

(d) *Criteria.* The fairview plan shall be approved if all of the following criteria are met:

(1) The plan conforms to the applicable provisions of the Salem Area Comprehensive Plan.

(2) The plan is compatible with adjoining land uses.

(3) The plan is physically feasible, given consideration of existing or proposed infrastructure and public services.

(4) The plan conforms to the following goals:

(A) Encourage mixed-use development, improved protection of open spaces and natural features, and greater housing and transportation options;

(B) Encourage the innovative integration of park and school uses;

(C) Encourage the principles of sustainable development and sustainable business practices;

(D) Support affordable housing options and mixed-income neighborhoods;

(E) Facilitate the resourceful use of land through the efficient arrangement of land uses, buildings, circulation systems, open space and infrastructure;

(F) Encourage economic opportunities that comply with and support business practices;

(G) Recognize the historic significance of buildings, structures, and sites, including archaeological sites, through appropriate means, including, but not limited to, obtaining official historic resource designation; and

(H) Encourage energy conservation and improved air and water quality.

(Prior Code, § 530.020; Ord. No. 31-13)

Sec. 530.025. Amendments to the fairview plan.

(a) *Applicability.* No amendment to the fairview plan shall be made without receiving approval as set forth in this section.

(b) *Classes.*

(1) *Minor amendment.* A minor amendment is any amendment to the fairview plan that does not result in a substantial change to the fairview plan.

(2) *Major amendment.* A major amendment is any amendment to the fairview plan that results in a substantial change to the fairview plan. A substantial change to the fairview plan includes, but is not limited to, one that:

(A) Varies or changes a fairview plan policy;

(B) Increases or decreases the number of proposed residential units per acre by more than 20 percent or exceeds the maximum number of dwelling units permitted within the FMU zone;

(C) Changes designated buffers, perimeter landscaping, or significant natural resource areas delineated in the fairview plan that were established to adapt the FMU zone to specific site characteristics or mitigate development impacts on the site and surrounding area;

(D) Varies the building height, FAR, lot coverage, or building setbacks by more than 20 percent of that delineated in the adopted fairview plan;

(E) Results in a significant change in the purpose, scope, main concepts, goals, policies, or general development guidelines of the fairview plan;

(F) Cumulatively results in a significant change in the purpose, scope, main concepts, goals, policies, or general development guidelines of the fairview plan as a consequence of more than one non-substantial change submitted concurrently; or

(G) Results in a significant change in pedestrian or vehicular traffic circulation within the FMU zone or in the surrounding area.

(c) *Procedure type.*

(1) *Minor amendment.* A minor amendment is processed as a Type II procedure under SRC chapter 300.

(2) *Major amendment.* A major amendment is processed as a Type III procedure under SRC chapter 300, unless the amendment is initiated by the City. A major amendment initiated by the City is processed as a Type IV procedure under SRC chapter 300.

(d) *Submittal requirements.* In addition to the submittal requirements for a Type II or Type III application under SRC chapter 300, an application for a minor or major amendment to the fairview plan shall include:

(1) The specific amendment proposed; and

(2) A statement documenting the need for the amendment.

(e) *Criteria.*

(1) *Minor amendment.* A minor amendment shall be approved if all of the following criteria are met:

(A) The proposed amendment does not substantially change the fairview plan.

(B) The proposed amendment will not unreasonably impact surrounding existing or potential uses or development.

(2) *Major amendment.* A major amendment shall be approved if all of the following criteria are met:

(A) The proposed amendment conforms to the applicable provisions of the Salem Area Comprehensive Plan.

(B) The proposed amendment is compatible with adjoining land uses.

(C) The proposed amendment is physically feasible, given consideration of existing or proposed infrastructure and public services.

(D) The proposed amendment conforms to the following goals:

(i) Encourage mixed-use development, improved protection of open spaces and natural features, and greater housing and transportation options;

(ii) Encourage the innovative integration of park and school uses;

(iii) Encourage the principles of sustainable development and sustainable business practices;

(iv) Support affordable housing options and mixed-income neighborhoods;

(v) Facilitate the resourceful use of land through the efficient arrangement of land uses, buildings, circulation systems, open space and infrastructure;

(vi) Encourage economic opportunities that comply with and support business practices;

(vii) Recognize the historic significance of buildings, structures, and sites, including archaeological sites, through appropriate means, including, but not limited to, obtaining official historic resource designation; and

(viii) Encourage energy conservation and improved air and water quality.

(Prior Code, § 530.025; Ord. No. 31-13)

Sec. 530.030. Refinement plans.

Refinement plans are detailed regulatory plans that implement the fairview plan. Standards and processes stipulated in an approved refinement plan supersede the standards and processes of the UDC and shall be used as review criteria for any specific development proposal within the area covered by the refinement plan.

(a) *Applicability.* An approved refinement plan shall be required prior to development within the FMU zone.

(b) *Minimum refinement plan area.* The area subject to a refinement plan shall contain no less than 40 acres.

(c) *Procedure type.* An application for a refinement plan is processed as a Type III procedure 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 refinement plan shall include the following in the form of map(s), text, or both, as applicable:

(1) An Illustrative site plan;

(2) An identification of those land uses allowed under SRC 530.040 that are proposed to be allowed in the refinement plan area;

(3) A general allocation and identification of major proposed land uses, including residential by density range, nonresidential, open space, and recreational land uses;

(4) The name, location, and width of existing streets located within the refinement plan area;

(5) The name, location, and width of proposed streets located within the refinement plan area;

(6) Typical street cross-sections;

(7) Detailed standards governing development within the refinement plan area, such as performance standards and standards for development densities, building and accessory structure height, floor area and FAR, open space, lot area and lot coverage, parking, landscaping, and other site improvements;

(8) Standards for the conservation, development, or utilization of natural resources, including surface water, soils, vegetation, and wildlife;

(9) An identification and inventory of all wetland and riparian resources and all intermittent and perennial waterways;

(10) An identification and inventory of all trees regulated under SRC chapter 808;

(11) Where applicable, the proposed methods of protection or conservation of natural features, historic structures, and view sheds;

(12) Proposed method for the perpetual maintenance of any common open space and common facilities;

(13) Standards and responsibilities for maintenance of infrastructure and whether the infrastructure is to

be public or private;

(14) Standards for phasing and construction of streets proposed within the refinement plan area, or needed for servicing the area, as identified in the required studies submitted with the refinement plan;

(15) Location and extent of proposed provision for sewage disposal, effluent use, stormwater drainage, and utilities;

(16) Standards for the phasing and construction of sewage disposal, effluent use, stormwater drainage, solid waste disposal, and public utilities, as identified in the required studies submitted with the refinement plan;

(17) A phasing plan for the following, as applicable:

(A) The preservation of site features established by the fairview plan;

(B) The development of the refinement plan area; and

(C) The construction, dedication, and provision of infrastructure and public services;

(18) A draft form of financial assurances to be recorded prior to refinement plan approval;

(19) A detailed explanation of how and to what extent the refinement plan is to supplement or supersede city standards;

(20) Standards for the interpretation of the refinement plan regulations and requirements;

(21) Development design guidelines and applicable approval process;

(22) General landscape plan;

(23) General drainage plan;

(24) An update to the traffic impact analysis (TIA) approved for the fairview plan that includes trip generation factors for various modes, estimated trips per day by land use, proposed vehicular access and circulation plan, and traffic impacts by mode on adjacent development;

(25) Impacts on existing structures and other development;

(26) Impacts on existing infrastructure and public services; and

(27) Location of any buildings, structures, sites, objects, or known archeological sites identified in the fairview plan inventory of buildings, structures, sites, objects, or known archeological sites which possess the criteria for historic resource designation under SRC chapter 230, or which have been designated as "historically significant" in the fairview plan inventory pursuant to SRC 530.020(c)(5)(M).

(e) *Criteria.* A refinement plan shall be approved if all of the following criteria are met:

(1) The refinement plan is consistent with the fairview plan.

(2) The refinement plan conforms with the applicable provisions of the Salem Area Comprehensive Plan.

(3) The refinement plan is compatible with adjoining land uses.

(4) The refinement plan is physically feasible, given consideration of existing or proposed infrastructure and public services.

(5) The refinement plan conforms to all applicable standards of the UDC, except where alternative standards are proposed.

(6) The refinement plan conforms to the following goals:

(A) Encourage mixed-use development, improved protection of open spaces and natural features, and greater housing and transportation options;

(B) Encourage the innovative integration of park and school uses;

(C) Encourage the principles of sustainable development and sustainable business practices;

(D) Support affordable housing options and mixed-income neighborhoods;

(E) Facilitate the resourceful use of land through the efficient arrangement of land uses, buildings, circulation systems, open space and infrastructure;

(F) Encourage economic opportunities that comply with and support business practices;

(G) Recognize the historic significance of buildings, structures, and sites, including archaeological sites, through appropriate means, including, but not limited to, obtaining official historic resource designation; and

(H) Encourage energy conservation and improved air and water quality.

(Prior Code, § 530.030; Ord. No. 31-13)

Sec. 530.035. Amendments to refinement plans.

(a) *Applicability.* No amendment to a refinement plan shall be made without receiving approval as set forth in this section.

(b) *Classes.*

(1) *Minor amendment.* A minor amendment is any amendment to a refinement plan that does not result in a substantial change to the refinement plan.

(2) *Major amendment.* A major amendment to a refinement plan is any amendment to a refinement plan that results in a substantial change to the refinement plan. A substantial change to a refinement plan includes, but is not limited to, one that:

(A) Changes the uses allowed within the refinement plan;

(B) Varies or changes a fairview plan policy;

(C) Increases or decreases the number of proposed residential units per acre by more than 20 percent or exceeds the maximum number of dwelling units permitted within the FMU zone;

(D) Changes designated buffers, perimeter landscaping, or significant natural resource areas that were established to adapt the FMU zone to specific site characteristics or mitigate development impacts on the site and surrounding area;

(E) Varies the building height, FAR, lot coverage, building setbacks, or other development standards by more than 20 percent of that delineated in the refinement plan;

(F) Cumulatively results in a significant change in the purpose, scope, main concepts, goals, policies, or general development guidelines and standards of the refinement plan, as a consequence of more than one non-substantial change submitted concurrently; or

(G) Results in a significant change in pedestrian or vehicular traffic circulation within the FMU zone or in the surrounding area.

(c) *Procedure type.*

(1) *Minor amendment.* A minor amendment is processed as a Type II procedure under SRC chapter 300.

(2) *Major amendment.* A major amendment is processed as a Type III procedure under SRC chapter 300, unless the amendment is initiated by the City. A major amendment initiated by the City is processed as a Type IV procedure under SRC chapter 300.

(d) *Submittal requirements.* In addition to the submittal requirements for a Type II or Type III application under SRC chapter 300, an application for a minor or major amendment to a refinement plan shall include:

(1) The specific amendment proposed; and

(2) A statement documenting the need for the amendment.

(e) *Criteria.*

(1) *Minor amendment.* A minor amendment shall be approved if all of the following criteria are met:

(A) The proposed amendment does not substantially change the refinement plan.

(B) The proposed amendment will not unreasonably impact surrounding existing or potential uses or development.

(2) *Major amendment.* A major amendment shall be approved if all of the following criteria are met:

(A) The proposed amendment conforms to the applicable provisions of the Salem Area Comprehensive Plan.

(B) The proposed amendment is compatible with adjoining land uses.

(C) The proposed amendment is physically feasible, given consideration of existing or proposed infrastructure and public services.

(D) The proposed amendment conforms to the following goals:

(i) Encourage mixed-use development, improved protection of open spaces and natural features, and greater housing and transportation options;

(ii) Encourage the innovative integration of park and school uses;

(iii) Encourage the principles of sustainable development and sustainable business practices;

(iv) Support affordable housing options and mixed-income neighborhoods;

(v) Facilitate the resourceful use of land through the efficient arrangement of land uses, buildings, circulation systems, open space and infrastructure;

(vi) Encourage economic opportunities that comply with and support business practices;

(vii) Recognize the historic significance of buildings, structures, and sites, including archaeological sites, through appropriate means, including, but not limited to, obtaining official historic resource designation; and

(viii) Encourage energy conservation and improved air and water quality.

(Prior Code, § 530.035; Ord. No. 31-13)

Sec. 530.040. Uses.

(a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the FMU zone are set forth in Table 530-1.

TABLE 530-1. USES

Use	Status				Limitations & Qualifications
	LI	MI	AU	VC	
Household Living					
Single family	P	P	P	P	The following single family activities: □ Single family detached dwelling. □ Residential home, as defined under ORS 197.660.
	N	P	P	P	Townhouse.
	N	P	P	P	Dwelling unit for a caretaker on the premises being cared for or guarded.
	S	S	S	S	Manufactured home, subject to SRC 700.025.

TABLE 530-1. USES					
Use	Status				Limitations & Qualifications
	LI	MI	AU	VC	
	N	N	N	N	All other single family.
Two family	N	P	P	P	
Multiple family	N	P	P	P	
Group Living					
Room and board	N	P	P	P	Room and board serving 5 or fewer persons.
	N	N	N	N	All other room and board.
Residential care	N	P	P	P	Residential facility, as defined under ORS 197.660.
	N	N	P	P	All other residential care.
Nursing care	N	P	P	P	
Lodging					
Short-term commercial lodging	N	P	P	P	Short-term rentals.
	N	N	P	P	All other short-term commercial lodging.
Long-term commercial lodging	N	P	P	P	
Nonprofit shelters	N	N	N	N	
Retail Sales and Service					
Eating and drinking establishments	N	P	P	P	
Retail sales	N	P	P	P	
Personal services	N	P	P	P	
Postal services and retail financial services	N	P	P	P	
Business and Professional Services					
Office	N	P	P	P	
Audio/visual media production	N	P	P	P	
Laboratory research and testing	N	P	P	P	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services					
Motor vehicle and manufactured dwelling and trailer sales	N	N	N	N	Manufactured dwelling and prefabricated structure sales.
	N	N	P	P	Motor vehicle, recreational vehicle, and trailer rental.
	N	N	C	C	All other motor vehicle and manufactured dwelling and trailer sales.
Motor vehicle services	N	N	P	P	
Commercial parking	N	N	P	P	

TABLE 530-1. USES					
Use	Status				Limitations & Qualifications
	LI	MI	AU	VC	
Park-and-ride facilities	N	N	P	P	
Taxicabs and car services	N	N	P	P	
Heavy vehicle and trailer sales	N	N	C	N	
Heavy vehicle and trailer service and storage	N	N	P	N	
Recreation, Entertainment, and Cultural Services and Facilities					
Commercial entertainment—indoor	N	C	C	C	Nightclubs, located within 200 feet of a residential zone.
	N	P	P	P	All other commercial entertainment—indoor.
Commercial entertainment—outdoor	N	P	P	P	
Major event entertainment	N	N	N	N	
Recreational and cultural community services	N	P	P	P	
Parks and open space	P	P	P	P	
Nonprofit membership assembly	N	P	P	P	
Religious assembly	N	P	P	P	
Health Services					
Medical centers/hospitals	N	N	N	N	
Outpatient medical services and laboratories	N	P	P	P	
Educational Services					
Day care	N	P	P	P	The following day care activities: □ Child day care home. □ Adult day care home.
	N	N	P	P	All other day care.
Basic education	N	P	P	P	
Post-secondary and adult education	N	N	P	P	
Civic Services					
Governmental services	N	P	P	P	
Social services	N	N	P	P	
Governmental maintenance services and construction	N	N	N	N	
Public Safety					

TABLE 530-1. USES					
Use	Status				Limitations & Qualifications
	LI	MI	AU	VC	
Emergency services	N	N	P	P	The following emergency services activities: □ Ambulance station. □ Ambulance service facility.
	N	P	P	P	All other emergency services.
Detention facilities	N	N	N	N	
Military installations	N	P	P	P	
Funeral and Related Services					
Cemeteries	N	P	P	P	
Funeral and cremation services	N	N	P	P	
Construction Contracting, Repair, Maintenance, and Industrial Services					
General repair services	N	N	P	P	
Building and grounds services and construction contracting	N	N	P	N	
Cleaning plants	N	P	P	P	
Industrial services	N	N	P	N	
Wholesale Sales, Storage, and Distribution					
General wholesaling	N	N	P	N	
Heavy wholesaling	N	N	N	N	
Warehousing and distribution	N	N	P	P	
Self-service storage	N	N	P	P	
Manufacturing					
General manufacturing	N	C	P	C	
Heavy manufacturing	N	N	N	N	
Printing	N	C	P	C	
Transportation Facilities					
Aviation facilities	N	N	N	N	
Passenger ground transportation facilities	P	P	P	P	Transit stop shelters.
	N	N	P	P	All other passenger ground transportation facilities.
Marine facilities	N	N	N	N	
Utilities					
Basic utilities	P	P	P	P	
Wireless communication facilities	Allowed				Wireless communication facilities are allowed, subject to SRC chapter 703.

TABLE 530-1. USES					
Use	Status				Limitations & Qualifications
	LI	MI	AU	VC	
Drinking water treatment facilities	N	N	N	N	
Power generation facilities	N	N	N	N	
Data center facilities	N	N	P	N	
Fuel dealers	N	N	P	N	
Waste-related facilities	N	P	P	P	Recycling depot.
	N	N	N	N	All other waste-related facilities.
Mining and Natural Resource Extraction					
Petroleum and natural gas production	N	N	N	N	
Surface mining	N	N	N	N	
Farming, Forestry, and Animal Services					
Agriculture	N	N	N	N	Marijuana production.
	P	P	P	P	All other agriculture.
Forestry	N	P	P	N	
Agriculture and forestry services	N	N	P	N	
Keeping of livestock and other animals	N	N	N	N	
Animal services	N	P	P	P	Small animal veterinary services.
	N	N	N	N	All other animal services.
Other Uses					
Accessory short-term rentals	S	-	-	-	Accessory short-term rental, subject to SRC 700.006
Temporary uses	N	P	P	P	Residential sales/development office, subject to SRC 701.030.
Home occupations	S	S	S	S	Home occupations, subject to SRC 700.020.
Accessory dwelling units	P	P	P	P	
Taking of boarders or leasing of rooms by a resident family	P	P	P	P	Taking of boarders or leasing of rooms by a resident family is permitted as an accessory use to household living, provided the total number of boarders and roomers does not exceed 2 in any dwelling unit.

(b) *Additional prohibited uses.* Notwithstanding Table 530-1, eating and drinking establishments otherwise permitted within the FMU zone shall be a prohibited use within the FMU zone if developed with a drive-through.

(Prior Code, § 530.040; Ord. No. 31-13; Ord. No. 22-15, § 14, 11-23-2015; Ord. No. 5-17, § 33(530.040), 6-12-2017)

Sec. 530.045. General development standards.

Development within the FMU zone must comply with the development standards established as part of a refinement plan and the development standards set forth this section.

(a) *Nonresidential development in MI area.* Except for activities falling under basic education, no building used exclusively for a nonresidential use within the MI area shall have a building footprint greater than 6,000 square feet. Activities falling under basic education located within the MI area may have a building footprint greater than 6000 square feet.

(b) *Open space.* A minimum of 20 acres of land within the FMU zone shall be reserved as natural open space.

(c) *Maximum number of dwelling units.* The maximum number of dwelling units permitted in the FMU zone shall be 2000.

(d) *FMU zone boundary setback.* All buildings and accessory structures within the FMU zone shall be set back a minimum of 20 feet from the FMU zone boundary.

(Prior Code, § 530.045; Ord. No. 31-13)

Sec. 530.050. Development standards for uses and activities falling under household living.

When uses and activities falling under household living are proposed within a refinement plan, such uses and activities shall be subject to either the development standards set forth in this section or the development standards established in the refinement plan. If development standards for uses and activities falling under household living are established in a refinement plan, approval of such standards shall be reviewed and approved as "alternative approval criteria" under ORS 197.307. Such standards shall apply in lieu of the standards set forth in this section and shall govern all development of uses and activities falling under household living within the refinement plan area. Subsequent to the approval of the refinement plan, if the applicant wishes to pursue development under the standards and criteria set forth in this section, the applicant shall apply for a minor amendment to the refinement plan.

(a) *Lot standards.* Lots within the FMU zone used for uses and activities falling under household living shall conform to the standards set forth in Table 530-2.

TABLE 530-2. LOT STANDARDS FOR USES AND ACTIVITIES FALLING UNDER HOUSEHOLD LIVING

Requirement	Standard	Limitations & Qualifications
Lot Area		
All household living uses and activities	None	
Lot Width		
All household living uses and activities	None	
Lot Depth		
All household living uses and activities	None	
Street Frontage		
Single family	Min. 18 ft.	
	Max. 100 ft.	
Two family	Min. 36 ft.	
	Max. 100 ft.	
Multiple family	Min. 24 ft.	Applicable to multiple family consisting of not more than 4 dwelling units.
	Min. 6 ft. per	Applicable to multiple family consisting

TABLE 530-2. LOT STANDARDS FOR USES AND ACTIVITIES FALLING UNDER HOUSEHOLD LIVING		
Requirement	Standard	Limitations & Qualifications
	dwelling unit	of more than 4 dwelling units.
	Max. 30 ft. per dwelling unit	

(b) *Dwelling unit density.* Dwelling unit density within the FMU zone for uses and activities falling under household living shall conform to the standards set forth in Table 530-3.

TABLE 530-3. DWELLING UNIT DENSITY FOR USES AND ACTIVITIES FALLING UNDER HOUSEHOLD LIVING		
Overlay Area	Minimum	Maximum
Limited Intensity (LI)	5 d.u./acre	8 d.u./acre
Mixed Intensity (MI)	7 d.u./acre	35 d.u./acre
Adaptive Use (AU)	6 d.u./acre	30 d.u./acre
Village Center (VC)	16 d.u./acre	35 d.u./acre

(c) *Setbacks.* Setbacks within the FMU zone for uses and activities falling under Household Living shall be provided as set forth in Table 530-4.

TABLE 530-4. SETBACKS FOR USES AND ACTIVITIES FALLING UNDER HOUSEHOLD LIVING		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All household living uses and activities	Min. 10 ft.	
	Max. 20 ft.	Applicable in the MI, AU, and VC areas.
Accessory Structures		
Accessory to all household living uses and activities	Min. 10 ft.	
Abutting Alley		
Buildings		
All household living uses and activities	Min. 5 ft.	
Accessory Structures		
Accessory to all household living uses and activities	Min. 5 ft.	
Interior Front		
Buildings		

TABLE 530-4. SETBACKS FOR USES AND ACTIVITIES FALLING UNDER HOUSEHOLD LIVING		
Requirement	Standard	Limitations & Qualifications
All household living uses and activities	None	
Accessory Structures		
Accessory to all household living uses and activities	None	
Interior Side		
Buildings		
All household living uses and activities	None	
Accessory Structures		
Accessory to all household living uses and activities	None	
Interior Rear		
Buildings		
All household living uses and activities	None	
Accessory Structures		
Accessory to all household living uses and activities	None	

(d) *Lot coverage; height.* Buildings and accessory structures within the FMU zone used for uses and activities falling under household living shall conform to the lot coverage and height standards set forth in Table 530-5.

TABLE 530-5. LOT COVERAGE; HEIGHT FOR USES AND ACTIVITIES FALLING UNDER HOUSEHOLD LIVING		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
All household living uses and activities	No Max.	Applicable within the MI, AU, and VC areas.
	Max. 55%	Applicable within the LI area.
Rear Yard Coverage		
Buildings		
All household living uses and activities	N/A	
Accessory Structures		
Accessory to all household living uses and activities	No Max.	
Height		
Buildings		

TABLE 530-5. LOT COVERAGE; HEIGHT FOR USES AND ACTIVITIES FALLING UNDER HOUSEHOLD LIVING		
Requirement	Standard	Limitations & Qualifications
All household living uses and activities	Max. 35 ft.	Applicable within the LI area.
	Max. 45 ft.	Applicable within the MI, AU, and VC areas.
Accessory Structures		
Accessory to all household living uses and activities	Max 35 ft.	Applicable within the LI area.
	Max. 45 ft.	Applicable within the MI, AU, and VC areas.

(e) *Building orientation.*

(1) All single family attached dwellings and multiple family residential complexes shall have their primary orientation to the street. Entrances to multiple family buildings may include entrances to individual units or breezeway/courtyard entrances (i.e., to a cluster of residential units); or

(2) All single family attached dwellings and multiple family residential complexes may have their primary orientation to a side yard when a direct pedestrian connection is provided between the main entrance and the street, with at least one entrance located not more than 20 feet from the curbline of the street.

(f) *Design review guidelines and design review standards.* If multiple family residential design guidelines, design standards, and/or a design review process are not identified in the fairview plan or refinement plan, all multiple family residential development shall comply with either all of the applicable multiple family design review guidelines or all of the applicable multiple family design review standards set forth in SRC chapter 702.

(g) *Parking.* The requirements of SRC chapter 806 shall apply to all residential development within the FMU zone, except that:

(1) Minimum required off-street parking for single family uses or activities shall be one space per dwelling unit.

(2) On-street parking may be used to fulfill a portion of the parking requirement for multifamily residential dwelling units.

(h) *Landscaping.*

(1) Setbacks. Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

(2) Vehicle use areas. Vehicle use areas shall be landscaped as provided under SRC chapter<u>s</u> 806 and ~~SRC chapter~~ 807.

(i) *Natural resource protection and hazard mitigation.* In order to preserve existing natural resources and prevent natural hazards, the requirements of the following chapters shall apply to residential development within the FMU zone:

(1) SRC chapter 808 (Preservation of Trees and Vegetation).

(2) SRC chapter 809 (Wetlands).

(3) SRC chapter 810 (Landslide Hazards).

(Prior Code, § 530.050; Ord. No. 31-13)

<u>Sec.</u> 530.055. Public school siting.

The siting and development of public schools within the FMU zone shall be determined pursuant to the following criteria:

(a) It is the goal of this section to ensure that the coordination, of planning, siting, and development of schools is consistent with the plans of the Salem Keizer School District, the needs of the residents in the community, and the Salem Area Comprehensive Plan.

(b) Planning for school location and siting should be done in close coordination with the Salem Keizer School District's ongoing comprehensive planning, taking into consideration the following factors:

(1) The neighborhoods the schools are to serve;

(2) Site limitations;

(3) The impact upon the transportation system;

(4) Pedestrian access,

(5) Projected residential growth patterns in and near the FMU zone;

(6) Schools should be located to avoid serious distractions to study or classroom activity;

(7) Acquisition of school sites should be coordinated with the City to further the joint acquisition and development of park and school sites and to permit the joint use of school and park facilities;

(8) Each school should be located to provide the best possible access to the student population served;

(9) Elementary schools should be located:

(A) In the center of existing or future residential neighborhoods in the school's potential attendance area within safe and reasonable walking distance of as many students as possible;

(B) So their attendance areas will be bounded, rather than intersected, by barriers presenting obstacles or dangers to children walking to and from school. Such barriers include major streets, waterways, and industrial areas; and

(C) Whenever possible, on residential streets which provide sufficient access for buses and other necessary traffic but have a minimum of non-school related vehicle activity; and

(10) Secondary schools should be located:

(A) Geographically central to the population served;

(B) To have adequate, safe, and direct access from the community’s principal street network; and

(C) To encourage the use of walkways, bikeways, and public transit.

(c) Future public school siting is taken into account in all refinement plans so that an appropriate site for a public school will be available to serve the future school attendance area when needed. In no event shall any standards or processes stipulated in a refinement plan modify, change, or otherwise affect the standards and criteria for the siting of a public school contained in this section. In addition to the criteria set forth in subsections (a) and (b) of this section, potential public school site or sites shall consider the impact and effect on the existing public secondary school sites directly adjacent to the FMU zone, to ensure that future development within the FMU zone takes into account the existing adjacent public secondary school site which will serve the school attendance area of which the FMU zone is a part.

(d) The school district shall be notified in advance of any refinement plan, or amendment thereto, that may be filed, and be given an opportunity to comment thereon, and if such comment is made, shall have standing to appeal the refinement plan.

(Prior Code, § 530.055; Ord. No. 31-13)

Sec. 530.060. Historic preservation.

Any structure existing on December 24, 2003, identified for demolition shall, prior to issuance of a demolition permit, be documented according to the survey and inventory practices set forth by the Oregon State Historical Preservation Office.

(Prior Code, § 530.060; Ord. No. 31-13)

Sec. 530.065. Natural resource guidelines.

(a) The presence of natural resources within the FMU zone helps to define the special character of the land within it. In order to maintain this character, the fairview plan, any subsequent refinement plan, and any development within the FMU zone shall identify how existing natural resources will be protected and how natural hazards will be mitigated through compliance with the following:

(1) SRC chapter 808 (Preservation of Trees and Vegetation);

(2) SRC chapter 809 (Landslide Hazards); and

(3) SRC chapter 810 (Wetlands).

(b) The fairview plan and any subsequent refinement plan shall consider all of the following:

(1) The preservation of the natural drainage patterns of the site;

(2) The existence and use of native plant species, where appropriate;

(3) The integrity of mature stands of trees that are in good health;

(4) The minimization of the amount of impervious surfaces near all waterways; and

(5) Significant wildlife habitat.

(Prior Code, § 530.065; Ord. No. 31-13)

Sec. 530.070. Transportation planning.

(a) For the purposes of this section, the term "transportation facility" means any physical facility that moves or assists in the movement of people or goods, including, but not limited to, arterial and collector and local streets and other important non-collector street connections; public transit routes, terminals, major transfer stations, major transit stops, and park-and-ride stations; bicycle and pedestrian routes, but excluding electrical, sewer, water and other utilities systems.

(b) The fairview plan, and any subsequent refinement plan, or any site plan or other development proposal within the FMU zone shall identify whether the plan or development significantly affects a transportation facility by:

(1) Changing the level of service of an existing or planned transportation facility;

(2) Changing standards implementing the street classification system;

(3) Allowing types or levels of land uses which would result in levels of travel or access which are inconsistent with the level of service of a transportation facility; or

(4) Reducing the level of service of the facility below the minimum acceptable level identified in the Salem Transportation System Plan.

(c) Any component of the fairview plan, any subsequent refinement plan, or any development, which significantly affects a transportation facility shall assure that the proposed uses or development are consistent with the identified function, capacity, and performance standards of the transportation facility by either:

(1) Limiting allowed uses to be consistent with the planned function, capacity, and performance standards of the transportation facility;

(2) Altering densities or design requirements to reduce demand for automobile travel and meet travel needs through other modes; or

(3) Providing transportation facilities adequate to support the proposed uses.

(Prior Code, § 530.070; Ord. No. 31-13)

Sec. 530.075. FMU zone implementation and assurances.

(a) *FMU zone implementation.* The implementation of the FMU zone shall be in accordance with the procedures of the Salem Revised Code. The fairview plan or a refinement plan may establish additional

implementation procedures, provided such methods are not in conflict with required procedures and are fully described in the plans.

(b) *Assurances.* The Public Works Department may require financial or other assurances for any development within the FMU zone to ensure proper installation of required street, sewer, water, stormwater, drainage, flood control, and other improvements.

(Prior Code, § 530.075; Ord. No. 31-13)

Sec. 530.080. Issuance of building permits.

If alternative standards approved in a refinement plan and are being utilized in a specific development proposal, a statement of compliance shall be submitted at the time of application to demonstrate how the proposed development complies with SRC chapter 56 and the alternative standards adopted as part of the refinement plan.

FIGURE 530-1. FAIRVIEW OVERLAY AREAS

(Prior Code, § 530.080; Ord. No. 31-13)

CHAPTER 531. SWMU--SOUTH WATERFRONT MIXED-USE

Sec. 531.001. Purpose.

The purpose of the South Waterfront Mixed-Use (SWMU) Zone is to implement the river-oriented mixed-use designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards to further economic development and support the creation of a vibrant downtown. The SWMU provides for a mixture of uses developed in a manner that promotes an active and inviting pedestrian environment, and that takes advantage of close proximity to Pringle Creek, Riverfront Park, the Willamette River, and the downtown.

(Prior Code, § 531.001; Ord. No. 31-13)

Sec. 531.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Development site*~~:~~ means a single building, all or a portion of a single lot, or all or a portion of multiple lots within a single ownership or control (i.e., lands included within the land use application), as determined by the applicant.

~~(b)~~ *Ground floor*~~:~~ means the first full building floor which is not more than two feet above grade. For buildings facing Pringle Creek, ground floor means the floor most closely aligned with street level.

~~(c)~~*Ground floor area*~~:~~ means the floor area of a building or structure devoted to a particular use, measured within the exterior walls that are at the grade plane of the building or structure.

~~(d)~~ *Total floor area*~~:~~ means the floor area of a building or structure devoted to a particular use, measured within the exterior walls of all stories of a building or structure.

(Prior Code, § 531.005; Ord. No. 31-13)

Sec. 531.010. Uses.

(a) *General.* The permitted (P), special (S), conditional (C), and prohibited (N) uses in the SWMU zone are set forth in Table 531-1.

TABLE 531-1. USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	P	The following single family activities: □ Townhouse. □ Residential home, as defined under ORS 197.660.
	N	All other single family.
Two family	P	Duplex.
	N	All other two family.
Multiple family	P	
Group Living		
Room and board	N	

TABLE 531-1. USES		
Use	Status	Limitations & Qualifications
Residential care	P	The following residential care activities: □ Residential facility, as defined under ORS 197.660. □ Assisted living.
	N	All other residential care.
Nursing care	P	In-patient rehabilitation and recuperative care.
	N	All other nursing care.
Lodging		
Short-term commercial lodging	P	
Long-term commercial lodging	N	
Nonprofit shelters	P	Nonprofit shelters serving 5 or fewer persons.
	C	Nonprofit shelters serving 6 to 75 persons.
	N	All other nonprofit shelters.
Retail Sales and Services		
Eating and drinking establishments	P	Eating and drinking establishments, subject to SRC 531.010(c).
Retail sales	P	Retail sales, subject to SRC 531.010(c).
Personal services	P	Personal services, subject to SRC 531.010(c).
Postal services and retail financial services	P	Postal services and retail financial services, subject to SRC 531.010(c).
Business and Professional Services		
Office	P	
Audio/visual media production	P	
Laboratory research and testing	P	Laboratory research and testing, subject to SRC 531.010(c).
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Motor vehicle and manufactured dwelling and trailer sales	P	Indoor sales and leasing, subject to SRC 531.010(c).
	N	All other motor vehicle and manufactured dwelling and trailer sales.
Motor vehicle services	N	
Commercial parking	N	Commercial parking on surface parking lots.
	P	All other commercial parking, subject to SRC 531.010(c).
Park-and-ride facilities	P	
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	N	

TABLE 531-1. USES		
Use	Status	Limitations & Qualifications
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	N	Firing ranges.
	P	All other commercial entertainment—indoor is permitted.
Commercial entertainment—outdoor	N	The following commercial entertainment—outdoor activities: □ Recreational vehicle parks. □ Firing ranges.
	P	All other commercial entertainment—outdoor.
Major event entertainment	N	
Recreational and cultural community services	P	
Parks and open space	P	
Nonprofit membership assembly	P	
Religious assembly	P	
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	P	
Educational Services		
Day care	P	
Basic education	P	
Post-secondary and adult education	P	
Civic Services		
Governmental services	P	
Social services	P	
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	P	
Detention facilities	N	
Military installations	N	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	
Construction Contracting, Repair, Maintenance, and Industrial Services		

TABLE 531-1. USES		
Use	Status	Limitations & Qualifications
General repair services	P	General repair services, subject to SRC 531.010(c).
Building and grounds services and construction contracting	N	The following building and grounds services and construction contracting activities: Lawn and garden services. Exterminators.
	P	All other building and grounds services and construction contracting, subject to SRC 531.010(c).
Cleaning plants	P	Cleaning plants, subject to SRC 531.010(c).
Industrial services	N	
Wholesale Sales, Storage, and Distribution		
General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	N	
Self-service storage	N	
Manufacturing		
General manufacturing	P	General manufacturing, subject to SRC 531.010(c).
Heavy manufacturing	N	
Printing	P	Printing, subject to SRC 531.010(c).
Transportation Facilities		
Aviation facilities	N	
Passenger ground transportation facilities	P	
Marine facilities	P	
Utilities		
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	N	
Power generation facilities	N	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	N	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	

TABLE 531-1. USES		
Use	Status	Limitations & Qualifications
Farming, Forestry, and Animal Services		
Agriculture	N	
Forestry	N	
Agriculture and forestry services	N	
Keeping of livestock and other animals	N	
Animal services	P	
Other Uses		
Home occupations	S	Home occupations, subject to SRC 700.020.

(b) *Additional prohibited uses.* Notwithstanding Table 531-1, any permitted, special, or conditional use within the SWMU zone less than 10,000 square feet in total floor shall be a prohibited use within the SWMU zone if developed with a drive-through.

(c) *Limitations on uses.* Where a use is allowed subject to the provisions of this subsection, the use shall conform to the following additional limitations:

(1) Establishments under the following uses shall be limited to no more than 10,000 square feet of total floor area per establishment:

(A) Laboratory research and testing.

(B) Building and grounds services and construction contracting.

(C) Cleaning plants.

(D) General manufacturing.

(E) Printing.

(2) The total floor area of all establishments falling under motor vehicle and manufactured dwelling and trailer sales shall be limited to a maximum of 20,000 square feet.

(3) Buildings for establishments under the following uses shall be limited to no more than 40,000 square feet of ground floor area:

(A) Retail sales, with the exception of grocery stores. Grocery stores shall be limited to buildings with no more than 60,000 square feet of ground floor area.

(B) Personal services.

(C) Postal services and retail financial services.

(D) General repair services.

(E) Animal services.

(4) Buildings for establishments under the following uses shall be limited to no more than 60,000 square feet of ground floor area:

(A) Eating and drinking establishments.

(B) Commercial entertainment—indoor.

(C) Commercial entertainment—outdoor.

(5) Commercial Parking shall be limited to the following locations:

(A) Structures existing as of January 7, 2009, that have been rehabilitated or remodeled to allow for the use of the structure for parking.

(B) Underground parking structures.

(C) Any other structures, provided:

(i) No more than 25 percent of the parking spaces within an individual structure shall be used for commercial parking.

(ii) The total number of parking spaces within the structures shall not exceed the maximum number of parking spaces allowed for each use pursuant to SRC chapter 806.

(d) *Mix of uses required.*

(1) Within the SWMU zone a minimum of 15 percent of each development site shall be household living and a minimum of 15 percent of each development site shall be other than household living. The percentage shall be calculated by determining the percentage of total habitable building floor area devoted to household living activities and the total habitable building floor area devoted to activities other than household living, relative to the total habitable building floor area, exclusive of parking structures and other non-habitable space. Total habitable building floor area used for short-term commercial lodging may be substituted for up to 25 percent of the required household living area.

(2) The required mix of uses may be reduced to a minimum of five percent provided the following are met:

(A) There is a vertical mix of uses in one or more mixed-use buildings. The mix shall include space for activities other than household living on at least a portion of the ground floor and household living activities on one or more upper floors; and

(B) All ground floor household living activities facing a public street shall maintain a minimum structural ceiling height of 12 feet to provide the opportunity for future conversion to activities other than household living.

(Prior Code, § 531.010; Ord. No. 31-13; Ord. No. 11-14)

Sec. 531.015. Development phasing plan.

(a) *Applicability.* When the required mix of uses for a development site will be met in phases, no development shall occur without receiving development phasing plan approval as provided in this section.

(b) *Procedure type.* A development phasing plan is processed as a Type II procedure under SRC chapter 300.

(c) *Submittal requirements.* In addition to the submittal requirements for a Type II application under SRC chapter 300, an application for a development phasing plan shall include a site plan(s), of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:

(1) The approximate location, amount in square feet (a size range may be provided), and sequence for development of each use;

(2) The approximate location of proposed parking areas, landscaping, on-site circulation, and other on-site improvements; showing how each will function after the completion of each phase and following complete build-out of the development site; and

(3) The approximate location and sequence of development of proposed city infrastructure and public utilities necessary to serve the project; showing how each will be constructed, dedicated, and/or reserved.

(d) *Criteria.* A development phasing plan shall be approved if the following criteria are met:

(1) The plan provides for a mix of uses, as required under SRC 531.010(d). If a size range for uses was provided, the plan demonstrates that the square footages of uses prescribed by the range meet the minimum mix of uses required under SRC 531.010(d).

(2) The plan demonstrates that parking, landscaping, on-site circulation, and other on-site improvements can be provided in manner allowing them to function both independently for each phase and cohesively as a whole following complete build out of the development site.

(3) The plan appears to be consistent with the applicable provisions of this chapter.

(4) The plan demonstrates that adequate city infrastructure and public utilities can be provided to serve the project for each phase and following complete build out of the development site.

(e) *Effect of development phasing plan approval.*

(1) Where a development phasing plan has been approved for a development site, development of each phase must be consistent with the approved development phasing plan. If a development application for a subsequent phase is submitted that is not consistent with the previously approved development phasing plan, a modified development phasing plan must be submitted as provided under SRC 531.020.

(2) Notwithstanding ~~paragraph~~ subsection(e)(1) of this ~~sub~~section, a development phasing plan does not convey subsequent phases of a project with any vested rights to the proposed development.

(Prior Code, § 531.015; Ord. No. 31-13)

Sec. 531.020. Modification of development phasing plan.

(a) *Applicability.* A development phasing plan may be modified after its effective date if the proposed modification meets the criteria in this section.

(b) *Procedure type.* Modification of a development phasing plan is processed as a Type II procedure under SRC chapter 300.

(c) *Submittal requirements.*

(1) In addition to the submittal requirements for a Type II application under SRC chapter 300, an application for modification of a development phasing plan shall include a site plan(s), of a size and form and in the number of copies meeting the standards established by the Planning Administrator, for the entire site area shown in the original development phasing plan containing the following information:

(A) The approximate location, amount in square feet, and sequence for development of each use. Development that has occurred in prior phases of the original development phasing plan may be used by the applicant in the percentage calculations of the modified development phasing plan, regardless of property ownership or control at the time of the submittal;

(B) The approximate location of proposed parking areas, landscaping, on-site circulation, and other on-site improvements; showing how each will function after the completion of each phase, and following complete build-out of the development site; and

(C) The approximate location and sequence of development of proposed city infrastructure and public utilities necessary to serve the project; showing how each will be constructed, dedicated, and/or reserved.

(2) It is not necessary that owners of previously developed lots shown on the original development phasing plan sign the application for the revised development phasing plan unless the revised development phasing plan would impact the mix of uses or the parking, landscaping, on-site circulation, or other on-site improvements on the previously developed lot.

(d) *Criteria.* An application for modification of a development phasing plan shall be approved if the following criteria are met:

(1) The proposed modification maintains a mix of uses, as required under SRC 531.010(d).

(2) The proposed modification will not result in parking, landscaping, on-site circulation, and other on-site improvements being provided in a manner that prevents them from functioning both independently for each phase and cohesively as a whole following complete build out of the development site.

(3) The plan appears to be consistent with the applicable provisions of this chapter.

(4) The proposed modification does not affect the provision of adequate city infrastructure and public utilities to serve the project.

(Prior Code, § 531.020; Ord. No. 31-13)

Sec. 531.025. Development standards.

Development within the SWMU zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the SWMU zone shall conform to the standards set forth in Table 531-2.

TABLE 531-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
All uses	None	
Lot Width		
All uses	None	
Lot Depth		
All uses	None	
Street Frontage		
All uses	None	

(b) *Setbacks.* Setbacks within the SWMU zone shall be provided as set forth in Table 531-3.

TABLE 531-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings and Accessory Structures		
All uses	Per SRC 531.035	
Vehicle Use Areas		
All uses	Per SRC chapter 806	
Interior Front		
Buildings and Accessory Structures		
All uses	Per SRC 531.035	
Vehicle Use Areas		
All uses	Per SRC chapter 806	
Interior Side		
Buildings and Accessory Structures		
All uses	Per SRC 531.035	
Vehicle Use Areas		
All uses	Per SRC chapter 806	

TABLE 531-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Interior Rear		
Buildings and Accessory Structures		
All uses	Per SRC 531.035	
Vehicle Use Areas		
All uses	Per SRC chapter 806	

(c) *Lot coverage; height.* Buildings and accessory structures within the SWMU zone shall conform to the lot coverage, and height standards set forth in Table 531-4.

TABLE 531-4. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot coverage		
Buildings and Accessory Structures		
All uses	No Max.	
Height		
Buildings		
All uses	No Max.	
Accessory Structures		
Accessory to all uses	No Max.	

(Prior Code, § 531.025; Ord. No. 31-13)

Sec. 531.030. Design review.

Design review under SRC chapter 225 is required for development within the SWMU zone as follows:

(a) Except as otherwise provided in this section, design review according to the design review guidelines or the design review standards set forth in SRC 531.035 is required for all development within the SWMU zone.

(b) In lieu of design review according to the design review guidelines or the design review standards set forth in SRC 531.035, development affecting nonconforming buildings or nonconforming structures existing as of January 7, 2009 shall be subject to design review demonstrating how the proposed development reduces the degree of nonconformity with the applicable design review guidelines set forth in SRC 531.035.

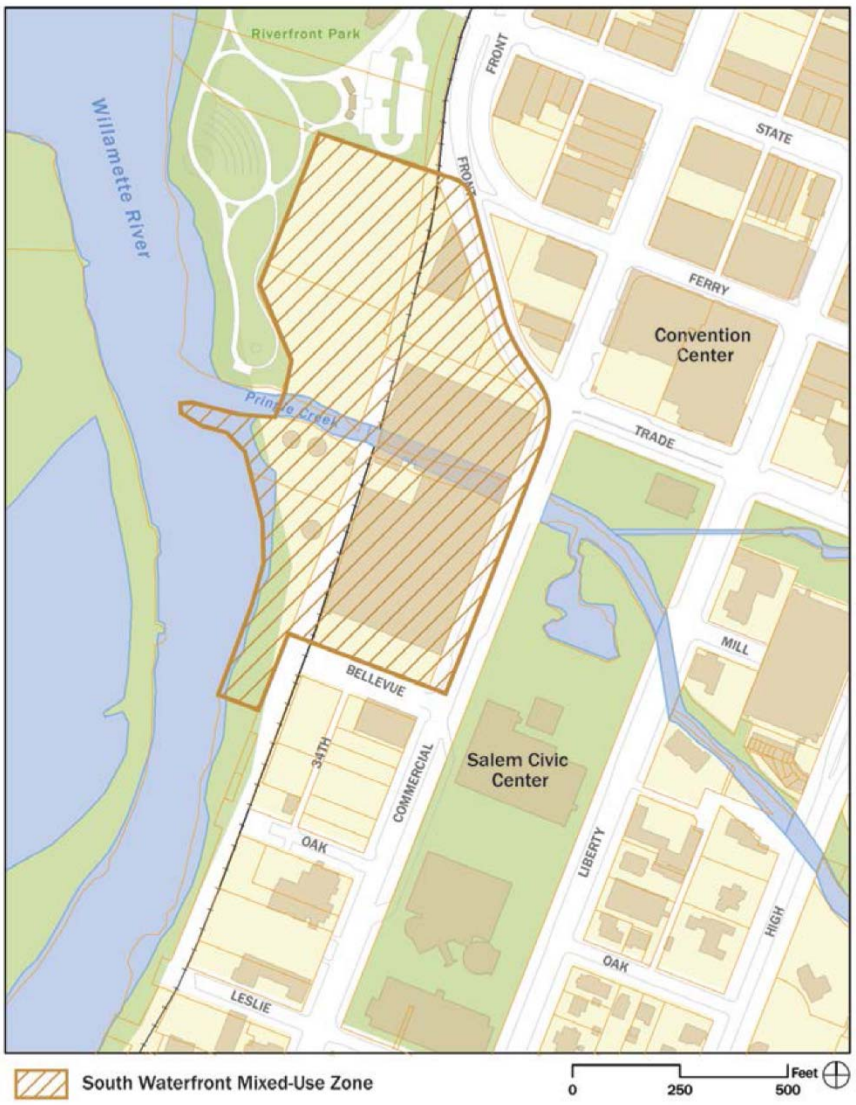
(c) Multiple family development shall only be subject to design review according to the design review guidelines or the design review standards set forth in SRC 531.035.

(Prior Code, § 531.030; Ord. No. 31-13)

Sec. 531.035. Design review guidelines and design review standards.

(a) *Pedestrian-oriented building design: general.* The design review guidelines and design review standards set forth in this subsection apply to buildings throughout the entire south waterfront mixed-use zone (see Figure 531-1); provided, however, the design review guidelines and design review standards do not apply to building facades that are both facing and located within 80 feet of the railroad right-of-way.

FIGURE 531-1. SOUTH WATERFRONT MIXED-USE ZONE



(1) *Building facades.*

(A) *Design review guidelines.*

(i) Architectural detailing shall be incorporated that visually divides and breaks up the building's vertical mass in a manner that is complimentary to Downtown Salem's existing building stock.

(B) *Design review standards.*

(i) All buildings, regardless of height or number of stories, shall divide vertical mass into three clear and distinct zones: a base, middle, and top (see Figure 531-2). The base must at least encompass the first full building floor above grade. Vertical building mass shall be divided by using one or more of the following architectural detailing techniques to differentiate the base, middle, and top of the building:

(aa) Horizontal bands, such as string courses or projecting cornices. Horizontal bands shall be a minimum of eight inches in height and must project a minimum of three-fourth inch from the building facade. Cornices must project a minimum of one foot,

but not more than five feet, from the facade of the building.

(bb) Changes in building form/massing through the use of building offsets or projections measuring a minimum of three feet in depth.

(cc) Changes in color, pattern, and/or material. If changes in color, pattern, and/or material are utilized as an architectural detailing technique, it must be used in combination with one or more of the other identified architectural detailing techniques.

FIGURE 531-2. DIVISION OF VERTICAL BUILDING MASS (BASE, MIDDLE, AND TOP)

(2) *Ground floor height.*

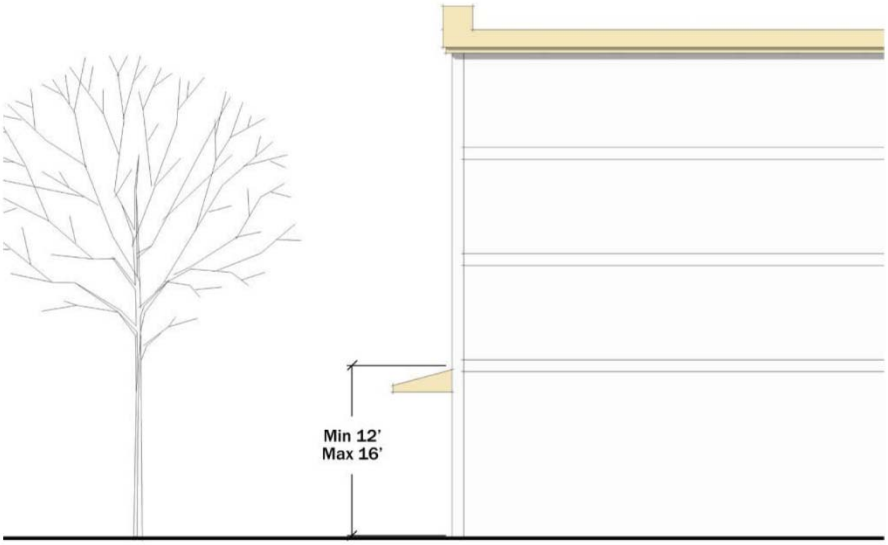
(A) *Design review guidelines.*

(i) The ground floors of buildings along streets, or facing open space, shall be of sufficient height to be easily converted to commercial use. If a raised foundation or one-half story of visible below grade parking is provided, this level shall enhance the pedestrian environment along the sidewalk through landscaping or other techniques to ensure a pedestrian-friendly environment.

(B) *Design review standards.*

(i) The ground floors of buildings along streets, or facing open space, shall be a minimum of 12 feet, but not more than 16 feet, in height (see Figure 531-3). For the purposes of this standard, ground floor height is measured from the top of the building foundation to the ceiling of the first floor.

FIGURE 531-3. GROUND FLOOR HEIGHT



(3) *Building transparency.*

(A) *Design review guidelines.*

(i) Ground floor building facades facing streets and open space shall include large transparent windows to ensure that the ground floor promotes a sense of interaction between activities in the building and activities in the public realm.

(ii) Windows on ground floor and upper floor building facades shall be provided to ensure that public and private open spaces are safe and secure at all times by providing sufficient "eyes" on streets, courtyards, forecourts, plazas, and parks.

(B) *Design review standards.*

(i) Ground floor building facades facing streets and open space shall include transparent windows along a minimum of 60 percent of the length, and on a minimum of 60 percent of the overall area, of the ground floor facade (see Figure 531-4). This includes ground floor facades facing streets, Pringle Creek, public open spaces, and private open spaces such as forecourts or plazas. For purposes of this standard, ground floor facade area includes exterior wall areas up to 12 feet above finished grade. Loading and service areas, ground floor parking, one-half story below grade visible parking, above grade raised foundations, and ground floor residential dwelling units are exempt from this requirement.

(ii) Ground floor windows shall have a minimum visible transmittance (VT) of 60 percent; provided, however, medical and dental offices may have tinted windows.

(iii) Upper floor building facades facing streets and open space shall include vertically-oriented windows along a minimum of 30 percent of each building floor length, and on a minimum of 30 percent of the overall exterior wall area, of the upper floor facade.

FIGURE 531-4. BUILDING TRANSPARENCY

(4) *Primary building entries.*

(A) *Design review guidelines.*

(i) Primary building entries shall be inviting to pedestrians and promote a sense of interaction between the public and private realms. Opaque doors shall be avoided.

(ii) Building entries shall create a "transition zone" between the public realm on the sidewalk and the private realm within the building.

(B) *Design review standards.*

(i) Primary building entries shall be comprised of a minimum of 40 percent transparent glass (see Figure 531-5). The glass shall have a minimum visible transmittance (VT) of 60 percent. Opaque doors are not permitted. Entries opening directly into individual residential dwellings are exempt from this requirement.

(ii) Primary building entries shall:

(aa) Include weather protection, in the form of awnings or canopies. Awnings and canopies shall have a minimum depth of five feet, and shall have a minimum clearance height above the sidewalk of eight feet and a maximum clearance height above the sidewalk of 13 feet six inches (see Figure 531-6); or

(bb) Be recessed into the building facade a minimum depth of three feet (see Figure 531-7).

FIGURE 531-5. TRANSPARENT BUILDING ENTRIES

FIGURE 531-6. PRIMARY ENTRY AWNING/CANOPY DIMENSIONS

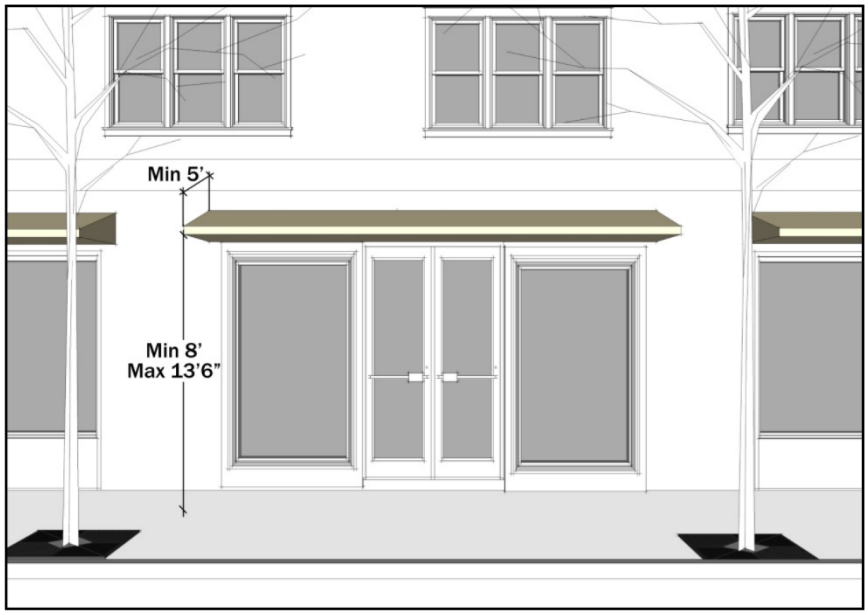
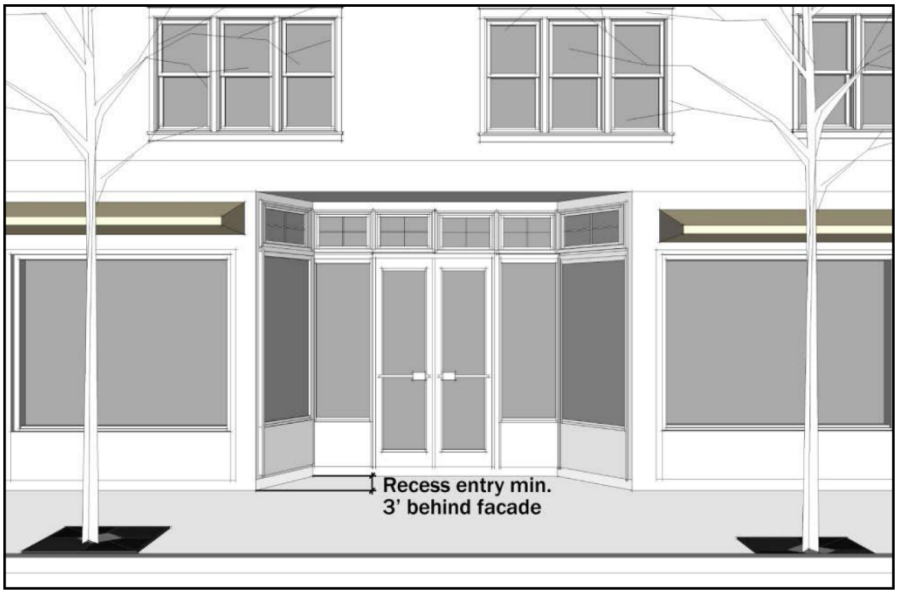


FIGURE 531-7. RECESSED ENTRY DIMENSIONS



(5) *Mechanical and service equipment.*

(A) *Design review guidelines.*

(i) Ground level and rooftop mechanical and service equipment shall be visually screened and, whenever possible, located so it is not visible from public sidewalks and open spaces.

(ii) Maximize opportunities to incorporate sustainable energy measures, such as solar panels and wind generators, into buildings.

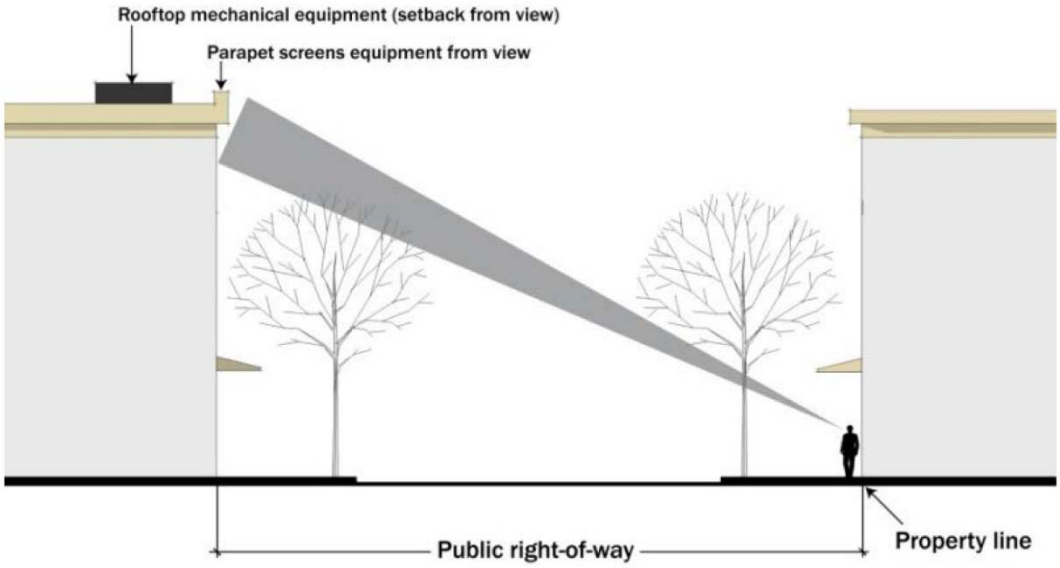
(B) *Design review standards.*

(i) Ground level mechanical and service equipment, such as garbage collection areas, recycling collection areas, and mechanical equipment, shall be screened with landscaping or a site obscuring fence or wall (see Figure 531-8). Ground level mechanical and service equipment and its associated screening shall be located so as to not be visible from public sidewalks and open spaces.

(ii) Rooftop mechanical equipment, with the exception of solar panels and wind generators, shall be setback and screened so as to not be visible to a person standing on the property line on the far side of any adjacent, at-grade public street (see Figure 531-9). All rooftop mechanical equipment shall be setback and screened so as to not be visible to a person standing 60 feet from the building within any adjacent public open space.

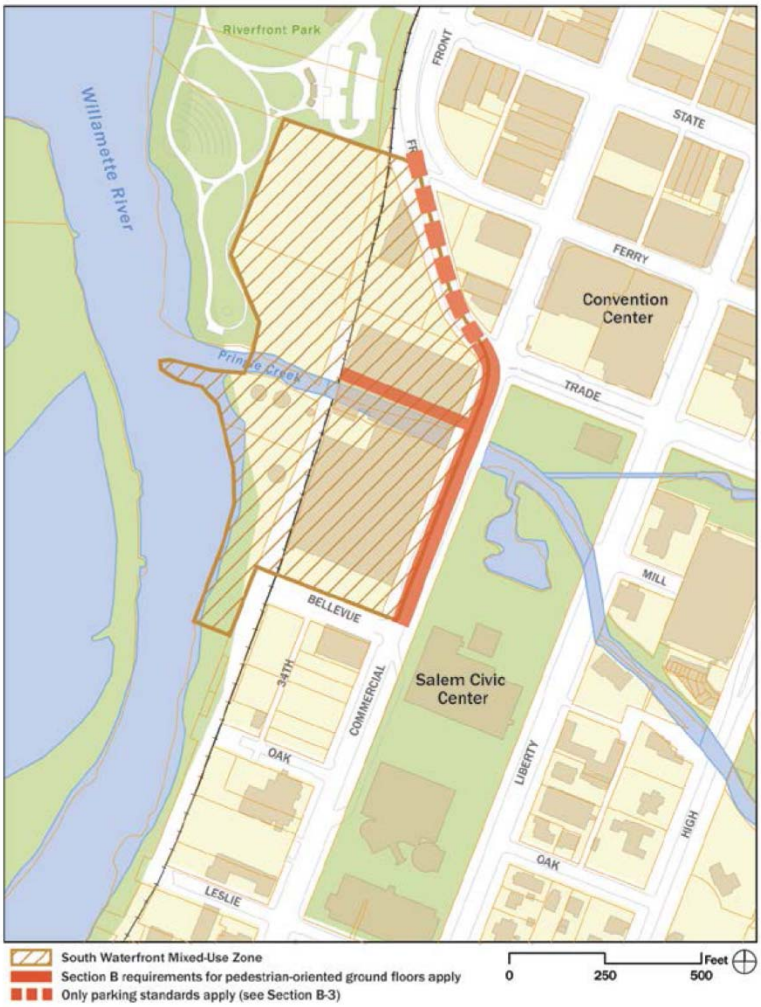
FIGURE 531-8. SCREENING OF GROUND LEVEL MECHANICAL AND SERVICE EQUIPMENT

FIGURE 531-9. SCREENING OF ROOFTOP MECHANICAL EQUIPMENT



(b) *Pedestrian-oriented building design: specific.* The design review guidelines and design review standards set forth in this subsection apply to buildings located along the north side of Pringle Creek, along Commercial Street, and at the corner of Commercial Street and Front Street (see Figure 531-10). The design review guidelines and design review standards applicable to parking included under ~~paragraph~~ subsection (b)(2) of this ~~sub~~section apply to all of the above frontages, and to the frontage along Front Street, as shown in Figure 531-10.

FIGURE 531-10. APPLICABILITY OF REQUIREMENTS FOR PEDESTRIAN-ORIENTED BUILDING DESIGN: SPECIFIC



(1) *Building setbacks and frontages.*

(A) *Design review guidelines.*

(i) Buildings shall create well-defined "edges" to the public realm by minimizing setbacks from the street right-of-way. Zero lot line buildings are encouraged. Buildings may be sited so as to create opportunities for well-designed public or civic spaces between buildings and the sidewalk.

(ii) A comfortable, inviting, and well-framed open space environment shall be created along Pringle Creek by establishing a well-defined building wall "edge" along the north bank of the creek.

(iii) Pringle Creek, the site's principal natural asset, shall be preserved by setting buildings back a sufficient distance from the north bank of the creek.

(iv) Buildings and primary building entries shall be oriented to and easily accessible from sidewalks and public open space.

(B) *Design review standards.*

(i) Except along Pringle Creek, buildings shall be oriented to the right-of-way, and shall be built to the front lot line contiguous with the right-of-way (see Figure 531-11). This standard applies to the first 25 feet or two stories of building height only. Above 25 feet or two stories in height, a building may be setback from the right-of-way.

(ii) Along Front Street, or at identified "Gateway" corners, buildings may be set back up to 50 feet, provided the area within the setback is developed as a public plaza. In other locations, buildings may be setback up to 20 feet for not more than 50 percent of the length of the building facade, provided the area within the setback is developed as public or private gathering space, such as forecourts or plazas (see Figure 531-12).

(iii) Buildings that are chamfered at the corner may be set back to the extent necessary to accommodate the chamfered corner.

(iv) Upon redevelopment, and to the extent appropriate permitting agencies authorize, existing buildings over Pringle Creek shall be removed. Construction of new buildings over Pringle Creek is prohibited.

(v) Along the north bank of Pringle Creek, buildings shall be set back a minimum of 20 feet from the creek.

(vi) Lots fronting on Commercial Street or abutting Pringle Creek shall provide continuous building frontage along the public right-of-way and/or the creek face for a minimum of 75 percent of the width of the lot (see Figure 531-13).

(vii) Primary building entrances shall be located either along Commercial Street, Front Street, or the north bank of Pringle Creek, or oriented to public street intersections or street corners. Primary building entrances shall be directly connected to the sidewalk.

FIGURE 531-11. BUILDINGS CONSTRUCTED CONTIGUOUS TO FRONT PROPERTY LINE

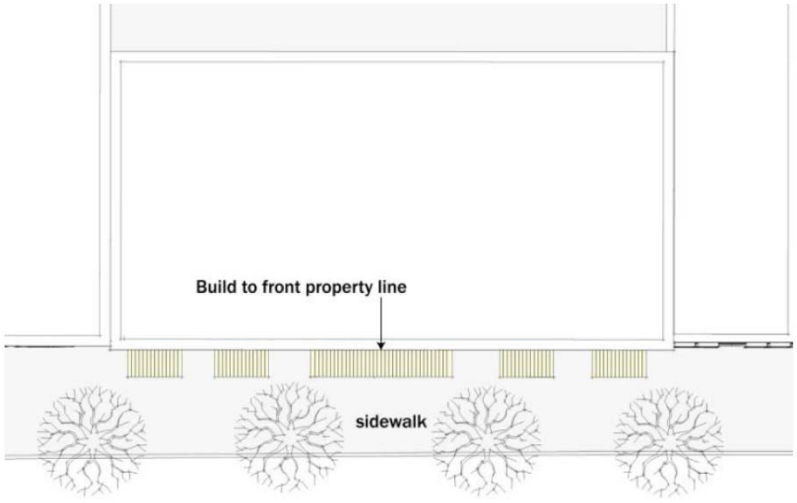


FIGURE 531-12. ADDITIONAL FRONT SETBACK FOR GATHERING SPACE

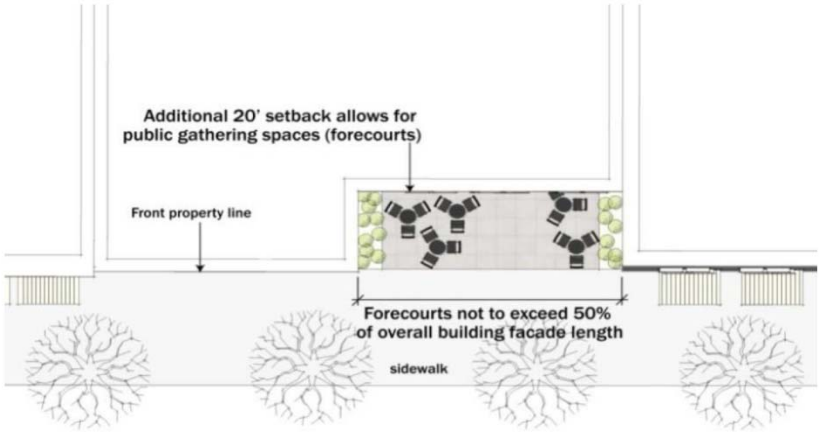
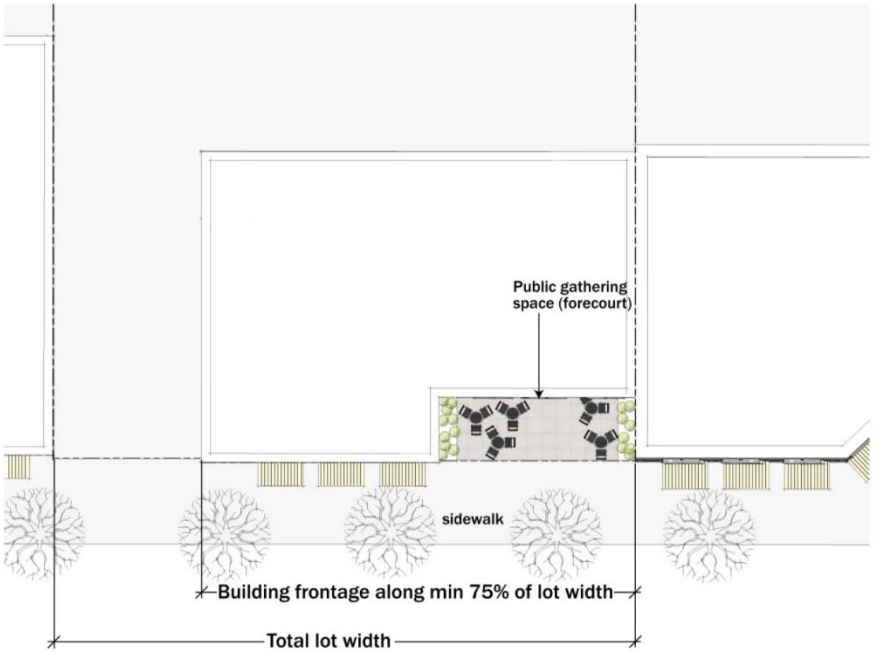


FIGURE 531-13. REQUIRED BUILDING FRONTAGE ALONG COMMERCIAL STREET AND PRINGLE CREEK



(2) *Parking.*

(A) *Design review guidelines.*

(i) Surface parking lots along buildings facing public streets shall be buffered from view by pedestrians on the sidewalk. Whenever possible, surface parking lots shall be placed behind buildings.

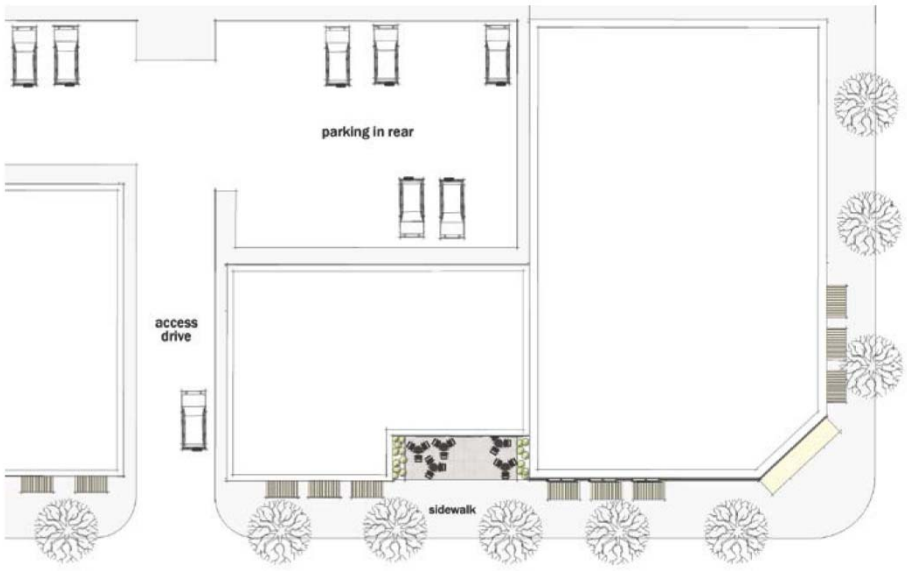
(ii) Parking structures fronting on public streets shall include space for ground floor commercial and/or household living uses along their public street facing facades in order to create an active and engaging pedestrian environment.

(B) *Design review standards.*

(i) Off-street parking is prohibited between buildings and the street, except along Front Street (see Figure 531-14). Along Front Street, disabled parking and passenger loading and unloading zones are permitted between buildings and the street.

(ii) Parking structures fronting on Commercial Street or Front Street shall include space for ground floor commercial and/or household living uses along a minimum of 70 percent of their Commercial Street or Front Street facing facades.

FIGURE 531-14. SURFACE PARKING LOCATED BEHIND BUILDING



(3) *Weather protection.*

(A) *Design review guidelines.*

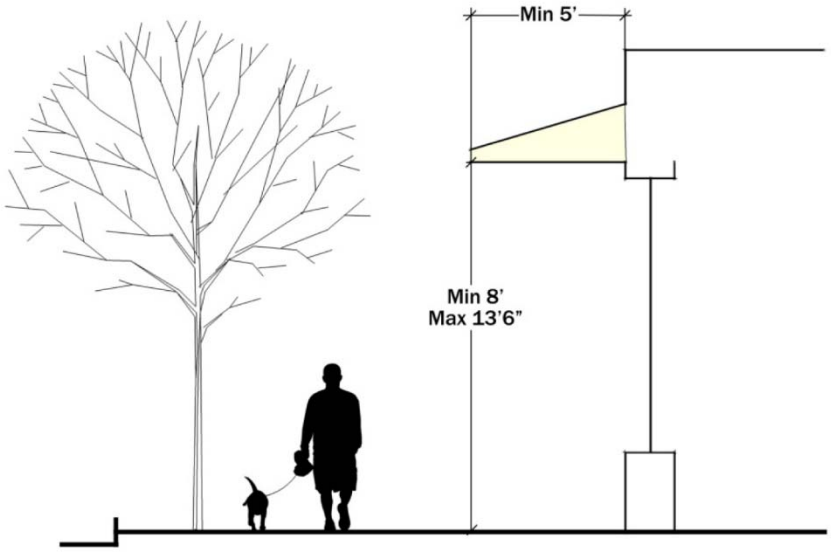
(i) Weather protection, in the form of awnings, canopies, arcades, or galleries appropriate to the design of the building, shall be provided along ground floor building facades facing streets and public space in order to create a comfortable and inviting pedestrian environment.

(B) *Design review standards.*

(i) Weather protection, in the form of awnings, canopies, arcades, or galleries, shall be provided along a minimum of 50 percent of the length of the ground floor building facade facing streets and public space.

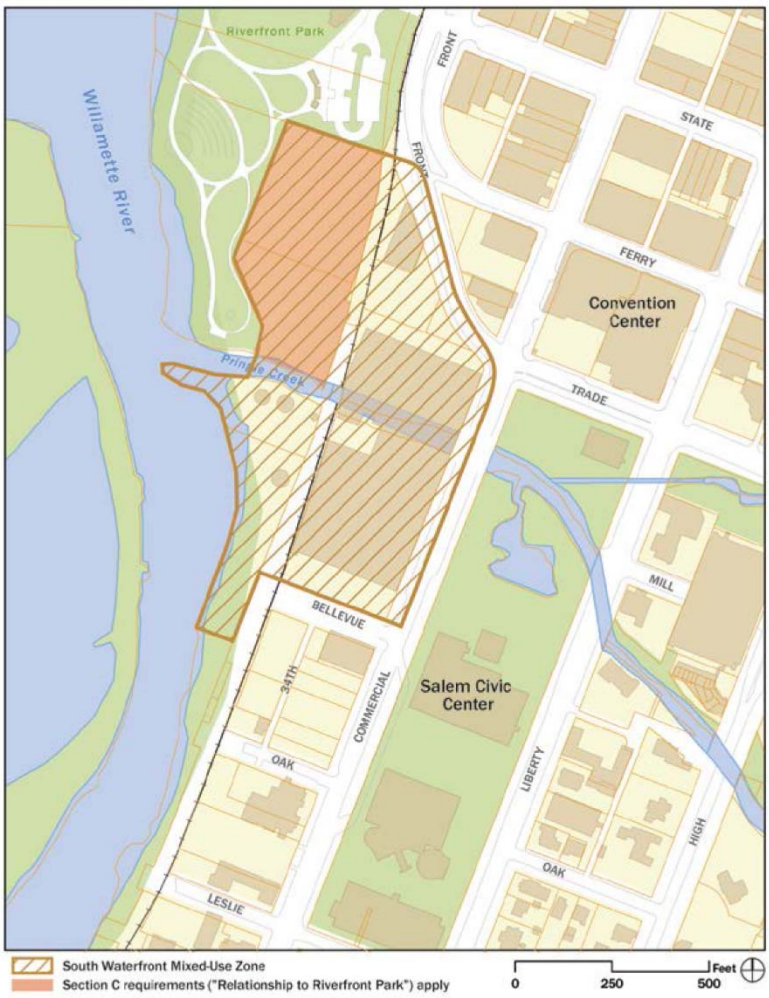
(ii) Awnings and canopies shall have a minimum depth of five feet, and shall have a minimum clearance height above the sidewalk of eight feet and a maximum clearance height above the sidewalk of 13 feet six inches (see Figure 531-15).

FIGURE 531-15. AWNING/CANOPY DIMENSIONS



(c) *Relationship to Riverfront Park.* The design review guidelines and design review standards set forth in this subsection apply to buildings located on lots immediately adjacent to Riverfront Park (see Figure 531-16).

FIGURE 531-16. APPLICABILITY OF REQUIREMENTS FOR RELATIONSHIP TO RIVERFRONT PARK



(1) *Park-facing ground floors.*

(A) *Design review guidelines.*

(i) The park-facing ground floors of buildings located along Riverfront Park shall be highly integrated and responsive to the park and shall enhance the public environment. If structured parking is provided, the park facing ground floor of the parking structure shall include space for commercial and/or household living uses to the extent practicable in order to activate the ground floor and provide "eyes" on the park.

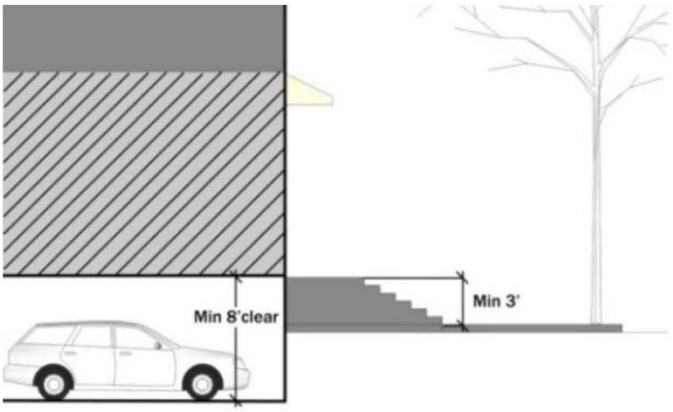
(B) *Design review standards.*

(i) Buildings located along Riverfront Park shall include space for ground floor commercial and/or household living uses along a minimum of 70 percent of their park-facing facades. Commercial uses must provide pedestrian access to and from the park. If household living uses are provided on the ground floor, building entries to individual dwelling units must provide pedestrian access to and from the park. Fences, privacy hedges, or other partitions may be used to separate private outdoor household living space from public space, but may be no more than 48 inches in height (see Figure 531-17).

(ii) Parking structures shall include space for ground floor commercial and/or household living uses along a minimum of 70 percent of their park facing facades, unless the parking is "tucked" beneath the building one-half story below grade. When parking is "tucked" beneath the building one-half story below grade, the ground floor of the building must be accessed via a stoop that is a minimum of three feet, but not more than four feet six inches, in height (see Figure 531-18). Parking levels must provide a minimum vertical clearance of eight feet (see Figure 531-18). Any exposed parking ventilation areas visible from the pedestrian level must be screened with landscaping. A stoop may be counted toward the minimum ground floor height required under ~~SRC 531.035~~ subsection (a)(2) of this section.

FIGURE 531-17. PRIVATE OUTDOOR SPACE SEPARATED FROM PUBLIC SPACE

FIGURE 531-18. PARKING "TUCKED" BENEATH BUILDING WITH STOOP



(2) *Building shadows.* Conformance with the design review guidelines and design review standards set forth in this ~~paragraph~~ subsection shall be demonstrated through conducting a shadow study.

(A) *Design review guidelines.*

(i) Buildings shall be sited adjacent to Riverfront Park in a manner that minimizes shadows on the playground.

(B) *Design review standards.*

(i) Buildings shall be sited adjacent to Riverfront Park so that shadows are not cast on the playground as follows:

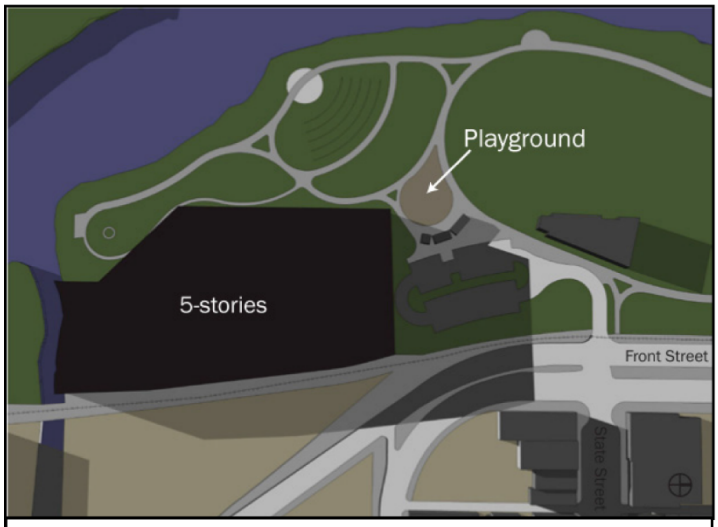
(aa) No shadow shall be cast on the playground on March 21 (vernal equinox) at 3:00 p.m. (see Figure 531-19); and

(bb) No shadow shall be cast on the playground on December 21 (winter solstice) at 3:00 p.m. (see Figure 531-20).

FIGURE 531-19. SHADOW STUDY ILLUSTRATING SHADOW IMPACTS AT 3:00 P.M. ON MARCH 21ST

Note: *Example study assumes full build-out of parcel, and is for illustrative purposes only. The example is not reflective of how an actual building would respond to development standards and design considerations.*

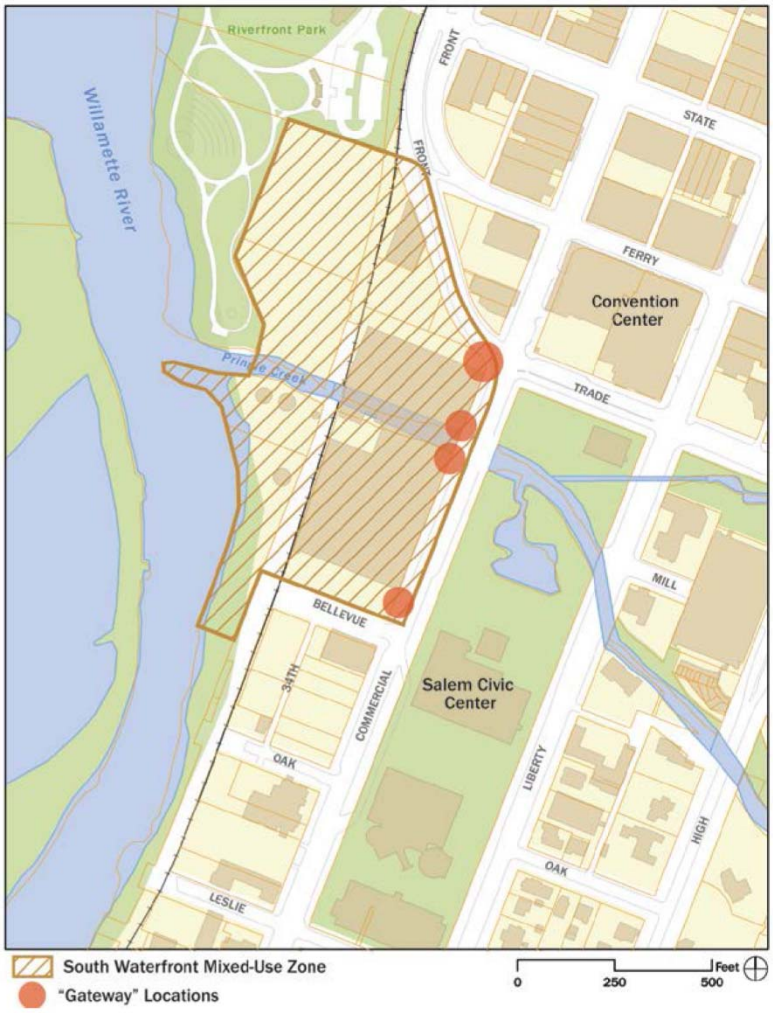
FIGURE 531-20. SHADOW STUDY ILLUSTRATING SHADOW IMPACTS AT 3:00 P.M. ON DECEMBER 21ST



Note: *Example study assumes full build-out of parcel, and is for illustrative purposes only. The example is not reflective of how an actual building would respond to development standards and design considerations.*

(d) *Gateways.* The design review guidelines and design review standards set forth in this subsection apply only to corner or "Gateway" locations identified in Figure 531-21.

FIGURE 531-21. APPLICABILITY OF REQUIREMENTS FOR GATEWAYS



(1) *Corner treatments.*

(A) *Design review guidelines.*

(i) Buildings located at corners and gateways shall incorporate architectural or site planning design elements that visually emphasize the corner of the building. One or more of the following techniques may be used to meet this guideline:

(aa) Prominent architectural elements that emphasize the corner of the building, such as increased building height or massing, cupolas or turrets, pitched roofs at the corner of the building, special window treatments, etc. (see Figure 531-22).

(bb) Special "signature" signage located at the corner of the building (see Figure 531-24).

(cc) Public gathering spaces, such as plazas, located at the corner that incorporate special paving materials, site furnishings, and/or landscaping treatments (see Figure 531-25).

(B) *Design review standards.*

(i) Buildings located at corners and gateways shall provide primary building entries located at chamfered corners (see Figure 531-23).

FIGURE 531-22. ARCHITECTURAL ELEMENTS THAT EMPHASIZE BUILDING CORNERS

FIGURE 531-23. PRIMARY BUILDING ENTRY LOCATED AT CHAMFERED BUILDING CORNER

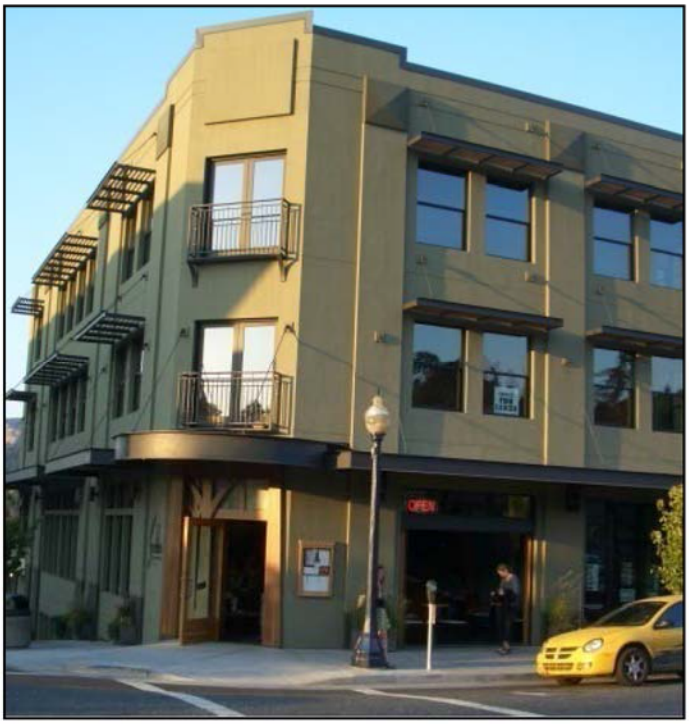
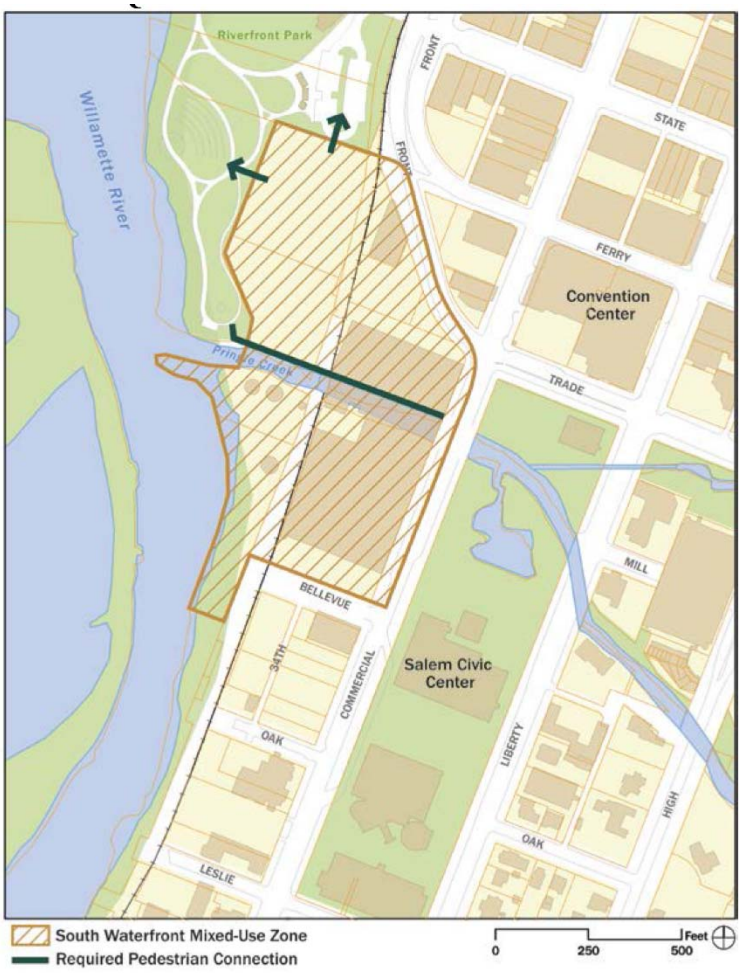


FIGURE 531-24. "SIGNATURE" SIGNAGE AT BUILDING CORNER

FIGURE 531-25. PUBLIC GATHERING SPACES AT BUILDING CORNERS

(e) *Pedestrian connections.* The design review guidelines and design review standards set forth in this subsection apply to developments along the north bank of Pringle Creek and to developments at the western and northern edges of the site abutting Riverfront Park, as identified in Figure 531-26.

FIGURE 531-26. REQUIRED PEDESTRIAN CONNECTIONS



(1) ***Required pedestrian connections.***

(A) *Design review guidelines.*

(i) An easement or public dedication shall be provided promoting connectivity for non-vehicular traffic along the north bank of Pringle Creek. The connection shall be accessible from the sidewalk along Commercial Street, and shall connect to Riverfront Park.

(ii) Convenient pedestrian access and connectivity shall be provided from the northwestern portion of the site to pedestrian facilities in Riverfront Park.

(B) *Design review standards.*

(i) At least one public pedestrian connection shall be provided along the north bank of Pringle Creek (see Figure 531-26). The pedestrian connection shall connect to the sidewalk along Commercial Street at street level.

(ii) At least two pedestrian connections shall be provided from the site to the established pedestrian paths in Riverfront Park as follows:

(aa) One connection to Riverfront Park shall be provided at the western edge of the site (see Figure 531-26).

(bb) One connection to Riverfront Park shall be provided at the northern edge of the site (see Figure 531-26).

(iii) A pedestrian connection shall be provided to connect the west sidewalk along Commercial Street to established pedestrian paths in Riverfront Park.

(iv) Required pedestrian connections along the north bank of Pringle Creek shall be a minimum width of ten feet.

(Prior Code, § 531.035; Ord. No. 31-13)

Sec. 531.040. Other provisions.

In addition to the standards set forth in this chapter, development within the SWMU zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807.

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 531.040; Ord. No. 31-13)

CHAPTER 532. NCMU--NEIGHBORHOOD CENTER MIXED-USE

Sec. 532.001. Purpose.

The purpose of this chapter is to create the Neighborhood Center Mixed Use (NCMU) Zone, in order to implement the mixed-use comprehensive plan designation, and to encourage the development of appropriately scaled, pedestrian friendly neighborhood center developments.

(Prior Code, § 532.001; Ord. No. 20-11; Ord. No. 31-13)

Sec. 532.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Contiguous*~~:~~ means touching along boundaries.

~~(b)~~ *Ground floor area*~~:~~ means the floor area of a building or structure devoted to a particular use, measured within the exterior walls that are at the grade plane of the building or structure.

~~(c)~~*Major intersection*~~:~~ means the intersection of two streets, one of which is designated in the Salem Transportation System Plan as a major arterial or minor arterial, and the other which is designated in the Salem Transportation System Plan as a major arterial, minor arterial, or collector.

~~(d)~~ *NCMU district*~~:~~ means a lot or parcel, or contiguous lots or parcels, that are zoned NCMU and that will be developed as a unit.

~~(e)~~*Neighborhood center master plan*~~:~~ means a comprehensive development plan for a district approved pursuant to SRC chapter 215.

(Prior Code, § 532.005; Ord. No. 20-11; Ord. No. 31-13)

Sec. 532.010. Requirements for application of neighborhood center mixed use zone.

In addition to the approval criteria for zone changes set forth in SRC chapter 265, proposals to zone land NCMU shall meet the following criteria:

(a) The proposed NCMU district shall have an area that contains a minimum of three acres, but not more than 15 acres; and

(b) NCMU districts that are separated by public street right-of-way shall not be considered contiguous; and

(c) The proposed NCMU district shall be located within one-eighth of a mile of a major intersection, as measured from the center of the intersection to the point in the district that is nearest to the intersection.

(Prior Code, § 532.010; Ord. No. 20-11; Ord. No. 31-13)

Sec. 532.015. Uses allowed with neighborhood center master plan.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the NCMU zone with a neighborhood center master plan are set forth in Table 532-1. The uses set forth in Table 532-1 are only allowed in the NCMU zone as a part of a neighborhood center master plan, approved in accordance with SRC chapter 215, and are allowed based on whether the location of the building or structure housing the use is located inside or outside of the Core Area designated in the master plan.

TABLE 532-1. NCMU ZONE USES WITH MASTER PLAN			
Use	Status		Limitations & Qualifications
	Inside Core	Outside Core	
Household Living			
Single family	N	P	The following single family activities: □ Single family detached dwelling. □ Townhouse. □ Residential home, as defined under ORS 197.660.
	N	S	Manufactured home, subject to SRC 700.025.
	N	N	All other single family.
Two family	N	P	Duplex.
	N	N	All other two family.
Multiple family	P	N	Multiple family, located in a mixed-use building above ground floor nonresidential uses.
	N	N	All other multiple family.
Group Living			
Room and board	N	N	
Residential care	P	N	Residential care, located in a mixed-use building above ground floor nonresidential uses.
	P	C	Assisted living.
	N	N	All other residential care.
Nursing care	N	N	
Lodging			
Short-term commercial lodging	P	N	Short-term commercial lodging with 5 or fewer guest rooms.
	N	N	All other short-term commercial lodging.
Long-term commercial lodging	N	N	
Nonprofit shelters	N	N	
Retail Sales and Services			
Eating and drinking establishments	P	N	
Retail sales	P	N	
Personal services	P	N	
Postal services and retail financial services	P	N	Retail financial services.
	P	C	Postal services.

TABLE 532-1. NCMU ZONE USES WITH MASTER PLAN			
Use	Status		Limitations & Qualifications
	Inside Core	Outside Core	
Business and Professional Services			
Office	P	N	
Audio/visual media production	N	N	
Laboratory research and testing	N	N	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service			
Motor vehicle and manufactured dwelling and trailer sales	P	N	Indoor sales and leasing.
	N	N	All other motor vehicle and manufactured dwelling and trailer sales.
Motor vehicle services	N	N	
Commercial parking	N	N	
Park-and-ride facilities	N	N	
Taxicabs and car services	N	N	
Heavy vehicle and trailer sales	N	N	
Heavy vehicle and trailer service and storage	N	N	
Recreation, Entertainment, and Cultural Services and Facilities			
Commercial entertainment—indoor	N	N	The following commercial entertainment—indoor activities: □ Firing ranges. □ Theaters greater than 5,000 square feet. □ Pool halls. □ Continuous entertainment activities, such as bowling alleys, ice rinks, and game arcades.
	P	N	All other commercial entertainment – indoor.
Commercial entertainment—outdoor	N	N	
Major event entertainment	N	N	
Recreational and cultural community services	P	C	
Parks and open space	P	P	
Nonprofit membership assembly	P	N	
Religious assembly	P	C	
Health Services			

TABLE 532-1. NCMU ZONE USES WITH MASTER PLAN			
Use	Status		Limitations & Qualifications
	Inside Core	Outside Core	
Medical centers/hospitals	N	N	
Outpatient medical services and laboratories	P	N	
Educational Services			
Day care	P	C	
Basic education	P	C	
Post-secondary and adult education	P	C	
Civic Services			
Governmental services	P	C	
Social services	P	N	
Governmental maintenance services and construction	N	N	
Public Safety			
Emergency services	P	C	
Detention facilities	N	N	
Military installations	N	N	
Funeral and Related Services			
Cemeteries	N	N	
Funeral and cremation services	N	N	
Construction Contracting, Repair, Maintenance, and Industrial Services			
General repair services	P	N	
Building and grounds services and construction contracting	N	N	
Cleaning plants	N	N	
Industrial services	N	N	
Wholesale Sales, Storage, and Distribution			
General wholesaling	N	N	
Heavy wholesaling	N	N	
Warehousing and distribution	N	N	
Self-service storage	N	N	
Manufacturing			
General manufacturing	N	N	
Heavy manufacturing	N	N	

TABLE 532-1. NCMU ZONE USES WITH MASTER PLAN			
Use	Status		Limitations & Qualifications
	Inside Core	Outside Core	
Printing	N	N	
Transportation Facilities			
Aviation facilities	N	N	
Passenger ground transportation facilities	P	P	Transit stop shelters.
	N	N	All other passenger ground transportation facilities.
Marine facilities	N	N	
Utilities			
Basic utilities	C	C	The following basic utilities: □ Pump stations. □ Reservoirs. □ Radio microwave relay stations. □ Telephone substations. □ Electric substations.
	P	P	All other basic utilities.
Wireless communication facilities	Allowed	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	N	N	
Power generation facilities	N	N	
Data center facilities	N	N	
Fuel dealers	N	N	
Waste-related facilities	N	N	
Mining and Natural Resource Extraction			
Petroleum and natural gas production	N	N	
Surface mining	N	N	
Farming, Forestry, and Animal Services			
Agriculture	N	N	
Forestry	N	N	
Agriculture and forestry services	N	N	
Keeping of livestock and other animals	N	N	

TABLE 532-1. NCMU ZONE USES WITH MASTER PLAN			
Use	Status		Limitations & Qualifications
	Inside Core	Outside Core	
Animal services	N	N	Kennels.
	P	N	All other animal services.
Other Uses			
Home occupations	S	S	Home occupations, subject to SRC 700.020.
Accessory dwelling unit	N	S	Accessory dwelling units, subject to SRC 700.00~~6~~7.

(Prior Code, § 532.015; Ord. No. 20-11; Ord. No. 31-13; Ord. No. 10-17, § 16, 7-10-2017)

Sec. 532.020. Uses allowed in-lieu of neighborhood center master plan.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the NCMU zone in-lieu of a neighborhood center master plan are set forth in Table 532-2. The uses set forth in Table 532-2 are allowed in the NCMU zone in-lieu of development pursuant to a neighborhood center master plan, and are subject to the development standards set forth in SRC 532.035.

TABLE 532-2. NCMU ZONE USES IN-LIEU OF MASTER PLAN		
Use	Status	Limitations & Qualifications
Household Living		
Single family	P	The following single family activities: □ Single family detached dwelling. □ Residential home, as defined under ORS 197.660.
	S	Manufactured home, subject to SRC 700.025.
	N	All other single family.
Two family	N	
Multiple family	N	
Group Living		
Room and board	N	
Residential care	N	
Nursing care	N	
Lodging		
Short-term commercial lodging	N	
Long-term commercial lodging	N	
Nonprofit shelters	N	
Retail Sales and Services		

TABLE 532-2. NCMU ZONE USES IN-LIEU OF MASTER PLAN		
Use	Status	Limitations & Qualifications
Eating and drinking establishments	N	
Retail sales	N	
Personal services	N	
Postal services and retail financial services	N	
Business and Professional Services		
Office	N	
Audio/visual media production	N	
Laboratory research and testing	N	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	
Commercial parking	N	
Park-and-ride facilities	N	
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	N	
Commercial entertainment—outdoor	N	
Major event entertainment	N	
Recreational and cultural community services	N	
Parks and open space	P	
Nonprofit membership assembly	N	
Religious assembly	N	
Health Services		
Medical centers/hospitals	N	

TABLE 532-2. NCMU ZONE USES IN-LIEU OF MASTER PLAN		
Use	Status	Limitations & Qualifications
Outpatient medical services and laboratories	N	
Educational Services		
Day care	N	
Basic education	N	
Post-secondary and adult education	N	
Civic Services		
Governmental services	N	
Social services	N	
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	N	
Detention facilities	N	
Military installations	N	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	N	
Building and grounds services and construction contracting	N	
Cleaning plants	N	
Industrial services	N	
Wholesale Sales, Storage, and Distribution		
General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	N	
Self-service storage	N	
Manufacturing		
General manufacturing	N	
Heavy manufacturing	N	
Printing	N	

TABLE 532-2. NCMU ZONE USES IN-LIEU OF MASTER PLAN		
Use	Status	Limitations & Qualifications
Transportation Facilities		
Aviation facilities	N	
Passenger ground transportation facilities	N	
Marine facilities	N	
Utilities		
Basic utilities	C	The following basic utilities: □ Pump stations. □ Reservoirs. □ Radio microwave relay stations. □ Telephone substations. □ Electric substations.
	P	All other basic utilities.
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	N	
Power generation facilities	N	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	N	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	
Forestry	N	
Agriculture and forestry services	N	
Keeping of livestock and other animals	N	
Animal services	N	
Other Uses		
Home occupations	S	Home occupations, subject to SRC 700.020.
Accessory dwelling unit	S	Accessory dwelling units, subject to SRC 700.006~~7~~.

(Prior Code, § 532.020; Ord. No. 20-11; Ord. No. 31-13; Ord. No. 10-17, § 17, 7-10-2017)

Sec. 532.025. Development in a NCMU district.

(a) Except for development undertaken pursuant to SRC 532.030, development within a NCMU district shall comply with the neighborhood center master plan.

(b) The following activities may be undertaken in a NCMU district without approval of a neighborhood center master plan:

(1) Site grading;

(2) Environmental remediation;

(3) Use or reuse of existing structures; or

(4) Installation of utilities serving adjacent properties.

(Prior Code, § 532.025; Ord. No. 20-11; Ord. No. 31-13)

Sec. 532.030. Development standards for residential development in-lieu of neighborhood center master plan.

In-lieu of developing property through a neighborhood center master plan, residential development that meets the standards set forth in this section, and all other applicable standards of the UDC, is permitted without a neighborhood center master plan.

(a) *Lot standards.* Lots shall comply with the standards set forth in Table 532-3.

TABLE 532-3. LOT STANDARDS

Requirement	Standard	Limitations & Qualifications
Lot Area		
All uses	Min. 7,000 sq. ft.	
Lot Width		
All uses	Min. 70 ft.	
Lot Depth		
All uses	Min. 70 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	Max. 300% of average lot width.	
Street Frontage		
All uses	Min. 70 ft.	

(b) *Setbacks.* Setbacks shall be provided as set forth in Table 532-4.

TABLE 532-4. SETBACKS

Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	Min. 12 ft.	
	Min. 20 ft.	Applicable along collector or arterial streets.

TABLE 532-4. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Accessory Structures		
Accessory to all uses	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
	Min. 20 ft.	Applicable to accessory structures greater than 4 ft. in height, when located in a yard adjacent to a collector or arterial street.
Interior Front		
Buildings		
All uses	Min. 12 ft.	
Accessory Structures		
Accessory to all uses	Min. 12 ft.	
Interior Side		
Buildings		
All uses	Min. 5 ft.	
Accessory Structures		
Accessory to all uses	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.
Interior Rear		
Buildings		
All uses	Min. 14 ft.	Applicable to any portion of a building not more than 1 story in height.
	Min. 20 ft.	Applicable to any portion of a building greater than 1 story in height.
Accessory Structures		
Accessory to all uses	None	Applicable to accessory structures not more than 9 ft. in height.
	Min. 1 ft. for each 1 ft. of height over 9 ft.	Applicable to accessory structures greater than 9 ft. in height.
	Min. 1 ft.	Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure.

(c) *Lot coverage; height.* Buildings and accessory structures shall conform to the lot coverage and height standards set forth in Table 532-5.

TABLE 532-5. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
All uses	Max. 60%	
Height		
Buildings		
All uses	Max. 35 ft.	Applicable to new buildings.
	Max. 28 ft. or existing building height, whichever is greater.	Applicable to existing buildings.
Accessory Structures		
Accessory to all uses	Max. 15 ft.	

(d) *Maximum square footage for all accessory structures.* In addition to the maximum coverage requirements established in Table 532-5, accessory structures to single family uses shall be limited to the maximum aggregate total square footage set forth in Table 532-6.

TABLE 532-6. MAXIMUM SQUARE FOOTAGE FOR ALL ACCESSORY STRUCTURES	
Main Building Gross Area	Maximum Aggregate Total Square Footage for All Accessory Structures
1,200 square feet or less.	600 sq. ft.
Greater than 1,200 square feet.	1,000 sq. ft. or 50% of main building gross area, whichever is less.

(e) *Garages required.*

(1) Except as otherwise provided in SRC 700.025 for manufactured homes on individual lots, each single family dwelling shall have, at the time of construction, a garage that is constructed of like materials and color as the dwelling. The garage may be attached to, or detached from, the dwelling. Nothing in this ~~paragraph~~ subsection shall prevent subsequent removal or conversion of a garage, so long as the minimum number of required off-street parking spaces is maintained.

(2) Exception to this standard may be made if, at the time of the building permit review, the applicant can show that the construction of the single family dwelling is being provided by a not-for-profit organization to families at or below the City's 60 percent median income level, as defined by the U.S. Department of Housing and Urban Development. Provision shall be made for a minimum of 480 cubic feet of on-site storage within a portion of the single family dwelling, or within a detached accessory structure. Such exemption shall only be made for those single family dwellings built on

lots created through a subdivision.

(Prior Code, § 532.030; Ord. No. 31-13)

Sec. 532.035. Other provisions.

Additional standards may apply to development in the NCMU zone as a result of regulations found in other chapters of the UDC, including, but not limited to, the chapters identified in this section. In the event of a conflict between the standards contained in the NCMU zone and the standards contained within other chapters of the UDC, the standards contained in the NCMU zone shall govern.

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807.

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 532.035; Ord. No. 20-11; Ord. No. 4-12; Ord. No. 31-13)

CHAPTERS 533—539. RESERVED

CHAPTER 540. PA--PUBLIC AMUSEMENT

Sec. 540.001. Purpose.

The purpose of the Public Amusement (PA) Zone is to implement the parks, open space, and outdoor recreation designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The PA zone generally allows a variety of public and private parks, open space, and indoor and outdoor recreation.

(Prior Code, § 540.001; Ord. No. 31-13)

Sec. 540.005. Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the PA zone are set forth in Table 540-1.

TABLE 540-1. USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	P	The following single family activities: □ Dwelling unit for a caretaker on the premises being cared for or guarded. □ Houseboats, when developed in conjunction with a marina.
	S	Manufactured home as a dwelling for a caretaker, subject to SRC 700.030.
	N	All other single family.
Two family	N	
Multiple family	N	
Group Living		
Room and board	N	
Residential care	N	
Nursing care	N	
Lodging		
Short-term commercial lodging	N	
Long-term commercial lodging	N	
Nonprofit shelters	N	
Retail Sales and Service		
Eating and drinking establishments	P	Mobile food units.
	N	All other eating and drinking establishments.
Retail sales	N	
Personal services	N	

TABLE 540-1. USES		
Use	Status	Limitations & Qualifications
Postal services and retail financial services	N	
Business and Professional Services		
Office	N	
Audio/visual media production	N	
Laboratory research and testing	N	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	
Commercial parking	N	
Park-and-ride facilities	N	
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	P	
Commercial entertainment—outdoor	N	The following commercial entertainment—outdoor activities: □ Camps. □ Recreational vehicle parks.
	P	All other commercial entertainment—indoor.
Major event entertainment	P	
Recreational and cultural community services	P	
Parks and open space	P	
Nonprofit membership assembly	N	
Religious assembly	N	
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	N	
Educational Services		
Day care	N	

TABLE 540-1. USES		
Use	Status	Limitations & Qualifications
Basic education	N	
Post-secondary and adult education	N	
Civic Services		
Governmental services	N	
Social services	N	
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	P	
Detention facilities	N	
Military installations	P	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	N	
Building and grounds services and construction contracting	N	
Cleaning plants	N	
Industrial services	N	
Wholesale Sales, Storage, and Distribution		
General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	N	
Self-service storage	N	
Manufacturing		
General manufacturing	N	
Heavy manufacturing	N	
Printing	N	
Transportation Facilities		
Aviation facilities	N	
Passenger ground transportation facilities	P	Transit stop shelters.
	N	All other passenger ground transportation facilities.
Marine facilities	P	Marinas.
	N	All other marine facilities.

TABLE 540-1. USES		
Use	Status	Limitations & Qualifications
Utilities		
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	N	
Power generation facilities	N	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	N	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	Marijuana production.
	P	All other agriculture.
Forestry	P	
Agriculture and forestry services	N	
Keeping of livestock and other animals	N	
Animal services	C	Wildlife rehabilitation facilities.
	N	All other animal services.
Other Uses		
Home occupations	N	

(Prior Code, § 540.005; Ord. No. 31-13; Ord. No. 11-14; Ord. No. 22-15, § 15, 11-23-2015)

Sec. 540.010. Development standards.

Development within the PA zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the PA zone shall conform to the standards set forth in Table 540-2.

TABLE 540-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
All uses	Min. 10,000 sq. ft.	
Lot Width		

TABLE 540-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
All uses	Min. 50 ft.	
Lot Depth		
All uses	Min. 80 ft.	
Street Frontage		
All uses	Min. 16 ft.	

(b) *Setbacks.* Setbacks within the PA zone shall be provided as set forth in Tables 540-3 and 540-4.

TABLE 540-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	Min. 20 ft.	Applicable to buildings not more than 35 ft. in height.
	Min. 20 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 50 ft. in depth.	Applicable to buildings greater than 35 ft. in height.
Accessory Structures		
Accessory to all uses	Min. 20 ft.	Applicable to accessory structures not more than 35 ft. in height.
	Min. 20 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 50 ft. in depth.	Applicable to accessory structures greater than 35 ft. in height.
	None	Applicable to transit stop shelters.
Vehicle Use Areas		
All uses	Per SRC chapter 806	
Interior Front		
Buildings		
All uses	Zone-to-zone setback (Table 540-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 540-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 540-4)	

TABLE 540-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Interior Side		
Buildings		
All uses	Zone-to-zone setback (Table 540-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 540-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 540-4)	
Interior Rear		
Buildings		
All uses	Zone-to-zone setback (Table 540-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 540-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 540-4)	

TABLE 540-4. ZONE-TO-ZONE SETBACKS				
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening	Limitations & Qualifications
EFU	Buildings and accessory structures	None	N/A	
	Vehicle use areas	Min. 5 ft.	Type A	
Residential Zone	Buildings and accessory structures	Min. 20 ft.	Type A	Applicable to buildings and accessory structures not more than 35 ft. in height.
		Min. 30 ft.	Type A	Applicable to buildings and accessory structures greater than 35 ft. in height.
	Vehicle use areas	Min. 20 ft.	Type A	
Mixed-Use Zone	Buildings and accessory structures	None	N/A	

TABLE 540-4. ZONE-TO-ZONE SETBACKS				
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening	Limitations & Qualifications
	Vehicle use areas	Min. 5 ft.	Type A	
Commercial Zone	Buildings and accessory structures	None	N/A	
	Vehicle use areas	Min. 5 ft.	Type A	
Public Zone	Buildings and accessory structures	None	N/A	
	Vehicle use areas	Min. 5 ft.	Type A	
Industrial and Employment Zone	Buildings and accessory structures	None	N/A	
	Vehicle use areas	Min. 5 ft.	Type A	
Limitations and Qualifications (1) Zone-to-Zone setbacks are not required abutting an alley.				

(c) *Lot coverage; height.* Buildings and accessory structures within the PA zone shall conform to the lot coverage and height standards set forth in Table 540-5.

TABLE 540-5. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
All uses	Max. 60%	
Height		
Buildings		
All uses	Max. 70 ft.	
Accessory Structures		
Accessory to all uses	Max. 70 ft.	

(d) *Landscaping.*

(1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

(2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and ~~SRC chapter~~ 807.

(e) *Outdoor storage.* Within the PA zone, outdoor storage shall be screened from streets and adjacent properties by a minimum six-foot-high sight-obscuring fence, wall, or hedge.

(Prior Code, § 540.010; Ord. No. 31-13)

Sec. 540.015. Other provisions.

In addition to the standards set forth in this chapter, development within the PA zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807.

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 540.015; Ord. No. 31-13)

CHAPTER 541. PC--PUBLIC AND PRIVATE CEMETERIES

Sec. 541.001. Purpose.

The purpose of the Public and Private Cemeteries (PC) Zone is to implement the community service designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The PC zone allows cemeteries and a limited number of other compatible uses.

(Prior Code, § 541.001; Ord. No. 31-13)

Sec. 541.005. Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the PC zone are set forth in Table 541-1.

TABLE 541-1. USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	P	Dwelling unit for a caretaker on the premises being cared for or guarded.
	S	Manufactured home as a dwelling for a caretaker, subject to SRC 700.030.
	N	All other single family.
Two family	N	
Multiple family	N	
Group Living		
Room and board	N	
Residential care	N	
Nursing care	N	
Lodging		
Short-term commercial lodging	N	
Long-term commercial lodging	N	
Nonprofit shelters	N	
Retail Sales and Service		
Eating and drinking establishments	N	
Retail sales	N	
Personal services	N	
Postal services and retail financial services	N	
Business and Professional Services		
Office	N	

TABLE 541-1. USES		
Use	Status	Limitations & Qualifications
Audio/visual media production	N	
Laboratory research and testing	N	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	
Commercial parking	N	
Park-and-ride facilities	N	
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	N	
Commercial entertainment—outdoor	N	
Major event entertainment	N	
Recreational and cultural community services	N	
Parks and open space	P	
Nonprofit membership assembly	N	
Religious assembly	N	
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	N	
Educational Services		
Day care	N	
Basic education	N	
Post-secondary and adult education	N	
Civic Services		
Governmental services	N	
Social services	N	

TABLE 541-1. USES		
Use	Status	Limitations & Qualifications
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	N	
Detention facilities	N	
Military installations	N	
Funeral and Related Services		
Cemeteries	P	
Funeral and cremation services	C	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	N	
Building and grounds services and construction contracting	N	
Cleaning plants	N	
Industrial services	N	
Wholesale Sales, Storage, and Distribution		
General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	N	
Self-service storage	N	
Manufacturing		
General manufacturing	N	
Heavy manufacturing	N	
Printing	N	
Transportation Facilities		
Aviation facilities	N	
Passenger ground transportation facilities	P	Transit stop shelters.
	N	All other passenger ground transportation facilities.
Marine facilities	N	
Utilities		
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	N	
Power generation facilities	N	

TABLE 541-1. USES		
Use	Status	Limitations & Qualifications
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	N	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	Marijuana production.
	P	All other agriculture.
Forestry	P	
Agriculture and forestry services	N	
Keeping of livestock and other animals	N	
Animal services	N	
Other Uses		
Home occupations	N	

(Prior Code, § 541.005; Ord. No. 31-13; Ord. No. 22-15, § 16, 11-23-2015)

Sec. 541.010. Development standards.

Development within the PC zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the PC zone shall conform to the standards set forth in Table 541-2.

TABLE 541-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
All uses	Min. 10,000 sq. ft.	
Lot Width		
All uses	Min. 50 ft.	
Lot Depth		
All uses	Min. 80 ft.	
Street Frontage		
All uses	Min. 16 ft.	

(b) *Setbacks.* Setbacks within the PC zone shall be provided as set forth in Tables 541-3 and 541-4.

TABLE 541-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	Min. 20 ft.	Applicable to buildings not more than 35 ft. in height.
	Min. 20 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 50 ft. in depth.	Applicable to buildings greater than 35 ft. in height.
Accessory Structures		
Accessory to all uses	Min. 20 ft.	Applicable to accessory structures not more than 35 ft. in height.
	Min. 20 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 50 ft. in depth.	Applicable to accessory structures greater than 35 ft. in height.
	None	Applicable to transit stop shelters.
Vehicle Use Areas		
All uses	Per SRC chapter 806	
Interior Front		
Buildings		
All uses	Zone-to-zone setback (Table 541-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 541-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 541-4)	
Interior Side		
Buildings		
All uses	Zone-to-zone setback (Table 541-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 541-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 541-4)	
Interior Rear		

TABLE 541-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Buildings		
All uses	Zone-to-zone setback (Table 541-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 541-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 541-4)	

TABLE 541-4. ZONE-TO-ZONE SETBACKS				
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening	Limitations & Qualifications
EFU	Buildings and accessory structures	None	N/A	
	Vehicle use areas	Min. 5 ft.	Type A	
Residential Zone	Buildings and accessory structures	Min. 20 ft.	Type A	Applicable to buildings and accessory structures not more than 35 ft. in height.
		Min. 30 ft.	Type A	Applicable to buildings and accessory structures greater than 35 ft. in height.
	Vehicle use areas	Min. 20 ft.	Type A	
Mixed-Use Zone	Buildings and accessory structures	None	N/A	
	Vehicle use areas	Min. 5 ft.	Type A	
Commercial Zone	Buildings and accessory structures	None	N/A	
	Vehicle use areas	Min. 5 ft.	Type A	
Public Zone	Buildings and accessory structures	None	N/A	
	Vehicle use areas	Min. 5 ft.	Type A	
Industrial and Employment Zone	Buildings and accessory structures	None	N/A	
	Vehicle use areas	Min. 5 ft.	Type A	
Limitations and Qualifications				

TABLE 541-4. ZONE-TO-ZONE SETBACKS				
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening	Limitations & Qualifications
(1) Zone-to-Zone setbacks are not required abutting an alley.				

(c) *Lot coverage; height.* Buildings and accessory structures within the PC zone shall conform to the lot coverage and height standards set forth in Table 541-5.

TABLE 541-5. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
All uses	Max. 30%	
Height		
Buildings		
All uses	Max. 35 ft.	
Accessory Structures		
Accessory to all uses	Max. 35 ft.	

(d) *Landscaping.*

(1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

(2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and ~~SRC chapter~~ 807.

(e) *Outdoor storage.* Within the PC zone, outdoor storage shall be screened from streets and adjacent properties by a minimum six-foot-high sight-obscuring fence, wall, or hedge.

(Prior Code, § 541.010; Ord. No. 31-13)

Sec. 541.015. Other provisions.

In addition to the standards set forth in this chapter, development within the PC zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807.

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 541.015; Ord. No. 31-13)

CHAPTER 542. PE--PUBLIC AND PRIVATE EDUCATIONAL SERVICES

Sec. 542.001. Purpose.

The purpose of the Public and Private Educational Services (PE) Zone is to implement the community service designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The PE zone generally allows a variety of public and private educational service uses, together with a limited variety of other compatible uses.

(Prior Code, § 542.001; Ord. No. 31-13)

Sec. 542.005. Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the PE zone are set forth in Table 542-1.

TABLE 542-1. USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	P	Dwelling unit for a caretaker on the premises being cared for or guarded.
	S	Manufactured home as a dwelling for a caretaker, subject to SRC 700.030.
	N	All other single family.
Two family	N	
Multiple family	N	
Group Living		
Room and board	N	
Residential care	P	
Nursing care	P	
Lodging		
Short-term commercial lodging	N	
Long-term commercial lodging	N	
Nonprofit shelters	P	
Retail Sales and Service		
Eating and drinking establishments	P	Mobile food units.
	N	All other eating and drinking establishments.
Retail sales	N	
Personal services	N	
Postal services and retail financial services	N	
Business and Professional Services		

TABLE 542-1. USES		
Use	Status	Limitations & Qualifications
Office	P	The following office activities: □ Distance education and distance learning. □ Home health care services.
	N	All other office.
Audio/visual media production	N	
Laboratory research and testing	N	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	
Commercial parking	N	
Park-and-ride facilities	N	
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	N	
Commercial entertainment—outdoor	N	
Major event entertainment	N	
Recreational and cultural community services	P	
Parks and open space	P	
Nonprofit membership assembly	N	
Religious assembly	N	
Health Services		
Medical centers/hospitals	P	
Outpatient medical services and laboratories	P	
Educational Services		
Day care	P	
Basic education	P	
Post-secondary and adult education	P	

TABLE 542-1. USES		
Use	Status	Limitations & Qualifications
Civic Services		
Governmental services	N	
Social services	P	
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	P	
Detention facilities	N	
Military installations	N	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	N	
Building and grounds services and construction contracting	N	
Cleaning plants	N	
Industrial services	N	
Wholesale Sales, Storage, and Distribution		
General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	N	
Self-service storage	N	
Manufacturing		
General manufacturing	N	
Heavy manufacturing	N	
Printing	N	
Transportation Facilities		
Aviation facilities	N	
Passenger ground transportation facilities	P	Transit stop shelters.
	N	All other passenger ground transportation facilities.
Marine facilities	N	
Utilities		
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.

TABLE 542-1. USES		
Use	Status	Limitations & Qualifications
Drinking water treatment facilities	N	
Power generation facilities	N	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	N	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	Marijuana production.
	P	All other agriculture.
Forestry	P	
Agriculture and forestry services	N	
Keeping of livestock and other animals	N	
Animal services	C	Wildlife rehabilitation facilities.
	N	All other animal services.
Other Uses		
Home occupations	N	

(Prior Code, § 542.005; Ord. No. 31-13; Ord. No. 11-14; Ord. No. 22-15, § 17, 11-23-2015)

Sec. 542.010. Development standards.

Development within the PE zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the PE zone shall conform to the standards set forth in Table 542-2.

TABLE 542-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
All uses	Min. 10,000 sq. ft.	
Lot Width		
All uses	Min. 50 ft.	
Lot Depth		
All uses	Min. 80 ft.	
Street Frontage		

TABLE 542-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
All uses	Min. 16 ft.	

(b) *Setbacks.* Setbacks within the PE zone shall be provided as set forth in Tables 542-3 and 542-4.

TABLE 542-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	Min. 20 ft.	Applicable to buildings not more than 35 ft. in height.
	Min. 20 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 50 ft. in depth.	Applicable to buildings greater than 35 ft. in height.
Accessory Structures		
Accessory to all uses	Min. 20 ft.	Applicable to accessory structures not more than 35 ft. in height.
	Min. 20 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 50 ft. in depth.	Applicable to accessory structures greater than 35 ft. in height.
	None	Applicable to transit stop shelters.
Vehicle Use Area		
All uses	Per SRC chapter 806	
Interior Front		
Buildings		
All uses	Zone-to-zone setback (Table 542-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 542-4)	
Vehicle Use Area		
All uses	Zone-to-zone setback (Table 542-4)	
Interior Side		
Buildings		
All uses	Zone-to-zone setback (Table 542-4)	

TABLE 542-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 542-4)	
Vehicle Use Area		
All uses	Zone-to-zone setback (Table 542-4)	
Interior Rear		
Buildings		
All uses	Zone-to-zone setback (Table 542-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 542-4)	
Vehicle Use Area		
All uses	Zone-to-zone setback (Table 542-4)	

TABLE 542-4. ZONE-TO-ZONE SETBACKS				
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening	Limitations & Qualifications
EFU	Buildings and accessory structures	None	N/A	
	Vehicle use areas	Min. 5 ft.	Type A	
Residential Zone	Buildings and accessory structures	Min. 20 ft.	Type A	Applicable to buildings and accessory structures not more than 35 ft. in height.
		Min. 30 ft.	Type A	Applicable to buildings and accessory structures greater than 35 ft. in height.
	Vehicle use areas	Min. 20 ft.	Type A	
Mixed-Use Zone	Buildings and accessory structures	None	N/A	
	vehicle use areas	Min. 5 ft.	Type A	
Commercial Zone	Buildings and accessory structures	None	N/A	
	Vehicle use areas	Min. 5 ft.	Type A	

TABLE 542-4. ZONE-TO-ZONE SETBACKS				
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening	Limitations & Qualifications
Public Zone	Buildings and accessory structures	None	N/A	
	Vehicle use areas	Min. 5 ft.	Type A	
Industrial and Employment Zone	Buildings and accessory structures	None	N/A	
	Vehicle use areas	Min. 5 ft.	Type A	
Limitations and Qualifications (1) Zone-to-Zone setbacks are not required abutting an alley.				

(c) *Lot coverage; height.* Buildings and accessory structures within the PE zone shall conform to the lot coverage and height standards set forth in Table 542-5.

ABLE 542-5. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
All uses	Max. 50%	
Height		
Buildings		
All uses	Max. 70 ft.	
Accessory Structures		
Accessory to all uses	Max. 70 ft.	

(d) *Landscaping.*

(1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

(2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and ~~SRC chapter~~ 807.

(e) *Outdoor storage.* Within the PE zone, outdoor storage shall be screened from streets and adjacent properties by a minimum six-foot-high sight-obscuring fence, wall, or hedge.

(Prior Code, § 542.010; Ord. No. 31-13)

Sec. 542.015. Design review.

Design review under SRC chapter 225 is required for development within the PE as follows:

(a) Residential care with three or more self-contained dwelling units shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(Prior Code, § 542.015; Ord. No. 31-13)

Sec. 542.020. Other provisions.

In addition to the standards set forth in this chapter, development within the PE zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807.

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 542.020; Ord. No. 31-13)

CHAPTER 543. PH--PUBLIC AND PRIVATE HEALTH SERVICES

Sec. 543.001. Purpose.

The purpose of the Public and Private Health Services (PH) Zone is to implement the community service designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The PH zone generally allows a variety of public and private health service uses, together with a limited variety of other compatible uses.

(Prior Code, § 543.001; Ord. No. 31-13)

Sec. 543.005. Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the PH zone are set forth in Table 543-1.

TABLE 543-1. USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	P	Dwelling unit for a caretaker on the premises being cared for or guarded.
	S	Manufactured home as a dwelling for a caretaker, subject to SRC 700.030.
	N	All other single family.
Two family	N	
Multiple family	P	Conversion or rehabilitation of a historic contributing building or local historic resource for multiple family residential use, when owned and managed by a public agency or a public/private partnership.
	N	All other multiple family.
Group Living		
Room and board	N	
Residential care	P	
Nursing care	P	
Lodging		
Short-term commercial lodging	N	
Long-term commercial lodging	N	
Nonprofit shelters	P	
Retail Sales and Service		
Eating and drinking establishments	P	Mobile food units.
	N	All other eating and drinking establishments.
Retail sales	P	Drug stores and pharmacies.
	N	All other retail sales.
Personal services	N	

TABLE 543-1. USES		
Use	Status	Limitations & Qualifications
Postal services and retail financial services	N	
Business and Professional Services		
Office	P	Home health care services.
	C	Distance education and distance learning.
	N	All other office.
Audio/visual media production	N	
Laboratory research and testing	N	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	
Commercial parking	N	
Park-and-ride facilities	N	
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	N	
Commercial entertainment—outdoor	N	
Major event entertainment	N	
Recreational and cultural community services	P	
Parks and open space	P	
Nonprofit membership assembly	N	
Religious assembly	N	
Health Services		
Medical centers/hospitals	P	
Outpatient medical services and laboratories	P	
Educational Services		
Day care	P	
Basic education	C	

TABLE 543-1. USES		
Use	Status	Limitations & Qualifications
Post-secondary and adult education	C	
Civic Services		
Governmental services	P	Administration of public health programs.
	N	All other governmental services.
Social services	P	
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	P	
Detention facilities	P	
Military installations	N	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	N	
Building and grounds services and construction contracting	N	
Cleaning plants	N	
Industrial services	N	
Wholesale Sales, Storage, and Distribution		
General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	P	General warehousing and storage, when operated by a public entity.
	N	All other warehousing and distribution.
Self-service storage	N	
Manufacturing		
General manufacturing	N	
Heavy manufacturing	N	
Printing	N	
Transportation Facilities		
Aviation facilities	P	Helicopter landing areas.
	N	All other aviation facilities.
Passenger ground transportation	P	Transit stop shelters.

TABLE 543-1. USES		
Use	Status	Limitations & Qualifications
facilities	N	All other passenger ground transportation facilities.
Marine facilities	N	
Utilities		
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	N	
Power generation facilities	N	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	P	Compost facility for yard debris franchise haulers and government entities, when located on the site of, and in compliance with, the Oregon State Corrections Area Plan.
	N	All other waste-related facilities.
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	Marijuana production.
	P	All other agriculture.
Forestry	P	
Agriculture and forestry services	N	
Keeping of livestock and other animals	N	
Animal services	C	Wildlife rehabilitation facilities.
	N	All other animal services.
Other Uses		
Home occupations	N	

(Prior Code, § 543.005; Ord. No. 31-13; Ord. No. 11-14; Ord. No. 22-15, § 18, 11-23-2015; Ord. No. 11-17, § 1, 6-26-2017)

Sec. 543.010. Development standards.

Development within the PH zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the PH zone shall conform to the standards set forth in Table 543-2.

TABLE 543-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
All uses	Min. 10,000 sq. ft.	
Lot Width		
All uses	Min. 50 ft.	
Lot Depth		
All uses	Min. 80 ft.	
Street Frontage		
All uses	Min. 16 ft.	

(b) *Setbacks.* Setbacks within the PH zone shall be provided as set forth in Tables 543-3 and 543-4.

TABLE 543-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	Min. 20 ft.	Applicable to buildings not more than 35 ft. in height.
	Min. 20 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 50 ft. in depth.	Applicable to buildings greater than 35 ft. in height.
Accessory Structures		
Accessory to all uses	Min. 20 ft.	Applicable to accessory structures not more than 35 ft. in height.
	Min. 20 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 50 ft. in depth.	Applicable to accessory structures greater than 35 ft. in height.
	None	Applicable to transit stop shelters.
Vehicle Use Areas		
All uses	Per SRC chapter 806	
Interior Front		
Buildings		
All uses	Zone-to-zone setback (Table 543-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 543-4)	

TABLE 543-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 543-4)	
Interior Side		
Buildings		
All uses	Zone-to-zone setback (Table 543-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 543-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 543-4)	
Interior Rear		
Buildings		
All uses	Zone-to-zone setback (Table 543-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 543-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 543-4)	

TABLE 543-4. ZONE-TO-ZONE SETBACKS				
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening	Limitations & Qualifications
EFU	Buildings and accessory structures	None	N/A	
	Vehicle use areas	Min. 5 ft.	Type A	
Residential Zone	Buildings and accessory structures	Min. 20 ft.	Type A	Applicable to buildings and accessory structures not more than 35 ft. in height.
		Min. 30 ft.	Type A	Applicable to buildings and accessory structures greater than 35 ft. in height.

TABLE 543-4. ZONE-TO-ZONE SETBACKS				
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening	Limitations & Qualifications
	vehicle use areas	Min. 20 ft.	Type A	
Mixed-Use Zone	Buildings and accessory structures	None	N/A	
	Vehicle use areas	Min. 5 ft.	Type A	
Commercial Zone	Buildings and accessory structures	None	N/A	
	Vehicle use areas	Min. 5 ft.	Type A	
Public Zone	Buildings and accessory structures	None	N/A	
	Vehicle use areas	Min. 5 ft.	Type A	
Industrial and Employment Zone	Buildings and accessory structures	None	N/A	
	Vehicle use areas	Min. 5 ft.	Type A	
Limitations and Qualifications (1) Zone-to-Zone setbacks are not required abutting an alley.				

(c) *Lot coverage; height.* Buildings and accessory structures within the PH zone shall conform to the lot coverage and height standards set forth in Table 543-5.

TABLE 543-5. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
All uses	Max. 60%	
Height		
Buildings		
All uses	Max. 70 ft.	
Accessory Structures		
Accessory to all uses	Max. 70 ft.	

(d) *Landscaping.*

(1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

(2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and ~~SRC chapter~~ 807.

(e) *Outdoor storage.* Within the PH zone, outdoor storage shall be screened from streets and adjacent properties by a minimum six-foot-high sight-obscuring fence, wall, or hedge.

(Prior Code, § 543.010; Ord. No. 31-13)

Sec. 543.015. Design review.

Design review under SRC chapter 225 is required for development within the PH as follows:

(a) Residential care with three or more self-contained dwelling units shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(Prior Code, § 543.015; Ord. No. 31-13)

Sec. 543.020. Other provisions.

In addition to the standards set forth in this chapter, development within the PH zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807.

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 543.020; Ord. No. 31-13)

CHAPTER 544. PS--PUBLIC SERVICE

Sec. 544.001. Purpose.

The purpose of the Public Service (PS) Zone is to implement the Community Service designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The PS zone generally allows a variety of civic service, social service, health service, and educational service uses, together with a limited variety of other compatible uses.

(Prior Code, § 544.001; Ord. No. 31-13)

Sec. 544.005. Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the PS zone are set forth in Table 544-1.

TABLE 544-1. USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	P	Dwelling unit for a caretaker on the premises being cared for or guarded.
	S	Manufactured home as a dwelling for a caretaker, subject to SRC 700.030.
	N	All other single family.
Two family	N	
Multiple family	N	
Group Living		
Room and board	N	
Residential care	P	
Nursing care	P	
Lodging		
Short-term commercial lodging	N	
Long-term commercial lodging	N	
Nonprofit shelters	P	
Retail Sales and Service		
Eating and drinking establishments	P	
retail sales	P	Caterers.
	N	All other retail sales.
Personal services	N	
Postal services and retail financial services	N	
Business and Professional Services		

TABLE 544-1. USES		
Use	Status	Limitations & Qualifications
Office	P	The following office activities: □ Distance education and distance learning. □ Home health care services. □ Information technology services.
	N	All other office.
Audio/visual media production	N	
Laboratory research and testing	N	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	
Commercial parking	N	
Park-and-ride facilities	P	
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	P	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	N	
Commercial entertainment—outdoor	N	
Major event entertainment	N	
Recreational and cultural community services	P	
Parks and open space	P	
Nonprofit membership assembly	N	
Religious assembly	N	
Health Services		
Medical centers/hospitals	P	
Outpatient medical services and laboratories	P	
Educational Services		
Day care	P	
Basic education	P	

TABLE 544-1. USES		
Use	Status	Limitations & Qualifications
Post-secondary and adult education	P	
Civic Services		
Governmental services	P	
Social services	P	
Governmental maintenance services and construction	P	
Public Safety		
Emergency services	P	
Detention facilities	P	
Military installations	P	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	N	
Building and grounds services and construction contracting	N	
Cleaning plants	N	
Industrial services	N	
Wholesale Sales, Storage, and Distribution		
General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	P	Major post offices and postal distributions centers.
	N	All other warehousing and distribution.
Self-service storage	N	
Manufacturing		
General manufacturing	N	
Heavy manufacturing	N	
Printing	P	
Transportation Facilities		
Aviation facilities	P	Helicopter landing areas.
	N	All other aviation facilities.
Passenger ground transportation facilities	P	
Marine facilities	N	

TABLE 544-1. USES		
Use	Status	Limitations & Qualifications
Utilities		
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	P	
Power generation facilities	P	
Data center facilities	P	
Fuel dealers	N	
Waste-related facilities	C	Solid waste disposal sites.
	N	All other waste-related facilities.
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	Marijuana production.
	P	All other agriculture.
Forestry	P	
Agriculture and forestry services	N	
Keeping of livestock and other animals	N	
Animal services	C	Wildlife rehabilitation facility.
	N	All other animal services.
Other Uses		
Home occupations	N	

(Prior Code, § 544.005; Ord. No. 31-13; Ord. No. 11-14; Ord. No. 22-15, § 19, 11-23-2015)

Sec. 544.010. Development standards.

Development within the PS zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the PS zone shall conform to the standards set forth in Table 544-2.

TABLE 544-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
All uses	Min. 10,000 sq. ft.	

TABLE 544-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Width		
All uses	Min. 50 ft.	
Lot Depth		
All uses	Min. 80 ft.	
Street Frontage		
All uses	Min. 16 ft.	

(b) *Setbacks.* Setbacks within the PS zone shall be provided as set forth in Tables 544-3 and 544-4.

TABLE 544-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	Min. 20 ft.	Applicable to buildings not more than 35 ft. in height.
	Min. 20 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 50 ft. in depth.	Applicable to buildings greater than 35 ft. in height.
Accessory Structures		
Accessory to all uses	Min. 20 ft.	Applicable to accessory structures not more than 35 ft. in height.
	Min. 20 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 50 ft. in depth.	Applicable to accessory structures greater than 35 ft. in height.
	None	Applicable to transit stop shelters.
Vehicle Use Areas		
All uses	Per SRC chapter 806	
Interior Front		
Buildings		
All uses	Zone-to-zone setback (Table 544-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 544-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback	

TABLE 544-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
	(Table 544-4)	
Interior Side		
Buildings		
All uses	Zone-to-zone setback (Table 544-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 544-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 544-4)	
Interior Rear		
Buildings		
All uses	Zone-to-zone setback (Table 544-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 544-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 544-4)	

TABLE 544-4. ZONE-TO-ZONE SETBACKS				
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening	Limitations & Qualifications
EFU	Buildings and accessory structures	None	N/A	
	Vehicle use areas	Min. 5 ft.	Type A	
Residential Zone	Buildings and accessory structures	Min. 20 ft.	Type A	Applicable to buildings and accessory structures not more than 35 ft. in height.
		Min. 30 ft.	Type A	Applicable to buildings and accessory structures greater than 35 ft. in height.
	Vehicle use areas	Min. 20 ft.	Type A	
Mixed-Use Zone	Buildings and accessory structures	None	N/A	

TABLE 544-4. ZONE-TO-ZONE SETBACKS				
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening	Limitations & Qualifications
	Vehicle use areas	Min. 5 ft.	Type A	
Commercial Zone	Buildings and accessory structures	None	N/A	
	Vehicle use areas	Min. 5 ft.	Type A	
Public Zone	Buildings and accessory structures	None	N/A	
	Vehicle use areas	Min. 5 ft.	Type A	
Industrial and Employment Zone	Buildings and accessory structures	None	N/A	
	Vehicle use areas	Min. 5 ft.	Type A	
Limitations and Qualifications (1) Zone-to-Zone setbacks are not required abutting an alley.				

(c) *Lot coverage; height.* Buildings and accessory structures within the PS zone shall conform to the lot coverage and height standards set forth in Table 544-5.

TABLE 544-5. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
All uses	Max. 60%	
Height		
Buildings		
All uses	Max. 70 ft.	
Accessory Structures		
Accessory to all uses	Max. 70 ft.	

(d) *Landscaping.*

(1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

(2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and ~~SRC chapter~~ 807.

(e) *Outdoor storage.* Within the PS zone, outdoor storage shall be screened from streets and adjacent properties by a minimum six-foot-high sight-obscuring fence, wall, or hedge.

(Prior Code, § 544.010; Ord. No. 31-13)

Sec. 544.015. Design review.

Design review under SRC chapter 225 is required for development within the PS as follows:

(a) Residential care with three or more self-contained dwelling units shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(Prior Code, § 544.015; Ord. No. 31-13)

Sec. 544.020. Other provisions.

In addition to the standards set forth in this chapter, development within the PS zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807.

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 544.020; Ord. No. 31-13)

CHAPTER 545. PM--CAPITOL MALL

Sec. 545.001. Purpose.

The purpose of the Capitol Mall (PM) Zone is to implement the community service government designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards appropriate for the Capitol Mall. The Capitol Mall is the center of state government. The PM zone generally allows a variety of governmental services, civic services, and social services uses, together with residential uses and a limited variety of other compatible uses.

(Prior Code, § 545.001; Ord. No. 31-13)

Sec. 545.005. Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the PM zone are set forth in Table 545-1.

TABLE 545-1. USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	P	The following single family activities: □ Single family detached dwelling. □ Dwelling unit for a caretaker on the premises being cared for or guarded.
	N	All other single family.
Two family	P	Duplex, when located on a corner lot.
	N	All other two family.
Multiple family	P	
Group Living		
Room and board	P	
Residential care	P	
Nursing care	N	
Lodging		
Short-term commercial lodging	N	
Long-term commercial lodging	N	
Nonprofit shelters	P	
Retail Sales and Service		
Eating and drinking establishments	P	
Retail sales	P	Caterers.
	N	All other retail sales.
Personal services	N	

TABLE 545-1. USES		
Use	Status	Limitations & Qualifications
Postal services and retail financial services	P	
Business and Professional Services		
Office	P	
Audio/visual media production	N	
Laboratory research and testing	P	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	
Commercial parking	P	
Park-and-ride facilities	P	
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	N	
Commercial entertainment—outdoor	N	
Major event entertainment	N	
Recreational and cultural community services	P	
Parks and open space	P	
Nonprofit membership assembly	P	
Religious assembly	P	
Health Services		
Medical centers/hospitals	N	

TABLE 545-1. USES		
Use	Status	Limitations & Qualifications
Outpatient medical services and laboratories	N	The following outpatient medical services and laboratories activities: □ Medical laboratories. □ Dental laboratories. □ Outpatient care facilities. □ Kidney dialysis centers. □ Commercial blood banks, plasma centers. □ Commercial reproductive services.
	P	All other outpatient medical services and laboratories.
Educational Services		
Day care	P	
Basic education	N	
Post-secondary and adult education	N	
Civic Services		
Governmental services	P	
Social services	P	
Governmental maintenance services and construction	P	
Public Safety		
Emergency services	N	The following emergency services activities: □ Ambulance station. □ Ambulance service facility.
	P	All other emergency services.
Detention facilities	P	
Military installations	P	
Funeral and Related Services		
Cemeteries	P	
Funeral and cremation services	N	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	N	
Building and grounds services and construction contracting	P	The following building and grounds services and construction contracting activities: □ Disinfecting and pest control services. □ Building cleaning and maintenance services.
	N	All other building and grounds services and construction contracting.

TABLE 545-1. USES		
Use	Status	Limitations & Qualifications
Cleaning plants	N	
Industrial services	N	
Wholesale Sales, Storage, and Distribution		
General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	N	
Self-service storage	N	
Manufacturing		
General manufacturing	N	
Heavy manufacturing	N	
Printing	N	
Transportation Facilities		
Aviation facilities	P	Helicopter landing areas.
	N	All other aviation facilities.
Passenger ground transportation facilities	P	Transit stop shelters.
	N	All other passenger ground transportation facilities.
Marine facilities	N	
Utilities		
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	N	
Power generation facilities	N	
Data center facilities	P	
Fuel dealers	N	
Waste-related facilities	N	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	Marijuana production.
	P	All other agriculture.
Forestry	P	

TABLE 545-1. USES		
Use	Status	Limitations & Qualifications
Agriculture and forestry services	N	
Keeping of livestock and other animals	N	
Animal services	N	
Other Uses		
Accessory short-term rentals	S	Accessory short-term rental, subject to SRC 700.006.
Home occupations	S	Home occupations, subject to SRC 700.020.
Guest houses and guest quarters	P	Guest houses and guest quarters are permitted as an accessory use to single family, provided such houses and quarters are dependent upon the main building for either kitchen or bathroom facilities, or both, and are used for temporary lodging and not as a place of residence.
Storage of commercial vehicle as an accessory use to household living	P	Storage of a commercial vehicle as an accessory use to household living is permitted, provided no more than 1 commercial vehicle is stored per dwelling unit.

(Prior Code, § 545.005; Ord. No. 31-13; Ord. No. 22-15, § 20, 11-23-2015; Ord. No. 5-17, § 34(545.005), 6-12-2017)

Sec. 545.010. Development standards.

Development within the PM zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the PM zone shall conform to the standards set forth in Table 545-2.

TABLE 545-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
Single family	Min. 4,000 sq. ft.	
Two family	Min. 7,000 sq. ft.	
All other uses	Min. 10,000 sq. ft.	
Lot Width		
Single family, two family, and multiple family	Min. 40 ft.	
All other uses	Min. 50 ft.	
Lot Depth		
All uses	Min. 80 ft.	
Street Frontage		
Single family	Min. 40 ft.	
	Min. 30 ft.	Applicable to lots fronting along the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less

TABLE 545-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
		and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line.
All other uses	Min. 16 ft.	

(b) *Dwelling unit density.* Dwelling unit density within the PM zone shall conform to the standards set forth in Table 545-3. Maximum dwelling unit density cannot be varied or adjusted.

TABLE 545-3. DWELLING UNIT DENSITY			
Use	Standard		Limitations & Qualifications
	Minimum	Maximum	
Single family and two family	N/A	N/A	
Multiple family	None	28 dwelling units per acre	

(c) *Setbacks.* Setbacks within the PM zone shall be provided as set forth in Table 545-4.

TABLE 545-4. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	Min. 20 ft.	Applicable to buildings not more than 35 ft. in height.
	Min. 20 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 50 ft. in depth.	Applicable to buildings greater than 35 ft. in height.
Accessory Structures		
Accessory to single family, two family, and multiple family	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 20 ft.	Applicable to accessory structures greater than 4 ft. in height.
Accessory to all other uses	Min. 20 ft.	Applicable to accessory structures not more than 35 ft. in height.
	Min. 20 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 50 ft. in depth.	Applicable to accessory structures greater than 35 ft. in height.
	None	Applicable to transit stop shelters.

TABLE 545-4. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Vehicle Use Areas		
All uses	Per SRC chapter 806	
Interior Front		
Buildings		
All uses	Min. 5 ft.	Applicable to any portion of a building not more than 35 ft. in height.
	Min. 20 ft.	Applicable to any portion of a building greater than 35 ft. in height.
Accessory Structures		
Accessory to single family and two family	Min. 5 ft.	
Accessory to all other uses	Min. 5 ft.	Applicable to any portion of an accessory structure not more than 35 ft. in height.
	Min. 20 ft.	Applicable to any portion of ~~a~~ an accessory structure greater than 35 ft. in height.
Vehicle Use Areas		
All uses	Per SRC chapter 806	
Interior Side		
Buildings		
All uses	Min. 5 ft.	Applicable to any portion of a building not more than 35 ft. in height.
	Min. 20 ft.	Applicable to any portion of a building greater than 35 ft. in height.
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.
Accessory to all other uses	Min. 5 ft.	Applicable to any portion of an accessory structure not more than 35 ft. in height.
	Min. 20 ft.	Applicable to any portion of an accessory structure greater than 35 ft. in height.
Vehicle Use Areas		
All uses	Per SRC chapter 806	
Interior Rear		
Buildings		
All uses	Min. 5 ft.	Applicable to any portion of a building not more than 35 ft. in height.
	Min. 20 ft.	Applicable to any portion of a building greater

TABLE 545-4. SETBACKS		
Requirement	Standard	Limitations & Qualifications
		than 35 ft. in height.
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures not more than 9 ft. in height.
	Min. 1 foot for each 1 ft. of height over 9 feet.	Applicable to accessory structures greater than 9 ft. in height.
	Min. 1 ft.	Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure.
Accessory to all other uses	Min. 5 ft.	Applicable to any portion of an accessory structure not more than 35 ft. in height.
	Min. 20 ft.	Applicable to any portion of an accessory structure greater than 35 ft. in height.
Vehicle Use Areas		
All uses	Per SRC chapter 806	

(d) *Lot coverage; height.* Buildings and accessory structures within the PM zone shall conform to the lot coverage and height standards set forth in Table 545-5.

TABLE 545-5. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
All uses	Max. 60%	
Height		
Buildings		
Single family, two family, and multiple family	Max. 35 ft.	
All other uses	Max. 70 ft.	
Accessory Structures		
Accessory to single family, two family, and multiple family	Max. 15 ft.	
Accessory to all other uses	Max. 70 ft.	

(e) *Landscaping.*

(1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

(2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and

~~SRC chapter~~ 807.

(f) *Outdoor storage.* Within the PM zone, outdoor storage shall be screened from streets and adjacent properties by a minimum six-foot-high sight-obscuring fence, wall, or hedge.

(Prior Code, § 545.010; Ord. No. 31-13)

Sec. 545.015. Design review.

Design review under SRC chapter 225 is required for development within the PM as follows:

(a) Multiple family development shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(b) Residential care with three or more self-contained dwelling units shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(Prior Code, § 545.015; Ord. No. 31-13)

Sec. 545.020. Other provisions.

In addition to the standards set forth in this chapter, development within the PM zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807.

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 545.020; Ord. No. 31-13)

CHAPTERS 546—549. RESERVED

CHAPTER 550. EC--EMPLOYMENT CENTER

Sec. 550.001. Purpose.

The purpose of the Employment Center (EC) Zone is to implement the employment center designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The EC zone generally allows a range of industrial and employment uses, together with areas of supportive retail and service uses, providing a variety of long-term and short-term employment opportunities and furthering economic development within the City.

(Prior Code, § 550.001; Ord. No. 31-13)

Sec. 550.005. Establishment of EC Retail-Service Center Subzones.

Within the perimeter boundary of any area zoned EC, EC Retail-Service Center Subzones may be established upon one or more lots. EC Retail-Service Center Subzones are intended to provide for areas within the EC zone where a greater variety of uses are allowed to support the needs of employees, visitors, and other uses within the EC zone. The total area of all EC Retail-Service Center Subzones within the EC Zone perimeter boundary shall not exceed 20 acres. For the purposes of this section, the EC zone perimeter boundary is the outer extent of the area zoned EC.

(Prior Code, § 550.005; Ord. No. 31-13)

Sec. 550.010. Uses.

(a) *EC zone.* The permitted (P), special (S), conditional (C), and prohibited (N) uses in the EC zone are set forth in Table 550-1.

TABLE 550-1. EC ZONE USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	P	Dwelling unit for a caretaker or watchperson on the premises being cared for or guarded.
	N	All other single family.
Two family	N	
Multiple family	N	
Group Living		
Room and board	N	
Residential care	N	
Nursing care	N	
Lodging		
Short-term commercial lodging	N	
Long- term commercial lodging	N	
Nonprofit shelters	N	
Retail Sales and Service		

TABLE 550-1. EC ZONE USES		
Use	Status	Limitations & Qualifications
Eating and drinking establishments	N	
Retail sales	N	
Personal services	N	
Postal services and retail financial services	N	
Business and Professional Services		
Office	N	Public utility offices.
	P	All other office.
Audio/visual media production	P	
Laboratory research and testing	P	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	
Commercial parking	N	
Park-and-ride facilities	N	
Taxicabs and car services	N	
Heavy vehicle and trailer sales	P	
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	N	
Commercial entertainment—outdoor	N	
Major event entertainment	N	
Recreational and cultural community services	N	
Parks and open space	P	
Nonprofit membership assembly	N	
Religious assembly	N	
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	P	

TABLE 550-1. EC ZONE USES		
Use	Status	Limitations & Qualifications
Educational Services		
Day care	N	
Basic education	N	
Post-secondary and adult education	N	
Civic Services		
Governmental services	N	
Social services	N	
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	P	
Detention facilities	N	
Military installations	N	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	N	
Building and grounds services and construction contracting	N	Public utility service and storage yards.
	P	All other building and grounds services and construction contracting.
Cleaning plants	P	
Industrial services	P	
Wholesale Sales, Storage, and Distribution		
General wholesaling	P	
Heavy wholesaling	N	The following heavy wholesaling activities: □ Salvage or wrecking yards. □ Scrap dealers.
	P	All other heavy wholesaling.
Warehousing and distribution	N	The following warehousing and distribution activities: □ Stockpiling of sand, gravel, or other aggregate materials. □ Storage of weapons and ammunition.
	P	All other warehousing and distribution.
Self-service storage	N	

TABLE 550-1. EC ZONE USES		
Use	Status	Limitations & Qualifications
Manufacturing		
General manufacturing	P	
Heavy manufacturing	N	The following heavy manufacturing activities: □ Animal slaughtering and processing. □ Cement, concrete, and asphalt product manufacturing. □ Nonmetallic mineral product manufacturing. □ Lumber mills, pulp and paper mills, and other similar wood products manufacturing.
	P	All other heavy manufacturing.
Printing	P	
Transportation Facilities		
Aviation facilities	N	
Passenger ground transportation facilities	P	Transit stop shelters.
	N	All other passenger ground transportation facilities.
Marine facilities	N	
Utilities		
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	N	
Power generation facilities	P	
Data center facilities	P	
Fuel dealers	N	Solid fuel dealers.
	P	All other fuel dealers are permitted.
Waste-related facilities	P	Recycling operations.
	N	All other waste-related facilities.
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	Marijuana production.
	P	All other agriculture.
Forestry	N	

TABLE 550-1. EC ZONE USES		
Use	Status	Limitations & Qualifications
Agriculture and forestry services	P	
Keeping of livestock and other animals	N	
Animal services	N	
Other Uses		
Home occupations	N	

(b) *EC Retail-Service Center Subzone.* The permitted (P), special (S), conditional (C), and prohibited (N) uses in the EC Retail-Service Center Subzone are set forth in Table 550-2. Such uses are the only uses allowed within the EC Retail-Service Center Subzone.

TABLE 550-2. EC RETAIL-SERVICE CENTER SUBZONE USES		
Use	Status	Limitations and Qualifications
Household Living		
Single family	N	
Two family	N	
Multiple family	N	
Group Living		
Room and board	N	
Residential care	N	
Nursing care	N	
Lodging		
Short-term commercial lodging	P	
Long- term commercial lodging	N	
Nonprofit shelters	N	
Retail Sales and Service		
Eating and drinking establishments	P	
Retail sales	P	
Personal services	P	
Postal and retail financial services	P	
Business and Professional Services		
Office	P	
	N	
Audio/visual media production	N	

TABLE 550-2. EC RETAIL-SERVICE CENTER SUBZONE USES		
Use	Status	Limitations and Qualifications
Laboratory research and testing	N	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	P	The following motor vehicle services: □ Gasoline service stations. □ Car washes. □ Quick lubrication services.
	N	All other motor vehicle services.
Commercial parking	N	
Park-and-ride facilities	N	
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	N	Theaters.
	P	All other commercial entertainment—indoor.
Commercial entertainment—outdoor	N	The following commercial entertainment—outdoor activities: □ Recreational vehicle parks. □ Drive-in movie theaters.
	P	All other commercial entertainment—outdoor.
Major event entertainment	N	
Recreational and cultural community services	N	
Parks and open space	N	
Nonprofit membership assembly	N	
Religious assembly	N	
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	P	
Educational Services		
Day care	P	

TABLE 550-2. EC RETAIL-SERVICE CENTER SUBZONE USES		
Use	Status	Limitations and Qualifications
Basic education	N	
Post-secondary and adult education	P	The following post-secondary and adult education activities: □ Business schools. □ Vocational schools.
	N	All other post-secondary and adult education.
Civic Services		
Governmental services	N	
Social services	N	
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	N	
Detention facilities	N	
Military installations	N	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	P	
Building and grounds services and construction contracting	N	
Cleaning plants	N	
Industrial services	N	
Wholesale Sales, Storage, and Distribution		
General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	N	
Self-service storage	N	
Manufacturing		
General manufacturing	N	
Heavy manufacturing	N	
Printing	N	
Transportation Facilities		
Aviation facilities	N	
Passenger ground transportation	P	Transit stop shelters.

TABLE 550-2. EC RETAIL-SERVICE CENTER SUBZONE USES		
Use	Status	Limitations and Qualifications
facilities	N	All other passenger ground transportation services.
Marine facilities	N	
Utilities		
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	N	
Power generation facilities	N	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	P	Recycling depots.
	N	All other waste-related facilities.
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	
Forestry	N	
Agriculture and forestry services	N	
Keeping of livestock and other animals	N	
Animal services	P	
Other Uses		
Home occupations	N	

(Prior Code, § 550.010; Ord. No. 31-13; Ord. No. 22-15, § 21, 11-23-2015)

Sec. 550.015. Development standards.

(a) *EC zone.* Development within the EC zone must comply with the development standards set forth in this subsection.

(1) *Lot standards.* Lots within the EC zone shall conform to the standards set forth in Table 550-3.

TABLE 550-3. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
All uses	None	

TABLE 550-3. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Width		
All uses	None	
Lot Depth		
All uses	None	
Street Frontage		
All uses	Min. 16 ft.	

(2) *Setbacks.* Setbacks within the EC zone shall be provided as set forth in Tables 550-4 and 550-5.

TABLE 550-4. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	Min. 10 ft.	
Accessory Structures		
Accessory to all uses	Min. 10 ft.	Not applicable to transit stop shelters.
Vehicle Use Areas		
All uses	Per SRC chapter 806	
Interior Front		
Buildings		
All uses	Zone-to-zone setback (Table 550-5)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 550-5)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 550-5)	
Interior Side		
Buildings		
All uses	Zone-to-zone setback (Table 550-5)	.
Accessory Buildings and Structures		
Accessory to all uses	Zone-to-zone setback (Table 550-5)	
Vehicle Use Areas		

TABLE 550-4. SETBACKS		
Requirement	Standard	Limitations & Qualifications
All uses	Zone-to-zone setback (Table 550-5)	
Interior Rear		
Buildings		
All uses	Zone-to-zone setback (Table 550-5)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 550-5)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 550-5)	

TABLE 550-5. ZONE-TO-ZONE SETBACKS			
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening
EFU	Buildings and accessory structures	Min. 10 ft.	Type A
	Vehicle use areas	Min. 5 ft.	
Residential Zone	Buildings and accessory structures	Min. 40 ft.	Type D
	Vehicle use areas	Min. 5 ft.	
Mixed-Use Zone	Buildings and accessory structures	Min. 10 ft.	Type A
	Vehicle use areas	Min. 5 ft.	
Commercial Zone	Buildings and accessory structures	Min. 10 ft.	Type A
	Vehicle use areas	Min. 5 ft.	
Public Zone	Buildings and accessory structures	Min. 10 ft.	Type A
	Vehicle use areas	Min. 5 ft.	
Industrial and Employment Zone: EC, IC, IBC, and IP	Buildings and accessory structures	Min. 10 ft.	Type A
	Vehicle use areas	Min. 5 ft.	
Industrial and Employment Zone: IG and II	Buildings and accessory structures	Min. 10 ft.	Type A
	Vehicle use areas	Min. 5 ft.	
Limitations and Qualifications (1) Zone-to-zone setbacks are not required abutting an alley.			

(3) *Lot coverage; height.* Buildings and accessory structures within the EC zone shall conform to the lot coverage and height standards set forth in Table 550-6.

TABLE 550-6. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
all uses	Max. 60%	
Height		
Buildings		
All uses	Max. 80 ft.	
	Max. 28 ft.	Applicable to buildings located within 90 ft. of a property line abutting a residential zone.
Accessory Structures		
Accessory to all uses	Max. 80 ft.	
	Max. 28 ft.	Applicable to buildings located within 90 ft. of a property line abutting a residential zone.

(4) *Landscaping.*

(A) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

(B) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and ~~SRC chapter~~ 807, except that areas used primarily for truck parking, loading, and circulation shall not be required to provide:

(i) Perimeter setbacks and landscaping adjacent to buildings and structures, pursuant to SRC 806.035(c)(4);

(ii) Trees, pursuant to SRC 806.035(d)(3); and

(iii) Landscape islands and planter bays, pursuant to SRC 806.035(d)(4).

(5) *Outdoor storage.* Within the EC zone, outdoor storage shall conform to the following standards:

(A) Storage areas shall not be located within required setbacks.

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

(C) Materials and equipment stored shall not exceed a maximum height of 14 feet above grade; provided, however, materials and equipment more than six feet in height above grade shall be screened by sight-obscuring landscaping.

(6) *Solid waste service areas.* In addition to conforming to the standards set forth under SRC 800.055, solid waste service areas shall be screened from public streets by sight-obscuring landscaping, fences, or walls.

(7) *Stormwater management.* Runoff from landscape strips, berms or grade drops shall be intercepted by a perimeter swale and diverted to a stormwater treatment system approved by the ~~Public Works~~ Director.

(8) *Lighting.* Exterior lighting systems, if used, shall be designed to provide illumination for the lot, and not cause glare onto the public right-of-way or any surrounding residentially zoned properties or natural areas. Exterior lighting systems, including parking lot lighting, shall meet the following standards:

(A) The illumination level beyond any property line adjacent to a residentially zoned property or natural area shall not exceed 0.5 horizontal foot-candles on the adjacent residentially zoned property or natural area; and

(B) Luminaries shall have a cutoff classification with no more than 2.5 percent of the candlepower above 90 degrees from vertical, and no more than ten percent above 80 degrees from vertical. As an alternative, shields may be installed on the luminaries to achieve the cutoff requirements, or a non-cutoff luminary having a light source that emits no more than 10,000 lumens at each pole location may be installed. The luminaries shall be designed to eliminate glare.

(9) *Industrial performance standards.* Within the EC zone, no land or structure shall be used or occupied unless maintained and operated in continuing compliance with all applicable standards adopted by the Oregon Department of Environmental Quality (DEQ), including the holding of all licenses and permits required by DEQ regulation, local ordinance, and state and federal law.

(b) *EC Retail-Service Center Subzone.* Development within the EC Retail-Service Center Subzone shall, in addition to the development standards generally applicable in the EC zone, comply with the development standards set forth in this subsection.

(1) *Floor area.* Uses within the EC Retail-Service Center Subzone shall be limited to no more than 25,000 square feet of total floor area per establishment; provided, however:

(A) Short-term commercial lodging may accommodate up to 100 guest rooms per establishment, regardless of total floor area.

(B) Health clubs and gyms may occupy up to 40,000 square feet of total floor area per establishment.

(2) *Pedestrian access.* Within the EC Retail-Service Center Subzone, pedestrian access shall be provided as set forth in this subsection.

(A) *Connections to streets.* For development sites within an EC Retail-Service Center Subzone that have frontage on a street, pedestrian connections shall be provided between building entrances and the street, or transit stops if the transit stops are located within the frontage for the building, according to the following standards:

(i) For development sites with one street frontage, a direct pedestrian connection shall be provided between the main entrance of each building and the adjacent street. The connection may not be more than 20 feet longer than, or a distance equal to 120 percent of, a line drawn perpendicular from the main entrance of the building to the sidewalk closest to the building, or the closest improved right-of-way if there are no sidewalks.

(ii) For development sites with more than one street frontage:

(aa) A direct pedestrian connection shall be provided between the main entrance of each building and the adjacent street fronting the main entrance. The connection may not be more than 20 feet longer than, or a distance equal to 120 percent of, a line drawn perpendicular from the main entrance of the building to the sidewalk closest to the building, or the closest improved right-of-way if there are no sidewalks.

(bb) A pedestrian connection shall be provided between every other entrance of each building and the adjacent street fronting the entrance; provided, however, if 50 percent or more of the building facade is located within ten feet of the street, no pedestrian connection is required.

(B) *Internal connections.* An on-site pedestrian circulation system shall be provided to connect all buildings within the EC Retail-Service Center Subzone, and to connect to parking areas, bicycle parking areas, recreational areas, common outdoor areas, and any pedestrian amenities.

(C) *No pedestrian access required in certain circumstances.* No pedestrian connections or pedestrian circulation system shall be required if physical or topographical conditions exist that makes the connections or circulation system impracticable. Physical and topographical conditions include, but are not limited to, steep slopes, wetlands, or other bodies of water where a connection or circulation system could not reasonably be provided.

(D) *Materials.*

(i) Pedestrian connections and circulation systems shall be hard-surfaced and not less than six feet in width.

(ii) Portions of pedestrian connections and circulation systems that cross driveways, parking areas, or loading areas must be clearly identified by use of grade changes at least four inches in height, different paving materials, or other similar methods. Striping shall not be used as a method of identification of pedestrian connections and pedestrian circulation systems.

(iii) Portions of pedestrian connections and pedestrian circulation systems that are parallel and adjacent to an auto travel lane shall be raised above the level of the auto travel lane, or separated from the auto travel lane by a raised curb, bollards, landscaping, or other physical barrier approved by the Director. If the pedestrian connection or pedestrian circulation system is raised above the level of the auto travel lane, the pedestrian connection or pedestrian circulation system shall be at least four inches high, and each end of the raised portions shall be equipped with curb ramps. Bollard spacing shall be no further apart than five feet on center.

(E) *Lighting.* Illumination for the on-site pedestrian circulation system shall be not less than three foot-candles at all points along the system.

(Prior Code, § 550.015; Ord. No. 31-13)

Sec. 550.020. Other provisions.

In addition to the standards set forth in this chapter, development within the EC zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807.

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 550.020; Ord. No. 31-13)

CHAPTER 551. IC--INDUSTRIAL COMMERCIAL

Sec. 551.001. Purpose.

The purpose of the Industrial Commercial (IC) Zone is to implement the industrial commercial designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The IC zone generally allows a wide variety of retail, office, heavy commercial, light manufacturing, and warehousing activities.

(Prior Code, § 551.001; Ord. No. 31-13)

Sec. 551.005. Uses.

(a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the IC zone are set forth in Table 551-1.

TABLE 551-1. USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	P	The following single family activities: □ Residential home, as defined under ORS 197.660, within an existing single family dwelling allowed as a continued use pursuant to SRC 551.005(b). □ Dwelling unit for a caretaker on the premises being cared for or guarded.
	S	Manufactured home as a dwelling for a caretaker, subject to SRC 700.030.
	C	The following single family activities: □ Single family detached dwelling. □ Residential home, as defined under ORS 197.660. □ Manufactured home.
	N	All other single family.
Two family	C	Duplex.
	N	All other two family.
Multiple family	C	
Group Living		
Room and board	C	Room and board serving up to 75 persons.
	N	All other room and board.
Residential care	C	
Nursing care	P	
Lodging		
Short-term commercial lodging	P	
Long- term commercial lodging	C	

TABLE 551-1. USES		
Use	Status	Limitations & Qualifications
Nonprofit shelters	C	Nonprofit shelters serving up to 75 persons.
	P	Nonprofit shelters serving victims of domestic violence for 10 or fewer persons.
	N	All other nonprofit shelters.
Retail Sales and Service		
Eating and drinking establishments	P	
Retail sales	P	
Personal services	P	
Postal services and retail financial services	P	
Business and Professional Services		
Office	P	
Audio/visual media production	P	
Laboratory research and testing	P	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Motor vehicle and manufactured dwelling and trailer sales	P	
Motor vehicle services	P	
Commercial parking	P	
Park-and-ride facilities	P	
Taxicabs and car services	P	
Heavy vehicle and trailer sales	P	
Heavy vehicle and trailer service and storage	P	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	C	Night clubs, located within 200 feet of a residential zone.
	P	All other commercial entertainment—indoor.
Commercial entertainment—outdoor	P	
Major event entertainment	N	Race tracks.
	P	All other major event entertainment.
Recreational and cultural community services	P	
Parks and open space	P	

TABLE 551-1. USES		
Use	Status	Limitations & Qualifications
Nonprofit membership assembly	P	
Religious assembly	P	
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	P	
Education Services		
Day care	P	
Basic education	P	
Post-secondary and adult education	P	
Civic Services		
Governmental services	P	
Social services	P	
Governmental maintenance services and construction	P	
Public Safety		
Emergency services	P	
Detention facilities	N	
Military installations	P	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	P	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	P	
Building and grounds services and construction contracting	P	
Cleaning plants	P	
Industrial services	P	
Wholesale Sales, Storage, and Distribution		
General wholesaling	P	
Heavy wholesaling	C	The following heavy wholesaling activities: □ Firearms wholesalers. □ Wood products and timber wholesalers.

TABLE 551-1. USES		
Use	Status	Limitations & Qualifications
	N	The following heavy wholesaling activities: □ Chemicals and allied products wholesalers. □ Scrap dealers.
	P	All other heavy wholesaling.
Warehousing and distribution	P	
Self-service storage	P	
Manufacturing		
General manufacturing	P	The following general manufacturing activities: □ Industrial and institutional food service contractors. □ Sign manufacturing. □ Fabrics, leather goods, footwear, and apparel manufacturing. Except rubber and plastic footwear manufacturing. □ General food manufacturing. □ Beverage and related products manufacturing. □ Tobacco products manufacturing. □ Cabinetry. □ Aircraft and aircraft parts manufacturing. □ Motor vehicles and motor vehicle equipment manufacturing. □ Computer and electronics manufacturing. □ Paperboard containers and boxes manufacturing.

TABLE 551-1. USES		
Use	Status	Limitations & Qualifications
	C	The following general manufacturing activities: □ Rubber and plastic footwear manufacturing. □ Rubber and plastics products manufacturing. □ Costume jewelry and precious metals metalsmithing. □ Furniture manufacturing. □ Fabricated metal products manufacturing. □ Wood product manufacturing. □ Engineered wood product manufacturing. □ Wood preservation. □ Plastics and rubber products manufacturing. □ General chemical manufacturing. □ Leather tanning. □ Metal coating and engraving. □ Battery manufacturing. □ Ship and boat building. □ Commercial and service industry machinery manufacturing. □ Metalworking machinery manufacturing. □ Sawmill and woodworking machinery manufacturing.
	N	All other general manufacturing.
Heavy manufacturing	N	
Printing	P	
Transportation Facilities		
Aviation facilities	C	Helicopter landing areas, with or without passenger and freight terminal facilities.
	N	All other aviation facilities.
Passenger ground transportation facilities	P	
Marine facilities	P	
Utilities		
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	C	
Power generation facilities	C	
Data center facilities	P	

TABLE 551-1. USES		
Use	Status	Limitations & Qualifications
Fuel dealers	P	
Waste-related facilities	P	Recycling depots.
	C	Solid waste transfer stations.
	N	All other waste-related facilities.
Mining and Natural Resource Extraction		
Petroleum and natural gas production	C	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	C	Marijuana production~~, subject to SRC 700.035~~.
	P	All other agriculture.
Forestry	P	
Agriculture and forestry services	P	
Keeping of livestock and other animals	C	The following keeping of livestock and other animal activities: □ Animal shelters. □ Boarding kennels. □ Animal training facilities.
	N	All other keeping of livestock and other animals.
Animal services	C	Wildlife rehabilitation facilities.
	P	All other animal services.
Other Uses		
Home occupations	S	Home occupations, subject to SRC 700.020.
Accessory dwelling unit	S	Accessory dwelling units, subject to SRC 700.00~~6~~7.

(b) Continued uses. Existing single family and two family uses ~~detached dwellings~~, other than manufactured dwellings, within the IC zone constructed prior to February 1, 1983, but which would otherwise be made nonconforming by this chapter, are hereby deemed continued uses.

(1) Building or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 551.010(g).

(2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for a residential use; provided, however, conversion of the building or structure to a nonresidential use shall thereafter prevent conversion back to a residential use.

(Prior Code, § 551.005; Ord. No. 31-13; Ord. No. 22-15, § 22, 11-23-2015; Ord. No. 7-16, § 6, 6-27-2016; Ord. No. 10-16, § 3, 8-8-2016; Ord. No. 6-17, § 15, 5-8-2017; Ord. No. 10-17, § 18, 7-10-2017)

Sec. 551.010. Development standards.

Development within the IC zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the IC zone shall conform to the standards set forth in Table 551-2.

TABLE 551-2. LOT STANDARDS

Requirement	Standard	Limitations & Qualifications
Lot Area		
All uses	None	
Lot Width		
All uses	None	
Lot Depth		
All uses	None	
Street Frontage		
Single Family	Min. 40 ft.	
	Min. 30 ft.	Applicable to lots fronting on the turnaround of a cul-de-sac street or the outside curve of curved street having a radius of 200 ft. or less and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line.
All other uses	Min. 16 ft.	

(b) *Setbacks.* Setbacks within the IC zone shall be provided as set forth in Tables 551-3 and 551-4.

TABLE 551-3. SETBACKS

Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	Min. 5 ft.	
Accessory Structures		
Accessory to single family, two family, and multiple family	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 5 ft.	Applicable to accessory structures greater than 4 ft. in height.
Accessory to all other uses	Min. 5 ft.	Not applicable to transit stop shelters.
Vehicle Use Areas		
All uses	Per SRC chapter 806	
Interior Front		
Buildings		
Single family and two family	None	

TABLE 551-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Multiple family	Min. 15 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 551-4)	
Accessory Structures		
Accessory to single family and two family	Min. 5 ft.	
Accessory to multiple family	Min. 15 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
Accessory to all other uses	Zone-to-zone setback (Table 551-4)	
Vehicle Use Areas		
Single family and two family	Per SRC chapter 806	
Multiple family	Min. 15 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 551-4)	
Interior Side		
Buildings		
Single family and two family	None	
Multiple family	Min. 15 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 551-4)	
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.
Accessory to multiple family	Min. 15 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
Accessory to all other uses	Zone-to-zone setback (Table 551-4)	
Vehicle Use Areas		
Single family and two family	Per SRC chapter 806	
Multiple family	Min. 15 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All uses	Zone-to-zone setback (Table 551-4)	
Interior Rear		

TABLE 551-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Buildings		
Single family and two family	None	
Multiple family	Min. 15 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 551-4)	
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures not more than 9 ft. in height.
	Min. 1 ft. for each 1 ft. of height over 9 ft.	Applicable to accessory structures greater than 9 ft. in height.
	Min. 1 ft.	Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure.
Accessory to multiple family	Min. 15 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
Accessory to all other uses	Zone-to-zone setback (Table 551-4)	
Vehicle Use Areas		
Single family and two family	Per SRC chapter 806	
Multiple family	Min. 15 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807.
All other uses	Zone-to-zone setback (Table 551-4)	

TABLE 551-4. ZONE-TO-ZONE SETBACKS			
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening
EFU	Buildings and accessory structures	Min. 5 ft.	Type A
	Vehicle use areas		
Residential Zone	Buildings and accessory structures	Min. 30 ft.	Type C
	Vehicle use areas		
Mixed-Use Zone	Buildings and accessory structures	Min. 5 ft.	Type A
	Vehicle use areas		
Commercial Zone	Buildings and accessory structures	Min. 5 ft.	Type A
	Vehicle use areas		
Public Zone	Buildings and accessory structures	Min. 5 ft.	Type A

TABLE 551-4. ZONE-TO-ZONE SETBACKS			
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening
Industrial and Employment Zone: EC, IC, IBC, and IP	Vehicle use areas		
	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft.	Type A
Industrial and Employment Zone: IG and II	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		
Limitations and Qualifications (1) Zone-to-zone setbacks are not required abutting an alley.			

(c) *Lot coverage; height.* Buildings and accessory structures within the IC zone shall conform to the lot coverage and height standards set forth in Table 551-5.

TABLE 551-5. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
All uses	No Max.	
Height		
Buildings		
All uses	Max. 70 ft.	
Accessory Structures		
Accessory to single family and two family	Max. 15 ft.	
Accessory to all other uses	Max. 70 ft.	

(d) *Landscaping.*

(1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

(2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and ~~SRC chapter~~ 807.

(3) *Development site.* A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicular use areas, may count towards meeting this requirement.

(e) *Industrial performance standards.* Within the IC zone, no land or structure shall be used or occupied unless maintained and operated in continuing compliance with all applicable standards adopted by the Oregon Department of Environmental Quality (DEQ), including the holding of all licenses and permits required by DEQ regulations, local ordinance, and state and federal law.

(f) *Additional standards for manufactured homes.* Manufactured homes shall, in addition to the development standards generally applicable in the IC zone, comply with the following:

(1) Manufactured homes shall be multi-sectional and enclose a space of not less than 860 square feet.

(2) Manufactured homes shall be placed on an excavated and back-filled foundation, and enclosed continuously at the perimeter with material comparable to the predominant materials used in foundations of surrounding dwellings.

(3) Manufactured homes shall have a pitched roof, with a slope not less than a nominal three feet in height for each 12 feet in width.

(4) Manufactured homes shall have exterior siding and roofing which in color, material, and appearance is similar to the exterior siding and roofing commonly used on residential dwellings within the community, or which is comparable to the predominant materials used on surrounding dwellings.

(5) Manufactured homes shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards equivalent to the performance standards required of single family dwellings constructed under the State Building Code as defined in ORS 455.010.

(6) Manufactured homes shall have a garage or carport constructed of like materials.

(g) *Development standards for continued uses.*

(1) *Buildings.* Buildings housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to development standards of the Single Family Residential (RS) Zone set forth in SRC chapter 511 and to all other applicable provisions of the UDC, except the lot size and dimensions standards in SRC chapter 511.

(2) *Accessory structures.* Existing accessory structures to a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, and new accessory structures to a continued use may be constructed, provided such alteration, enlargement, rebuilding, or new accessory structure construction conforms to the development standards of the Single Family Residential (RS) Zone set forth in SRC chapter 511, except the lot size and dimensions standards, and to all other applicable provisions of the UDC.

(3) *Option to rebuild in same location.* Notwithstanding SRC 551.010(g)(1) and (2), any building or accessory structure rebuilt following damage or destruction may either be located on the same location on the lot as the original building or structure, or in compliance with the setbacks of the Single Family Residential (RS) Zone set forth in SRC 511.010(b).

(Prior Code, § 551.010; Ord. No. 31-13; Ord. No. 7-16, § 7, 6-27-2016; Ord. No. 10-17, § 19, 7-10-2017)

Sec. 551.015. Design review.

Design review under SRC chapter 225 is required for development within the IC as follows:

(a) Multiple family development shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(b) Residential care with three or more self-contained dwelling units shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(Prior Code, § 551.015; Ord. No. 31-13)

Sec. 551.020. Other provisions.

In addition to the standards set forth in this chapter, development within the IC zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807.

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 551.020; Ord. No. 31-13)

CHAPTER 552. IBC--INDUSTRIAL BUSINESS CAMPUS

Sec. 552.001. Purpose.

The purpose of the Industrial Business Campus (IBC) Zone is to implement the industrial designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. 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.

(Prior Code, § 552.001; Ord. No. 31-13)

Sec. 552.005. Uses.

(a) The permitted (P), special (S), conditional (C), and prohibited (N) uses in the IBC zone are set forth in Table 552-1.

TABLE 552-1. USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	N	
Two family	N	
Multiple family	N	
Group Living		
Room and board	N	
Residential care	N	
Nursing care	N	
Lodging		
Short-term commercial lodging	P	Short-term commercial lodging, subject to SRC 552.005(b).
Long-term commercial lodging	N	
Nonprofit shelters	N	
Retail Sales and Service		
Eating and drinking establishments	P	Eating and drinking establishments are permitted, unless noted below, subject to SRC 552.005(b).
	N	Drive-in or drive-through facilities.
Retail sales	P	The following retail sales activities, subject to SRC 552.005(b): □ Photocopying and blueprinting. □ Office supplies.
	N	All other retail sales.
Personal services	N	

TABLE 552-1. USES		
Use	Status	Limitations & Qualifications
Postal services and retail financial services	P	Postal services and retail financial services are permitted, subject to SRC 552.005(b).
Business and Professional Services		
Office	P	
Audio/visual media production	P	Audio/visual media production, provided it is conducted within an enclosed building.
Laboratory research and testing	P	Laboratory research and testing, provided it is conducted within an enclosed building.
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	P	Gasoline service stations, subject to SRC 552.005(b).
	N	All other motor vehicle services.
Commercial parking	N	
Park-and-ride facilities	N	
Taxicabs and car services	N	
Heavy vehicle and trailer sales	P	Heavy equipment rental and leasing, subject to SRC 552.005(b).
	N	All other heavy vehicle and trailer sales.
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	P	Health clubs, gyms, and membership sports and recreation clubs, subject to SRC 552.005(b).
	N	All other commercial entertainment—indoor.
Commercial entertainment—outdoor	N	
Major event entertainment	N	
Recreational and cultural community services	N	
Parks and open space	P	
Nonprofit membership assembly	N	
Religious assembly	N	
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	P	Outpatient medical services and laboratories, subject to SRC 552.005(b).
Educational Services		

TABLE 552-1. USES		
Use	Status	Limitations & Qualifications
Day care	P	Child day care services, subject to SRC 552.005(b).
	N	All other day care.
Basic education	N	
Post-secondary and adult education	P	Post-secondary and adult education, subject to SRC 552.005(b).
Civic Services		
Governmental services	P	
Social services	N	
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	P	Emergency services, subject to SRC 552.005(b).
Detention facilities	N	
Military installations	N	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	P	General repair services, subject to SRC 522.005(b).
Building and grounds services and construction contracting	P	Buildings and grounds services and construction contracting, subject to SRC 552.005(b).
Cleaning plants	N	
Industrial services	P	Industrial services, subject to SRC 552.005(b).
Wholesale Sales, Storage, and Distribution		
General wholesaling	P	General wholesaling, provided it is conducted within an enclosed building.
Heavy wholesaling	P	Heavy wholesaling, provided it is conducted within an enclosed building.
Warehousing and distribution	P	Warehousing and distribution, provided it is conducted within an enclosed building.
Self-service storage	P	Self-service storage, provided it is conducted within an enclosed building.
Manufacturing		
General manufacturing	P	General manufacturing, provided it is conducted within an enclosed building. Retail sales of products manufactured on the site are permitted.
Heavy manufacturing	N	

TABLE 552-1. USES		
Use	Status	Limitations & Qualifications
Printing	P	Printing, provided it is conducted within an enclosed building. Retail sales of products produced on the site are permitted.
Transportation Facilities		
Aviation facilities	C	Helicopter landing areas, with or without passenger and freight terminal facilities.
	N	All other aviation facilities.
Passenger ground transportation facilities	P	Transit stop shelters.
	N	All other passenger ground transportation facilities.
Marine facilities	N	
Utilities		
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	C	
Power generation facilities	C	
Data center facilities	P	Data center facilities, provided they are conducted within an enclosed building.
Fuel dealers	P	Fuel dealers, subject to SRC 552.005(b).
Waste-related facilities	N	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	Marijuana production.
	P	All other agriculture.
Forestry	N	
Agriculture and forestry services	N	
Keeping of livestock and other animals	N	
Animal services	N	
Other Uses		
Home occupations	N	

(b) Limitations on uses. Where a use is allowed subject to the provisions of this subsection, the use shall conform to the following additional limitations:

(1) The use shall be limited to no more than 10,000 square feet of total floor area per development site; provided, however:

(A) Short-term commercial lodging may accommodate up to 100 guest rooms per development site, regardless of total floor area.

(B) Health clubs, gyms, and membership sports and recreation clubs may occupy up to 50,000 square feet of total floor area per development site.

(Prior Code, § 552.005; Ord. No. 31-13; Ord. No. 22-15, § 23, 11-23-2015)

Sec. 552.010. Development standards.

Development within the IBC zone must comply with the development standards set forth in this section. Where used in this section, the term "IBC 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 an IBC District, or which is a loop street entirely within the IBC District. The term "IBC District" means contiguous IBC zoned property.

(a) *Land division in IBC zone.* In addition to the approval criteria set forth in SRC chapter 205, no land shall be divided within the IBC zone 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 property within the IBC District;

(2) The lots are complementary and compatible to other uses within the IBC District; and

(3) The lots do not preclude expansion of existing industries.

(b) *Lot standards.* Lots within the IBC zone shall conform to the standards set forth in Table 552-2.

TABLE 552-2. LOT STANDARDS

Requirement	Standard	Limitations & Qualifications
Lot Area		
All uses	None	
Lot Width		
All uses	None	
Lot Depth		
All uses	None	
Street Frontage		
All uses	Min. 16 ft.	

(c) *Setbacks.*

(1) Setbacks within the IBC zone shall be provided as set forth in Tables 552-3 and 552-4.

TABLE 552-3. SETBACKS

Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	Min. 20 ft.	Applicable where abutting an IBC Internal Street.

TABLE 552-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
	Min. 40 ft.	Applicable where abutting a street, other than an IBC Internal Street.
Accessory Structures		
Accessory to all uses	Min. 20 ft.	Applicable where abutting an IBC Internal Street.
	Min. 40 ft.	Applicable where abutting a street, other than an IBC Internal Street.
	None	Applicable to transit stop shelters.
Vehicle Use Areas		
All uses	Min. 20 ft.	
Interior Front		
Buildings		
All uses	Zone-to-zone setback (Table 552-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 552-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 552-4)	
Interior Side		
Buildings		
All uses	Zone-to-zone setback (Table 552-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 552-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 552-4)	
Interior Rear		
Buildings		
All uses	Zone-to-zone setback (Table 552-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 552-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback	

TABLE 552-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
	(Table 552-4)	

TABLE 552-4. ZONE-TO-ZONE SETBACKS			
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening
EFU	Buildings and accessory structures	Min. 40 ft.	Type C
	Vehicle use areas	Min. 20 ft.	
Residential Zone	Buildings and accessory structures	Min. 40 ft.	Type C
	Vehicle use areas	Min. 20 ft.	
Mixed-Use Zone	Buildings and accessory structures	Min. 40 ft.	Type C
	Vehicle use areas	Min. 20 ft.	
Commercial Zone	Buildings and accessory structures	Min. 40 ft.	Type C
	Vehicle use areas	Min. 20 ft.	
Public Zone	Buildings and accessory structures	Min. 40 ft.	Type C
	Vehicle use areas	Min. 20 ft.	
Industrial and Employment Zone: IBC	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 10 ft.	Type A
Industrial and Employment Zone: EC, IC, IP, IG, and II	Buildings and accessory structures	Min. 20 ft.	Type C
	Vehicle use areas		
Limitations and Qualifications (1) Zone-to-zone setbacks are not required abutting an alley.			

(2) Driveway setbacks.

(A) Driveways shall be set back from property lines abutting a street as set forth in Tables 552-3 and 552-4, except where the driveway provides direct access to a street.

(B) Driveways shall be set back from interior property lines separating an IBC zoned property from a non-IBC zoned property as set forth in Tables 552-3 and 552-4, except where the driveway provides direct access to an abutting property or to a street.

(C) Driveways shall set back from interior property lines separating an IBC zoned property from another IBC zoned property as set forth in Tables 552-3 and 552-4, except where the driveway provides direct access to an abutting property or street, or where a common driveway is provided along a property line between separately owned IBC zoned properties. Where a common driveway is provided along a property line between separately owned IBC zoned properties, a minimum ten-foot wide landscaped area shall be provided parallel to and along each side of the common driveway.

(d) *Lot coverage; height.* Buildings and accessory structures within the IBC zone shall conform to the lot coverage and height standards set forth in Table 552-5.

TABLE 552-5. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
All uses	No Max.	
Height		
Buildings		
All uses	Max. 70 ft.	
Accessory Structures		
Accessory to all uses	Max. 70 ft.	

(e) *Off-street parking and loading.* Off-street parking and loading within the IBC zone shall, in addition to the off-street parking and loading requirements set forth in SRC chapter 806, conform to the following additional requirements:

(1) *Off-street parking.* Not more than ten percent of the required off-street parking spaces may be located in a required setback abutting a street. For purposes of this ~~paragraph~~ 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 six-foot-high sight-obscuring fence, wall, or hedge; or a berm a minimum of four feet in height.

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

(f) *Landscaping.*

(1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

(2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and ~~SRC chapter~~ 807.

(3) *Development site.* A minimum of 20 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicle use areas, may count towards meeting this requirement.

(g) *Outdoor storage.* Within the IBC zone, 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 14 feet above grade; provided, however, materials and equipment more than six feet in height above grade shall be screened by sight-obscuring landscaping.

(h) *Industrial performance standards.* Within the IBC zone, no land or structure shall be used or occupied unless maintained and operated in continuing compliance with all applicable standards adopted by the Oregon Department of Environmental Quality (DEQ), including the holding of all licenses and permits required by DEQ regulation, local ordinance, and state and federal law.

(i) *Additional development standards for uses allowed subject to SRC 552.005(b).* Uses within the IBC zone allowed subject to SRC 552.005(b) shall conform to the following additional development standards:

(1) Buildings fronting a street and within 50 feet of an abutting property shall have glass frontage not less than 35 percent of the area of the street front wall.

(2) Outdoor storage areas shall:

(A) Be no more than 3,000 square feet per building and shall not be aggregated with the storage of another building;

(B) Be enclosed with a minimum six-foot-high sight-obscuring fence or wall;

(C) Have at least one side conterminous with the building which it serves; and

(D) Have no opening within 50 feet and visible from any property boundary.

(Prior Code, § 552.010; Ord. No. 31-13)

Sec. 552.015. Other provisions.

In addition to the standards set forth in this chapter, development within the IBC zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807.

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 552.015; Ord. No. 31-13)

CHAPTER 553. IP--INDUSTRIAL PARK

Sec. 553.001. Purpose.

The purpose of the Industrial Park (IP) Zone is to implement the industrial designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The IP zone allows industrial uses, along uses providing services and support to industry, in a park like setting.

(Prior Code, § 553.001; Ord. No. 31-13)

Sec. 553.005. Uses.

(a) The permitted (P), special (S), conditional (C), and prohibited (N) uses in the IP zone are set forth in Table 553-1.

TABLE 553-1. USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	P	Dwelling unit for a caretaker on the premises being cared for or guarded.
	S	Manufactured home as a dwelling for a caretaker, subject to SRC 700.030.
	N	All other single family.
Two family	N	
Multiple family	N	
Group Living		
Room and board	N	
Residential care	N	
Nursing care	N	
Lodging		
Short-term commercial lodging	P	
Long-term commercial lodging	N	
Nonprofit shelters	N	
Retail Sales and Service		
Eating and drinking establishments	P	
Retail sales	P	The following retail sales activities: □ News dealers and newsstands. □ Tobacco stores and stands. □ Caterers.
	N	All other retail sales.
Personal services	N	

TABLE 553-1. USES		
Use	Status	Limitations & Qualifications
Postal services and retail financial services	P	Banks, credit unions, and other customer-oriented facilities for financial institutions.
	N	All other postal services and retail financial services.
Business and Professional Services		
Office	P	The following office activities: Photofinishing laboratories. Headquarters of banks and other financial institutions. Insurance carriers and brokers. Real estate. Communication services. Engineering, architectural, and surveying services. Accounting services. Management and public relations services. Technical services provided by independent authors and artists. Research. Music publishing. Actuarial consulting. Environmental consultants. Call centers. Vocational trade schools.
	N	All other office.
Audio/visual media production	P	
Laboratory research and testing	P	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	P	The following motor vehicle services activities: Motorcycle repair. Gasoline service stations.
	N	All other motor vehicle services.
Commercial parking	P	
Park-and-ride facilities	P	
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	

TABLE 553-1. USES		
Use	Status	Limitations & Qualifications
Heavy vehicle and trailer service and storage	P	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	P	Health clubs, gyms, and membership sports and recreation clubs.
	N	All other commercial entertainment—indoor.
Commercial entertainment—outdoor	N	
Major event entertainment	N	
Recreational and cultural community services	N	
Parks and open space	P	
Nonprofit membership assembly	N	
Religious assembly	N	
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	N	
Educational Services		
Day care	P	Child day care services.
	N	All other day care.
Basic education	N	
Post-secondary and adult education	P	Vocational trade schools.
	N	All other post-secondary and adult education.
Civic Services		
Governmental services	N	
Social services	N	
Governmental maintenance services and construction	P	
Public Safety		
Emergency services	P	
Detention facilities	N	
Military installations	N	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	

TABLE 553-1. USES		
Use	Status	Limitations & Qualifications
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	P	
Building and grounds services and construction contracting	P	
Cleaning plants	P	
Industrial services	P	
Wholesale Sales, Storage, and Distribution		
General wholesaling	P	
Heavy wholesaling	C	The following heavy wholesaling activities: □ Petroleum and petroleum products wholesalers. □ Chemicals and allied products wholesalers. □ Firearms wholesalers. □ Wood products and timber wholesalers.
	N	All other heavy wholesaling.
Warehousing and distribution	P	
Self-service storage	P	
Manufacturing		
General manufacturing	P	
Heavy manufacturing	N	The following heavy manufacturing activities: □ Petroleum and coal products manufacturing. □ Primary metal manufacturing. □ Cement and concrete product manufacturing. □ Lime and gypsum product manufacturing.
	C	All other heavy manufacturing activities.
Printing	P	
Transportation Facilities		
Aviation facilities	C	Helicopter landing areas, with or without passenger and freight terminal facilities.
	N	All other aviation facilities.
Passenger ground transportation facilities	P	
Marine facilities	N	
Utilities		
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.

TABLE 553-1. USES		
Use	Status	Limitations & Qualifications
Drinking water treatment facilities	C	
Power generation facilities	C	
Data center facilities	P	
Fuel dealers	N	
Waste-related facilities	P	Recycling depots.
	C	Solid waste transfer stations.
	N	All other waste-related facilities.
Mining and Natural Resource Extraction		
Petroleum and natural gas production	C	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	C	Marijuana production.
	P	All other agriculture.
Forestry	P	
Agriculture and forestry services	N	
Keeping of livestock and other animals	C	
Animal services	C	
Other Uses		
Home occupations	S	Home occupations, subject to SRC 700.020.
Accessory dwelling units	S	Accessory dwelling units, subject to SRC 700.00~~6~~7.

(b) Continued uses. Existing single family and two family uses ~~detached dwellings~~, other than manufactured dwellings, within the IP zone constructed prior to February 1, 1983, but which would otherwise be made nonconforming by this chapter, are hereby deemed continued uses.

(1) Building or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 553.010(g).

(2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for a residential use; provided, however, conversion of the building or structure to a nonresidential use shall thereafter prevent conversion back to a residential use.

(Prior Code, § 553.005; Ord. No. 31-13; Ord. No. 22-15, § 24, 11-23-2015; Ord. No. 7-16, § 8, 6-27-2016; Ord. No. 10-16, § 4, 8-8-2016; Ord. No. 10-17, § 20, 7-10-2017)

Sec. 553.010. Development standards.

Development within the IP zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the IP zone shall conform to the standards set forth in Table 553-2.

TABLE 553-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
All uses	None	
Lot Width		
All uses	None	
Lot Depth		
All uses	None	
Street Frontage		
Single family	Min. 40 ft.	
	Min. 30 ft.	Applicable to lots fronting on the turnaround of cul-de-sac street or the outside curve of a curved street having a radius of 200 ft. or less and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line.
All other uses	Min. 16 ft.	

(b) *Setbacks.* Setbacks within the IP zone shall be provided as set forth in Tables 553-3 and 553-4.

TABLE 553-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	Min. 20 ft.	
Accessory Structures		
Accessory to all uses	Min. 20 ft.	Not applicable to transit stop shelters.
Vehicle Use Areas		
All uses	Min. 20 ft.	
Interior Front		
Buildings		
All uses	Zone-to-zone setback (Table 553-4)	Not applicable adjacent to a railroad siding or spur.
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 553-4)	Not applicable adjacent to a railroad siding or spur.
Vehicle Use Areas		

TABLE 553-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
All uses	Zone-to-zone setback (Table 553-4)	Not applicable adjacent to a railroad siding or spur.
Interior Side		
Buildings		
All uses	Zone-to-zone setback (Table 553-4)	Not applicable adjacent to a railroad siding or spur.
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 553-4)	Not applicable adjacent to a railroad siding or spur.
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 553-4)	Not applicable adjacent to a railroad siding or spur.
Interior Rear		
Buildings		
All uses	Zone-to-zone setback (Table 553-4)	Not applicable adjacent to a railroad siding or spur.
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 553-4)	Not applicable adjacent to a railroad siding or spur.
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 553-4)	Not applicable adjacent to a railroad siding or spur.

TABLE 553-4. ZONE-TO-ZONE SETBACKS			
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening
EFU	Buildings and accessory structures	Min. 10 ft.	Type A
	Vehicle use areas		
Residential Zone	Buildings and accessory structures	Min. 30 ft.	Type C
	Vehicle use areas		
Mixed-Use Zone	Buildings and accessory structures	Min. 10 ft.	Type A
	Vehicle use areas		
Commercial Zone	Buildings and accessory structures	Min. 10 ft.	Type A
	Vehicle use areas		
Public Zone	Buildings and accessory structures	Min. 10 ft.	Type A
	Vehicle use areas		

TABLE 553-4. ZONE-TO-ZONE SETBACKS			
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening
Industrial and Employment Zone: EC, IC, IBC, and IP	Buildings and accessory structures	Min. 10 ft.	Type A
	Vehicle use areas		
Industrial and Employment Zone: IG and II	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		
Limitations and Qualifications (1) Zone-to-zone setbacks are not required abutting an alley.			

(c) *Lot coverage; height.* Buildings and accessory structures within the IP zone shall conform to the lot coverage and height standards set forth in Table 553-5.

TABLE 553-5. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
All uses	No Max.	
Height		
Buildings		
All uses	Max. 45 ft.	
Accessory Structures		
Accessory to all uses	Max. 45 ft.	

(d) *Landscaping.*

(1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

(2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and ~~SRC chapter~~ 807.

(3) *Development site.* A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicle use areas, may count towards meeting this requirement.

(e) *Outdoor storage.* Within the IP zone, 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 14 feet above grade; provided, however, materials and equipment more than six feet in height above grade shall be screened by sight-obscuring landscaping.

(f) *Industrial performance standards.* Within the IP zone, no land or structure shall be used or occupied unless maintained and operated in continuing compliance with all applicable standards adopted by the Oregon Department of Environmental Quality (DEQ), including the holding of all licenses and permits required by DEQ regulation, local ordinance, and state and federal law.

(g) *Development standards for continued uses.*

(1) *Buildings.* Buildings housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to development standards of the Single Family Residential (RS) Zone set forth in SRC chapter 511 and to all other applicable provisions of the UDC, except the lot size and dimensions standards in SRC chapter 511.

(2) *Accessory structures.* Existing accessory structures to a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, and new accessory structures to a continued use may be constructed, provided such alteration, enlargement, rebuilding, or new accessory structure construction conforms to the development standards of the Single Family Residential (RS) Zone set forth in SRC chapter 511, except the lot size and dimensions standards, and to all other applicable provisions of the UDC.

(3) *Option to rebuild in same location.* Notwithstanding SRC 553.010(g)(1) and (2), any building or accessory structure rebuilt following damage or destruction may either be located on the same location on the lot as the original building or structure, or in compliance with the setbacks of the Single Family Residential (RS) Zone set forth in SRC 511.010(b).

(Prior Code, § 553.010; Ord. No. 31-13; Ord. No. 7-16, § 9, 6-27-2016)

Sec. 553.015. Other provisions.

In addition to the standards set forth in this chapter, development within the IP zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807.

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 553.015; Ord. No. 31-13)

CHAPTER 554. IG--GENERAL INDUSTRIAL

Sec. 554.001. Purpose.

The purpose of the General Industrial (IG) Zone is to implement the industrial designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The IG zone generally allows a wide range of manufacturing, distribution, and storage uses, and prohibits uses that are incompatible with industrial development.

(Prior Code, § 554.001; Ord. No. 31-13)

Sec. 554.005. Uses.

(a) The permitted (P), special (S), conditional (C), and prohibited (N) uses in the IG zone are set forth in Table 554-1.

TABLE 554-1. USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	P	Dwelling unit for a caretaker on the premises being cared for or guarded.
	S	Manufactured home as a dwelling for a caretaker, subject to SRC 700.030.
	N	All other single family.
Two family	N	
Multiple family	N	
Group Living		
Room and board	N	
Residential care	N	
Nursing care	N	
Lodging		
Short-term commercial lodging	P	Short-term rentals.
	N	All other short-term commercial lodging.
Long-term commercial lodging	N	
Nonprofit shelters	N	
Retail Sales and Service		
Eating and drinking establishments	P	
Retail sales	P	The following retail sales activities: □ Photocopying, duplicating, and blueprinting services. □ Retail nurseries and lawn and garden supply stores. □ Lumber and other building materials dealers.

TABLE 554-1. USES		
Use	Status	Limitations & Qualifications
	N	All other retail sales.
Personal services	P	The following personal services activities are permitted: □ Laundromats. □ Drycleaners.
	N	All other personal services.
Postal services and retail financial services	P	Banks, credit unions, and other customer-oriented facilities for financial institutions.
	N	All other postal services and retail financial services.
Business and Professional Services		
Office	P	The following office activities are permitted: □ Headquarters of banks and other financial institutions. □ Direct mail advertising services. □ Commercial art and photography. □ Secretarial and court reporting services. □ Photo finishing laboratories. □ Management and public relations services. □ Outdoor advertising services. □ Professional, business, or political membership organizations. □ Arrangement of transportation. □ Vocational trade schools. □ Research. □ Telecommunication services.
	N	All other office.
Audio/visual media production	P	
Laboratory research and testing	P	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services		
Motor vehicle and manufactured dwelling and trailer sales	N	The following motor vehicle and manufactured dwelling and trailer sales activities: □ Automobile sales. □ Manufactured dwelling sales. □ Recreational vehicle sales, when the sales display area is greater than 5 acres in size.
	P	All other motor vehicle and manufactured dwelling and trailer sales.
Motor vehicle services	N	Gasoline service stations.
	P	All other motor vehicle services.

TABLE 554-1. USES		
Use	Status	Limitations & Qualifications
Commercial parking	P	
Park-and-ride facilities	P	
Taxicabs and car services	P	
Heavy vehicle and trailer sales	P	
Heavy vehicle and trailer service and storage	N	Truck stops.
	P	All other heavy vehicle and trailer service and storage.
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	P	Health clubs, gyms, and membership sports and recreation clubs.
	N	All other commercial entertainment—indoor.
Commercial entertainment—outdoor	N	
Major event entertainment	C	Race tracks.
	N	All other major event entertainment.
Recreational and cultural community services	N	
Parks and open space	P	
Nonprofit membership assembly	P	
Religious assembly	P	
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	N	
Educational Services		
Day care	P	Child day care services.
	N	All other day care.
Basic education	N	
Post-secondary and adult education	P	Vocational trade schools.
	N	All other post-secondary and adult education.
Civic Services		
Governmental services	N	
Social services	N	
Governmental maintenance services and construction	P	
Public Safety		
Emergency services	P	

TABLE 554-1. USES		
Use	Status	Limitations & Qualifications
Detention facilities	N	
Military ~~instillations~~ installations	N	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	P	
Building and grounds services and construction contracting	P	
Cleaning plants	P	
Industrial services	P	
Wholesale Sales, Storage, and Distribution		
General wholesaling	P	
Heavy wholesaling	S	Scrap and waste material wholesalers, subject to SRC 700.~~060.~~065.
	C	Chemicals and allied products wholesalers.
	P	All other heavy wholesaling.
Warehousing and distribution	P	
Self-service storage	P	
Manufacturing		
General manufacturing	P	
Heavy manufacturing	C	
Printing	P	
Transportation Facilities		
Aviation facilities	C	Helicopter landing areas, with or without passenger and freight terminal facilities.
	N	All other aviation facilities.
Passenger ground transportation facilities	P	
Marine facilities	P	The following marine facilities: □ Water transportation of passengers. □ Services incidental to water transportation services.
	N	All other marine facilities.
Utilities		
Basic utilities	P	

TABLE 554-1. USES		
Use	Status	Limitations & Qualifications
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	P	
Power generation facilities	P	
Data center facilities	N	
Fuel dealers	P	
Waste-related facilities	P	Recycling depots.
	C	Solid waste transfer stations.
	N	All other waste-related facilities.
Mining and Natural Resource Extraction		
Petroleum and natural gas production	C	
Surface mining	C	
Farming, Forestry, and Animal Services		
Agriculture	S	Marijuana production~~, subject to SRC 700.035~~.
	P	All other agriculture.
Forestry	P	
Agriculture and forestry services	P	
Keeping of livestock and other animals	C	
Animal services	P	
Other Uses		
Home occupations	S	Home occupations, subject to SRC 700.020.
Accessory dwelling units	S	Accessory dwelling units, subject to SRC 700.00~~6~~7.

(b) Continued uses. Existing single family and two family uses~~ detached dwellings~~, other than manufactured dwellings, within the IG zone constructed prior to February 1, 1983, but which would otherwise be made nonconforming by this chapter, are hereby deemed continued uses.

(1) Building or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 554.010(f).

(2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for a residential use; provided, however, conversion of the building or structure to a nonresidential use shall thereafter prevent conversion back to a residential use.

(Prior Code, § 554.005; Ord. No. 31-13; Ord. No. 11-14; Ord. No. 22-15, § 25, 11-23-2015; Ord. No. 7-16, § 10, 6-27-2016; Ord. No. 5-17, § 35(554.005), 6-12-2017; Ord. No. 10-17, § 21, 7-10-2017)

Sec. 554.010. Development standards.

Development within the IG zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the IG zone shall conform to the standards set forth in Table 554-2.

TABLE 554-2. LOT STANDARDS

Requirement	Standard	Limitations & Qualifications
Lot Area		
All uses	None	
Lot Width		
All uses	None	
Lot Depth		
All uses	None	
Street Frontage		
Single family	Min. 40 ft.	
	Min. 30 ft.	Applicable to lots fronting on the turnaround of cul-de-sac street or the outside curve of a curved street having a radius of 200 ft. or less and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line.
All other uses	Min. 16 ft.	

(b) *Setbacks.* Setbacks within the IG zone shall be provided as set forth in Tables 554-3 and 554-4.

TABLE 554-3. SETBACKS

Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	Min. 5 ft.	
Accessory Structures		
Accessory to all uses	Min. 5 ft.	Not applicable to transit stop shelters.
Vehicle Use Areas		
All uses	Per SRC chapter 806	
Interior Front		
Buildings		
All uses	Zone-to-zone setback (Table 554-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 554-4)	

TABLE 554-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 554-4)	
Interior Side		
Buildings		
All uses	Zone-to-zone setback (Table 554-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 554-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 554-4)	
Interior Rear		
Buildings		
All uses	Zone-to-zone setback (Table 554-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 554-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 554-4)	

TABLE 554-4. ZONE-TO-ZONE SETBACKS			
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening
EFU	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		
Residential Zone	Buildings and accessory structures	Min. 40 ft.	Type E
	Vehicle use areas		
Mixed-Use Zone	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		
Commercial Zone	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		
Public Zone	Buildings and accessory structures	Min. 10 ft.	Type C

TABLE 554-4. ZONE-TO-ZONE SETBACKS			
Abutting Zone	Type of Improvement	Setback (1)	Landscaping & Screening
	Vehicle use areas		
Industrial and Employment Zone: EC, IC, IBC, and IP	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		
Industrial and Employment Zone: IG and II	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft.	Type A
Limitations and Qualifications (1) Zone-to-zone setbacks are not required abutting an alley.			

(c) *Lot coverage; height.* Buildings and accessory structures within the IG zone shall conform to the lot coverage and height standards set forth in Table 554-5.

TABLE 554-5. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
All uses	No Max.	
Height		
Buildings		
All uses	Max. 70 ft.	
Accessory Structures		
Accessory to uses	Max. 70 ft.	

(d) *Landscaping.*

(1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

(2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and ~~SRC chapter~~ 807.

(e) *Industrial performance standards.* Within the IG zone no land or structure shall be used or occupied unless maintained and operated in continuing compliance with all applicable standards adopted by the Oregon Department of Environmental Quality (DEQ), including the holding of all licenses and permits required by DEQ regulation, local ordinance, and state and federal law.

(f) *Development standards for continued uses.*

(1) *Buildings.* Buildings housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to development standards of the Single Family Residential (RS) Zone set forth in SRC chapter 511 and to all other applicable provisions of the UDC, except the lot size and dimensions standards in SRC chapter 511.

(2) *Accessory structures.* Existing accessory structures to a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, and new accessory structures to a continued use may be constructed, provided such alteration, enlargement, rebuilding, or new accessory structure construction conforms to the development standards of the Single Family Residential (RS) Zone set forth in SRC chapter 511, except the lot size and dimensions standards, and to all other applicable provisions of the UDC.

(3) *Option to rebuild in same location.* Notwithstanding SRC 554.010(f)(1) and (2), any building or accessory structure rebuilt following damage or destruction may either be located on the same location on the lot as the original building or structure, or in compliance with the setbacks of the Single Family Residential (RS) Zone set forth in SRC 511.010(b).

(Prior Code, § 554.010; Ord. No. 31-13; Ord. No. 7-16, § 11, 6-27-2016)

Sec. 554.015. Other provisions.

In addition to the standards set forth in this chapter, development within the IG zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807.

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 554.015; Ord. No. 31-13)

CHAPTER 555. II--INTENSIVE INDUSTRIAL

Sec. 555.001. Purpose.

The purpose of the Intensive Industrial (II) Zone is to implement the Industrial designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The II zone generally allows a mix of heavy manufacturing and wholesaling uses, together with a wide variety of general manufacturing uses.

(Prior Code, § 555.001; Ord. No. 31-13)

Sec. 555.005. Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the II zone are set forth in Table 555-1.

TABLE 555-1. II ZONE USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	C	Dwelling unit for a caretaker on the premises being cared for or guarded.
	N	All other single family.
Two family	N	
Multiple family	N	
Group Living		
Room and board	N	
Residential care	N	
Nursing care	N	
Lodging		
Short-term commercial lodging	N	
Long-term commercial lodging	N	
Nonprofit shelters	N	
Retail Sales and Service		
Eating and drinking establishments	C	
Retail sales	N	
Personal services	N	
Postal services and retail financial services	P	Banks, credit unions, and other customer-oriented facilities for financial institutions.
	N	All other postal services and retail financial services.
Business and Professional Services		

TABLE 555-1. II ZONE USES		
Use	Status	Limitations & Qualifications
Office	P	The following office activities: □ Headquarters of banks and other financial institutions. □ Telecommunication services.
	N	All other office.
Audio/visual media production	P	
Laboratory research and testing	N	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	
Commercial parking	P	
Park-and-ride facilities	P	
Taxicabs and car services	N	
Heavy vehicle and trailer sales	P	
Heavy vehicle and trailer service and storage	P	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	C	Night clubs.
	N	All other commercial entertainment—indoor.
Commercial entertainment—outdoor	N	
Major event entertainment	N	
Recreational and cultural community services	N	
Parks and open space	P	
Nonprofit membership assembly	N	
Religious assembly	N	
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	N	
Educational Services		
Day care	P	Child day care services.
	N	All other day care.
Basic Education	N	

TABLE 555-1. II ZONE USES		
Use	Status	Limitations & Qualifications
Post-secondary and adult education	N	
Civic Services		
Governmental services	N	
Social services	N	
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	P	
Detention facilities	N	
Military installations	N	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	N	
Building and grounds services and construction contracting	P	Utility storage yards.
	N	All other buildings and grounds services and construction contracting.
Cleaning plants	N	
Industrial services	P	
Wholesale Sales, Storage, and Distribution		
General wholesaling	P	
Heavy wholesaling	P	
Warehousing and distribution	N	
Self-service storage	N	
Manufacturing		
General manufacturing	P	
Heavy manufacturing	P	
Printing	P	
Transportation Facilities		
Aviation facilities	C	Helicopter landing areas, with or without passenger and freight terminal facilities, are allowed conditionally.
	N	All other aviation facilities.
Passenger ground Transportation Facilities	P	Transit stop shelters.
	N	All other passenger ground transportation facilities.

TABLE 555-1. II ZONE USES		
Use	Status	Limitations & Qualifications
Marine facilities	P	The following Marine Facilities: □ Water transportation of passengers. □ Services incidental to water transportation services.
	N	All other Marine Facilities.
Utilities		
Basic Utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	P	
Power generation facilities	P	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	P	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	C	
Surface mining	C	
Farming, Forestry, and Animal Services		
Agriculture	S	Marijuana production~~, subject to SRC 700.035~~.
	P	All other agriculture
Forestry	P	
Agriculture and forestry services	N	
Keeping of livestock and other animals	P	Wholesaling of livestock, including operation of livestock auction markets.
	N	All other keeping of livestock and other animals.
Animal services	P	
Other Uses		
Home occupations	N	

(Prior Code, § 555.005; Ord. No. 31-13; Ord. No. 22-15, § 26, 11-23-2015)

Sec. 555.010. Development standards.

Development within the II zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the II zone shall conform to the standards set forth in Table 555-2.

TABLE 555-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
All uses	None	
Lot Width		
All uses	None	
Lot Depth		
All uses	None	
Street Frontage		
All uses	Min. 16 ft.	

(b) *Setbacks.* Setbacks within the II zone shall be provided as set forth in Tables 555-3 and 555-4.

TABLE 555-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	Min. 5 ft.	
Accessory Structures		
Accessory to all uses	Min. 5 ft.	Not applicable to transit stop shelters.
Vehicle Use Areas		
All uses	Per SRC chapter 806	
Interior Front		
Buildings		
All uses	Zone-to-zone setback (Table 555-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 555-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 555-4)	
Interior Side		
Buildings		
All uses	Zone-to-zone setback (Table 555-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback	

TABLE 555-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
	(Table 555-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 555-4)	
Interior Rear		
Buildings		
All uses	Zone-to-zone setback (Table 555-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 555-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 555-4)	

TABLE 555-4. ZONE-TO-ZONE SETBACKS			
Abutting Zone	**Type of Improvement**	**Setback (1)**	**Landscaping & Screening**
EFU	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		
Residential Zone	Buildings and accessory structures	Min. 40 ft.	Type E
	Vehicle use areas		
Mixed-Use Zone	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		
Commercial Zone	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		
Public Zone	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		
Industrial and Employment Zone: EC, IC, IBC, and IP	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		
Industrial and Employment Zone: IG and II	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft.	Type A
Limitations and Qualifications (1) Zone-to-zone setbacks are not required abutting an alley.			

(c) *Lot coverage; height.* Buildings and accessory structures within the II zone shall conform to the lot

coverage and height standards set forth in Table 555-5.

TABLE 555-5. LOT COVERAGE; HEIGHT		
Requirement	**Standard**	**Limitations & Qualifications**
Lot Coverage		
Buildings and Accessory Structures		
All uses	No Max.	
Height		
Buildings		
All uses	Max. 70 ft.	
Accessory Structures		
Accessory to all uses	Max. 70 ft.	

(d) *Landscaping.*

(1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

(2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and ~~SRC chapter~~ 807.

(e) *Industrial performance standards.* Within the II zone, no land or structure shall be used or occupied unless maintained and operated in continuing compliance with all applicable standards adopted by the Oregon Department of Environmental Quality (DEQ), including the holding of all licenses and permits required by DEQ regulations, local ordinance, and state and federal law.

(Prior Code, § 555.010; Ord. No. 31-13)

Sec. 555.015. Other provisions.

In addition to the standards set forth in this chapter, development within the II zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807.

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 555.015; Ord. No. 31-13)

CHAPTERS 556—599. RESERVED

CHAPTER 600. WILLAMETTE GREENWAY

Sec. 600.001. Purpose.

The purpose of this chapter is:

(a) To protect and enhance the natural, scenic, recreational, historical, and economic resources of the Willamette River corridor;

(b) To implement the goals and policies of the comprehensive plan, the Willamette River Greenway Plan, and Goal 15 of the statewide planning goals;

(c) To establish standards and requirements for the use of lands within the Willamette River Greenway of Salem;

(d) To provide for the review of any intensification, change of use, or development of properties located within the Willamette River Greenway of Salem;

(e) To allow for use and development consistent with the underlying land use designation while preserving, protecting, and enhancing the scenic qualities of the river and the riparian area;

(f) To allow and encourage a variety of water-dependent, water-related, and river-oriented uses, recreational developments, and public access to and along the river while preserving, protecting, and enhancing the scenic qualities of the river and the riparian area;

(g) To insure that land use and activities which make use of the riparian area are limited to moderate impact on that environment, and do not endanger it;

(h) To insure that the intensification, change of use, or development on a site is in keeping with the function of the Willamette River Greenway Plan, and preserves and enhances the scenic qualities or economic function of the river, the site, and adjacent riparian lands;

(i) To insure that the proposed development is in harmony with existing and proposed adjoining land uses;

(j) To protect and improve water quality in the Willamette River in order to support designated beneficial water uses, and to protect the functional value of the riparian area and provide a riparian buffer to separate the Willamette River from development.

(Prior Code, § 600.001; Ord. No. 31-13)

Sec. 600.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Bank slope*~~:~~ means the rate of incline of the bank of the Willamette River, established by measuring 50 feet horizontally landward from the ordinary high water line and dividing the difference in elevation by 50 and multiplying by 100. Example: If the 50-foot horizontal distance from ordinary high water line equals a difference of elevation of ten feet, than the bank slope equals (10÷50) x 100, or 20 percent.

~~(b)~~ *Canopy cover*~~:~~ means the area beneath the above ground parts of a tree within the dripline of the tree.

~~(c)~~*Change of use*~~:~~ means making a different use of the land or water than that which existed on December 6, 1975. Change of use includes changes which require construction or alteration to land or water outside of existing buildings, structures, or open storage areas and which substantially alters or affects land or water. Change of use does not include:

~~(1)~~ (a) A change of use of a building or other structure which does not substantially alter or affect the land or water upon which it is located;

~~(2)~~ (b) The completion of a structure for which a valid permit has been issued as of December 6, 1975, and under which substantial construction was undertaken by July 1, 1976;

~~(3)~~ (c) The sale of property;

~~(4)~~ (d) Landscaping;

~~(5)~~ (e) Construction of driveway approaches;

~~(6)~~ (f) Modifications of existing structures; or

~~(7)~~ (g) The construction or placement of accessory structures or facilities that are usual and necessary to the use and enjoyment of existing improvements, as permitted by this chapter.

~~(d)~~ *Compatibility review*~~:~~ means the review of intensification, changes of use, and development within the compatibility review boundary.

~~(e)~~*Compatibility review boundary*~~:~~ means that area, as designated under SRC 600.010, located within the Willamette River Greenway and for which compatibility review is required by Goal 15.

~~(f)~~*Development*~~:~~ means to conduct mining, landfill, or excavation; to make a physical change in the use or appearance of land; to divide land into lots or parcels; to construct improvements requiring a building permit if such improvements are not part of existing structures; to clear land if such clearance requires a permit under SRC chapter 808; or to create or terminate a right of access.

~~(g)~~ *Enhancement*~~:~~ means increasing the net ecological functional values of the riparian buffer by any of the following:

~~(1)~~ (a) Removal of impervious surfaces;

~~(2)~~ (b) Restoring natural bank slopes; or

~~(3)~~ (c) Increasing the cover and diversity of native vegetation.

~~(h)~~ *Floodway*~~:~~ means a floodway as defined in SRC chapter 601.

~~(i)~~*Impervious surface*~~:~~ means areas or surfaces located above ground, at ground surface, or below ground which prevent infiltration of stormwater into the subsurface, or which cause stormwater to run off at an increased rate of flow from that present under natural, undeveloped conditions. Common impervious surfaces include, but are not limited to, roofs, concrete, and asphalt.

~~(j)~~*Infiltration system*~~:~~ means a drainage system designed to allow stormwater to percolate into the soil.

~~(k)~~ *Intensification*~~:~~ means any addition which increases or expands the area or level of activity of an existing use or activity; or any remodeling of the exterior of a structure which will substantially alter the appearance of the structure. For purposes of this definition, “intensification" does not include:

~~(1)~~ (a) Completion of a structure for which a valid permit has been issued as of December 6, 1975, and under which substantial construction has been undertaken by July 1, 1976;

~~(2)~~ (b) Maintenance and repair, usual and necessary for the continuance of an existing use;

~~(3)~~ (c) Reasonable emergency procedures necessary for the safety or protection of property; or

~~(4)~~ (d) Seasonal increases in gravel operations.

~~(l)~~*Native vegetation*~~:~~ means any plant species indigenous to the Willamette River area and appropriate to the locality, due to conditions such as hydrology, soils, light availability, and slope aspect. A representative list of native vegetation can be found in the City of Salem Native Plant List.

~~(m)~~ *Ordinary high water line*~~:~~ means the water elevation of the Willamette River as determined by the Oregon Division of State Lands and mapped and graphed by river-mile on the “Willamette River Public Lands Under the Jurisdiction of Oregon State Land Board” dated March 1975. On site elevation locations shall be determined by field topographic survey, aerial photography, City of Salem contour maps on file with the Public Works Department, United States Geological Survey Quadrangle maps, or other suitable methods recognized by professional surveyors and engineers and approved by the Director.

~~(n)~~ *Ordinary low water line*~~:~~ means the water elevation of the Willamette River as determined by the Oregon Division of State Lands and mapped and graphed by river-mile on the "Willamette River Public Lands Under the Jurisdiction of Oregon State Land Board" dated March 1975. On site elevation locations shall be determined by field topographic survey, aerial photography, City of Salem contour maps on file with the Public Works Department, United States Geological Survey Quadrangle maps, or other suitable methods recognized by professional surveyors and engineers and approved by the Director.

~~(o)~~ *Retention*~~:~~ means the restriction and storage, or alternative disposal, of runoff without direct release to a point of disposal.

~~(p)~~ *Riparian area*~~:~~ means the lands which are adjacent to the Willamette River and the Willamette Slough. Riparian areas are transitional zones between aquatic and upland terrestrial ecosystems, and as such, contain elements of each ecosystem.

~~(q)~~ *Riparian buffer*~~:~~ means a designated area adjoining the Willamette River intended to maximize the ecological, scenic, and aesthetic values of the river through maintaining the natural river corridor, minimizing erosion, nutrient, and pollutant loading, providing for filtration and infiltration of stormwater runoff, and stabilizing slopes to prevent landslides and accelerated rates of channel migration contributing to sedimentation. The riparian buffer is measured from the ordinary high water line.

~~(r)~~ *River-oriented use*~~:~~ means a use or activity which would be benefited by a Willamette River overlook and by a geographic relationship in proximity to the Willamette River.

~~(s)~~ *Stormwater Management Design Standards*~~:~~ means those standards and specifications on file in the office of the Director that serve as the general design guideline for all publicly owned and maintained storm drainage facilities within the City. The purpose of these standards is to provide uniformity under which storm drainage facilities within the City are designed, constructed, and maintained.

~~(t)~~ *Water-dependent use*~~:~~ means a use or activity which can be carried out only on, in, or adjacent to a water body, because the use or activity requires access to the water body for transportation, recreation, energy production, or source of water.

~~(u)~~ *Water-related use*~~:~~ means a use or activity which is not directly dependent upon access to a water body, but which provides goods or services that are directly associated with water-dependent use. Residences, parking lots, spoil and dump sites, roads and highways, restaurants, businesses, factories, and trailer parks are not generally considered water dependent or water related uses.

~~(v)~~ *Willamette Greenway Boundary*~~:~~ means that edge of the area adjacent to the Willamette River mapped as the Willamette Greenway by the Oregon Department of Transportation.

~~(w)~~ *Willamette River*~~:~~ means the waterway commonly known by that name, and including that body of water commonly known as the Willamette Slough.

~~(x)~~ *Willamette River Greenway*~~:~~ means all land within the Willamette Greenway Boundary as mapped by the Oregon Department of Transportation.

~~(y)~~ *Willamette River Greenway Plan*~~:~~ means the component of the Salem Area Comprehensive Plan with that name, adopted under SRC chapter 64.

(Prior Code, § 600.005; Ord. No. 31-13)

Sec. 600.010. Willamette Greenway Overlay Zone boundary; compatibility review boundary.

(a) *Willamette Greenway Overlay Zone boundary.* The boundary of the Willamette Greenway Overlay Zone shall be the Willamette Greenway Boundary, as mapped by the Oregon Department of Transportation. At the time of annexation, the Willamette Greenway Overlay Zone shall be automatically applied to any land, or portion thereof, within the annexed territory that lies within the Willamette Greenway Boundary.

(b) *Compatibility Review Boundary.* The Compatibility Review Boundary is that area within the Willamette Greenway Overlay Zone that is located along each bank of the Willamette River, and lying 150 feet from the ordinary low water line of the Willamette River.

(Prior Code, § 600.010; Ord. No. 31-13)

Sec. 600.015. Willamette Greenway development permit.

(a) *Applicability.*

(1) Except as provided under ~~paragraph~~ subsection (a)(2) of this ~~sub~~section, no intensification, change of use, or development within the Willamette Greenway Overlay Zone shall occur unless a greenway development permit has been issued pursuant to this chapter.

(2) Exceptions. A greenway development permit is not required for:

(A) Maintenance of scenic easements acquired under ORS 390.368;

(B) Addition or modification of existing utility lines, wires, fixtures, equipment, circuits, appliances, and conductors by public or municipal utilities;

(C) Flood emergency procedures, and maintenance and repair of existing flood control facilities;

(D) Placement of signs, markers, aids, etc., by a public agency to serve the public;

(E) Residential accessory uses, such as lawns, gardens, and play areas in existence prior to June 9, 2004;

(F) Landscaping undertaken in accordance with this chapter;

(G) Storage of material or equipment associated with uses permitted outright within RA (Residential Agricultural) and RS (Single Family Residential) Zones, provided that the storage complies with all applicable provisions of the UDC;

(H) Seasonal increases in gravel operations, subject to any conditions imposed by law, ordinance, or conditional use approval;

(I) Improvement of a public park, in accordance with an officially approved master plan and the setback requirements of this chapter;

(J) Alterations of buildings or accessory structures which do not increase the size or alter the configuration of the building or accessory structure footprint;

(K) Activities allowed within the underlying zone which are usual and necessary for the use and enjoyment of an existing residence, including the modification of existing accessory structures;

(L) Ordinary maintenance and repair of buildings, structures, parking lots, or other site improvements that were in existence prior to June 9, 2004;

(M) Removal of nuisance or invasive non-native vegetation identified on the City of Salem Plant List, and consistent with erosion prevention and sediment control standards in SRC chapter 75; or

(N) Development of a Willamette Greenway trail or access paths, provided that all development and management standards meet the requirements of adopted parks management plans.

(b) *Classes.*

(1) *Class 1 greenway development permit.* A Class 1 greenway development permit is a permit for any intensification, development, or change of use occurring within the Willamette Greenway, but outside of the compatibility review boundary.

(2) *Class 2 greenway development permit.* A Class 2 greenway development permit is a permit for any intensification, development, or change of use occurring inside of the compatibility review boundary.

(c) *Procedure type.*

(1) *Class 1 greenway development permit.* A Class 1 greenway development permit is processed as a Type II procedure under SRC chapter 300.

(2) *Class 2 greenway development permit.* A Class 2 greenway development permit is processed as a Type III procedure under SRC chapter 300.

(d) *Submittal requirements.* In addition to the submittal requirements under SRC chapter 300, an application for a Class 1 or Class 2 greenway development permit shall include the following:

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

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

(B) Site topography shown at five-foot contour intervals, or two-foot contour intervals for areas within a floodplain;

(C) The location of existing buildings, accessory structures, and other improvements on the site, including parking areas, loading areas, driveways and driveway approaches, fences, and walls, and whether they are to be removed;

(D) The location of the 100 year floodplain, if applicable; and

(E) The location of drainage patterns and drainage courses, if applicable.

(2) A site plan, of a size and form and in the number of copies meeting the standards established by the Director, containing the following information:

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

(B) The use, location, distance to property lines, and height of all proposed buildings and accessory structures;

(C) The location, distance to property lines, and layout of all proposed parking areas, including the size, number, and dimensions of proposed spaces;

(D) The location of all proposed driveways and driveway approaches;

(E) The location and square footage of all proposed landscaping;

(F) The location, height, and material of all proposed fences, walls, berms, and other proposed screening;

(G) The location of all trees and vegetation required to be protected pursuant to SRC chapter 808;

(H) The location of the riparian buffer required under SRC 600.025(c)(2);

(I) The location of the ordinary low water line and the ordinary high water line; and

(J) The location of proposed pedestrian circulation areas.

(3) Identification of the color and exterior surface materials of all proposed buildings, structures, fences, walls, and mechanical equipment.

(4) A mitigation plan containing the following:

(A) Identification of a wider riparian buffer, in compliance with the standards set forth in SRC 600.025(c)(3)(A), if a greater riparian buffer is chosen as a mitigation measure under SRC 600.025(c)(3).

(B) An enhancement plan, in accordance with the Willamette Greenway Riparian Buffer Enhancement Guide, if riparian buffer enhancement is chosen as a mitigation measure under SRC 600.025(c)(3).

(C) An off-street parking stormwater management plan, in compliance with the standards set forth in SRC 600.025(c)(3)(C), if off-street parking design standards for stormwater quantity and quality are chosen as a mitigation measure under SRC 600.025(c)(3).

(D) A tree planting plan, in compliance with the standards set forth in SRC 600.025(c)(3)(D) if tree planting for stormwater management is chosen as a mitigation measure under SRC 600.025(c)(3).

(E) The location and design of proposed alternative paving techniques, in accordance with the standards set forth in SRC 600.025(c)(3)(E), if utilization of alternative paving techniques is chosen as a mitigation measure under SRC 600.025(c)(3).

(5) A report by a certified engineering geologist or geotechnical engineer demonstrating that the standards specified in SRC 600.025(a)(2) have been met.

(6) A report by a registered professional engineer detailing the hydraulic and flood carrying capacity of the river.

(e) *Criteria.*

(1) *Class 1 greenway development permit.* An application for a Class 1 greenway development permit shall be granted if all of the following criteria are met:

(A) The proposed intensification, development, or change of use is consistent with:

(i) The Willamette River Greenway Plan;

(ii) The Willamette Greenway Riparian Buffer Enhancement Guide;

(iii) The applicable standards of this chapter; and

(iv) Where applicable, the stormwater runoff water quality standards adopted and administered by the Public Works Department.

(B) The proposed intensification, development, or change of use complies with all applicable development standards in the UDC.

(2) *Class 2 greenway development permit.* An application for a Class 2 greenway development permit shall be granted if all of the following criteria are met:

(A) The proposed intensification, development, or change of use is consistent with:

(i) The Willamette River Greenway Plan;

(ii) The Willamette Greenway Riparian Buffer Enhancement Guide;

(iii) The applicable standards of this chapter; and

(iv) Where applicable, the stormwater runoff water quality standards adopted and administered by the Public Works Department.

(B) The proposed intensification, development, or change of use complies with all applicable development standards in the UDC.

(C) The proposed intensification, development, or change of use will, to the greatest extent possible, provide the maximum possible landscaped area, open space, or vegetation.

(f) *Conditions of approval.*

(1) Conditions may be imposed on any greenway development permit necessary to insure that proposed intensification, development, or change of use complies with the Willamette River Greenway Plan and the purpose of this chapter, and preserves and enhances the natural, scenic, historic, and recreational qualities of the Willamette River Greenway.

(2) In addition to any conditions imposed under ~~paragraph~~ subsection (f)(1) of this ~~sub~~section, every greenway development permit shall include the following conditions:

(A) Prior to any excavation, grading, or construction, a survey map, certified by a licensed professional land surveyor, shall be submitted to the Director showing the Willamette Greenway Boundary and its relationship to the site and survey monuments thereon.

(B) Prior to any excavation, grading, or construction, plans for removal and replacement of any native vegetation shall be submitted to and approved by the Director.

(Prior Code, § 600.015; Ord. No. 31-13)

Sec. 600.020. Uses.

Except as otherwise provided in this section, any use or activity that is a permitted, special, conditional, or prohibited use or activity in the underlying zone is a permitted, special, conditional, or prohibited use or activity in the Willamette Greenway Overlay Zone.

(a) Uses in riparian buffer. The following uses and activities, when allowed in the underlying zone, shall be

the only uses and activities allowed within the riparian buffer of the Willamette Greenway Overlay Zone:

(1) Uses and activities excepted from a greenway development permit under SRC 600.015(a)(2);

(2) Riparian restoration and enhancement activities; and

(3) Water-dependent and water-related uses and activities.

(Prior Code, § 600.020; Ord. No. 31-13)

Sec. 600.025. Development standards.

Development within the Willamette Greenway Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone or any other overlay zone, the development standards in this section shall be the applicable development standard.

(a) *General standards.*

(1) Existing predominant topographical features of the bank and escarpment shall be preserved and maintained, with the exception of disturbance necessary for:

(A) The construction or establishment of a water-related, water-dependent, or river-oriented use or activity; and

(B) Measures necessary to reduce existing or potential bank and escarpment erosion, landslides, or flood hazard conditions.

(2) The slope, soil characteristics, and other physiographic conditions existing within the land area between the ordinary low water line and the Willamette Greenway Boundary shall be considered to assure that the proposed intensification, development, or change of use will not adversely affect the stability of the land area.

(3) The hydraulic effect of the Willamette River on the bank shall be considered in the design of any proposed intensification, development, or change of use.

(4) The hydraulic and flood carrying capacity of the river shall be considered in the design of any proposed intensification, development, or change of use.

(5) Impact on the riparian buffer resulting from the proposed intensification, development, or change in use shall be minimized.

(b) *Landscaping.*

(1) Landscaping shall conserve, or if disturbed by the development activity restore to the greatest extent possible, vegetative cover within the Willamette Greenway Boundary. Landscaping is not required where it would significantly interfere with a water-dependent or water-related use or activity.

(2) Native vegetation removed from the riparian buffer shall be replaced with native vegetation which is compatible with and enhances the functions of the riparian buffer.

(3) Trees and shrubs shall be provided as follows:

(A) A minimum of one tree shall be provided for every 20 feet of river frontage.

(B) A minimum of one shrub shall be provided for every two feet of river frontage.

(C) All trees and shrubs shall be planted within and generally riverward of the Willamette Greenway Boundary.

(D) The planting standards included under ~~subparagraphs~~ subsections (b)(3)(A) and (B) of this ~~paragraph~~ section are for calculation purposes only, and do not require linear planting. Groupings of trees, shrubs, or both are encouraged, particularly along the riverbank.

(4) Areas which are not paved or revetted shall be planted with living ground cover.

(c) *Water quality.*

(1) *Water quality development standards, generally.* In order to protect and improve water quality within the Willamette Greenway Boundary, a riparian buffer, as set forth in ~~paragraph~~ subsection (c)(2) of this ~~sub~~section, along with one or more of the mitigation measures, as set forth in ~~paragraph~~ subsection (c)(3) of this section, shall be established.

(2) *Riparian buffer.* A riparian buffer shall be established as set forth in this ~~paragraph~~ subsection.

(A) Boundary. The applicant shall establish the riparian buffer boundary by choosing one of the following two methods:

(i) *Method 1.* Method 1 provides a relatively simple methodology for establishing a uniform riparian buffer boundary based on three bank slope measurements. The three bank slope measurements shall be taken along the Willamette River, one at each property line and one located at the center of the property, as determined by measuring the property line parallel to the Willamette River, and dividing it by two. Example: A 150-foot property line adjoining the Willamette River would result in bank slope measurements starting at the first property line, the 75-foot mark, and then the other property line. The riparian buffer boundary pursuant to Method 1 shall be established as set forth in Table 600-1.

TABLE 600-1. RIPARIAN BUFFER METHOD 1

Bank Slope Measurement	Riparian Buffer (1) (2)	Limitations & Qualifications
All three bank slope measurements less than 25%	50 ft.	If the floodway is wider than the required 50-ft. riparian buffer, the riparian buffer shall extend to the floodway boundary.
Any of the three bank slope measurements equal to or greater than 25%	75 ft.	If the floodway is wider than the required 75-ft. riparian buffer, the riparian buffer shall extend to the floodway boundary.

(1) See Figure 600-1 for riparian buffer where all three bank slope measurements are less than 25 percent.

(2) See Figure 600-2 for riparian buffer where any of the three bank slope measurements is equal to or greater than 25 percent.

(ii) *Method 2.* Method 2 enables properties with varying bank slopes to establish a varying riparian buffer boundary reflecting site conditions and maximizing the area available for development. Bank slope measurements shall be taken along the Willamette River spaced at intervals no greater than 20 feet along ordinary high water line. The riparian buffer boundary pursuant to Method 2 shall be established as set forth in Table 600-2.

TABLE 600-2. RIPARIAN BUFFER METHOD 2

Bank Slope Measurement	Riparian Buffer (1) (2)	Limitations & Qualifications
Bank slope measurement less than 25%	50 ft.	If the floodway is wider than the required 50-ft. riparian buffer, the riparian buffer shall extend to the floodway boundary.
Bank slope measurement equal to or greater than 25%	75 ft.	If the floodway is wider than the required 75-ft. riparian buffer, the riparian buffer shall extend to

TABLE 600-2. RIPARIAN BUFFER METHOD 2		
Bank Slope Measurement	Riparian Buffer (1) (2)	Limitations & Qualifications
		the floodway boundary.
(1) See Figure 600-1 for riparian buffer where a bank slope measurement is less than 25 percent. (2) See Figure 600-2 for riparian buffer where a bank slope measurement is equal to or greater than 25 percent.		

(B) When the riparian buffer measures more than 100 feet or 125 feet, depending on the bank slope, from the ordinary high water line, the property shall receive credit for meeting the wider riparian buffer mitigation measure under SRC 600.025(c)(3)(A).

FIGURE 600-1. RIPARIAN BUFFER: BANK SLOPES LESS THAN 25 PERCENT

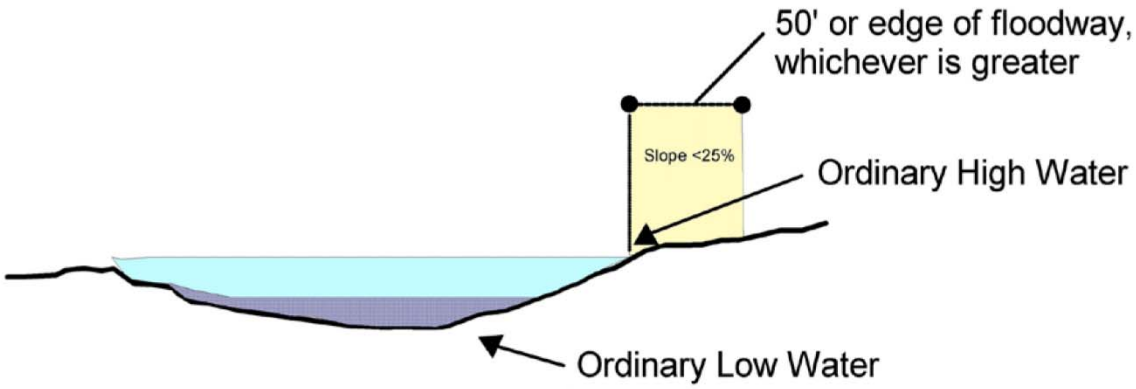
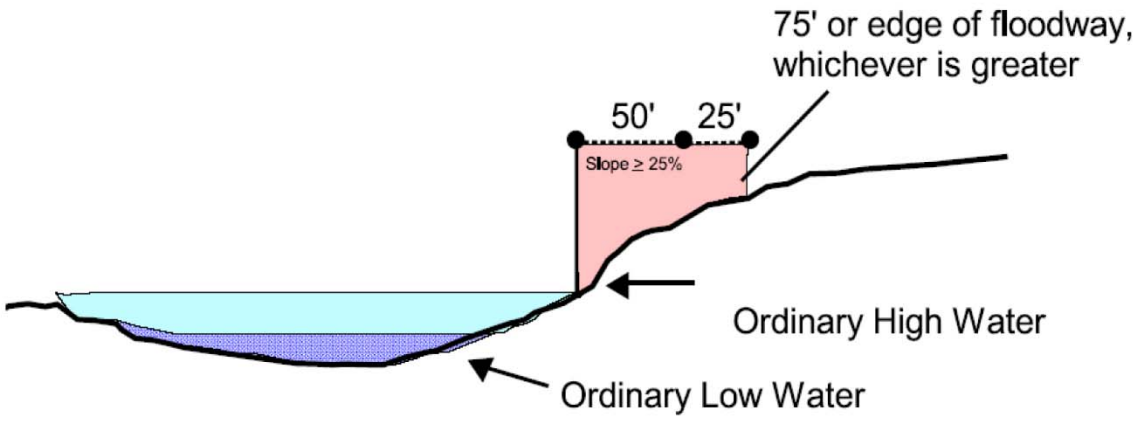


FIGURE 600-2. RIPARIAN BUFFER: BANK SLOPES EQUAL TO OR GREATER THAN 25 PERCENT



(3) *Mitigation measures.* A mitigation plan, to mitigate the effects of any intensification, development, or change of use, shall be provided based on one of the following mitigation measures:

(A) *Wider riparian buffer.* A riparian buffer wider than riparian buffer required under subsection (c)(2) of this section may be provided as a mitigation measure.

(i) *Boundary.* The boundary of the wider riparian buffer is based upon the width of the riparian buffer required under subsection (c)(2) of this section, and shall be provided as set forth in Table 600-3.

TABLE 600-3. WIDER RIPARIAN BUFFER

Riparian Buffer (Required under SRC 600.025(c)(2))	Wider Riparian Buffer	Limitations & Qualifications
50 ft.	100 ft.	If the floodway is wider than the 100-ft. wider riparian buffer, the wider riparian buffer shall extend to the floodway boundary.
75 ft.	125 ft.	If the floodway is wider than the 125-ft. wider riparian buffer, the wider riparian buffer shall extend to the floodway boundary.

(B) *Riparian buffer enhancement.* Enhancement in the riparian buffer may be provided as a mitigation measure. Enhancement shall comply with the following standards:

(i) Enhancement shall be provided at a ratio of 0.25:1, where 0.25 represents enhancement area and 1 represents development area.

(ii) Enhancement shall comply with the Willamette Greenway Riparian Buffer Enhancement Guide.

(iii) All plants shall be selected from the City of Salem Native Plant List and shall be of a species designated appropriate for each riparian section.

(iv) Where enhancement includes removal of impervious surfaces or previous fill, exposed soils shall be replanted with a mixture of ground cover, shrubs, and trees.

(v) All plantings shall occur within one year of the permit date unless another date is approved in the greenway development permit.

(C) *Off-street parking stormwater quantity and quality.* Parking lot construction which gives consideration to the quantity and quality of stormwater generated by any new or expanded impervious surface area may be provided as a mitigation measure when such parking lot construction complies with the following standards:

(i) On-site stormwater detention shall be provided in accordance with the City's Stormwater Management Design Standards. On-site retention facilities, with no direct discharge into the Willamette River, shall be used to the maximum extent practicable.

(ii) Any new parking lot that creates more than 500 square feet of impervious surface, or any parking lot that redevelops more than 500 square feet of impervious surface, may use parking area landscaping required under SRC chapter 806 to manage stormwater from the new or redeveloped area. If such landscaped area does not allow for adequate sizing of the stormwater facilities, the applicant may choose one of following options:

(aa) Increase the landscape area within the parking lot to accommodate the required stormwater facility size; or

(bb) Use additional stormwater management facilities, which may include non-landscaped approaches, to obtain the required level of treatment.

(iii) Stormwater treatment facilities shall be designed in accordance with the City's Stormwater Management Design Standards, or in the absence of specific design criteria therein, in accordance with generally accepted standards in the industry. All treatment facilities shall be designed to remove pollutants, including, but not limited to, principally settleable solids, total suspended solids, oil, and grease, to the maximum extent practicable. Any of the following approaches may be used to remove pollutants:

(aa) Landscape planters;

(bb) Trees;

(cc) Landscape vegetated or grassy swales;

(dd) Vegetative filters;

(ee) Landscape filters;

(ff) Sand filters;

(gg) Permeable or porous pavement;

(hh) Soakage trenches;

(ii) Infiltration trenches;

(jj) Proprietary engineered devices approved by the Director, when supporting technical information from the manufacturer is provided including hydraulic design criteria, particulate removal efficiency, and operations and maintenance requirements and schedule; or

(kk) Other site-specific measures sufficient to remove pollutants to the maximum extent practicable, as approved by the Director.

(iv) All approved stormwater quantity and quality facilities shall be carefully and properly designed and subsequently operated and maintained so as to avoid groundwater contamination, erosion and off-site sediment transport, landslide hazards, and other similar concerns identified in the City's Stormwater Management Design Standards.

(D) *Tree planting for stormwater management.* Tree planting for stormwater management to intercept rainfall, detain flows, dissipate the energy of runoff, provide shade over large areas of impervious surface, reduce heat pavement gain, and minimize heat absorbed by stormwater may be provided as a mitigation measure. Tree planting for stormwater management shall comply with the following standards:

(i) Trees shall be planted and maintained within or adjacent to impervious surface areas to ensure that, within 15 years after issuance of the greenway development permit, at least 50 percent of the impervious surface area will be covered by tree canopy. Canopy cover shall be calculated by using 75 percent of the species' expected mature spread, based on HORTUS III or another horticulture reference approved by the Director.

(ii) Trees shall be selected from a list of species, established by the Director, that provide adequate shade over impervious surfaces.

(iii) Existing trees may be used as part of this mitigation measure when such trees have their canopy within 20 feet of the impervious surface.

(iv) Newly planted trees shall have a minimum caliper of 1.5 inches, and shall be planted within 30 feet of impervious surfaces.

(v) As used in this ~~subparagraph~~ subsection (D), the term "impervious surface" does not include:

(aa) Truck loading areas in front of overhead doors;

(bb) Truck maneuvering and parking areas unconnected to and exclusive of vehicle parking;

(cc) Impervious surfaces not used for vehicle parking, driving, or maneuvering, provided such areas are inaccessible to vehicles by use of barriers such as bollards, curbs, or fencing;

(dd) Display, sales, service, and vehicle storage areas for automobile dealerships; and

(ee) Existing impervious surface areas.

(E) *Alternative paving techniques.* Unless precluded by site-specific conditions as determined by the Director, off-street parking areas of less than 500 square feet may use alternative paving techniques to reduce the total amount of effective impervious surface area present on the site as a mitigation measure. Alternative paving techniques shall comply with the following standards:

(i) Alternative paving techniques shall consist of a semi-pervious surface, such as permeable or porous pavement, which reduces stormwater surface runoff to the maximum extent practicable.

(ii) The design and construction of parking areas utilizing alternative paving techniques shall be in accordance with the City's Stormwater Management Design Standards, or in the absence of specific design criteria therein, in accordance with generally accepted standards in the industry.

(iii) Semi-pervious materials shall be structurally adequate for the proposed use or activity.

(d) *Structures.* All buildings, structures, and exterior mechanical equipment shall be screened, colored, or surfaced so as to blend with the riparian area. Colors shall be natural earth or leaf tones. Surfaces shall be non-reflective. Screening shall be sight-obscuring.

(e) *Lighting.*

(1) Lighting shall not flash, if visible from the Willamette River, and shall not be focused or oriented onto the surface of the Willamette River.

(2) The maximum aggregate intensity of all lighting falling on the surface of the Willamette River shall not exceed one-tenth foot-candle per square foot.

(3) No red or green lights shall be visible from the Willamette River.

(4) Notwithstanding any other provision of this section, lighting necessary for safety of pedestrians may be provided for public or private walkways.

(f) *Screening of parking and unenclosed storage areas.* Parking, loading, and unenclosed storage areas shall be screened from the Willamette River and from adjacent properties by:

(1) A sight-obscuring berm; or

(2) A sight-obscuring hedge, a minimum of six feet in height at maturity. Hedges shall, when planted, be no less than three feet in height and shall be of a species capable of attaining a minimum height of six feet within three years after planting.

(g) *View corridors.*

(1) Whenever right-of-way located wholly or partially within the Willamette Greenway Overlay Zone is vacated, the City shall retain a scenic easement or other equivalent interest in the area vacated to provide visual access to the Willamette River across the entire width of the vacated right-of-way, or for a width of 30 feet, whichever is less, and along the entire length of the vacated right-of-way. Subject to approval by the ~~City~~ Council, the abutting property owner, or owners, may substitute an area with equivalent size and dimensions under like restriction, if the substitute area provides comparable or better visual access to the Willamette River.

(2) The area covered by the scenic easement or other equivalent interest shall be limited to use for walkways, bicycle paths, and berms or landscaped areas; provided, however, that within an area of 7.5 feet on either side of the centerline of the scenic easement or other equivalent interest, landscaping and berms shall not exceed three feet in height.

(h) *Public access.* Where practical, public access to and along the Willamette River should be provided by easement, dedicated right-of-way, or other appropriate legal means.

(Prior Code, § 600.025; Ord. No. 31-13)

CHAPTER 601. FLOODPLAIN OVERLAY ZONE

Sec. 601.005. Definitions.

Unless specifically defined in this section, words, terms or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

~~(a)~~*Area of shallow flooding*~~:~~ means an area designated as an "AO" or "AH" zone on the flood insurance rate map (FIRM). In an area of shallow flooding, the base flood depths range from one to three feet; a clearly defined channel does not exist; the path of flooding is unpredictable and indeterminate, and velocity flow may be evident. AO is characterized as sheet flow and AH indicates ponding.

~~(b)~~ *A Zone*~~:~~ means areas with a one percent annual chance of flooding and a 26 percent chance of flooding over the life of a 30-year mortgage. Because detailed analyses are not performed for such areas; no depths or base flood elevations are shown within these zones.

~~(c)~~*AE Zone*~~:~~ means the base floodplain where base flood elevations are provided.

~~(d)~~ *AH zone*~~:~~ means areas with a one percent annual chance of shallow flooding, usually in the form of a pond, with an average depth ranging from one to three feet. These areas have a 26 percent chance of flooding over the life of a 30-year mortgage. Base flood elevations derived from detailed analyses are shown at selected intervals within these zones.

~~(e)~~*AO zone*~~:~~ means river or stream flood hazard areas, and areas with a one percent or greater chance of shallow flooding each year, usually in the form of sheet flow, with an average depth ranging from one to three feet. These areas have a 26 percent chance of flooding over the life of a 30-year mortgage. Average flood depths derived from detailed analyses are shown within these zones.

~~(f)~~*Base flood*~~:~~ means the flood having a one percent chance of being equaled or exceeded in any given year. Base flood also referred to as the "100-year flood."

~~(g)~~ *Bridge*~~:~~ means a structure, including supports, erected over a depression or an obstruction such as a waterway, highway, or railway, and having a deck or passageway for transporting pedestrians, vehicles, or other moving loads, and having an opening measured along the center of the deck or passageway of more than 20 feet between undercroppings of abutments, or spring lines of arches, or extreme ends of openings for multiple boxes, and which includes multiple pipes where the clear distance between openings is less than half of the smallest contiguous opening.

~~(h)~~ *Change of use*~~:~~ means making different use of the land or water than that which existed on June 15, 1979. Change of use includes a change that requires construction or alterations of the land, water or other areas outside of existing buildings or structures which significantly alters or affects the land or water. For the purposes of this definition, an existing open storage area shall be considered a building. Change of use does not include:

~~(1)~~ (a) A change of use of a building or other structure which does not significantly alter or affect the land or water upon which it is situated.

~~(2)~~ (b) The completion of a structure for which a valid permit has been issued and under which permit substantial construction was undertaken by June 15, 1979.

~~(3)~~ (c) The sale of property.

~~(4)~~ (d) Minor landscaping which does not have an appreciable effect on flow characteristics of a waterway.

~~(5)~~ (e) Construction of driveways which do not involve significant earthwork or supporting structures that affect flow characteristics of a waterway.

~~(6)~~ (f) Minor modifications of existing structures for which no building permit is required.

~~(7)~~ (g) The construction or placement of such minor subsidiary structures or facilities that are usual and necessary for the use and enjoyment of existing improvements, except such structures or facilities specifically prohibited or regulated by this chapter.

~~(i)~~ *Develop or development*~~:~~ means to bring about growth or availability; to construct, alter, or place a structure; to locate or place a manufacture dwelling or home; to conduct a mining, filling, grading, paving, drilling, dredging, or excavation operation; to make a physical change in the use or appearance of land; to partition or divide land into parcels; or to create or terminate rights of access.

~~(j)~~ *Enclosed area*~~:~~ means an area with two or more outside rigid walls and an affixed roof. Enclosed areas do not include the uncovered portion of a structure, roof canopy areas with only one wall, or areas below the finish floor that are separated by permeable surfaces such as lattice work, skirting, or insect screening.

~~(k)~~ *Existing manufactured home park or manufactured home subdivision*~~:~~ means a manufactured home park for which the construction of facilities to service the lot on or which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, either final site grading or the pouring of concrete pads, and the construction of streets) was completed prior to July 27, 1987.

~~(l)~~ *Expansion to an existing manufactured home park or manufactured home subdivision*~~:~~ means the preparation of additional sites by the construction of facilities to service the lots on which the manufactured homes are to be affixed (including the installation of utilities, either final site grading or pouring of concrete pads, or the construction of streets).

~~(m)~~ *Fish habitat enhancement*~~:~~ means the addition or modification of aquatic habitat components whose absence, scarcity, or condition has been determined by the Director ~~of Public Works~~ to limit fish presence or abundance in the immediate project area, specific stream corridor, or watershed.

~~(n)~~ *Flood* or *flooding*~~:~~ means a general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland waters or from the unusual and rapid accumulation of runoff of surface waters from any source.

~~(o)~~ *Flood insurance rate map* or *FIRM*~~:~~ means the official map, in paper or digital form, on which the Federal Insurance Administration, Federal Emergency Management Agency (FEMA) has delineated both the areas of special flood hazards and the risk premium zones applicable to the City ~~of Salem~~, and includes the accompanying floodway and floodway fringe boundary maps accompanying the FIRM as a part of the flood insurance study.

~~(p)~~ *Flood insurance study*~~:~~ means the official report provided by the Federal Insurance Administration that includes flood profiles, the flood boundary - floodway map, and the water surface elevation of the base flood. The flood insurance study, and all subsequent amendments thereto or supplements thereof, is hereby adopted as a part of this chapter, and a copy thereof shall be kept on file in the office of the Director ~~of Public Works~~.

~~(q)~~ *Floodplain*~~:~~ means any land or water area which is subject to one percent flood probability along any waterway. The term "floodplain" includes the officially designated floodway, floodway fringe, areas of shallow flooding or special flood hazard area, as delineated on the FIRM, and interim flood hazard areas.

~~(r)~~ *Floodway*~~:~~ means the channel of a river or other waterway and the adjacent land areas that must be reserved in order to discharge the waters of a base flood without cumulatively increasing the water surface elevation by more than one foot. Areas designated as floodways are located within floodplains. The floodway is an extremely hazardous area due to the velocity of floodwaters which carry debris, potential projectiles, and have the potential to cause erosion. The floodway limits are as delineated on the FIRM, or located within interim flood hazard areas and designated as floodway by the Director ~~of Public Works~~ pursuant to SRC 601.050.

~~(s)~~ *Floodway fringe*~~:~~ means the area of the 100-year floodplain lying outside of the floodway within interim flood hazard areas, and designated as floodway fringe by the Director ~~of Public Works~~ pursuant to SRC 601.050.

~~(t)~~ *Floodproofing*~~:~~ means any combination of structural or nonstructural provisions, changes or adjustments to structures, land or a waterway for the reduction or elimination of flood damage to real property or any improvements thereon, water and sanitary facilities, structures, and their contents during a base flood.

~~(u)~~ *Intensification*~~:~~ means any additions which increase or expand the area, level or activity, or amount of an existing use; or any remodeling of the exterior of a structure that will substantially alter the appearance of the

structure. As used in this definition, intensification does not include:

~~(1)~~ (a) Completion of a structure for which a valid permit has been issued and under which permit substantial construction was undertaken prior to June 15, 1979.

~~(2)~~ (b) Maintenance and repair usual and necessary for the continuance of an existing use.

~~(3)~~ (c) Reasonable emergency procedures necessary for the safety and protection of property.

~~(4)~~ (d) Seasonal increases in gravel mining operations.

~~(v) *Interim flood hazard area:*~~ means an area of special flood hazard designated by the Director ~~of Public Works~~, but not designated as such on the FIRM. The interim flood hazard area is established on a waterway which does not have base floodwater surface elevations and floodway and floodway fringe boundaries established through a flood insurance study. An interim flood hazard area is an approximation of the floodplain. Minimally the interim flood hazard area shall include the area which would be designated as the floodway and floodway fringe if a flood insurance study were done.

~~(w) *Lowest floor:*~~ means the lowest accessible floor of the lowest enclosed area with an interior vertical clearance of greater than four feet.

~~(x) *Manufactured home:*~~ means a building or structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. For floodplain management purposes the term "manufactured home" also includes park trailers, travel trailers, and other similar vehicles placed on a site for greater than 180 consecutive days. For insurance purposes, the term "manufactured home" does not include park trailers, travel trailers, and other similar vehicles.

~~(y) *Manufactured home park:*~~ means a lot or parcel (or contiguous lots or parcels) of land divided into two or more manufactured home lots for sale or rent.

~~(z)~~*Obstruction:* means any dam, wall, wharf, embankment, levee, dike, pile, abutment, projection, excavation, channel rectification, bridge, conduit, culvert, building, wire, fence, rock, gravel, refuse, fill, structure, or matter in, along, across, or projecting into any channel, waterway, or floodplain which may impede, retard, or change the direction of the flow of water, either in itself or by catching or collecting debris carried by such water, or that is placed where the flow of water might carry the debris downstream and endanger life or damage property.

~~(aa) *Special flood hazard area:*~~ means the land in the floodplain subject to a one percent or greater chance of flooding in any given year, as designated by the most recent version of the FIRM. Designation on maps always includes the letters A or V.

~~(bb) *Start of construction:*~~ means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, placement or other improvement was commenced within 180 days of the permit date. The actual start of construction means either the date of the first permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond excavation; or the date of the placement of a manufactured home on a foundation.

~~(cc) *Stream enhancement:*~~ means the modification of stream channel width, length, depth, alignment, location, profile, bank shape, or in-stream structures, for the purpose of improving ecological or habitat functions that have been determined by the Director ~~of Public Works~~ to have been degraded or lost in the immediate project area, specific stream corridor, or watershed.

~~(dd) *Structure:*~~ means any building with two or more exterior rigid walls and a fully secured roof that is affixed to a permanent site, or any gas or liquid storage tank that is principally above ground.

~~(ee) *Substantial damage:*~~ means damage sustained by a structure whereby the cost of restoring the structure to its condition immediately prior to the damage would equal or exceed 50 percent of the market value of the structure before the damage occurred.

~~(ff) *Substantial improvement:*~~ means for the purposes of floodplain management only, and notwithstanding the provisions for nonconforming situations under SRC chapter 270, any repair, reconstruction, rehabilitation, addition, replacement, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. ~~This~~ The term

"substantial improvement" includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term "substantial improvement" does not include either:

~~(1)~~ (a) Any project or improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or

~~(2)~~ (b) Any alteration of the structure listed in the National Register of Historic Places or the state inventory of historic places.

~~(gg)~~ *Waterway~~:~~* means any perennial river, stream, or creek within the City ~~of Salem~~.

~~(hh)~~ *Waterway centerline~~:~~* means a line one-half the distance between the edges of the low flow channel of the waterway.

(Prior Code, § 601.005; Ord. No. 31-13; Ord. No. 17-15)

Sec. 601.010. Interpretation.

In the interpretation and application of this chapter, all provisions shall be:

(a) Considered as minimum requirements;

(b) Liberally construed in favor of the governing body; and

(c) Deemed neither to limit nor repeal any other powers granted under state or federal law.

(Prior Code, § 601.010; Ord. No. 31-13)

Sec. 601.015. Reservation of powers.

Nothing in this chapter shall be deemed to limit, abrogate, impair, or repeal any existing easements, covenants, or deed restrictions, or any powers relating to the prevention or control of flooding and its effects granted under state statutes or city ordinances. However, where this chapter and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

(Prior Code, § 601.015; Ord. No. 31-13)

Sec. 601.020. Warning and disclaimer of liability.

The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by natural or man-made causes. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. Nothing in this chapter shall create any liability on the part of the City ~~of Salem~~, any officer, employee or agent thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this chapter or any administrative action or decision lawfully made hereunder.

(Prior Code, § 601.020; Ord. No. 31-13)

Sec. 601.025. Authority of ~~Public Works~~ Director.

The Director ~~of Public Works~~ shall administer and enforce this chapter and shall have to authority to grant, deny, suspend, and revoke floodplain development permits.

(Prior Code, § 601.025; Ord. No. 31-13)

Sec. 601.030. Firm adoption; amendments and revisions; interpretation of boundaries.

(a) *Adoption.* The FIRM and all amendments thereto are adopted as a part of this chapter and shown on the Salem Zoning Map.

(b) *Amendments and revisions.* Amendments and revisions to the FIRM adopted by the Federal Insurance Administration shall be automatically incorporated into this chapter without further action and shall be shown on the Salem Zoning Map.

(c) *Interpretation of boundaries.*

(1) The base flood elevation data furnished by the flood insurance study is fixed and shall not be appealed,

interpreted or otherwise reexamined except under procedures established by the Federal Insurance Administration. The FIRM, however, is drawn to 1":800' scale, and is based upon contour maps showing ground elevation at ten foot intervals. For these reasons the boundaries shown on the FIRM are subject to interpretation based upon more detailed topographic data. Where an applicant questions the precise location of the boundary, the Director ~~of Public Works~~ shall make an interpretation thereof based upon elevations from Public Works aerial photographs and contour maps in conjunction with flood elevations shown on the FIRM, or such data furnished by the applicant as the Director finds to be persuasive.

(2) Any person aggrieved by the decision of the Director ~~of Public Works~~ may appeal such decision to the Hearings Officer by filing written notice of appeal with the Planning Administrator within ten days of the date of the decision. The notice of appeal shall include a list of all property owners within the notification area prepared by a title insurance company. Notification, hearing, and further proceedings shall proceed as provided in SRC chapter 300 for appeals from administrative adjustments.

(d) *Copy to be kept by Director~~ of Public Works~~.* A copy of the FIRM, and any amendments or revisions thereto, shall be kept on file in the Office of the Director~~ of Public Works~~.

(Prior Code, § 601.030; Ord. No. 31-13)

Sec. 601.035. Establishment of Floodplain Overlay Zone.

Floodplains for major waterways are shown on the Salem Zoning Map as the Floodplain Overlay Zone, and for regulatory purposes are divided into the following areas:

(a) FW (Floodway);

(b) FF (Floodway Fringe) and special flood hazard area;

(c) FH (Interim Flood Hazard Area).

(Prior Code, § 601.035; Ord. No. 31-13)

Sec. 601.040. Uses in FW (Floodway).

(a) Except as prohibited in subsection (b) of this section, within the FW (Floodway) all uses of land permitted in the underlying zone shall be permitted upon obtaining a floodplain development permit, and compliance with this chapter.

(b) The following uses are prohibited within the FW (Floodway) area, and within 15 feet of the waterway centerline, or within ten feet of the top of a recognizable bank, whichever is greater:

(1) Storage of toxic, flammable, or explosive materials.

(2) Sanitary landfill, disposal sites and junkyards.

(3) Construction or placement of fences.

(4) Cemeteries.

(5) Any encroachments, including fill, new construction, substantial improvements, and other development unless analysis by approved methods and certification by a registered professional engineer are provided to the Director ~~of Public Works~~ demonstrating that encroachments shall not result in any increase in flood levels during the occurrence of the base flood discharge.

(6) Construction or placement of any permanent or temporary structures, including, but not limited to, homes, apartments, manufactured homes, commercial buildings, and industrial buildings, and gas or liquid storage tanks. Notwithstanding this ~~paragraph~~ subsection, the following structures are permitted within the FW (Floodway) area if the structure incorporates floodproofing measures as approved in conjunction with a floodplain development permit, meets all applicable standards for structures as required in the floodway fringe, and does not raise the base flood elevation to any degree:

(A) Modification, alteration, or major repair to an existing structure.

(B) Docks and piers. The size and shape of a dock or pier shall be limited to that required for the intended use.

(C) Public recreational facilities on public land, including, but not limited to, restrooms, raised seating, public performance stages, and temporary fences which are removed after October 1, and not erected before April 1 of each year.

(D) Structures used for gravel sorting and crushing.

(E) Public utility or communication towers.

(F) Replacement of existing manufactured homes within existing manufactured home parks or manufactured home subdivisions that comply with SRC 601.045(b).

(Prior Code, § 601.040; Ord. No. 31-13)

Sec. 601.045. Uses in FF (Floodway Fringe) or special flood hazard area.

Within any FF (Floodway Fringe Area) or special flood hazard area any of the following uses are permitted upon obtaining a floodplain development permit, and compliance with this chapter.

(a) All uses of land permitted in the underlying zone; provided, however, that any building, structure, manufactured home, or recreational vehicle associated therewith complies with subsections (b), (c), and (d) of this section.

(b) Structures, including manufactured homes, as allowed in an underlying residential zone, if:

(1) The lowest floor elevation, including a basement, is no less than one foot above the elevation of the base flood, unless base flood elevation data are not available, in which case the structure shall be elevated as provided in SRC 601.095.

(2) Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(3) The structure is anchored to prevent flotation, collapse, or lateral movement as provided in SRC 601.100.

(4) The structure is located no closer than 15 feet to the waterway centerline, or ten feet to the top of a recognizable bank, whichever is greater, except that this provision shall not apply to the Willamette River floodplain.

(5) The structure is designed according to accepted engineering standards, certified by a registered engineer or architect, and approved by the building official as minimizing the likelihood of flood damage and rendering the structure and its utility equipment reasonably resistant to flood damage.

(6) Except as provided in ~~subparagraphs~~ subsection (b)(6)(A) and (B) of this ~~paragraph~~ section, enclosed areas of structures below the lowest floor that are subject to flooding are prohibited.

(A) Below-grade crawlspace construction is permitted in compliance with FEMA Technical Bulletin 11-01, including amendments or revisions thereto;

(B) Crawlspaces and other enclosed areas are allowed only where the vertical interior clearance does not exceed four feet. Such enclosed areas shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must be certified by a professional engineer or must meet or exceed the following minimum criteria:

(i) A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.

(ii) The bottom of all openings shall be no higher than one foot above grade.

(iii) Openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(Prior Code, § 601.045; Ord. No. 31-13;Ord. No. 17-15)

Sec. 601.050. Uses in FH (Interim Flood Hazard Areas).

(a) Any person proposing an intensification, development, or change of use for which a floodplain development permit within the FH (Interim Flood Hazard) area would be required were the land within a FW (Floodway) or FF (Floodway Fringe) area, shall make application for a floodplain development permit. The Director ~~of Public Works~~ shall determine whether such property should be classified as in a FW (Floodway) or FF (Floodway Fringe). In making such determination the Director shall take into account the elevation and topography of the land, historical base flood elevation data if available, the results of other competent engineering studies of the effects of flooding on the area in question, and other hydraulic and geologic factors relevant to an engineering determination of base flood characteristics of the specific property.

(b) Once the Director has determined FW (Floodway) and FF (Floodway Fringe) locations, uses shall be permitted in the FW (Floodway) area as provided in SRC 601.040, and uses shall be permitted in the FF (Floodway Fringe) and as provided in SRC 601.045.

(Prior Code, § 601.050; Ord. No. 31-13)

Sec. 601.055. Floodplain development permit required.

(a) Except as provided in subsection (b) of this section, a floodplain development permit shall be obtained before construction, development, or change of use begins within any FW (Floodway), FF (Floodway Fringe), special flood hazard area, and FH (Interim Flood Hazard Area). The permit shall be for all development, as defined in SRC 601.005. The issuance of a floodplain development permit is a Type I proceeding under SRC chapter 300.

(b) A floodplain development permit is not required for the following:

(1) The propagation or cutting of timber.

(2) Uses to protect, conserve, enhance, and maintain public recreational, scenic, and natural uses on public lands such as unenclosed picnic facilities, viewpoints, trails, and campsite facilities.

(3) Maintenance authorized to scenic easements acquired under ORS 390.332—390.368.

(4) Addition or modification by public utilities of existing utility lines, wires, fixtures, equipment, circuits, appliances, and conductors.

(5) Flood emergency procedures.

(6) Signs, markers, aids, etc., placed by a public agency to serve the public.

(7) Residential accessory uses such as lawns, gardens, parking areas, driveways, and play areas.

(8) Landscaping.

(9) Storage of material, equipment, or vehicles associated with uses permitted within residential zones, providing the storage is not subject to damage by floods and is firmly anchored to prevent flotation or can be readily removed from the area within the limited time available after flood warning.

(10) Driveways, parking lots, and other paved areas.

(11) Minor repairs or alterations to an existing structure for which no building permit is required.

(12) Gravel extraction and storage of gravel as allowed under permits required by state or federal law, and as permitted by the Salem Revised Code.

(13) Customary dredging and channel maintenance, excluding deposition of spoils, as allowed by permits required by state or federal law.

(14) Agriculture.

(Prior Code, § 601.055; Ord. No. 31-13)

Sec. 601.060. Floodplain permits for fish habitat enhancement projects.

(a) Notwithstanding any other provisions of this chapter, the Director ~~of Public Works~~ may approve and issue floodplain development permits for fish habitat enhancement projects or stream enhancement projects, on a case-by-case basis and subject to any conditions for flood protection, mitigation, monitoring, long-term maintenance, or other certifications or analyses as the Director ~~of Public Works~~ may deem necessary. In making

the evaluation, the Director of Public Works shall consult with the Director of Community Development and other appropriate city staff.

(b) For permit approval, the applicant shall demonstrate, and the Director ~~of Public Works~~ must find:

(1) The appropriateness of the project to the watershed or stream corridor under fully developed conditions;

(2) That all applicable permits from other agencies have been or can be obtained;

(3) That any changes in channel geometry, increases in base flood elevation, stream velocities, or extent of flooding will not pose an unacceptable risk to property or public safety; and

(4) The proposed project has no adverse hydraulic impacts upon the stream and the City's storm drainage system, with particular emphasis on potentially increased flooding, implications for streambank stability, changes in channel location, changes in the stream's sediment load, and increased or extraordinary maintenance requirements.

(c) Written notice of the Director's ~~of Public Works'~~ permit decision shall be mailed to the applicant, the applicable neighborhood associations, watershed council, and land owners along the immediately affected stream corridor within 1,500 feet of the project site. The permit shall issue 15 days after the date of mailing of decision, unless appealed as provided in this section.

(d) Within 15 days of the mailing of the Director's decision, any person may file a written notice of appeal to the Council, with the fee established by resolution of the Council, specifying the manner in which the Director erred. Upon such appeal, the Council shall conduct a de novo hearing and make a final determination. No permit shall be effective pending Council's determination.

(Prior Code, § 601.060; Ord. No. 31-13)

Sec. 601.065. Floodplain development permit application.

Every application for a floodplain development permit shall:

(a) Identify and describe the work to be covered by the permit; be made on forms furnished by the Public Works Department and shall include, but not be limited to, plans in duplicate drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. Specifically, the application shall:

(1) Describe the land on which the proposed work is to be done, by lot, block, tract, house and street address, or by some similar description that will readily identify and definitely locate the proposed work;

(2) Indicate the use or occupancy for which the proposed work is intended;

(3) Include plans and specifications for any work for which performance or specification standards are specified in this chapter, including a site plan map which shows all existing riparian vegetation, what vegetation is proposed to be removed, and what types of native vegetation will be used to replace that which is being removed;

(4) Show all areas proposed for excavations or fills and the quantities involved on a two-foot contour topographical map or aerial photo;

(5) Show the proposed elevation (in relation to mean sea level) of the lowest floor (including a basement) of all new or substantially improved structures, and whether or not the structure contains a basement;

(6) Include an engineer's certification or other proof of compliance as elsewhere specified in this chapter. Exception: Where the work to be performed under a floodplain development permit requires a building permit pursuant to the Uniform Building Code as adopted in SRC chapter 56, plans and specifications need not be separately submitted, but both permit applications may be accompanied by a duplicate set of plans;

(7) Submit base flood elevation data as reasonably may be required by the Director ~~of Public Works~~;

(8) Submit certification by the applicant's engineer that the proposed work will not raise the base flood elevation. For work in a floodway, the base flood elevation may not be increased to any degree; for work in a FF (Floodway Fringe) or area of shallow flooding, the base flood elevation may be raised to a maximum of one foot; provided, however, that in no case shall such rise cause damage to or increased flood elevations affecting any existing structures on adjacent or upstream parcels;

(9) Submit certification by the owner that all necessary permits, licenses, and registrations have been obtained from all local, state, or federal authorities requiring permits for the proposed work; and

(10) Submit such other information as reasonably may be required by the Director ~~of Public Works~~.

(Prior Code, § 601.065; Ord. No. 31-13)

Sec. 601.070. Permit fees.

(a) An application for a floodplain development permit shall be accompanied by the permit fees as prescribed by resolution of the ~~City~~ Council.

(b) Fees set by resolution are fixed and nonrefundable, and are required to support plans review, permit issuance, and inspection services.

(c) Work being done under contract with the City ~~of Salem~~ shall be exempt from the provisions of SRC 601.065 to 601.075, except that records must be kept in compliance with SRC 601.075(d).

(d) Where work for which a permit is required by this chapter is commenced or proceeds prior to obtaining the permit, the fees specified in subsection (a) of this section shall be doubled, but the payment of such double fees shall not relieve any person from fully complying with the requirements of this chapter in the execution of the work nor from any other penalties prescribed herein.

(e) Floodplain development permits shall be nontransferable. Any change in applicant such as a change in ownership of the land will require reapplication for permits. If six months has lapsed since plan approval required by SRC 601.075, reapplication for plan check shall be made.

(Prior Code, § 601.070; Ord. No. 31-13)

Sec. 601.075. Permit review; records to be kept.

(a) The Director ~~of Public Works~~ shall determine whether all site, waterway and floodway development standards specified in this chapter have been met, and shall refer the application to the Building Official for a determination of whether the standards for protection of buildings and structures specified in this chapter and the Uniform Building Code have been met.

(b) In conducting such review, where base flood elevation data have not been provided by the Federal Insurance Administration, then the Director ~~of Public Works~~ shall obtain, review, and reasonably utilize any base flood elevation and floodway data available from a state, federal, city, or other authoritative source. The Director ~~of Public Works~~ may require the applicant to provide a hydraulic analysis defining the 100-year floodplain and floodway. Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.

(c) The Director ~~of Public Works~~ shall review each application to determine whether all necessary permits, licenses and registrations have been obtained from all local, state, or federal authorities requiring permits for the proposed work. City permits may be issued with the proviso that the applicant cannot begin work without having obtained all other local, state, or federal permits required.

(d) The Director ~~of Public Works~~ shall obtain and record with the file for the property subject of the permit the following information where available:

(1) Base flood elevation data;

(2) The actual elevation (in relation to mean sea level) of:

(A) The lowest floor (including basement) of all new or substantially improved structures, and whether or not the structure contains a basement; or

(B) Floodproofing for any nonresidential structures.

(3) Any other engineering certifications required by this chapter; and

(4) Evidence of the notifications required by SRC 601.115(d).

(e) The Director ~~of Public Works~~ shall maintain for public inspection all records pertaining to the provisions of this chapter.

(Prior Code, § 601.075; Ord. No. 31-13)

Sec. 601.080. Scope of work authorized by permit.

(a) The issuance of a permit under the provisions of this chapter shall be held to authorize work only in accordance with the provisions of this chapter, the approved plans, and work necessarily implied therefrom.

(b) The issuance of such a permit shall not be construed to be a permit for or approval of any violation of the provisions of this chapter or any other applicable law or ordinance. The issuance of a permit based on submitted plans shall not thereafter prevent the Director ~~of Public Works~~ from requiring the correction of errors or apparent violations contained therein, or from preventing operations being carried on thereunder when in violation of any applicable law or ordinance.

(Prior Code, § 601.080; Ord. No. 31-13)

Sec. 601.085. Suspension or revocation of floodplain development permit; appeal.

(a) The Director ~~of Public Works~~ may, in writing, suspend or revoke a floodplain development permit whenever it appears that:

(1) The floodplain development permit was issued in error, and the applicant was not, in fact, on the basis of the application, entitled to the permit;

(2) The floodplain development permit was issued on the basis of incorrect, incomplete, or misleading information supplied by the applicant;

(3) The work authorized by the floodplain development permit is in violation of any applicable law or ordinance, including any provision requiring the applicant to obtain a license, registration, or additional permit; or

(4) The work being done under the floodplain development permit is not in accordance with the approved plans, or is beyond the scope of work authorized by the permit.

(b) Any person whose permit has been suspended or revoked pursuant to this section may appeal such action to the Hearings Officer, in the manner provided by SRC chapter 20J.

(Prior Code, § 601.085; Ord. No. 31-13)

Sec. 601.090. Failure to maintain site or conditions.

(a) The holder of a floodplain development permit shall continuously maintain the completed work within the terms and conditions set forth in this chapter and the permit. All owners and occupants, during the period of their ownership or occupancy, shall be jointly and severally liable for proper maintenance as herein prescribed.

(b) In the event of failure to maintain premises as provided in subsection (a) of this section, the Director ~~of Public Works~~ shall cause to be served upon the person or persons responsible a notice to correct the inadequate maintenance. Upon the failure of the persons responsible to comply with such notice within the time specified therein, to be no less than 15 days, the Director ~~of Public Works~~ may file with the ~~City~~ Council a petition to have the maintenance performed as provided in subsection (c) of this section, and the cost thereof assessed as a lien against the property. Upon filing of the petition, the City Recorder shall set the petition for prompt public hearing, and cause notice thereof to be served by certified mail upon the owner of the premises. At the hearing any person entitled to notice shall be accorded an opportunity to show cause why the work should not be performed as provided in subsection (c) of this section and the cost thereof assessed as a lien against the property.

(c) If the ~~City~~ Council is satisfied that the required maintenance must be performed for the protection of the public health, safety, and welfare it shall, by resolution, direct the Director ~~of Public Works~~ to arrange for the maintenance to be performed by city forces or by private contract let through competitive bid, whichever is

estimated by the Director ~~of Public Works~~ to be the least costly and most expedient. Upon completion of the work the Director ~~of Public Works~~ shall certify to the ~~City~~ Council the costs thereof and the ~~City~~ Council shall ascertain and determine the cost of the work, and assess the same against the property upon which the maintenance was performed. Such assessment shall be declared by an ordinance and it shall be entered in the docket of city liens and shall thereupon be and become a lien against the property and the creation of the lien and the collection and enforcement of the cost shall all be done and performed in substantially the same manner as in the case of the cost of street improvements, but irregularities or informalities in the procedure shall be disregarded. Any assessment levied pursuant to this chapter shall be due and payable in ten days after the same has been entered in the lien docket. Notice of the assessment shall be given to the owner or owners of the property in the same manner as notice of street assessments is given.

(Prior Code, § 601.090; Ord. No. 31-13)

Sec. 601.095. Standards for shallow flooding areas (AO zones).

Shallow flooding areas appear on FIRMs as AO zones with depth designations. The base flood depths in these AO zones range from one to three feet where a clearly defined channel does not exist, or where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is usually characterized as sheet flow. In AO zones, the following provisions apply:

(a) New construction and substantial improvements of residential structures, including manufactured homes, shall have the lowest floor (including basement) elevated no less than: one foot plus the depth number specified on the FIRM above the highest adjacent grade of the building site (at least two feet if no depth number is specified), or one foot above the crown of the nearest roadway; whichever is greater, as determined by the Director ~~of Public Works~~.

(b) New construction and substantial improvements of nonresidential structures within AO zones shall either:

(1) Have the lowest floor (including basement) elevated no less than one foot plus the depth number specified on the FIRM above the highest adjacent grade of the building site (at least two feet if no depth number is specified), or one foot above the crown of the nearest roadway; whichever is greater as determined by the Director ~~of Public Works~~; or

(2) Together with attendant utility and sanitary facilities, be completely floodproofed to or above that level so that any space below that level is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. If this method is used compliance shall be certified by a registered professional engineer as provided in SRC 601.100(c)(3).

(c) Require adequate drainage paths around structures on slopes to guide floodwaters around and away from proposed structures.

(d) Recreational vehicle use in AO zones shall comply with SRC 601.045(d), or shall be subject to subsection (a) of this section.

(Prior Code, § 601.095; Ord. No. 31-13)

Sec. 601.100. Performance standards and specifications for flood hazard protection.

Where anchoring or floodproofing are required by this chapter, the following standards shall apply:

(a) New structures, and substantial improvements to existing structures, shall be anchored to prevent flotation, collapse, or lateral movement of the structure.

(b) All manufactured homes must be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods include, but are not limited to, use of over-the-top or frame ties to ground anchors, and any other technique authorized by FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook.

(c) New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to one foot above the base flood

elevation; or, together with attendant utility and sanitary facilities, shall:

(1) Be floodproofed so that below one foot above base flood level the structure is watertight with walls substantially impermeable to the passage of water;

(2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;

(3) Be certified by a registered professional engineer that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the Director ~~of Public Works~~;

(4) Nonresidential structures that are elevated, not floodproofed, must meet the same standards for space below the lowest floor as described in SRC 601.045(b);

(5) Applicant floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g., a building constructed to the base flood level will be rated as one foot below that level).

(Prior Code, § 601.100; Ord. No. 31-13)

Sec. 601.105. Bridges within the regulatory floodplain.

Bridges within the regulatory floodplain shall comply with the following requirements:

(a) Construction of new vehicular bridges shall have the lowest structural member of the bridge at least one foot above the base flood elevation.

(b) Repair or replacement of existing vehicular bridges shall not increase the water surface elevation of the base flood discharge.

(c) Construction or repair of pedestrian bridges shall not increase the water surface elevation of the base flood discharge.

(Prior Code, § 601.105; Ord. No. 31-13)

Sec. 601.110. General flood protection.

In addition to any other requirement or standards specified elsewhere in the Salem Revised Code, all intensification, development, and change of use within a floodplain or along a waterway shall comply with the following general standards:

(a) *Standards.* The following standards shall apply to all development proposals:

(1) No waterway or floodway shall be altered or obstructed so as to reduce the carrying capacity thereof;

(2) All development proposals shall be consistent with the need to minimize flood damage;

(3) All development proposals shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;

(4) All development proposals shall have adequate drainage provided to reduce exposure to flood damage. Easements for drainage may be required where warranted by other sections of the Salem Revised Code or the standards and specifications on file in the office of the Director ~~of Public Works~~; and

(5) Where base flood elevation data has not been provided or is not available from city records or another authoritative source, the Director ~~of Public Works~~ may require it from the applicant's engineer. For subdivision proposals and other proposed developments which contain at least 50 lots or five acres (whichever is less) base flood elevation data must be generated, an HEC-2 water surface profile or equivalent analysis stamped by a registered professional engineer may be required.

(b) *Utilities.*

(1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.

(2) New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters.

(3) On-site waste disposal system shall be located to avoid impairment to them or contamination from them during flooding.

(c) *Manufactured home sites.* For new manufactured home parks and manufactured home subdivisions; for expansions to existing manufactured home parks and manufactured home subdivisions; for existing manufactured home parks and manufactured home subdivisions where a manufactured home has incurred substantial damage as a result of a flood; and for manufactured homes not placed in a manufactured home park or manufactured home subdivision as permitted by law or ordinance, all manufactured homes subject to placement, replacement, or substantial improvement within AO zones, AH zones, and AE zones, or any numbered A zones shall:

(1) Be elevated on a permanent foundation such that the lowest floor of the manufactured home will be at least one foot above base flood elevation; or where base flood elevation are not available, elevated as provided in SRC 601.095.

(2) Electrical, heating, ventilation, plumbing, and air-conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(3) Be securely anchored to an adequately anchored foundation system in accordance with SRC 601.100(a).

(d) *Landscaping.* Where intensification, development of change of use requires a floodplain development permit, the property upon which the activity will take place shall have the floodway, other than the Willamette River, on that property landscaped and maintained according to the following standards:

(1) All non-native vegetation that would significantly affect the flood carrying and containment capacity of the floodway shall be removed.

(2) Any vegetation planted or permitted to grow within the floodway shall be compatible with the flood protection standards set forth in this chapter.

(3) Vegetation shall be planted or permitted to grow as necessary to stabilize the floodway slope and minimize erosion.

(e) *Obstructions.* Every property owner having land within a floodway other than the Willamette River shall maintain the floodway free of all natural and non-natural obstructions not permitted by this chapter.

(f) *Construction materials and methods.*

(1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.

(2) All new construction and substantial improvements shall be constructed using methods and practices to minimize flood damage.

(3) Electrical, heating, ventilation, plumbing, and air conditioning equipment, including ducts, and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

(Prior Code, § 601.110; Ord. No. 31-13)

Sec. 601.115. Alteration of floodway or waterway.

Where it is necessary to the development of property adjacent to a floodway or waterway other than the Willamette River, and such development is authorized by a floodplain development permit, a property owner may alter or modify the floodway or waterway according to this section and Public Works Design Standards.

(a) *Carrying capacity.* No waterway or floodway shall be altered or obstructed so as to reduce the carrying

capacity thereof.

(b) *Maintenance.* Maintenance shall be provided by the owner within the altered or relocated portion of a watercourse so that the flood carrying capacity is not diminished, pursuant to SRC 601.090.

(c) *Lined channel.* Within commercial and industrial zones a lined channel design may be permitted if the following conditions apply:

(1) The Director ~~of Public Works~~ determines that lining is the only practical method to achieve adequate maintenance.

(2) The design is approved by the Director ~~of Public Works~~ as incorporating adequate provisions to protect the public from the consequences of a base flood.

(d) *Notification.* Not less than 15 days prior to approval of the design for, alterations to, or relocation of, a waterway or floodway, the Director ~~of Public Works~~ shall:

(1) Notify all incorporated cities and all counties either upstream or downstream which may be affected by the approval;

(2) Notify the Oregon Division of State Lands, Oregon Department of Transportation, and Oregon Department of Land Conservation and Development;

(3) Submit evidence of such notification to the Federal Insurance Administration; and

(4) Verify that applicable approvals are on file from the state and federal agencies which have jurisdiction over the waterway or floodway.

(Prior Code, § 601.115; Ord. No. 31-13)

Sec. 601.120. Native vegetation.

Vegetative ground cover and trees from the low water mark to the top of the bank shall be preserved, conserved, and maintained according to the provisions in SRC 601.110 (d) and the following provisions:

(a) Riparian vegetation removed during development shall be replaced with native vegetation which shall be compatible with and enhance the riparian environment.

(b) Plans for removal and replacement of riparian vegetation shall be submitted and approved by the Director ~~of Public Works~~ prior to any clearing, excavation, grading, or construction.

(Prior Code, § 601.120; Ord. No. 31-13)

Sec. 601.125. Floodplain overlay zone variance.

(a) *Applicability.*

(1) In lieu of the variance procedure under SRC 245, this section provides the process for variances within the in the Floodplain Overlay Zone. Use standards in the Floodplain Overlay Zone are non-variable.

(2) Variances as interpreted in the National Flood Insurance Program are based on the general zoning principle that the variance pertains to a physical piece of property; are not personal in nature and do not pertain to the structure, its inhabitants, economic or financial circumstances. Variances primarily address small lots in densely populated residential neighborhoods. As such, variances from the flood elevations granted under this section should be quite rare.

(b) *Classes.*

(1) *Class 1 Floodplain Overlay Zone variance.* A Class 1 Floodplain Overlay Zone variance is a variance from the development standards of this chapter for the reconstruction, rehabilitation, or restoration of structures listed on the National Register of Historic Places, or designated as local historic resources pursuant to SRC 230.010 that are located in the FF (Floodway Fringe) and special floodway hazard area.

(2) *Class 2 Floodplain Overlay Zone variance.* A Class 2 Floodplain Overlay Zone variance is a variance from the development standards of this chapter for development in the FF (Floodway Fringe) and special flood hazard area, other than a Class 1 Floodplain Overlay Zone variance.

(c) *Procedure type.* Class 1 and Class 2 Floodplain Overlay Zone variances are processed as a Type III procedure 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 Class 1 or Class 2 Floodplain Overlay Zone variance shall include the application submittal requirements for a floodplain development permit under SRC 601.065, and a written statement addressing the criteria.

(e) *Criteria.*

(1) *Class 1 Floodplain Overlay Zone variance.* An application for a Class 1 Floodplain Overlay Zone variance shall be approved if all of the following criteria are met:

(A) The variance is the absolute minimum necessary, considering the flood hazard, to afford relief from a hardship affecting use and development of structures listed on the National Register of Historic Places, or designated as local historic resources pursuant to SRC 230.010 which would be worked by strict application of the requirements of this chapter;

(B) If the request includes any area within the FW (Floodway) area, that granting the variance will not have the effect of producing any increase in base flood elevation;

(C) The applicant shows good and sufficient cause for the variance;

(D) Minimal danger exists that materials may be swept onto other lands to the injury of others;

(E) Minimal danger exists to life and property due to flooding or erosion damage;

(F) Safe access is available to the property in times of flood for ordinary and emergency vehicles;

(G) Minimal costs would result from the provision of governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

(2) *Class 2 Floodplain Overlay Zone variance.* An application for a Class 2 Floodplain Overlay Zone variance shall be approved if the following criteria are met:

(A) The variance is the absolute minimum necessary, considering the flood hazard, to afford relief from a hardship affecting use and development of land which would be worked by strict application of the requirements of this chapter;

(B) If the request includes any area within the FW (Floodway) area, granting the variance will not have the effect of producing any increase in base flood elevation;

(C) Variances to an elevation standard shall only be granted if the variance is for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level;

(D) The applicant shows good and sufficient cause for the variance;

(E) Failure to grant the variance would result in exceptional hardship to the applicant;

(F) Granting of a variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public or conflict with existing local laws or ordinances;

(G) Minimal danger exists that materials may be swept onto other lands to the injury of others;

(H) Minimal danger exists to life and property due to flooding or erosion damage;

(I) The proposed facility and its contents have minimal susceptibility to flood damage, and the individual owner would be minimally affected by such damage;

(J) The services provided by the proposed facility are critical to the community;

(K) The use or facility requires a waterfront location;

(L) Alternative locations free from the possibility of flooding or erosion damage are not available for

the proposed use;

(M) Safe access is available to the property in times of flood for ordinary and emergency vehicles;

(M) Negligible increase would result in the expected heights, velocity, duration, rate of rise, or sediment transport of the floodwaters at the site; and

(N) Minimal costs would result from the provision of governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, and streets and bridges.

(f) *Burden of proof.* The larger the size of the lot on which the variance is requested, the greater is the burden on the applicant to justify the need for a variance.

(g) *Conditions.* Conditions may be attached to a variance that the Review Authority deems necessary to further the purposes embodied in this chapter.

(h) *Notice to applicant of cost of flood insurance.* Any applicant to whom a variance to an elevation standard is granted pursuant to this section shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and that the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(i) *Notice.* Notwithstanding the notice requirements of SRC chapter 300, written notice of an application and notice of the decision on a variance request shall be mailed to the applicant, the applicable neighborhood association, watershed council, and land owners along the immediately affected stream corridor within 1500 feet of the project site.

(j) *Records.* The Director ~~of Public Works~~ shall maintain the records of all variances and shall report, upon request, any variances granted to the Federal Insurance Administration.

(Prior Code, § 601.125; Ord. No. 31-13)

CHAPTER 602. AIRPORT OVERLAY ZONE

Sec. 602.001. Purpose.

The purpose of the Airport Overlay Zone is to establish standards to promote air navigational safety and prevent hazards and obstructions to air navigation and flight.

(Prior Code, § 602.001; Ord. No. 31-13)

Sec. 602.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Airport elevation*~~:~~ means an elevation that is 210 feet above mean sea level.

~~(b)~~ *Approach surface*~~:~~ means a surface longitudinally centered on the extended runway centerline, and extending outward and upward from the end of the primary surface at the same slope as the approach area height limitation slope set forth in SRC 602.020(a). The perimeter of the approach surface coincides with the perimeter of the approach area.

~~(c)~~*Conical surface*~~:~~ means a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1, for a horizontal distance of 4,000 feet.

~~(d)~~ *FAA*~~:~~ means the Federal Aviation Administration.

~~(e)~~*Hazard to air navigation*~~:~~ means an obstruction determined by the Federal Aviation Administration to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

~~(f)~~*Horizontal surface*~~:~~ means a horizontal plane 150 feet above the airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal area.

~~(g)~~ *Larger than utility runway*~~:~~ means a runway that is constructed for, and intended to be used by, any aircraft of greater than 12,500 pounds maximum gross weight.

~~(h)~~ *McNary Field*~~:~~ means the airport owned and operated by the City ~~of Salem~~.

~~(i)~~*Non-precision instrument runway*~~:~~ means a runway having an instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area-type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved by FAA.

~~(j)~~*Obstruction*~~:~~ means any building, structure, object, including mobile objects, or vegetative growth, that exceeds the height limitations in SRC 602.020(a).

~~(k)~~ *Precision instrument runway*~~:~~ means a runway having an instrument approach procedure utilizing an Instrument Landing System or a Precision Approach Radar, for which a precision approach system has been approved by FAA.

~~(l)~~*Primary surface*~~:~~ means a surface longitudinally centered on a runway, and having the width set forth in SRC 602.010. When a runway has a hard surface, the primary surface extends a distance of 200 feet beyond each end of the runway. When a runway does not have a hard surface, or is a military runway, the primary surface ends at each end of the runway. The elevation of any point on the primary surface is the same elevation as the nearest point on the runway centerline.

~~(m)~~ *Runway*~~:~~ means the area of an airport prepared for the takeoff and landing of aircraft along its entire length.

~~(n)~~ *Transitional surfaces*~~:~~ means the surfaces that extend outward at 90 degree angles from the runway centerline and the runway centerline extended at a slope of seven feet horizontally for each one foot vertically from the sides of the primary surface and the approach surface to the point of intersection with the horizontal surface and conical surface. Transitional surfaces for those portions of the precision approach surfaces which project through

and beyond the limits of the conical surface extend a distance of 5,000 feet, measured horizontally from the edge of the approach surface at a 90 degree angle to the extended runway centerline.

~~(o)~~ *Utility runway*~~:~~ means a runway that is constructed for, and intended to be used by, propeller driven aircraft of 12,500 pounds maximum gross weight and less.

~~(p)~~ *Visual runway*~~:~~ means a runway intended solely for the operation of aircraft using visual approach procedures.

(Prior Code, § 602.005; Ord. No. 31-13)

Sec. 602.010. Airport Overlay Zone boundary.

The boundaries of the Airport Overlay Zone are shown in Figure 602-1. The Airport Overlay Zone is divided into the following seven areas that apply to land beneath, upon, and above the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces of McNary Field:

(a) *Utility runway visual approach (URVA) area.* The inner boundary of the URVA area lies along the end of the primary surface and is 250 feet wide. The URVA area expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface. The centerline of the URVA area is the continuation of the centerline of proposed runway 16-34.

(b) *Runway larger than utility visual approach (RLUVA) area.* The inner boundary of the RLUVA area lies along the end of the primary surface and is 500 feet wide. The RLUVA area expands outward uniformly to a width of 1,500 feet at a horizontal distance of 5,000 feet from the primary surface. The centerline of the RLUVA area is the continuation of the centerline of runway 16-34.

(c) *Runway larger than utility with a visibility minimum as low as three-quarter mile non-precision instrument approach (RLUVM) area.* The inner boundary of the RLUVM area lies along the end of the primary surface and is 1,000 feet wide. The RLUVM area expands outward uniformly to a width of 4,000 feet at a horizontal distance of 10,000 feet from the primary surface. The centerline of the RLUVM area is the continuation of the centerline of runway 13.

(d) *Precision instrument runway approach (PIRA) area.* The inner boundary of the PIRA area lies along the end of the primary surface and is 1,000 feet wide. The PIRA area expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. The centerline of the PIRA area is the continuation of the centerline of runway 31.

(e) *Transitional areas.* The transitional areas are those areas that lie beneath the transitional surfaces of each runway.

(f) *Horizontal area.* The boundary of the horizontal area is established by swinging arcs with 5,000 feet radii, for all utility or visual runways, and 10,000 feet radii, for all other runways, from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal area does not include the approach and transitional areas.

(g) *Conical area.* The conical area commences at the periphery of the horizontal area and extends outward a horizontal distance of 4,000 feet.

(Prior Code, § 602.010; Ord. No. 31-13)

Sec. 602.015. Uses.

Any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the Airport Overlay Zone.

(Prior Code, § 602.015; Ord. No. 31-13)

Sec. 602.020. Development standards.

Development within the Airport Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone or

any other overlay zone, the more restrictive development standards shall be the applicable development standard.

(a) *Height.* Except as otherwise provided in this chapter, no building, structure, or object shall be erected or increased in height, and no vegetation shall be allowed to grow, to a height in excess of the height limitations set forth in this subsection. If all or part of a lot is located in more than one Airport Overlay Zone area, the applicable height limitation shall be the most restrictive height limitation.

(1) *Utility runway visual approach (URVA) area.* In the URVA area, no building, structure, object, or vegetative growth shall have a height greater than that established by a plane sloping 20 feet outward for each one foot upward beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 5,000 feet along the extended centerline of runway 16-34.

(2) *Runway larger than utility visual approach (RLUVA) area.* In the RLUVA area, no building, structure, object, or vegetative growth shall have a height greater than that established by a plane sloping 20 feet outward for each one foot upward beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 5,000 feet along the extended centerline of runway 16-34.

(3) *Runway larger than utility with a visibility minimum as low as three-quarter mile non-precision instrument approach (RLUVM) area.* In the RLUVM area, no building, structure, object, or vegetative growth shall have a height greater than that established by a plane sloping 34 feet outward for each one foot upward beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 10,000 feet along the extended centerline of runway 13.

(4) *Precision instrument runway approach (PIRA) area.* In the PIRA area, no building, structure, object, or vegetative growth shall have a height greater than that established by a plane sloping 50 feet outward for each one foot upward beginning at the end of, and at the same elevation as, the primary surface and extending to a horizontal distance of 10,000 feet along the extended centerline of runway 31; thence sloping 40 feet outward for each one foot upward to an additional horizontal distance of 40,000 feet along the extended centerline of runway 31.

(5) *Transitional areas.* In transitional areas, no building, structure, object, or vegetative growth shall have a height greater than that established by a plane sloping seven feet outward for each one foot upward beginning at the sides of, and at the same elevation as, the primary surface and the approach surface, and extending to a height of 150 feet above the airport elevation. In addition, in transitional areas there are established height limits sloping seven feet outward for each one foot upward beginning at the sides of, and the same elevation as, the approach surface, and extending to where they intersect the conical surface. Where the PIRA area projects beyond the conical area, there are established height limits sloping seven feet outward for each one foot upward beginning at the sides of, and the same elevation as, the approach surface, and extending a horizontal distance of 5,000 feet measured at 90 degree angles to the extended runway centerline.

(6) *Horizontal area.* In the horizontal area, no building, structure, object, or vegetative growth shall have a height greater that that established by a horizontal plane 150 feet above the airport elevation.

(7) *Conical area.* In the conical area, no building, structure, object, or vegetative growth shall have a height greater than that established by a plane sloping 20 feet outward for each one foot upward beginning at the periphery of the horizontal area, 150 feet above the airport elevation, and extending to a height of 350 feet above the airport elevation.

(b) *Development compatibility.* Uses within the Airport Overlay Zone shall not be developed, conducted, or maintained in such a manner as to create electrical interference with navigational signals or radio communications between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and other lights, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, attract wildlife, or endanger or interfere in any other manner with landing, takeoff, or maneuvering of aircraft using or intending to use McNary Field.

(c) *Marking and lighting.* Marking and lighting necessary to indicate the presence of buildings, structures, or vegetation to operators of aircraft in the vicinity of the airport shall be provided as required by the FAA.

(Prior Code, § 602.020; Ord. No. 31-13)

Sec. 602.025. Airport overlay zone height variance.

(a) *Applicability.* No building, structure, or object shall be erected or increased in height, and no vegetation shall be allowed to grow, to a height in excess of the height limitations set forth in this chapter unless a variance has been granted pursuant to this section.

(b) *Procedure type.* An Airport Overlay Zone height variance is processed as a Type I procedure under SRC chapter 300.

(c) *Submittal requirements.* In addition to the submittal requirements for a Type I application under SRC chapter 300, an application for an Airport Overlay Zone height variance shall include:

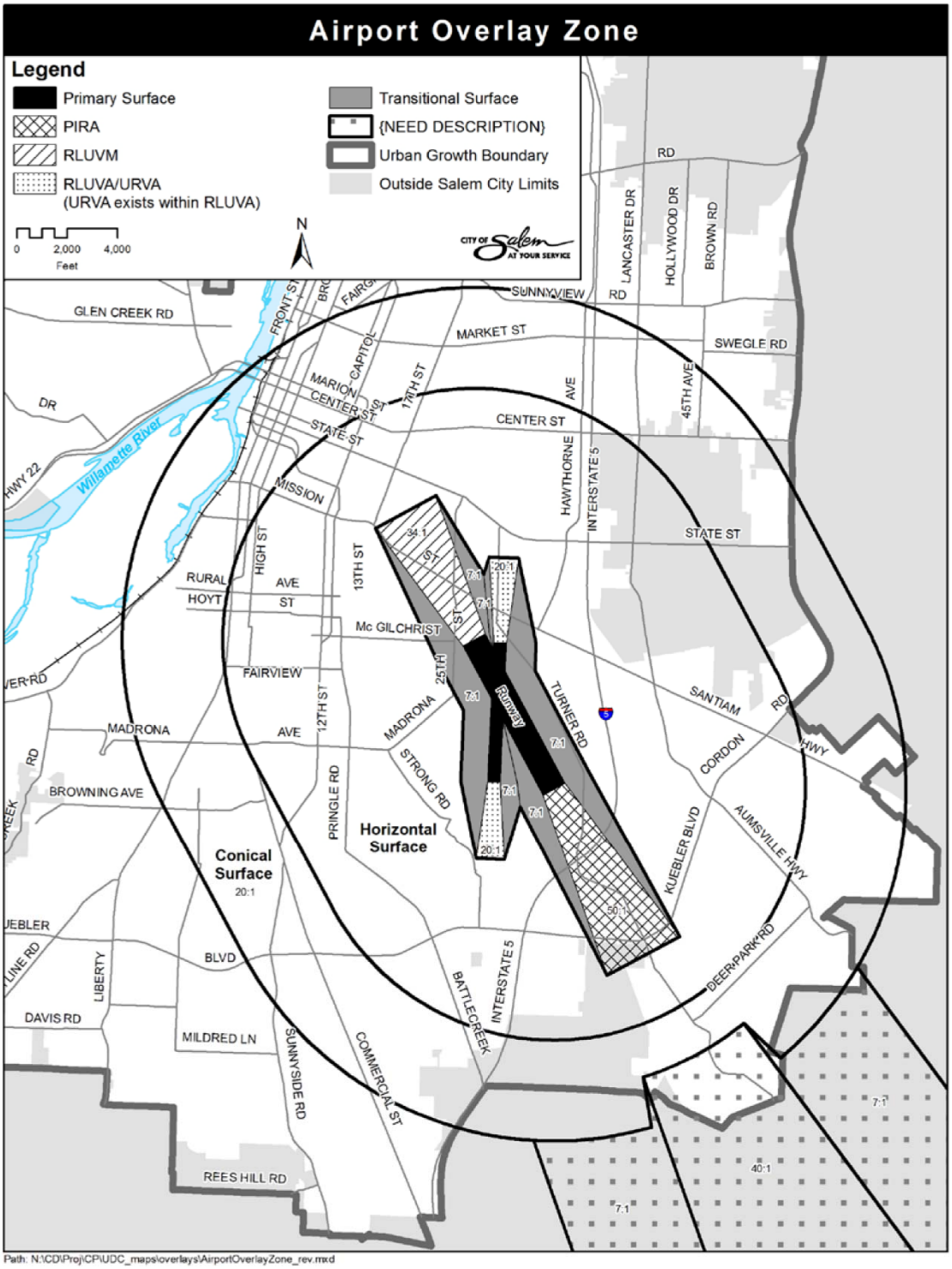
(1) A statement of the specific height limitation for which the variance is requested, and the amount of the variance; and

(2) A determination from the FAA that the proposed variance will not create a hazard to air navigation.

(d) *Criteria.* An Airport Overlay Zone height variance shall be granted if the FAA has issued a determination that the proposed variance will not create a hazard to air navigation.

(e) *Conditions of approval.* The Review Authority shall impose as conditions of approval on an Airport Overlay Zone height variance any condition imposed in the FAA determination.

FIGURE 602-1. AIRPORT OVERLAY ZONE



(Prior Code, § 602.025; Ord. No. 31-13)

CHAPTER 603. PORTLAND-FAIRGROUNDS ROAD OVERLAY ZONE

Sec. 603.001. Purpose.

The purpose of the Portland/Fairgrounds Overlay Zone is to promote a variety of uses along the Portland Road/Fairgrounds Road corridor, including commercial, office, and industrial uses, in a manner consistent with the area's role as the northern gateway into Salem.

(Prior Code, § 603.001; Ord. No. 31-13)

Sec. 603.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Mixed-use development*~~:~~ means a combination of uses in two or more of the following use categories within a single building, or within separate buildings on the same lot or contiguous lots:

~~(1)~~ (a) Household living;

~~(2)~~ (b) Lodging;

~~(3)~~ (c) Retail sales and service;

~~(4)~~ (d) Business and professional services;

~~(5)~~ (e) Health services; or

~~(6)~~ (f) Civic services.

(Prior Code, § 603.005; Ord. No. 31-13)

Sec. 603.010. Portland/Fairgrounds Road Overlay Zone boundary.

The boundaries of the Portland/Fairgrounds Road Overlay Zone are shown in Figure 603-3.

(Prior Code, § 603.010; Ord. No. 31-13)

Sec. 603.015. Uses.

Except as otherwise provided in this section, any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the Portland/Fairgrounds Road Overlay Zone.

(a) *Continued uses.* Uses existing within the Portland/Fairgrounds Road Overlay Zone that were allowed as permitted, special, or conditional uses on October 1, 2001, but which would otherwise be made nonconforming uses by this chapter, are hereby deemed continued uses. The owner shall have the burden to demonstrate continued use status under this subsection.

(1) A continued use may be intensified, and buildings or structures housing a continued use may be ~~may be~~ enlarged, rebuilt, or the exterior altered, provided such intensification, enlargement, rebuilding, or exterior alteration complies with all applicable standards in the underlying zone.

(2) A continued use may be extended onto any contiguous vacant land under the same ownership if such land was held under the same ownership on October 1, 2001, and has been maintained under the same ownership continuously thereafter. The extension of a continued use onto contiguous vacant land under the same ownership must comply with all applicable standards in the underlying zone.

(3) A continued use may be changed to any use that is allowed in the Portland/Fairgrounds Road Overlay Zone. Such change of use shall terminate the continued use status conferred by this subsection and the property must thereafter only be used for uses allowed in the

Portland/Fairgrounds Road Overlay Zone.

(4) A determination by the Building Official that the building or structure housing a continued use is derelict or dangerous, as defined in SRC 50.600 and 56.230, shall terminate the continued use status conferred by this subsection and the property may thereafter only be used for uses allowed in the Portland/Fairgrounds Road Overlay Zone.

(b) *Additional conditional uses.*

(1) The uses set forth in Table 603-1, when allowed in the underlying zone, shall be additional conditional (C) uses in the Portland/Fairgrounds Road Overlay zone.

TABLE 603-1. ADDITIONAL CONDITIONAL USES

Use	Status	Limitations & Qualifications
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Motor vehicle and manufactured dwelling and trailer sales	C	
Motor vehicle services	C	
Commercial parking	C	
Park-and-ride facilities	C	
Heavy vehicle and trailer sales	C	
Heavy vehicle and trailer service and storage	C	

(2) In addition to the uses set forth in Table 603-1, any permitted, special, or conditional use within the Portland/Fairgrounds Road Overlay Zone shall be a conditional use within the overlay zone if developed with any of the following:

(A) Drive-through; or

(B) Outside storage and parking for professional and commercial equipment.

(Prior Code, § 603.015; Ord. No. 31-13)

Sec. 603.020. Development standards.

Development within the Portland/Fairgrounds Road Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) *Continued development.* Building and structures existing within the Portland/Fairgrounds Road Overlay Zone that conformed to the development standards existing on October 1, 2001, but which would otherwise be made nonconforming development by this chapter, are hereby deemed continued development. The owner shall have the burden to demonstrate continued development status under this subsection.

(1) Continued development may be enlarged, rebuilt, or the exterior altered, provided such enlargement, rebuilding, or exterior alteration complies with all applicable standards in the underlying zone.

(2) Continued development may be extended onto any contiguous vacant land under the same ownership if such land was held under the same ownership on October 1, 2001, and has been maintained under the same ownership continuously thereafter. The extension of continued development onto contiguous vacant land under the same ownership must comply with all applicable standards in the underlying zone.

(3) A determination by the Building Official that a continued development is derelict or dangerous, as defined in SRC 50.600 and 56.230, shall terminate the continued development status conferred by this subsection and the building or structure shall thereafter be deemed a nonconforming development.

(b) *Lot standards.* Lots for townhouses within the Portland/Fairgrounds Road Overlay Zone shall conform to the standards set forth in Table 603-2.

TABLE 603-2. LOT STANDARDS

Requirement	Standard	Limitations & Qualifications
Lot Area		
Single family	Min. 1,500 sq. ft.	Applicable to townhouses.
Lot Width		
Single family	Min. 20 ft.	Applicable to townhouses.
Lot Depth		
Single family	Min. 65 ft.	Applicable to townhouses.

(c) *Dwelling unit density.* Dwelling unit density within the Portland/Fairgrounds Overlay Zone shall conform to the standards set forth in Table 603-3. Dwelling unit density cannot be varied or adjusted.

TABLE 603-3. DWELLING UNIT DENSITY

Use or Activity	Standard	Limitations & Qualifications
Single family, two family, and multiple family	Min. 20 dwelling units per acre	
	None	Applicable to mixed-use buildings where floors above the first floor are used entirely for dwelling units.

(d) *Setbacks.* Setbacks within the Portland/Fairgrounds Road Overlay Zone shall be provided as set forth in Table 603-4.

TABLE 603-4. SETBACKS

Requirements	Standards	Limitations & Qualifications
Abutting Street		
Buildings		
Single family, two family, and	Min. 12 ft., plus 1	

TABLE 603-4. SETBACKS		
Requirements	Standards	Limitations & Qualifications
multiple family	ft. for each 1 ft. of height over 12 ft.	
	Max. 20 ft.	
Accessory Structures		
Accessory to single family, two family, and multiple family	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft., plus 1 ft. for each 1 ft. of height over 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
Interior Front		
Buildings		
Single family and two family	Min. 12 ft., plus 1 ft. for each 1 ft. of height over 12 ft.	
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft., plus 1 ft. for each 1 ft. of height over 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
Interior Side		
Buildings		
Single family and two family	Min. 5 ft.	
	None	Applicable to townhouses.
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.
Interior Rear		
Buildings		
Single family and two family	Min. 14 ft.	Applicable to any portion of a building not more than 1 story in height.
	Min. 20 ft.	Applicable to any portion of a building greater than 1 story in height.
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures not more than 9 ft. in height.
	Min. 1 ft. for each 1 ft. of height over	Applicable to accessory structures greater than 9 ft. in height.

TABLE 603-4. SETBACKS		
Requirements	Standards	Limitations & Qualifications
	9 ft.	
	Min. 1 ft.	Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure.

(e) *Landscaping.* Berms, mounds, raised beds, and grade drops shall not be allowed as a landscaping treatment, unless a bioswale treatment system or approved landscaping exists to adequately collect water runoff and the berms, mounds, raised beds, and grade drops do not exceed a 3:1 slope.

(f) *Off-street parking and loading areas.*

(1) Planter bays or islands shall have a minimum planting area of 50 square feet.

(2) A minimum of one tree per eight parking spaces is required, of which a maximum of 25 percent may be evergreen trees. Trees shall be planted within 20 feet of the parking lot perimeter. Trees within the public street right-of-way shall not count toward the tree planting requirements.

(3) Off-street parking may be provided no more than 800 feet from the edge of the lot, or contiguous lots, upon which the main building is located.

(4) Employee off-street parking may be provided no more than 2,000 feet from the edge of the lot, or contiguous lots, upon which the main building is located.

(5) Parking lot light structures shall not exceed 25 feet in height.

(g) *Screening.*

(1) Trash receptacles shall be screened from adjacent household living uses and streets by a sight-obscuring fence, wall, or hedge.

(2) Concertina or barbed wire fencing shall not be located within 60 feet of the street right-of-way, unless such fencing is obstructed by a building or structure.

(3) Concertina or barbed wire fencing shall be screened from public view and adjacent property by sight-obscuring landscaping.

(h) *Outdoor storage.*

(1) Outdoor storage areas shall not be located within required setbacks.

(2) Outdoor storage areas shall be enclosed by a minimum six-foot-high sight-obscuring fence, wall, hedge, or berm; provided, however, items more than six feet in height above grade shall be screened by sight-obscuring landscaping.

(3) Items stored within outdoor storage areas shall not exceed a maximum height of 14 feet above grade.

(i) *Pedestrian access.*

(1) A pedestrian connection shall be provided from the public sidewalk to the primary building entrance.

(2) A pedestrian connection through the parking area to the primary building entrance shall be provided when the parking area is greater than 60 feet in depth.

(3) Within shopping centers, office complexes, and mixed-use developments, pedestrian connections shall be provided to connect the buildings. Pedestrian connections shall be the most practical, direct route.

(4) Pedestrian connections shall be a minimum of five feet in width, and defined by visual contrast or

tactile finish texture.

(5) Wheel stops or extended curbs shall be provided along required pedestrian connections to prevent the encroachment of vehicles onto pedestrian connections.

(j) *Project enhancements.* Development within the Portland/Fairgrounds Road Overlay Zone shall include four or more of the following project enhancements:

(1) Closure of one driveway approach on Portland/Fairgrounds Road;

(2) Joint parking agreement under SRC 806.020(a)(5), or implementation of a plan to satisfy off-street parking requirements through alternative modes of transportation under SRC 806.015(e)(2);

(3) Freestanding sign not more than five feet in height and placed upon a foundation;

(4) Weather protection, in the form of awnings or canopies, along more than 50 percent of the length of the ground floor building facade adjacent to sidewalks or pedestrian connections;

(5) Cast iron or wrought iron fencing adjacent to Portland/Fairgrounds Road;

(6) Pedestrian connections that are:

(A) Constructed with pavers, scored or colored cement, and/or stamped asphalt;

(B) Elevated above the parking area and driveway; or

(C) Defined with landscaping or building features such as canopies, awnings, or arcades;

(7) Development on surface parking lots existing on October 1, 2001;

(8) Provision of one or more of the following pedestrian-oriented design features on private property adjacent to Portland/Fairgrounds Road:

(A) Pedestrian scale lighting not more than 16 feet in height; or

(B) Plazas or other outdoor spaces open to the public;

(9) A minimum of seven percent interior landscaping within parking areas not more than 50,000 square feet in size; or a minimum of ten percent interior landscaping within parking areas greater than 50,000 square feet in size;

(10) Installation of landscaping and irrigation using a plan designed by an Oregon landscape architect;

(11) Development of a mixed-use building; or

(12) Construction of a building where at least 50 percent of the building frontage is constructed contiguous to the minimum building setback line.

(Prior Code, § 603.020; Ord. No. 31-13)

Sec. 603.025. Design review.

Design review under SRC chapter 225 is required for development within the Portland/Fairgrounds Road Overlay Zone as follows:

(a) Except as otherwise provided in this section, design review according to the design review guidelines or the design review standards set forth in SRC 603.030 is required for all development within the Portland/Fairgrounds Road Overlay Zone.

(b) Multiple family development, other than multiple family development within a mixed-use building, shall only be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(c) Multiple family development within a mixed-use building shall only be subject to design review according to the design review guidelines or the design review standards set forth in SRC 603.030.

(Prior Code, § 603.025; Ord. No. 31-13)

Sec. 603.030. Design review guidelines and design review standards.

(a) *Building location, orientation, and design.*

(1) *Building location.*

(A) *Design review guidelines.*

(i) Building setbacks abutting street. Building setbacks from the street shall be minimized (see Figure 603-1).

(ii) Accessory structures shall be located to minimize their appearance in relationship to the primary building.

(B) *Design review standards.*

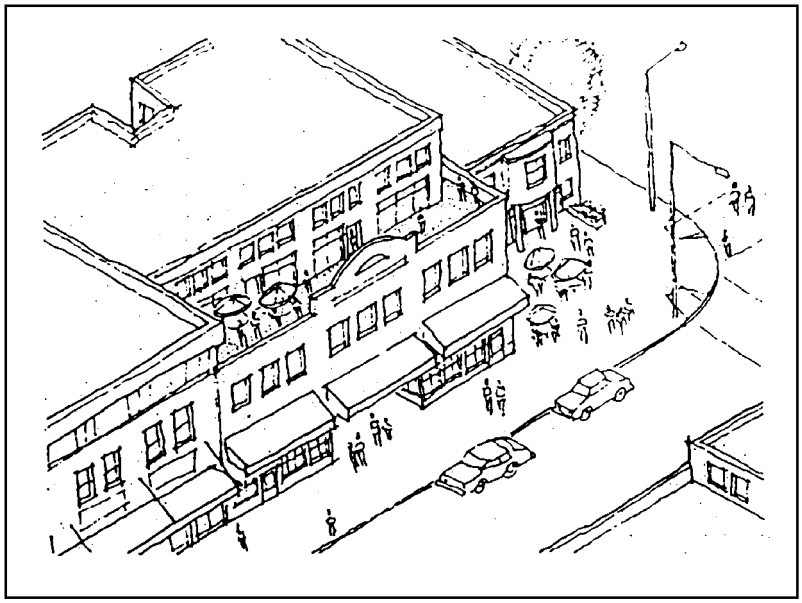
(i) Building setbacks abutting street. Buildings shall have the following setbacks abutting a street:

(aa) Minimum: zero feet.

(bb) Maximum: 60 feet.

(ii) Accessory structures shall be located no closer to the street than the primary building.

FIGURE 603-1. BUILDING SETBACKS MINIMIZED FROM STREET



(2) *Building orientation and design.*

(A) *Design review guidelines.*

(i) Buildings facing Portland/Fairgrounds Road shall create safe, pleasant, and active pedestrian environments.

(ii) Ground floor building facades facing Portland/Fairgrounds Road shall include transparent windows to ensure that the ground floor promotes a sense of interaction between activities in the building and activities in the public realm.

(iii) Buildings shall be human scale and avoid long monotonous exterior walls. To minimize the appearance of bulk and divide overall building mass, building offsets and building articulation shall be provided throughout building facades.

(iv) Weather protection, in the form of awnings or canopies appropriate to the design of the building, shall be provided along ground floor building facades adjacent to sidewalks or pedestrian connections in order to create a comfortable and inviting pedestrian environment.

(B) *Design review standards.*

(i) A primary building entrance shall be provided for each building facade facing a street. If a building has frontage on more than one street, a single primary building entrance may be provided at the corner of the building where the streets intersect (see Figure 603-2).

(aa) Alternative standard for existing buildings. Notwithstanding subsection (a)(2)(B)(i) of this section, where a building existing on October 1, 2001, has a primary building entrance facing a street, such entrance may be relocated but not eliminated. The relocated entrance must face a street.

(ii) Ground floor building facades facing Portland/Fairgrounds Road shall include transparent windows on a minimum of 65 percent of the ground floor facade. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum Visible Transmittance (VT) of 37 percent.

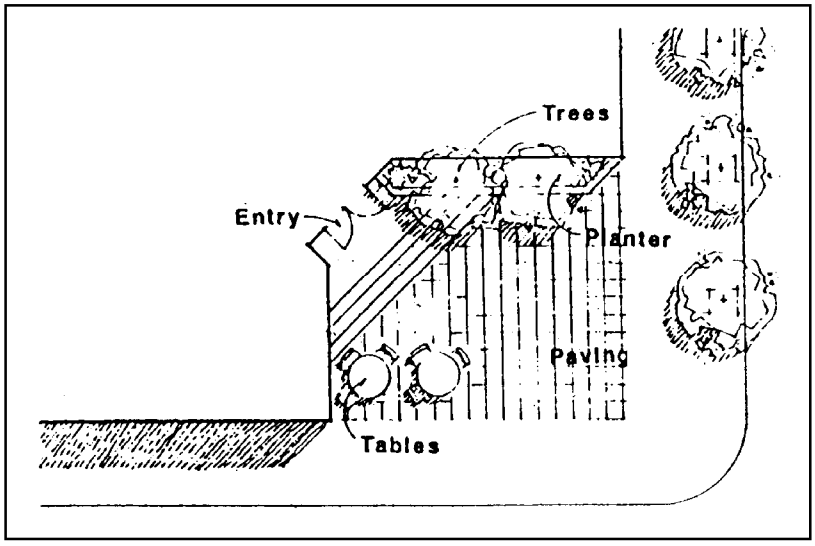
(aa) Alternative standard for existing buildings. Notwithstanding subsection (a)(2)(B)(ii) of this section, where a building existing on October 1, 2001, does not include transparent windows on a minimum of 65 percent of the ground floor facade facing Portland/Fairgrounds Road, the percentage of transparent windows existing on the ground floor facade shall not be reduced. Additional windows meeting the transparency requirements of subsection (a)(2)(B)(ii) <u>of this section</u> may be added without meeting the minimum ground floor facade window percentage of 65 percent.

(iii) Building offsets shall be provided for building frontages greater than 75 feet in width. Building frontages two or more stories in height may be constructed without required building offsets on the first floor, but all additional floors shall incorporate building offsets. Building offsets shall be a minimum four feet in depth and shall be provided at intervals of not more than 40 feet along the building frontage. Building offsets may extend into required setbacks.

(iv) Weather protection, in the form of awnings or canopies, shall be provided along a minimum of 50 percent of the length of the ground floor building facade adjacent to sidewalks or pedestrian connections. Awnings or canopies shall have a minimum clearance height above the sidewalk of eight feet, and may encroach into the street right-of-way as provided in SRC 76.160.

(aa) Alternative standard for existing buildings. Notwithstanding subsection (a)(2)(B)(iv) of this section, where a building existing on October 1, 2001, does not include weather protection, in the form of awnings or canopies, along a minimum of 50 percent of the length of the ground floor facade adjacent to sidewalks or pedestrian connections, the percentage of weather protection along the ground floor facade shall not be reduced. Additional weather protection meeting the sidewalk clearance requirements in subsection (a)(2)(B)(iv) of this section may be added without meeting the minimum weather protection standard of 50 percent.

FIGURE 603-2. BUILDING CORNER ENTRY



(b) *Landscaping.*

(1) *Landscaping for open sales and off-street parking.*

(A) *Design review guidelines.*

(i) Landscaping shall be utilized to enhance the urban character of the area and provide adequate screening of surface parking lots and open sales areas.

(B) *Design review standards.*

(i) Open sales areas for items such as vehicles, boats, recreational vehicles, satellites, hot tubs, and other similar items shall be screened from the public right-of-way with a minimum three-foot tall sight-obscuring fence, masonry wall, or hedge, and a minimum three-foot wide landscape strip. The fence, masonry wall, or hedge shall not encroach into the vision clearance area.

(ii) A minimum ten-foot-wide landscape strip shall be provided between surface parking lots and the street right-of-way. The landscape strip shall be planted with a minimum of one plant unit per 20 square feet of planting area. Berms, mounds, raised beds, and grade drops are allowed if they meet the standards in SRC 603.020(e).

(c) *Off-street parking and loading.*

(1) *Off-street parking.*

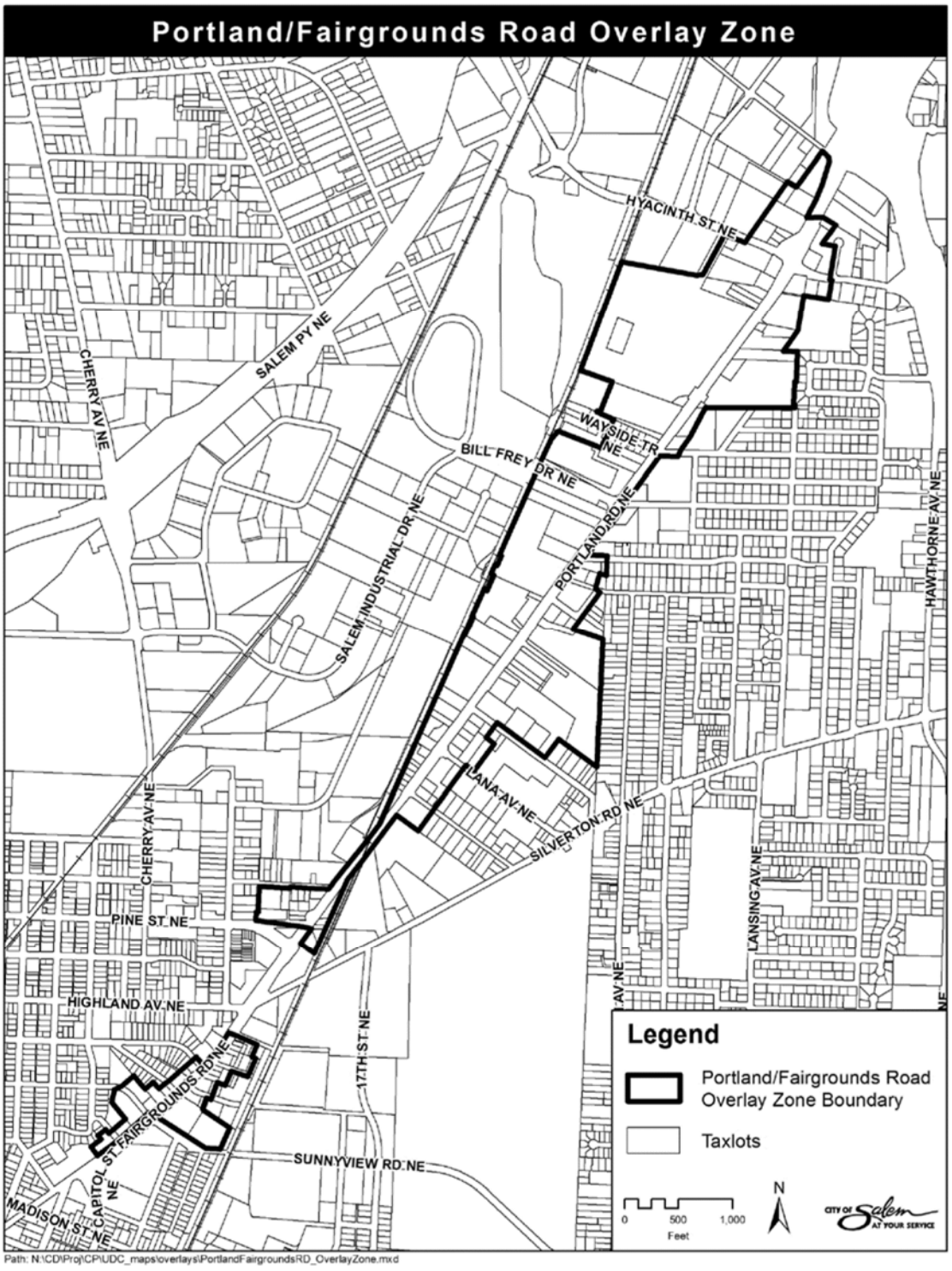
(A) *Design review guidelines.*

(i) Parking structures located adjacent to Portland/Fairgrounds Road shall include space for ground floor commercial uses along their Portland/Fairgrounds Road frontage in order to create a safe, pleasant, and active pedestrian environment.

(B) *Design review standards.*

(i) Parking structures located adjacent to Portland/Fairgrounds Road shall include space for ground floor commercial uses along their entire Portland/Fairgrounds Road frontage.

FIGURE 603-3. PORTLAND/FAIRGROUNDS ROAD OVERLAY ZONE



(Prior Code, § 603.030; Ord. No. 31-13)

CHAPTER 604. PINE STREET MIXED-USE OVERLAY ZONE

Sec. 604.001. Purpose.

The purpose of the Pine Street Mixed-Use Overlay Zone is to identify allowed uses and to establish development standards that promote creation of a mixed-use center along the Portland/Fairgrounds Road Corridor serving the surrounding community with storefront businesses offering a wide range of goods and services in a pedestrian friendly environment.

(Prior Code, § 604.001; Ord. No. 31-13)

Sec. 604.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Mixed-use development*~~:~~ means a combination of uses in two or more of the following use categories within a single building, or within separate buildings on the same lot or contiguous lots:

~~(1)~~ (a) Household living;

~~(2)~~ (b) Lodging;

~~(3)~~ (c) Retail sales and service;

~~(4)~~ (d) Business and professional services;

~~(5)~~ (e) Health services; or

~~(6)~~ (f) Civic services.

~~(b)~~ *Side street*~~:~~ means any public street that intersects Portland/Fairgrounds Road.

(Prior Code, § 604.005; Ord. No. 31-13)

Sec. 604.010. Pine Street Mixed-Use Overlay Zone boundary.

The boundaries of the Pine Street Mixed-Use Overlay Zone are shown in Figure 604-3.

(Prior Code, § 604.010; Ord. No. 31-13)

Sec. 604.015. Uses.

(a) *General.* Except as otherwise provided in this section, the uses set forth in Table 604-1 shall be the only permitted (P), special (S), conditional (C), and prohibited (N) uses in the Pine Street Mixed-Use Overlay Zone.

TABLE 604-1. USES

Use	Status		Limitations & Qualifications
	CG Underlying Zone	IC Underlying Zone	
Household Living			
Single family	P	C	The following single family activities: □ Townhouse. □ Residential home, as defined under ORS 197.660.

TABLE 604-1. USES			
Use	**Status**		**Limitations & Qualifications**
	CG Underlying Zone	**IC Underlying Zone**	
	N	P	Dwelling unit for a caretaker or watchperson on the premises being cared for or guarded.
	N	N	All other single family.
Two family	N	C	
Multiple family	P	C	Multiple family, constructed as part of a mixed-use development.
	C	C	All other multiple family.
Group Living			
Room and board	P	C	Room and board serving 5 or fewer persons.
	C	N	Room and board serving 6 to 75 persons.
	N	N	All other room and board.
Residential care	C	C	
Nursing care	P	P	
Lodging			
Short-term commercial lodging	P	P	
Long-term commercial lodging	N	C	
Nonprofit shelters	C	C	Nonprofit shelters serving 5 or fewer persons.
	N	N	All other nonprofit shelters.
Retail Sales and Services			
Eating and drinking establishments	P	P	
Retail sales	N	N	Used merchandise stores, where sales and storage of merchandise and equipment is not conducted entirely within a building.
	N	P	The following retail sales activities: □ Auto supply stores. □ Meat and seafood markets where live animals are sold or processed.
	P	P	All other retail sales.
Personal services	P	P	

TABLE 604-1. USES			
Use	**Status**		**Limitations & Qualifications**
	CG Underlying Zone	**IC Underlying Zone**	
Postal services and retail financial services	P	P	
Business and Professional Services			
Office	P	P	
Audio/visual media production	P	P	
Laboratory research and testing	P	P	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service			
Motor vehicle and manufactured dwelling and trailer sales	C	C	
Motor vehicle services	C	C	
Commercial parking	P	P	
Park-and-ride facilities	P	P	
Taxicabs and car services	N	P	
Heavy vehicle and trailer sales	N	N	
Heavy vehicle and trailer service and storage	N	N	
Recreation, Entertainment, and Cultural Services and Facilities			
Commercial entertainment—indoor	C	C	Nightclubs, located within 200 feet of a residential zone.
	P	P	All other commercial entertainment—indoor.
Commercial entertainment—outdoor	N	N	
Major event entertainment	N	N	
Recreational and cultural community services	P	P	
Parks and open space	P	P	
Nonprofit membership assembly	P	P	
Religious assembly	P	P	
Health Services			
Medical centers/hospitals	N	N	
Outpatient medical services and laboratories	P	P	
Educational Services			
Day care	P	P	

TABLE 604-1. USES			
Use	**Status**		**Limitations & Qualifications**
	CG Underlying Zone	**IC Underlying Zone**	
Basic education	P	P	
Post-secondary and adult education	P	P	
Civic Services			
Governmental services	P	P	
Social services	P	P	
Governmental maintenance services and construction	N	N	
Public Safety			
Emergency services	P	P	
Detention facilities	N	N	
Military installations	P	P	
Funeral and Related Services			
Cemeteries	N	N	
Funeral and cremation services	P	P	
Construction Contracting, Repair, Maintenance, and Industrial Services			
General repair services	P	P	
Building and grounds services and construction contracting	N	N	
Cleaning plants	N	N	Industrial laundries.
	P	P	All other cleaning plants.
Industrial services	N	N	
Wholesale Sales			
General wholesaling	P	P	General wholesaling, provided 40 percent or more of the building square footage is dedicated to the sale of merchandise for household or personal consumption by the general public.
Heavy wholesaling	N	N	
Warehousing and distribution	N	N	
Self-service storage	N	N	
Manufacturing			

TABLE 604-1. USES			
Use	**Status**		**Limitations & Qualifications**
	CG Underlying Zone	**IC Underlying Zone**	
General manufacturing	C	P	General manufacturing, provided 40 percent or more of the building square footage is dedicated to the sale of merchandise for household or personal consumption by the general public.
Heavy manufacturing	N	N	
Printing	P	P	
Transportation Facilities			
Aviation facilities	N	N	
Passenger ground transportation facilities	P	P	
Marine facilities	N	N	
Utilities			
Basic utilities	P	P	
Wireless communication facilities	Allowed	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	N	C	
Power generation facilities	N	N	
Data center facilities	N	N	
Fuel dealers	N	N	
Waste-related facilities	N	N	
Mining and Natural Resource Extraction			
Petroleum and natural gas production	N	N	
Surface mining	N	N	
Farming, Forestry, and Animal Services			
Agriculture	N	N	
Forestry	N	N	
Agriculture and forestry services	N	N	
Keeping of livestock and other animals	N	N	
Animal services	P	P	Small animal veterinary services.
	C	C	Wildlife rehabilitation facility.
	N	N	All other animal services.

TABLE 604-1. USES			
Use	**Status**		**Limitations & Qualifications**
	CG Underlying Zone	**IC Underlying Zone**	
Other Uses			
Home occupations	S	S	Home occupations are allowed, subject to SRC 700.020.

(b) *Additional conditional uses.* In addition to the uses set forth in Table 604-1, any permitted, special, or conditional use within the Pine Street Mixed-Use Overlay Zone shall be a conditional use within the overlay zone if developed with any of the following:

(1) Drive-through;

(2) Outside storage and parking of professional and commercial equipment; or

(3) Loading of commercial vehicles over 20,000 pounds of gross vehicle weight.

(c) *Continued uses.* Uses existing within the Pine Street Mixed-Use Overlay Zone that were allowed as permitted, special, or conditional uses on October 1, 2001, but which would otherwise be made nonconforming uses by this chapter, are hereby deemed continued uses. The owner shall have the burden to demonstrate continued use status under this subsection.

(1) A continued use may be intensified, and buildings or structures housing a continued use may be ~~may be~~ enlarged, rebuilt, or the exterior altered, provided such intensification, enlargement, rebuilding, or exterior alteration complies with all applicable standards in the underlying zone.

(2) A continued use may be extended onto any contiguous vacant land under the same ownership if such land was held under the same ownership on October 1, 2001, and has been maintained under the same ownership continuously thereafter. The extension of a continued use onto contiguous vacant land under the same ownership must comply with all applicable standards in the underlying zone.

(3) A continued use may be changed to any use that is allowed in the Pine Street Mixed-Use Overlay Zone. Such change of use shall terminate the continued use status conferred by this subsection and the property must thereafter only be used for uses allowed in the Pine Street Mixed-Use Overlay Zone.

(4) A determination by the Building Official that the building or structure housing a continued use is derelict or dangerous, as defined in SRC 50.600 and 56.230, shall terminate the continued use status conferred by this subsection and the property may thereafter only be used for uses allowed in the Pine Street Mixed-Use Overlay Zone.

(Prior Code, § 604.015; Ord. No. 31-13; Ord No. 11-14)

Sec. 604.020. Development standards.

Development within the Pine Street Mixed-Use Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) *Continued development.* Buildings and structures existing within the Pine Street Mixed-Use Overlay Zone that conformed to the development standards existing on October 1, 2001, but which would otherwise be made nonconforming development by this chapter, are hereby deemed continued development. The owner shall have the burden to demonstrate continued development status under this subsection.

(1) Continued development may be enlarged, rebuilt, or the exterior altered, provided such enlargement, rebuilding, or exterior alteration complies with all applicable standards in the underlying zone.

(2) Continued development may be extended onto any contiguous vacant land under the same ownership if such land was held under the same ownership on October 1, 2001, and has been maintained under the same ownership continuously thereafter. The extension of a continued development onto contiguous vacant land under the same ownership must comply with all applicable standards in the underlying zone.

(3) A determination by the Building Official that a continued development is derelict or dangerous, as defined in SRC 50.600 and 56.230, shall terminate the continued development status conferred by this subsection and the building or structure shall thereafter be deemed a nonconforming development.

(b) *Lot standards.* Lots for townhouses within the Pine Street Mixed-Use Overlay Zone shall conform to standards set forth in Table 604-2.

TABLE 604-2. LOT STANDARDS

Requirements	Standard	Limitations & Qualifications
Lot Area		
Single family	Min. 1,500 sq. ft.	Applicable to townhouses.
Lot Width		
Single family	Min. 20 ft.	Applicable to townhouses.
Lot Depth		
Single family	Min. 65 ft.	Applicable to townhouses.

(c) *Dwelling unit density.* Dwelling unit density within the Pine Street Mixed-Use Overlay Zone shall conform to the standards set forth in Table 604-3. Dwelling unit density cannot be varied or adjusted.

TABLE 604-3. DWELLING UNIT DENSITY

Use or Activity	Standard	Limitations & Qualifications
Single family, two family, and multiple family	Min. 20 dwelling units per acre	
	None	Applicable to mixed-use buildings where floors above the first floor are used entirely for dwelling units.

(d) *Building area.* The aggregate floor area of a single development shall not exceed 50,000 square feet, unless developed as part of a mixed-use development. The aggregate floor area of a mixed-use development may exceed 50,000 square feet. All new buildings in a mixed-use development shall have a second floor with an area equal to at least 50 percent of the first floor area.

(e) *Setbacks.* Setbacks within the Pine Street Mixed-Use Overlay Zone shall be provided as set forth in Table 604-4.

TABLE 604-4. SETBACKS		
Requirements	Standards	Limitations & Qualifications
Abutting Street		
Buildings		
Single family, two family, and multiple family	Min. 12 ft., plus 1 foot for each 1 foot of height over 12 ft.	
	Max. 20 ft.	
Accessory Structures		
Accessory to single family, two family, and multiple family	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft., plus 1 foot for each 1 foot of height over 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
Interior Front		
Buildings		
Single family and two family	Min. 12 ft., plus 1 foot for each 1 foot of height over 12 ft.	
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft., plus 1 foot for each 1 foot of height over 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
Interior Side		
Buildings		
Single family and two family	Min. 5 ft.	
	None	Applicable to townhouses.
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.
Interior Rear		
Buildings		
Single family and two family	Min. 14 ft.	Applicable to any portion of a building not more than 1 story in height.

TABLE 604-4. SETBACKS		
Requirements	Standards	Limitations & Qualifications
	Min. 20 ft.	Applicable to any portion of a building greater than 1 story in height.
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures not more than 9 ft. in height.
	Min. 1 foot for each 1 foot of height over 9 ft.	Applicable to accessory structures greater than 9 ft. in height.
	Min. 1 ft.	Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure.

(f) *Landscaping.* Berms, mounds, raised beds, and grade drops shall not be allowed as a landscaping treatment, unless a bioswale treatment system or approved landscaping exists to adequately collect water runoff and the berms, mounds, raised beds, and grade drops do not exceed a 3:1 slope.

(g) *Off-street parking and loading areas.*

(1) Planter bays or islands shall have a minimum planting area of 50 square feet.

(2) A minimum of one tree per eight parking spaces is required, of which a maximum of 25 percent may be evergreen trees. Trees shall be planted within 20 feet of the parking lot perimeter. Trees within the public street right-of-way shall not count toward the tree planting requirements.

(3) Off-street parking may be provided no more than 800 feet from the edge of the lot, or contiguous lots, upon which the main building is located.

(4) Employee off-street parking may be provided no more than 2,000 feet from the edge of the lot, or contiguous lots, upon which the main building is located.

(5) Parking lot light structures shall not exceed 25 feet in height.

(6) The minimum off-street parking requirement for household living uses shall be one space per dwelling unit.

(h) *Screening.*

(1) Trash receptacles shall be screened from adjacent household living uses and streets by a sight-obscuring fence, wall, or hedge.

(2) Concertina or barbed wire fencing shall not be located within 60 feet of the street right-of-way, unless such fencing is obstructed by a building or structure.

(3) Concertina or barbed wire fencing shall be screened from public view and adjacent property by sight-obscuring landscaping.

(i) *Outdoor storage.*

(1) Outdoor storage areas shall not be located within required setbacks.

(2) Outdoor storage areas shall be enclosed by a minimum six-foot-high sight-obscuring fence, wall, hedge, or berm; provided, however, items more than six feet in height above grade shall be screened by sight-obscuring landscaping.

(3) Items stored within outdoor storage areas shall not exceed a maximum height of 14 feet above grade.

(j) *Pedestrian access.*

(1) A pedestrian connection shall be provided from the public sidewalk to the primary building entrance.

(2) A pedestrian connection through the parking area to the primary building entrance shall be provided when the parking area is greater than 60 feet in depth.

(3) Within shopping centers, office complexes, and mixed-use developments, pedestrian connections shall be provided to connect the buildings. Pedestrian connections shall be the most practical, direct route.

(4) Pedestrian connections shall be a minimum of five feet in width, and defined by visual contrast or tactile finish texture.

(5) Wheel stops or extended curbs shall be provided along required pedestrian connections to prevent the encroachment of vehicles onto pedestrian connections.

(k) *Project enhancements.* Development within the Pine Street Mixed-Use Overlay Zone shall include four or more of the following project enhancements:

(1) Closure of one driveway approach on Portland/Fairgrounds Road;

(2) Joint parking agreement under SRC 806.020(a)(5), or implementation of a plan to satisfy off-street parking requirements through alternative modes of transportation under SRC 806.015(e)(2);

(3) Freestanding sign not more than five feet in height and placed upon a foundation;

(4) Weather protection, in the form of awnings or canopies, along more than 75 percent of the length of the ground floor building facade adjacent to sidewalks or pedestrian connections;

(5) Cast iron or wrought iron fencing adjacent to Portland/Fairgrounds Road;

(6) Pedestrian connections that are:

(A) Constructed with pavers, scored or colored cement, and/or stamped asphalt;

(B) Elevated above the parking area and driveway; or

(C) Defined with landscaping or building features such as canopies, awnings, or arcades;

(7) Development on surface parking lots existing on October 1, 2001;

(8) Provision of one or more of the following pedestrian-oriented design features on private property adjacent to Portland/Fairgrounds Road:

(A) Pedestrian scale lighting not more than 16 feet in height; or

(B) Plazas or other outdoor spaces open to the public;

(9) A minimum of seven percent interior landscaping within parking areas not more than 50,000 square feet in size; or a minimum of ten percent interior landscaping within parking areas greater than 50,000 square feet in size;

(10) Installation of landscaping and irrigation using a plan designed by an Oregon landscape architect; or

(11) Development of a mixed-use building.

(Prior Code, § 604.020; Ord. No. 31-13)

Sec. 604.025. Design review.

Design review under SRC chapter 225 is required for development within the Pine Street Mixed-Use Overlay Zone as follows:

(a) Except as otherwise provided in this section, design review according to the design review guidelines or the design review standards set forth in SRC 604.030 is required for all development within the Pine Street Mixed-Use Overlay Zone.

(b) Multiple family development, other than multiple family development within a mixed-use building, shall only be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(c) Multiple family development within a mixed-use building shall only be subject to design review according to the design review guidelines or the design review standards set forth in SRC 604.030.

(d) Residential care with three or more self-contained dwelling units shall only be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(Prior Code, § 604.025; Ord. No. 31-13)

Sec. 604.030. Design review guidelines and design review standards.

(a) *Building location, orientation, and design*.

(1) *Building location.*

(A) *Design review guidelines.*

(i) Building setbacks abutting street. Building setbacks from the street shall be minimized (see Figure 604-1). Buildings constructed contiguous to the street right-of-way are preferred.

(ii) Accessory structures shall be located to minimize their appearance in relationship to the primary building.

(B) *Design review standards.*

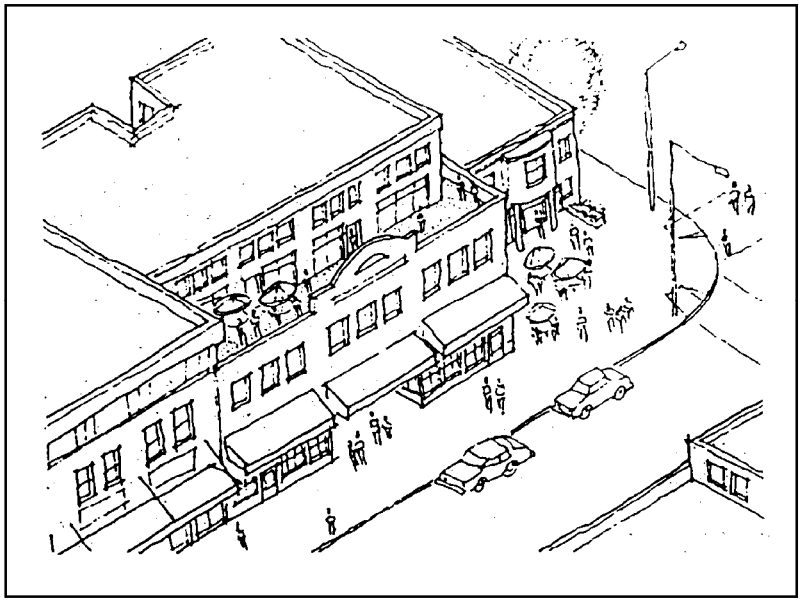
(i) Building setbacks abutting street. Buildings shall have the following setbacks abutting a street:

(aa) Minimum: zero feet.

(bb) Maximum: ten feet.

(ii) Accessory structures shall be located no closer to the street than the primary building.

FIGURE 604-1. BUILDING SETBACKS MINIMIZED FROM STREET



(2) *Building orientation and design.*

(A) *Design review guidelines*.

(i) Buildings facing Portland/Fairgrounds Road shall create safe, pleasant, and active pedestrian environments.

(ii) Ground floor building facades facing Portland/Fairgrounds Road shall include transparent windows to ensure that the ground floor promotes a sense of interaction between activities in the building and activities in the public realm.

(iii) Buildings shall be human scale and avoid long monotonous exterior walls. To minimize the appearance of bulk and divide overall building mass, building offsets and building articulation shall be provided throughout building facades.

(iv) Weather protection, in the form of awnings or canopies appropriate to the design of the building, shall be provided along ground floor building facades adjacent to sidewalks or pedestrian connections in order to create a comfortable and inviting pedestrian environment.

(B) *Design review standards*.

(i) A primary building entrance shall be provided for each building facade facing a street. If a building has frontage on more than one street, a single primary building entrance may be provided at the corner of the building where the streets intersect (see Figure 604-2).

(aa) *Alternative standard for existing buildings*. Notwithstanding subsection (a)(2)(B)(i) of this section, where a building existing on October 1, 2001, has a primary building entrance facing a street, such entrance may be relocated but not eliminated. The relocated entrance must face a street.

(ii) Ground floor building facades facing Portland/Fairgrounds Road shall include transparent windows on a minimum of 65 percent of the ground floor facade. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum visible transmittance (VT) of 37 percent.

(aa) *Alternative standard for existing buildings*. Notwithstanding subsection (a)(2)(B)(ii) of this section, where a building existing on October 1, 2001, does not include transparent windows on a minimum of 65 percent of the ground floor facade facing Portland/Fairgrounds Road, the percentage of transparent windows existing on the ground floor facade shall not be reduced. Additional windows meeting the transparency requirements of subsection (a)(2)(B)(ii) may be added without meeting the minimum ground floor facade window percentage of 65 percent.

(iii) Building offsets shall be provided for building frontages greater than 75 feet in width. Building frontages two or more stories in height may be constructed without required building offsets on the first floor, but all additional floors shall incorporate building offsets. Building offsets shall be a minimum four feet in depth and shall be provided at intervals of not more than 40 feet along the building frontage. Building offsets may extend into required setbacks.

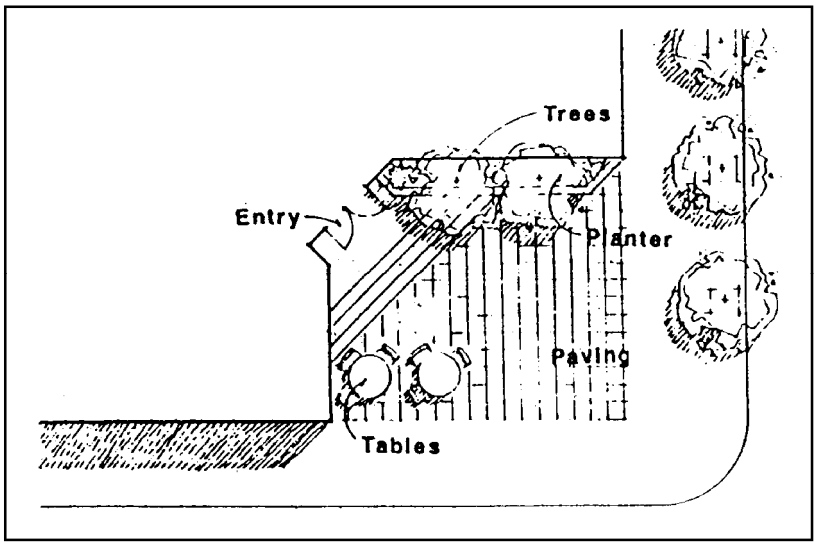
(iv) Weather protection, in the form of awnings or canopies, shall be provided along a minimum of 50 percent of the length of the ground floor building facade adjacent to sidewalks or pedestrian connections. Awnings or canopies shall have a minimum clearance height above the sidewalk of eight feet, and may encroach into the street right-of-way as provided in SRC 76.160.

(aa) *Alternative standard for existing buildings.* Notwithstanding subsection (a)(2)(B)(iv) of this section, where a building existing on October 1, 2001, does not include weather protection, in the form of awnings or canopies, along a minimum of 50 percent of the length of the ground floor facade adjacent to sidewalks or pedestrian connections, the percentage of weather protection along the ground floor facade shall not be reduced. Additional weather protection meeting the sidewalk clearance requirements in

subsection (a)(2)(B)(iv) of this section may be added without meeting the minimum weather protection standard of 50 percent.

(v) New buildings shall be a minimum of 25 feet in height.

FIGURE 604-2. BUILDING CORNER ENTRY



(b) *Landscaping.*

(1) *Landscaping for open sales and off-street parking.*

(A) *Design review guidelines.*

(i) Landscaping shall be utilized to enhance the urban character of the area and provide adequate screening of surface parking lots and open sales areas.

(B) *Design review standards.*

(i) Open sales areas for items such as vehicles, boats, recreational vehicles, satellites, hot tubs, and other similar items shall be screened from the public right-of-way with a minimum three-foot tall sight-obscuring fence, masonry wall, or hedge, and a minimum three-foot wide landscape strip. The fence, masonry wall, or hedge shall not encroach into the vision clearance area.

(ii) A minimum ten-foot-wide landscape strip shall be provided between surface parking lots and the street right-of-way. The landscape strip shall be planted with a minimum of one plant unit per 20 square feet of planting area. Berms, mounds, raised beds, and grade drops are allowed if they meet the standards in SRC 604.020(f).

(c) *Off-street parking and loading.*

(1) *Off-street parking.*

(A) *Design review guidelines.*

(i) The area devoted to off-street parking shall be minimized.

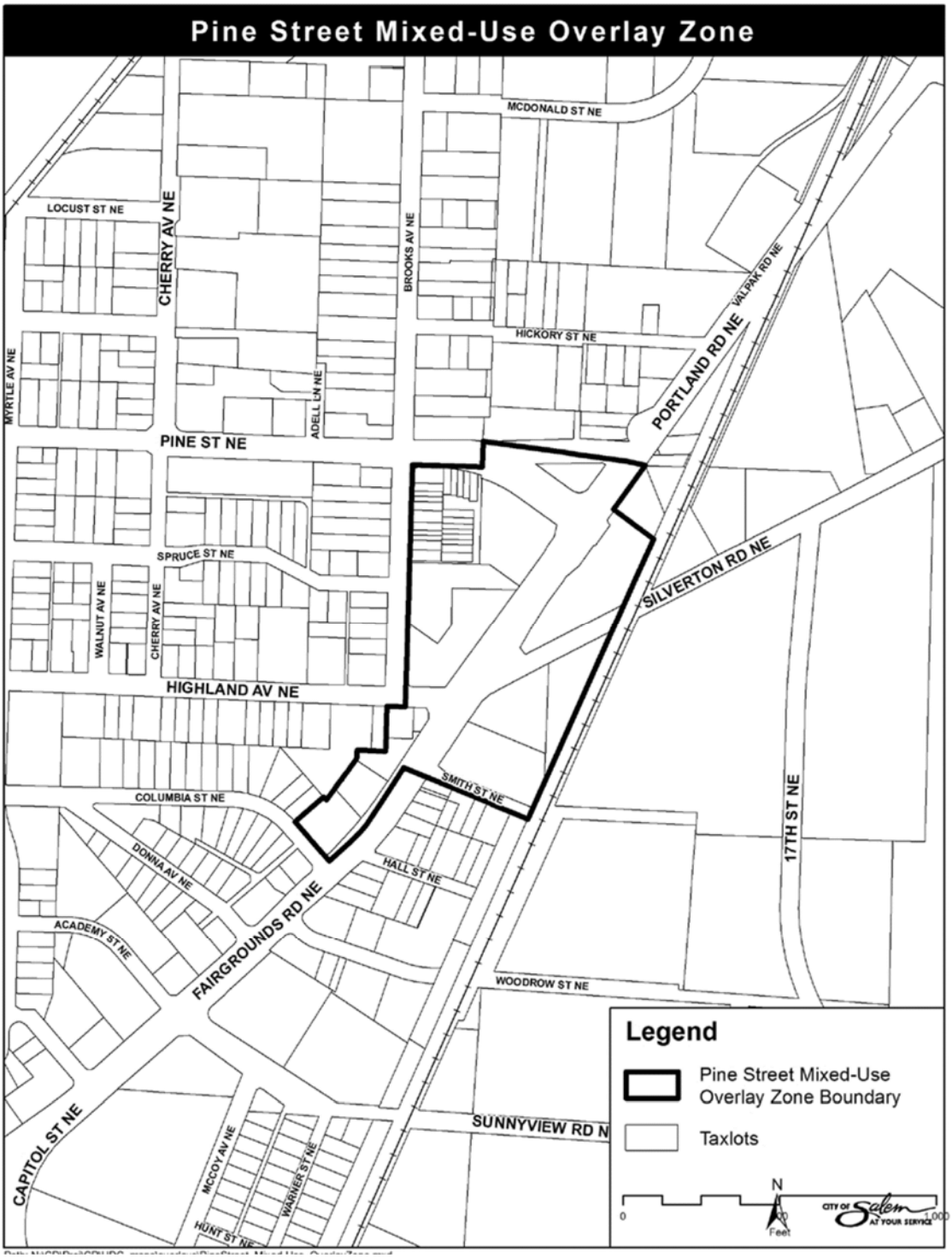
(ii) Parking structures located adjacent to Portland/Fairgrounds Road shall include space for ground floor commercial uses along their Portland/Fairgrounds Road frontage in order to create a safe, pleasant, and active pedestrian environment.

(B) *Design review standards.*

(i) Off-street parking areas shall not occupy more than 50 percent of the street frontage of a lot, except that where a lot has frontage on Portland/Fairgrounds Road and a side street, an off-street surface parking area may occupy more than 50 percent of the side street frontage.

(ii) Parking structures located adjacent to Portland/Fairgrounds Road shall include space for ground floor commercial uses along their entire Portland/Fairgrounds Road frontage.

FIGURE 604-3. PINE STREET MIXED-USE OVERLAY ZONE



(Prior Code, § 604.030; Ord. No. 31-13)

CHAPTER 605. NORTHGATE MIXED-USE OVERLAY ZONE

Sec. 605.001. Purpose.

The purpose of the Northgate Mixed-Use Overlay Zone is to identify allowed uses and to establish development standards that promote creation of a mixed-use center along the Portland/Fairgrounds Road Corridor serving the surrounding community with storefront businesses offering a wide range of goods and services in a pedestrian friendly environment.

(Prior Code, § 605.001; Ord. No. 31-13)

Sec. 605.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Mixed-use development*~~:~~ means a combination of uses in two or more of the following use categories within a single building, or within separate buildings on the same lot or contiguous lots:

~~(1)~~ (a) Household living;

~~(2)~~ (b) Lodging;

~~(3)~~ (c) Retail sales and service;

~~(4)~~ (d) Business and professional services;

~~(5)~~ (e) Health services; or

~~(6)~~ (f) Civic services.

~~(b)~~ *Side street*~~:~~ means any public street that intersects Portland/Fairgrounds Road.

(Prior Code, § 605.005; Ord. No. 31-13)

Sec. 605.010. Northgate Mixed-Use Overlay Zone boundary.

The boundaries of the Northgate Mixed-Use Overlay Zone are shown in Figure 605-3.

(Prior Code, § 605.010; Ord. No. 31-13)

Sec. 605.015. Uses.

(a) *General.* Except as otherwise provided in this section, the uses set forth in Table 605-1 shall be the only permitted (P), special (S), conditional (C), and prohibited (N) uses in the Northgate Mixed Use Overlay Zone.

Table 605-1. Uses

Use	Status	Limitations & Qualifications
Household Living		
Single family	P	The following single family activities: □ Townhouse. □ Residential home, as defined under ORS 197.660.
	N	All other single family.
Two family	C	Duplex, not constructed as part of a mixed-use development.
	N	All other two family.

Table 605-1. Uses		
Use	Status	Limitations & Qualifications
Multiple family	P	Multiple family, constructed as part of a mixed-use development.
	C	All other multiple family.
Group Living		
Room and board	C	Room and board serving 5 or fewer persons.
	N	All other room and board.
Residential care	C	Residential facility, as defined under ORS 197.660.
	N	All other residential care.
Nursing care	P	
Lodging		
Short-term commercial lodging	P	
Long-term commercial lodging	C	Long-term commercial lodging, not constructed as part of a mixed-use development.
	N	All other long-term commercial lodging.
Nonprofit shelters	C	Nonprofit shelters serving 5 or fewer persons.
	N	All other nonprofit shelters.
Retail Sales and Service		
Eating and drinking establishments	P	
Retail sales	N	The following retail sales activities: □ Meat and seafood markets, where live animals are sold or processed. □ Used merchandise stores, where sales and storage of merchandise and equipment is not conducted entirely within a building.
	P	All other retail sales.
Personal services	P	
Postal services and retail financial services	P	
Business and Professional Services		
Office	P	
Audio/visual media production	P	
Laboratory research and testing	P	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services		
Motor vehicle and manufactured dwelling and trailer sales	C	
Motor vehicle services	C	

Table 605-1. Uses		
Use	Status	Limitations & Qualifications
Commercial parking	P	
Park-and-ride facilities	P	
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	C	Nightclubs, located within 200 feet of a residential zone.
	P	All other commercial entertainment—indoor.
Commercial entertainment—outdoor	N	The following commercial entertainment—outdoor activities: □ Amusement parks. □ Drive-in movie theaters. □ Golf courses. □ Sporting and recreational camps. □ Recreational vehicle parks and campsites.
	P	All other commercial entertainment—outdoor.
Major event entertainment	N	
Recreational and cultural community services	P	
Parks and open space	P	
Nonprofit membership assembly	P	
Religious assembly	P	
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	P	
Educational Services		
Day care	P	
Basic education	P	
Post-secondary and adult education	P	
Civic Services		
Governmental services	P	
Social services	P	

Table 605-1. Uses		
Use	Status	Limitations & Qualifications
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	P	
Detention facilities	N	
Military installations	P	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	P	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	C	
Building and grounds services and construction contracting	C	Carpet and upholstery cleaning establishments.
	N	All other building and grounds services and construction contracting.
Cleaning plants	N	
Industrial services	N	
Wholesale Sales, Storage, and Distribution		
General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	C	Online, mail order, and catalog sales.
	N	All other warehousing and distribution.
Self-service storage	N	
Manufacturing		
General manufacturing	C	The following general manufacturing activities: □ Costume jewelry and precious metals metalsmithing. □ Sundries and notions. □ Sign manufacturing.
	N	All other general manufacturing.
Heavy manufacturing	N	
Printing	N	
Transportation Facilities		
Aviation facilities	N	
Passenger ground transportation facilities	P	Transit stop shelters.
	C	All other passenger ground transportation facilities.
Marine facilities	N	
Utilities		

Table 605-1. Uses		
Use	Status	Limitations & Qualifications
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed subject to SRC chapter 703.
Drinking water treatment facilities	N	
Power generation facilities	N	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	N	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	
Forestry	N	
Agriculture and forestry services	N	
Keeping of livestock and other animals	N	
Animal services	P	Small animal veterinary services.
	N	All other animal services.
Other Uses		
Home occupations	S	Home occupations are allowed, subject to SRC 700.020.

(b) *Additional conditional uses.* In addition to the uses set forth in Table 605-1, any permitted, special, or conditional use within the Northgate Mixed-Use Overlay Zone shall be a conditional use within the overlay zone if developed with any of the following:

(1) Drive-through;

(2) Outside storage and parking of professional and commercial equipment; or

(3) Loading of commercial vehicles over 20,000 pounds of gross vehicle weight.

(c) *Continued uses.* Uses existing within the Northgate Mixed-Use Overlay Zone that were allowed as permitted, special, or conditional uses on October 1, 2001, but which would otherwise be made nonconforming uses by this chapter, are hereby deemed continued uses. The owner shall have the burden to demonstrate continued use status under this subsection.

(1) A continued use may be intensified, and buildings or structures housing a continued use may be ~~may be~~ enlarged, rebuilt, or the exterior altered, provided such intensification, enlargement, rebuilding, or exterior alteration complies with all applicable standards in the underlying zone.

(2) A continued use may be extended onto any contiguous vacant land under the same ownership if such

land was held under the same ownership on October 1, 2001, and has been maintained under the same ownership continuously thereafter. The extension of a continued use onto contiguous vacant lots under the same ownership must comply with all applicable standards in the underlying zone.

(3) A continued use may be changed to any use that is allowed in the Northgate Mixed Overlay Zone. Such change of use shall terminate the continued use status conferred by this subsection and the property must thereafter only be used for uses allowed in the Northgate Mixed-Use Overlay Zone.

(4) A determination by the Building Official that the building or structure housing a continued use is derelict or dangerous, as defined in SRC 50.600 and 56.230, shall terminate the continued use status conferred by this subsection and the property may thereafter only be used for uses allowed in the Northgate Mixed-Use Overlay Zone.

(Prior Code, § 605.015; Ord. No. 31-13; Ord. No. 11-14)

Sec. 605.020. Development standards.

Development within the Northgate Mixed-Use Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) *Continued development.* Buildings and structures existing within the Northgate Mixed-Use Overlay Zone that conformed to the development standards existing on October 1, 2001, but which would otherwise be made nonconforming development by this chapter, are hereby deemed continued development. The owner shall have the burden to demonstrate continued development status under this subsection.

(1) Continued development may be enlarged, rebuilt, or the exterior altered, provided such enlargement, rebuilding, or exterior alteration complies with all applicable standards in the underlying zone.

(2) Continued development may be extended onto any contiguous vacant land under the same ownership if such land was held under the same ownership on October 1, 2001, and has been maintained under the same ownership continuously thereafter. The extension of a continued development onto contiguous vacant land under the same ownership must comply with all applicable standards in the underlying zone.

(3) A determination by the Building Official that a continued development is derelict or dangerous, as defined in SRC 50.600 and 56.230, shall terminate the continued development status conferred by this subsection and the building or structure shall thereafter be deemed a nonconforming development.

(b) *Lot standards.* Lots for townhouses within the Northgate Mixed-Use Overlay Zone shall conform to the standards set forth in Table 605-2.

TABLE 605-2. LOT STANDARDS

Requirements	Standard	Limitations & Qualifications
Lot Area		
Single family	Min. 1,500 sq. ft.	Applicable to townhouses.
Lot Width		
Single family	Min. 20 ft.	Applicable to townhouses.
Lot Depth		
Single family	Min. 65 ft.	Applicable to townhouses.

(c) *Development density.* Development within the Northgate Mixed-Use Overlay Zone shall conform to the density standards set forth in Table 605-3. Dwelling unit density cannot be varied or adjusted.

TABLE 605-3. DEVELOPMENT DENSITY		
Requirements	Standard	Limitations & Qualifications
Single family, two family, and multiple family	Min. 20 dwelling units per acre	
	None	Applicable to mixed-use buildings where floors above the first floor are used entirely for dwelling units.
All other uses	Min. 0.5 FAR	

(d) *Building area.* The aggregate floor area of a single development shall not exceed 50,000 square feet, unless developed as part of a mixed-use development. The aggregate floor area of a mixed-use development may exceed 50,000 square feet. All new buildings in a mixed-use development shall have a second level floor area equal to at least 50 percent of the first floor area.

(e) *Setbacks.* Setbacks within the Northgate Mixed-Use Overlay Zone shall be provided as set forth in Table 605-4.

TABLE 605-4. SETBACKS		
Requirements	Standards	Limitations & Qualifications
Abutting Street		
Buildings		
Single family, two family, and multiple family	Min. 12 ft., plus 1 foot for each 1 foot of height over 12 ft.	
	Max. 20 ft.	
Accessory Structures		
Accessory to single family, two family, and multiple family	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft., plus 1 foot for each 1 foot of height over 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
Interior Front		
Buildings		
Single family and two family	Min. 12 ft., plus 1 foot for each 1 foot of height over 12 ft.	

TABLE 605-4. SETBACKS		
Requirements	Standards	Limitations & Qualifications
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft., plus 1 foot for each 1 foot of height over 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
Interior Side		
Buildings		
Single family and two family	Min. 5 ft.	
	None	Applicable to townhouses.
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.
Interior Rear		
Buildings		
Single family and two family	Min. 14 ft.	Applicable to any portion of a building not more than 1 story in height.
	Min. 20 ft.	Applicable to any portion of a building greater than 1 story in height.
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures not more than 9 ft. in height.
	Min. 1 foot for each 1 foot of height over 9 ft.	Applicable to accessory structures greater than 9 ft. in height.
	Min. 1 ft.	Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure.

(f) *Landscaping.* Berms, mounds, raised beds, and grade drops shall not be allowed as a landscaping treatment, unless a bioswale treatment system or approved landscaping exists to adequately collect water runoff and the berms, mounds, raised beds, and grade drops do not exceed a 3:1 slope.

(g) *Off-street parking and loading areas.*

(1) Planter bays or islands shall have a minimum planting area of 50 square feet.

(2) A minimum of one tree per eight parking spaces is required, of which a maximum of 25 percent may be evergreen trees. Trees shall be planted within 20 feet of the parking lot perimeter. Trees within the public street right-of-way shall not count toward the tree planting requirements.

(3) Off-street parking may be provided no more than 800 feet from the edge of the lot, or contiguous

lots, upon which the main building is located.

(4) Employee off-street parking may be provided no more than 2,000 feet from the edge of the lot, or contiguous lots, upon which the main building is located.

(5) Parking lot light structures shall not exceed 25 feet in height.

(6) The minimum off-street parking requirement for household living uses shall be one space per dwelling unit.

(h) *Screening*.

(1) Trash receptacles shall be screened from adjacent household living uses and streets by a sight-obscuring fence, wall, or hedge.

(2) Concertina or barbed wire fencing shall not be located within 60 feet of the street right-of-way, unless such fencing is obstructed by a building or structure.

(3) Concertina or barbed wire fencing shall be screened from public view and adjacent property by sight-obscuring landscaping.

(i) *Outdoor storage.*

(1) Outdoor storage areas shall not be located within required setbacks.

(2) Outdoor storage areas shall be enclosed by a minimum six-foot-high sight-obscuring fence, wall, hedge, or berm; provided, however, items more than six feet in height above grade shall be screened by sight-obscuring landscaping.

(3) Items stored within outdoor storage areas shall not exceed a maximum height of 14 feet above grade.

(j) *Pedestrian access.*

(1) A pedestrian connection shall be provided from the public sidewalk to the primary building entrance.

(2) A pedestrian connection through the parking area to the primary building entrance shall be provided when the parking area is greater than 60 feet in depth.

(3) Within shopping centers, office complexes, and mixed-use developments, pedestrian connections shall be provided to connect the buildings. Pedestrian connections shall be the most practical, direct route.

(4) Pedestrian connections shall be a minimum of five feet in width, and defined by visual contrast or tactile finish texture.

(5) Wheel stops or extended curbs shall be provided along required pedestrian connections to prevent the encroachment of vehicles onto pedestrian connections.

(k) *Project enhancements.* Development within the Northgate Mixed-Use Overlay Zone shall include four or more of the following project enhancements:

(1) Closure of one driveway approach on Portland/Fairgrounds Road;

(2) Joint parking agreement under SRC 806.020(a)(5), or implementation of a plan to satisfy off-street parking requirements through alternative modes of transportation under SRC 806.015(e)(2);

(3) Freestanding sign not more than five feet in height and placed upon a foundation;

(4) Weather protection, in the form of awnings or canopies, along more than 75 percent of the length of the ground floor building facade adjacent to sidewalks or pedestrian connections;

(5) Cast iron or wrought iron fencing adjacent to Portland/Fairgrounds Road;

(6) Pedestrian connections that are:

(A) Constructed with pavers, scored or colored cement, and/or stamped asphalt;

(B) Elevated above the parking area and driveway; or

(C) Defined with landscaping or building features such as canopies, awnings, or arcades;

(7) Development on surface parking lots existing on October 1, 2001;

(8) Provision of one or more of the following pedestrian-oriented design features on private property adjacent to Portland/Fairgrounds Road:

(A) Pedestrian scale lighting not more than 16 feet in height; or

(B) Plazas or other outdoor spaces open to the public;

(9) A minimum of seven percent interior landscaping within parking areas not more than 50,000 square feet in size; or a minimum of ten percent interior landscaping within parking areas greater than 50,000 square feet in size;

(10) Installation of landscaping and irrigation using a plan designed by an Oregon landscape architect; or

(11) Development of a mixed-use building.

(Prior Code, § 605.020; Ord. No. 31-13)

Sec. 605.025. Design review.

Design review under SRC chapter 225 is required for development within the Northgate Mixed Use Overlay Zone as follows:

(a) Except as otherwise provided in this section, design review according to the design review guidelines or the design review standards set forth in SRC 605.030 is required for all development within the Northgate Mixed-Use Overlay Zone.

(b) Multiple family development, other than multiple family development within a mixed-use building, shall only be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(c) Multiple family development within a mixed-use building shall only be subject to design review according to the design review guidelines or the design review standards set forth in SRC 605.030.

(d) Residential care with three or more self-contained dwelling units shall only be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(Prior Code, § 605.025; Ord. No. 31-13)

Sec. 605.030. Design review guidelines and design review standards.

(a) *Building location, orientation, and design.*

(1) *Building location.*

(A) *Design review guidelines.*

(i) Building setbacks abutting street. Building setbacks from the street shall be minimized (see Figure 605-1). Buildings constructed contiguous to the street right-of-way are preferred.

(ii) Accessory structures shall be located to minimize their appearance in relationship to the primary building.

(B) *Design review standards.*

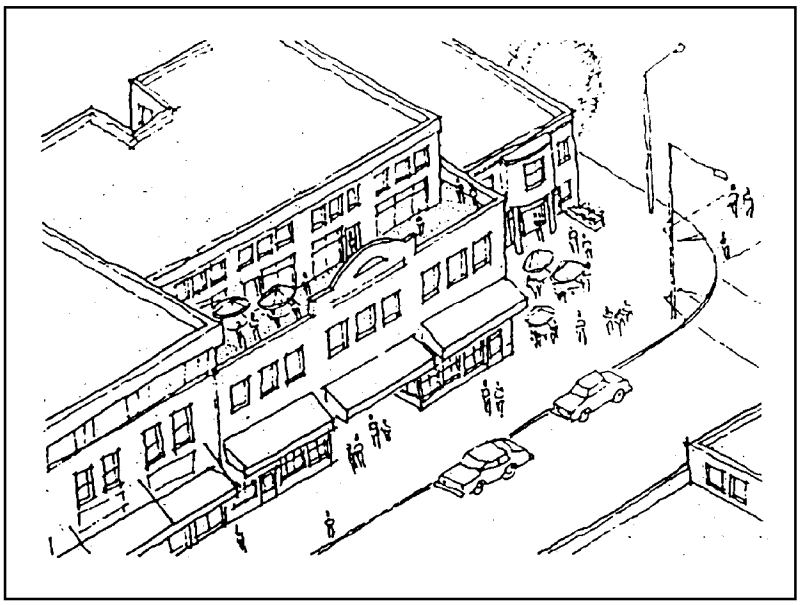
(i) Building setback abutting street. Buildings shall have the following setbacks abutting a street:

(aa) Minimum: zero feet.

(bb) Maximum: ten feet.

(ii) Accessory structures shall be located no closer to the street than the primary building.

FIGURE 605-1. BUILDING SETBACKS MINIMIZED FROM STREET



(2) *Building orientation and design.*

(A) *Design review guidelines.*

(i) Buildings facing Portland/Fairgrounds Road shall create safe, pleasant, and active pedestrian environments.

(ii) Ground floor building facades facing Portland/Fairgrounds Road shall include transparent windows to ensure that the ground floor promotes a sense of interaction between activities in the building and activities in the public realm.

(iii) Buildings shall be human scale and avoid long monotonous exterior walls. To minimize the appearance of bulk and divide overall building mass, building offsets and building articulation shall be provided throughout building facades.

(iv) Weather protection, in the form of awnings or canopies appropriate to the design of the building, shall be provided along ground floor building facades adjacent to sidewalks or pedestrian connections in order to create a comfortable and inviting pedestrian environment.

(B) *Design review standards.*

(i) A primary building entrance shall be provided for each building facade facing a street. If a building has frontage on more than one street, a single primary building entrance may be provided at the corner of the building where the streets intersect (see Figure 605-2).

(aa) *Alternative standard for existing buildings.* Notwithstanding subsection (a)(2)(B)(i) of this section, where a building existing on October 1, 2001, has a primary building entrance facing a street, such entrance may be relocated but not eliminated. The relocated entrance must face a street.

(ii) Ground floor building facades facing Portland/Fairgrounds Road shall include transparent windows on a minimum of 65 percent of the ground floor facade. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum visible transmittance (VT) of 37 percent.

(aa) *Alternative standard for existing buildings.* Notwithstanding subsection (a)(2)(B)(ii) of this section, where a building existing on October 1, 2001, does not include transparent windows on a minimum of 65 percent of the ground floor facade facing Portland/Fairgrounds Road, the percentage of transparent windows existing on the ground floor facade shall not be reduced. Additional windows meeting the transparency requirements of subsection (a)(2)(B)(ii) may be added without meeting the minimum ground floor facade window percentage of 65 percent.

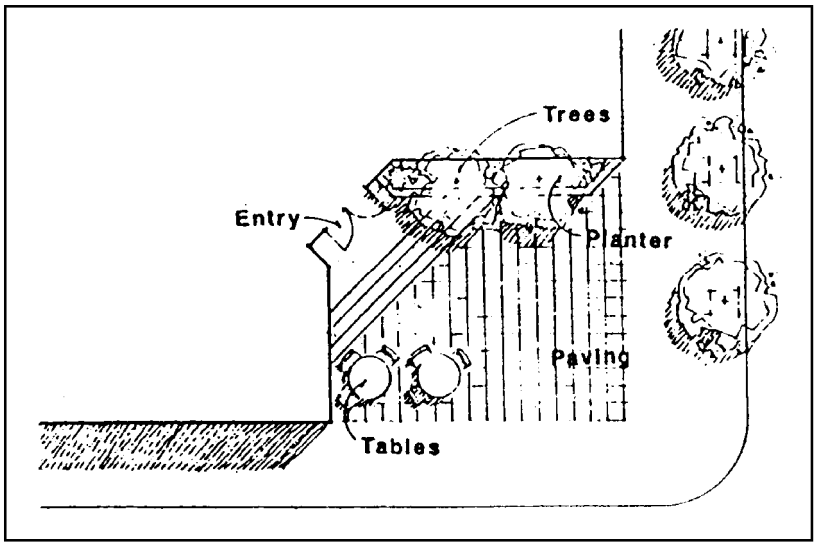
(iii) Building offsets shall be provided for building frontages greater than 75 feet in width. Building frontages two or more stories in height may be constructed without required building offsets on the first floor, but all additional floors shall incorporate building offsets. Building offsets shall be a minimum four feet in depth and shall be provided at intervals of not more than 40 feet along the building frontage. Building offsets may extend into required setbacks.

(iv) Weather protection, in the form of awnings or canopies, shall be provided along a minimum of 50 percent of the length of the ground floor building facade adjacent to sidewalks or pedestrian connections. Awnings or canopies shall have a minimum clearance height above the sidewalk of eight feet, and may encroach into the street right-of-way as provided in SRC 76.160.

(aa) *Alternative standard for existing buildings.* Notwithstanding subsection (a)(2)(B)(iv) of this section, where a building existing on October 1, 2001, does not include weather protection, in the form of awnings or canopies, along a minimum of 50 percent of the length of the ground floor facade adjacent to sidewalks or pedestrian connections, the percentage of weather protection along the ground floor facade shall not be reduced. Additional weather protection meeting the sidewalk clearance requirements in subsection (a)(2)(B)(iv) of this section may be added without meeting the minimum weather protection standard of 50 percent.

(v) New buildings shall be a minimum of 25 feet in height.

FIGURE 605-2. BUILDING CORNER ENTRY



(b) *Landscaping.*

(1) *Landscaping for open sales and off-street parking.*

(A) *Design review guidelines.*

(i) Landscaping shall be utilized to enhance the urban character of the area and provide adequate screening of surface parking lots and open sales areas.

(B) *Design review standards.*

(i) Open sales areas for items such as vehicles, boats, recreational vehicles, satellites, hot tubs, and other similar items shall be screened from the public right-of-way with a minimum three-foot tall sight-obscuring fence, masonry wall, or hedge, and a minimum three-foot wide landscape strip. The fence, masonry wall, or hedge shall not encroach into the vision clearance area.

(ii) A minimum ten-foot-wide landscape strip shall be provided between surface parking lots and the street right-of-way. The landscape strip shall be planted with a minimum of one plant unit per 20 square feet of planting area. Berms, mounds, raised beds, and grade drops are allowed if they meet the standards in SRC 605.020(f).

(c) *Off-street parking and loading.*

(1) *Off-street parking.*

(A) *Design review guidelines.*

(i) The area devoted to off-street parking shall be minimized.

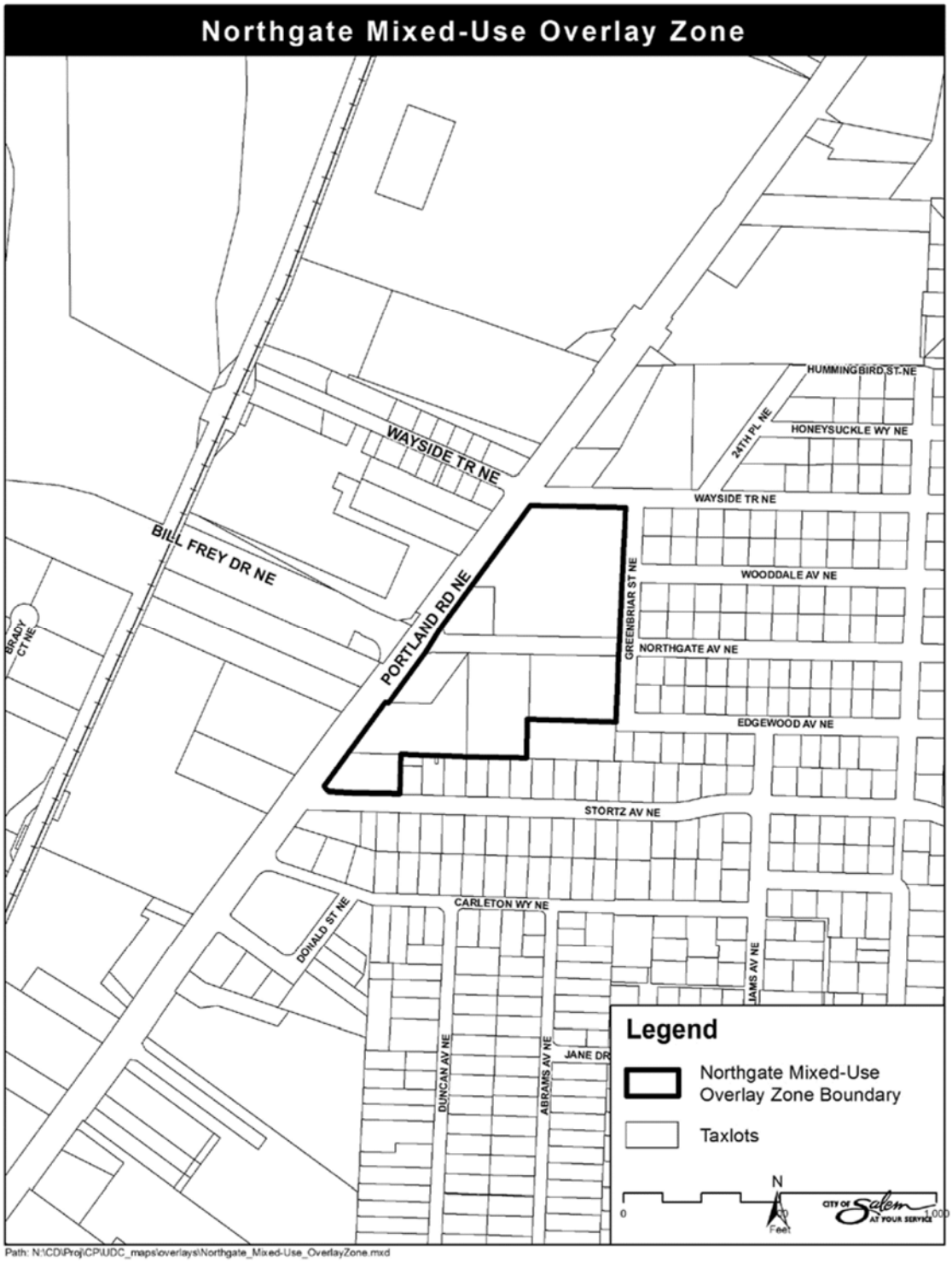
(ii) Parking structures located adjacent to Portland/Fairgrounds Road shall include space for ground floor commercial uses along their Portland/Fairgrounds Road frontage in order to create a safe, pleasant, and active pedestrian environment.

(B) *Design review standards.*

(i) Off-street parking areas shall not occupy more than 50 percent of the street frontage of a lot, except that where a lot has frontage on Portland/Fairgrounds Road and a side street, an off-street surface parking area may occupy more than 50 percent of the side street frontage.

(ii) Parking structures located adjacent to Portland/Fairgrounds Road shall include space for ground floor commercial uses along their entire Portland/Fairgrounds Road frontage.

FIGURE 605-3. NORTHGATE MIXED-USE OVERLAY ZONE



(Prior Code, § 605.030; Ord. No. 31-13)

CHAPTER 606. WALLACE ROAD CORRIDOR OVERLAY ZONE

Sec. 606.001. Purpose.

The purpose of the Wallace Road Corridor Overlay Zone is to establish development standards that promote pedestrian access and enhance the appearance of development along Wallace Road.

(Prior Code, § 606.001; Ord. No. 31-13)

Sec. 606.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Mixed-use development*~~:~~ means a combination of uses in two or more of the following use categories within a single building, or within separate buildings on the same lot or contiguous lots:

~~(1)~~ (a) Household living;

~~(2)~~ (b) Lodging;

~~(3)~~ (c) Retail sales and service;

~~(4)~~ (d) Business and professional services;

~~(5)~~ (e) Health services; or

~~(6)~~ (f) Civic services.

(Prior Code, § 606.005; Ord. No. 31-13)

Sec. 606.010. Wallace Road Corridor Overlay Zone boundary.

The boundaries of the Wallace Road Corridor Overlay Zone are shown in Figure 606-1.

(Prior Code, § 606.010; Ord. No. 31-13)

Sec. 606.015. Uses.

Any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the Wallace Road Corridor Overlay Zone.

(Prior Code, § 606.015; Ord. No. 31-13)

Sec. 606.020. Development standards.

Development within the Wallace Road Corridor Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) *Continued development.* Buildings and structures existing within the Wallace Road Corridor Overlay Zone that conformed to the development standards existing on December 1, 2002, but which would otherwise be made nonconforming development by this chapter, are hereby deemed continued development. The owner shall have the burden to demonstrate continued development status under this subsection.

(1) Continued development may be enlarged, rebuilt, or the exterior altered, provided such enlargement, rebuilding, or exterior alteration complies with all applicable standards in the underlying zone.

(2) An owner or user of property on December 1, 2002, may extend continued development onto any

contiguous vacant land owned by such owner or user if such land was held under the same ownership on December 1, 2002, and has been maintained under the same ownership continuously thereafter. The extension of continued development onto contiguous vacant land under the same ownership must comply with all applicable standards in the underlying zone.

(3) A determination by the Building Official that a continued development is derelict or dangerous, as defined in SRC 50.600 and ~~SRC~~ 56.230, shall terminate the continued development status conferred by this subsection and the building or structure shall thereafter be deemed a nonconforming development.

(b) *Screening.* Concertina or barbed wire fencing shall not be located within 60 feet of the street right-of-way, unless such fencing is obstructed by a building or structure.

(c) *Pedestrian access.*

(1) A pedestrian connection shall be provided from the public sidewalk to the primary building entrance.

(2) A pedestrian connection through the parking area to the primary building entrance shall be provided when the parking area is greater than 60 feet in depth.

(3) Within shopping centers, office complexes, and mixed-use developments, pedestrian connections shall be provided to connect the buildings. Pedestrian connections shall be the most practical, direct route.

(4) Pedestrian connections shall be a minimum of five feet in width, and defined by visual contrast or tactile finish texture.

(5) Wheel stops or extended curbs shall be provided along required pedestrian connections to prevent the encroachment of vehicles onto pedestrian connections.

(d) *Project enhancements.* Development within the Wallace Road Corridor Overlay Zone shall include four or more of the following project enhancements:

(1) Closure of one driveway approach on Wallace Road;

(2) Joint parking agreement under SRC 806.020(a)(5), or implementation of a plan to satisfy off-street parking requirements through alternative modes of transportation under SRC 806.015(e)(2);

(3) Freestanding sign not more than five feet in height and placed upon a foundation;

(4) Weather protection, in the form of awnings or canopies, along more than 50 percent of the length of the ground floor building facade adjacent to sidewalks or pedestrian connections;

(5) Cast iron or wrought iron fencing adjacent to Wallace Road;

(6) Pedestrian connections that are:

(A) Constructed with pavers, scored or colored cement, and/or stamped asphalt;

(B) Elevated above the parking area and driveway; or

(C) Defined with landscaping or building features such as canopies, awnings, or arcades;

(7) Replacement of existing surface parking areas with new development of buildings or structures;

(8) A minimum of seven percent interior landscaping within parking areas not more than 50,000 square feet in size; or a minimum of ten percent interior landscaping within parking areas greater than 50,000 square feet in size;

(9) Installation of landscaping and irrigation using a plan designed by an Oregon landscape architect;

(10) Development of a mixed-use building;

(11) Construction of a building where at least 50 percent of the building frontage is constructed contiguous to the minimum building setback line;

(12) Construction of one or more buildings at least two stories in height;

(13) Construction of planter bays, each a minimum of 50 square feet in size, to meet minimum interior parking area landscaping requirements;

(14) Construction of planter bays below the surface grade of parking areas to accommodate surface water runoff; or

(15) Use of native plant materials to meet minimum landscaping requirements.

(Prior Code, § 606.020; Ord. No. 31-13)

Sec. 606.025. Design review.

Design review under SRC chapter 225 is required for development within the Wallace Road Corridor Overlay Zone as follows:

(a) Except as otherwise provided in this section, design review according to the design review guidelines or the design review standards set forth in SRC 606.030 is required for all development within the Wallace Road Corridor Overlay Zone.

(b) Multiple family development, other than multiple family development within a mixed-use building, shall only be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(c) Multiple family development within a mixed-use building shall only be subject to design review according to the design review guidelines or the design review standards set forth in SRC 606.030.

(Prior Code, § 606.025; Ord. No. 31-13)

Sec. 606.030. Design review guidelines and design review standards.

(a) *Building location, orientation, and design.*

(1) *Building setbacks.*

(A) *Design review guidelines.*

(i) Building setbacks from Wallace Road shall be minimized.

(B) *Design review standards.*

(i) Buildings shall have the following setbacks from Wallace Road:

(aa) Minimum: zero feet.

(bb) Maximum: 60 feet.

(cc) Where a minimum of 50 percent of the buildable width of a lot is already occupied by buildings, or portions of buildings, located within 60 feet of the Wallace Road right-of-way, the maximum setback shall not apply.

(b) *Landscaping.*

(1) *Landscaping for open sales.*

(A) *Design review guidelines.*

(i) Landscaping shall be utilized to provide adequate screening of open sales areas.

(B) *Design review standards.*

(i) Open sales areas for construction, communication, or recreational equipment, vehicles, boats, recreational vehicles, and building materials shall be screened from Wallace Road with a minimum three-foot tall sight-obscuring fence, masonry wall, or hedge, and a minimum six-foot wide landscape strip. The fence, masonry wall, or hedge shall not encroach into the vision clearance area.

(c) *Site access.*

(1) *Vehicle access.*

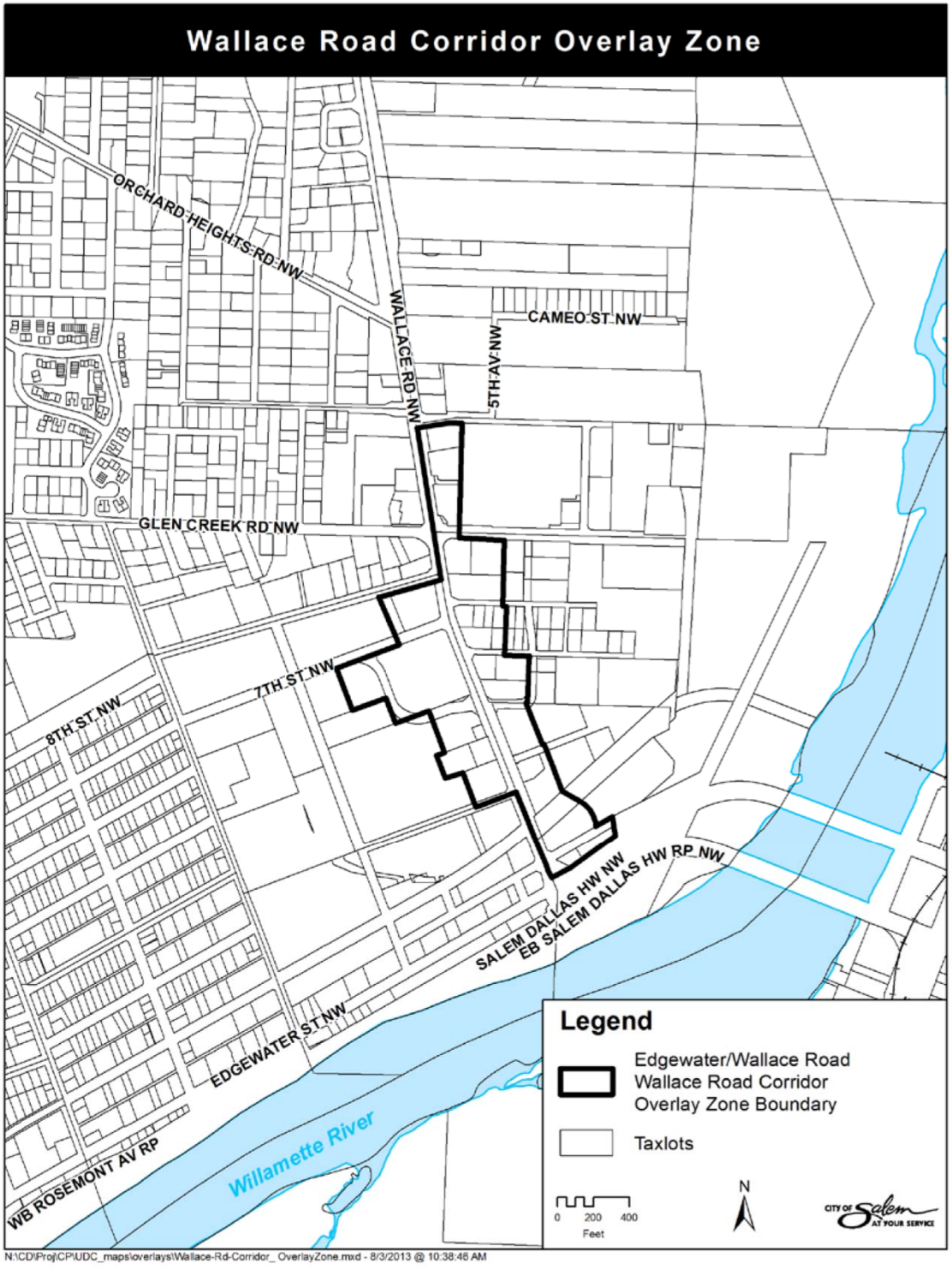
(A) *Design review guidelines.*

(i) Vehicle access onto Wallace Road shall be minimized when access to parking is available from a local street.

(B) *Design review standards.*

(i) New driveway approaches onto Wallace Road shall not be constructed when access to parking is available from a local street.

FIGURE 606-1. WALLACE ROAD CORRIDOR OVERLAY ZONE



(Prior Code, § 606.030; Ord. No. 31-13)

CHAPTER 607. WEST SALEM GATEWAY OVERLAY ZONE

Sec. 607.001. Purpose.

The purpose of the West Salem Gateway Overlay Zone is to establish development standards to enhance the area's role as the gateway into West Salem.

(Prior Code, § 607.001; Ord. No. 31-13)

Sec. 607.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Mixed-use development*~~:~~ means a combination of uses in two or more of the following use categories within a single building, or within separate buildings on the same lot or contiguous lots:

~~(1)~~ (a) Household living;

~~(2)~~ (b) Lodging;

~~(3)~~ (c) Retail sales and service;

~~(4)~~ (d) Business and professional services;

~~(5)~~ (e) Health services; or

~~(6)~~ (f) Civic services.

(Prior Code, § 607.005; Ord. No. 31-13)

Sec. 607.010. West Salem Gateway Overlay Zone boundary.

The boundaries of the West Salem Gateway Overlay Zone are shown in Figure 607-1.

(Prior Code, § 607.010; Ord. No. 31-13)

Sec. 607.015. Uses.

Any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the West Salem Gateway Overlay Zone.

(Prior Code, § 607.015; Ord. No. 31-13)

Sec. 607.020. Development standards.

Development within the West Salem Gateway Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) *Continued development.* Buildings and structures existing within the West Salem Gateway Overlay Zone that conformed to the development standards existing on December 1, 2002, but which would otherwise be made nonconforming development by this chapter, are hereby deemed continued development. The owner shall have the burden to demonstrate continued development status under this subsection.

(1) Continued development may be enlarged, rebuilt, or the exterior altered, provided such enlargement, rebuilding, or exterior alteration complies with all applicable standards in the underlying zone.

(2) An owner or user of property on December 1, 2002, may extend continued development onto any contiguous vacant land owned by such owner or user if such land was held under the same

ownership on December 1, 2002, and has been maintained under the same ownership continuously thereafter. The extension of continued development onto contiguous vacant land under the same ownership must comply with all applicable standards in the underlying zone.

(3) A determination by the Building Official that a continued development is derelict or dangerous, as defined in SRC 50.600 and ~~SRC~~ 56.230, shall terminate the continued development status conferred by this subsection and the building or structure shall thereafter be deemed a nonconforming development.

(b) *Pedestrian access.*

(1) A pedestrian connection shall be provided from the public sidewalk to the primary building entrance.

(2) A pedestrian connection through the parking area to the primary building entrance shall be provided when the parking area is greater than 60 feet in depth.

(3) Within shopping centers, office complexes, and mixed-use developments pedestrian connections shall be provided to connect the buildings. Pedestrian connections shall be the most practical, direct route.

(4) Pedestrian connections shall be a minimum of five feet in width, and defined by visual contrast or tactile finish texture.

(5) Wheel stops or extended curbs shall be provided along required pedestrian connections to prevent the encroachment of vehicles onto pedestrian connections.

(c) *Project enhancements.* Development within the West Salem Gateway Overlay Zone shall include four or more of the following project enhancements:

(1) Closure of one driveway approach on Wallace Road;

(2) Joint parking agreement under SRC 806.020(a)(5), or implementation of a plan to satisfy off-street parking requirements through alternative modes of transportation under SRC 806.015(e)(2);

(3) Freestanding sign not more than five feet in height and placed upon a foundation;

(4) Weather protection, in the form of awnings or canopies, along more than 50 percent of the length of the ground floor building facade adjacent to sidewalks or pedestrian connections;

(5) Cast iron or wrought iron fencing adjacent to Wallace Road;

(6) Pedestrian connections that are:

(A) Constructed with pavers, scored or colored cement, and/or stamped asphalt;

(B) Elevated above the parking area and driveway; or

(C) Defined with landscaping or building features such as canopies, awnings, or arcades;

(7) Replacement of existing surface parking areas with new development of buildings or structures;

(8) A minimum of seven percent interior landscaping within parking areas not more than 50,000 square feet in size; or a minimum of ten percent interior landscaping within parking areas greater than 50,000 square feet in size;

(9) Installation of landscaping and irrigation using a plan designed by an Oregon landscape architect;

(10) Development of a mixed-use building;

(11) Construction of a building where at least 50 percent of the building frontage is constructed contiguous to the minimum building setback line;

(12) Construction of one or more buildings at least two stories in height;

(13) Construction of planter bays, each a minimum of 50 square feet in size, to meet minimum interior parking area landscaping requirements;

(14) Construction of planter bays below the surface grade of parking areas to accommodate surface water runoff; or

(15) Use of native plant materials to meet minimum landscaping requirements.

(Prior Code, § 607.020; Ord. No. 31-13)

Sec. 607.025. Design review.

Design review under SRC chapter 225 is required for development within the West Salem Gateway Overlay Zone as follows:

(a) Except as otherwise provided in this section, design review according to the design review guidelines or the design review standards set forth in SRC 607.030 is required for all development within the West Salem Gateway Overlay Zone, when located on property abutting Wallace Road.

(b) Multiple family development, other than multiple family development within a mixed-use building, shall only be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(c) Multiple family development within a mixed-use building located on property abutting Wallace Road shall only be subject to design review according to the design review guidelines or the design review standards set forth in SRC 607.030.

(Prior Code, § 607.025; Ord. No. 31-13)

Sec. 607.030. Design review guidelines and design review standards.

(a) *Building location, orientation, and design.*

(1) *Building setbacks.*

(A) *Design review guidelines.*

(i) Building setbacks from Wallace Road shall be minimized.

(B) *Design review standards.*

(i) Buildings shall have the following setbacks from Wallace Road:

(aa) Minimum: zero feet.

(bb) Maximum: 60 feet.

(cc) Where a minimum of 50 percent of the buildable width of a lot is already occupied by buildings, or portions of buildings, located within 60 feet of the Wallace Road right-of-way, the maximum setback shall not apply.

(b) *Landscaping.*

(1) *Landscaping for open sales.*

(A) *Design review guidelines.*

(i) Landscaping shall be utilized to provide adequate screening of open sales areas.

(B) *Design review standards.*

(i) Open sales areas for construction, communication or recreational equipment, vehicles, boats, recreational vehicles, and building materials shall be screened from Wallace Road with a minimum three-foot tall sight-obscuring fence, masonry wall, or hedge, and a minimum six-foot wide landscape strip. The fence, masonry wall, or hedge shall not encroach into the vision clearance area.

(c) *Site access.*

(1) *Vehicle access.*

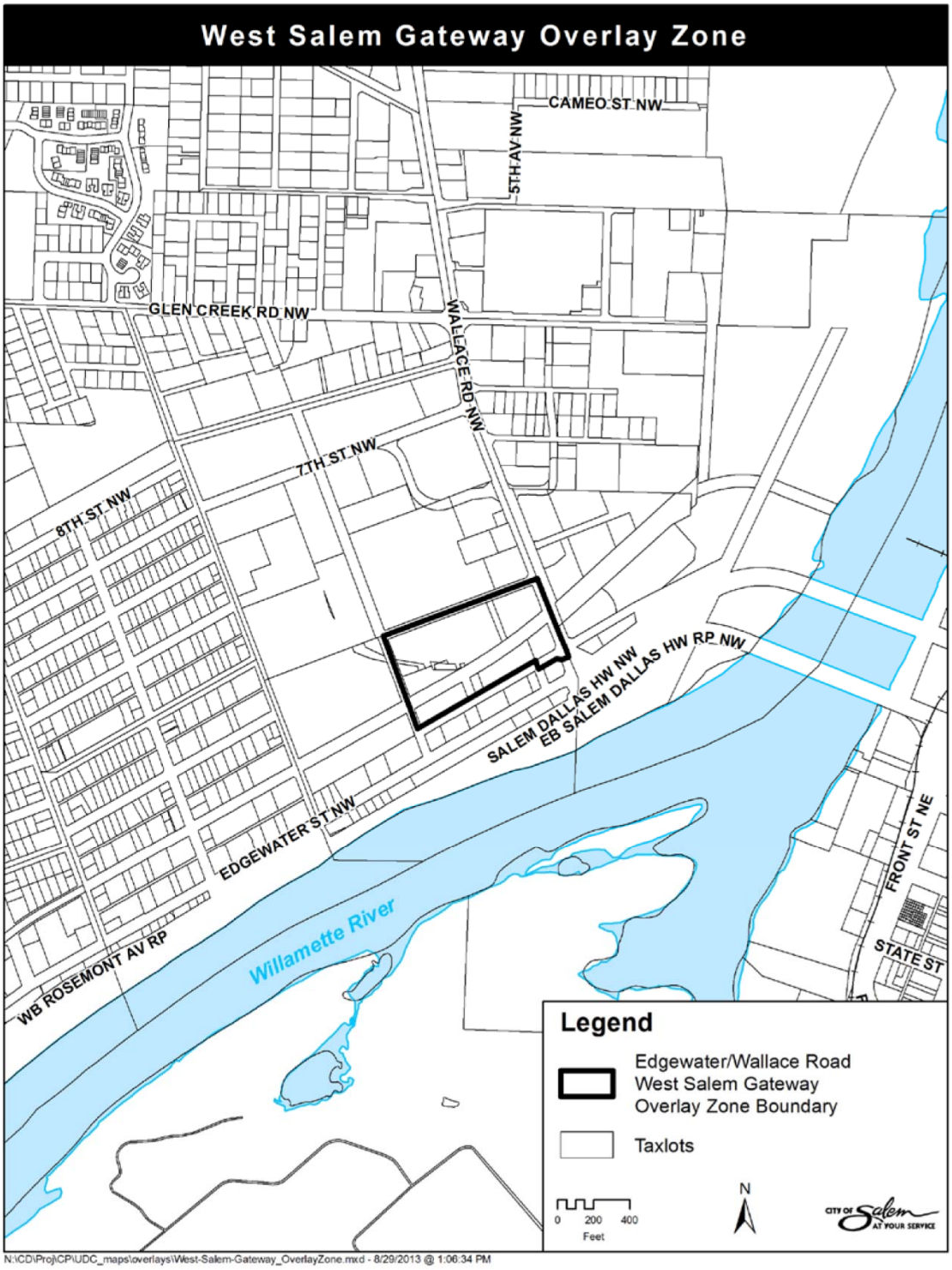
(A) *Design review guidelines.*

(i) Vehicle access onto Wallace Road shall be minimized when access to parking is available from a local street.

(B) *Design review standards.*

(i) New driveway approaches onto Wallace Road shall not be constructed when access to parking is available from a local street.

FIGURE 607-1. WEST SALEM GATEWAY OVERLAY ZONE



(Prior Code, § 607.030; Ord. No. 31-13)

CHAPTER 608. WEST SALEM GENERAL INDUSTRIAL OVERLAY ZONE

Sec. 608.001. Purpose.

The purpose of the West Salem General Industrial Overlay Zone is to identify allowed uses and to establish development standards that promote a compatible mixture of retail, commercial, and industrial development.

(Prior Code, § 608.001; Ord. No. 31-13)

Sec. 608.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Mixed-use development*~~:~~ means a combination of uses in two or more of the following use categories within a single building, or within separate buildings on the same lot or contiguous lots:

~~(1)~~ (a) Household living;

~~(2)~~ (b) Lodging;

~~(3)~~ (c) Retail sales and service;

~~(4)~~ (d) Business and professional services;

~~(5)~~ (e) Health services; or

~~(6)~~ (f) Civic services.

(Prior Code, § 608.005; Ord. No. 31-13)

Sec. 608.010. West Salem General Industrial Overlay Zone boundary.

The boundaries of the West Salem General Industrial Overlay Zone are shown in Figure 608-1.

(Prior Code, § 608.010; Ord. No. 31-13)

Sec. 608.015. Uses.

Except as otherwise provided in this section, any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the West Salem General Industrial Overlay Zone.

(a) *Continued uses.* Uses existing within the West Salem General Industrial Overlay Zone that were allowed as permitted, special, or conditional uses on December 1, 2002, but which would otherwise be made nonconforming uses by this chapter, are hereby deemed continued uses. The owner shall have the burden to demonstrate continued use status under this subsection.

(1) A continued use may be intensified, and buildings or structures housing a continued use may be ~~may be~~ enlarged, rebuilt, or the exterior altered, provided such intensification, enlargement, rebuilding, or exterior alteration complies with all applicable standards in the underlying zone.

(2) An owner or user of property on December 1, 2002, may extend a continued use onto any contiguous vacant land owned by such owner or user if such land was held under the same ownership on December 1, 2002, and has been maintained under the same ownership continuously thereafter. The extension of a continued use onto contiguous vacant land under the same ownership must comply with all applicable standards in the underlying zone.

(3) A continued use may be changed to any use that is allowed in the West Salem General Industrial Overlay Zone. Such change of use shall terminate the continued use status conferred by this subsection and the property must thereafter only be used for uses allowed in the West Salem General Industrial Overlay Zone.

(4) A determination by the Building Official that the building or structure housing a continued use is derelict or dangerous, as defined in SRC 50.600 and 56.230, shall terminate the continued use status conferred by this subsection and the property may thereafter only be used for uses allowed in the West Salem General Industrial Overlay Zone.

(b) *Additional permitted uses.* The uses set forth in Table 608-1 are additional permitted (P) uses in the West Salem General Industrial Overlay Zone.

TABLE 608-1. ADDITIONAL PERMITTED USES

Use	Status	Limitations & Qualifications
Retail Sales and Services		
Eating and drinking establishments	P	
Retail sales	P	
Personal services	P	Only the following personal services activities are additional permitted uses: □ Beauty shops. □ Barber shops.
Business and Professional Services		
Office	P	
Laboratory research and testing	P	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	P	Only the following commercial entertainment—indoor activities are additional permitted uses: □ Entertainment establishments. □ Membership sports and recreation clubs.
Commercial entertainment—outdoor	P	Only the following commercial entertainment—outdoor activities are additional permitted uses: □ Membership sports and recreation clubs.
Health Services		
Outpatient medical services and laboratories	P	
Civic Services		
Governmental services	P	
Public Safety		
Emergency services	P	
Military installations	P	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	P	

(c) *Additional prohibited uses.* In addition to the prohibited uses in the underlying zone, the uses set forth in

Table 608-2 are additional prohibited (N) uses in the West Salem General Industrial Overlay Zone.

TABLE 608-2. ADDITIONAL PROHIBITED USES		
Use	Status	Limitations & Qualifications
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Motor vehicle and manufactured dwelling and trailer sales	N	Only the following motor vehicle and manufactured dwelling and trailers sales activities are additional prohibited uses: □ Motorcycle dealers. □ Off-road vehicles and utility trailers.
Recreation, Entertainment, and Cultural Services and Facilities		
Major event entertainment	N	Only the following major event entertainment activities are additional prohibited uses: □ Race tracks.
Construction Contracting, Repair, Maintenance, and Industrial Services		
Building and grounds services and construction contracting	N	Only the following buildings and grounds services and construction contracting activities are additional prohibited uses: □ Disinfecting and pest control services. □ Building cleaning and maintenance services.
Wholesale Sales, Storage, and Distribution		
Heavy wholesaling	N	Only the following heavy wholesaling activities are additional prohibited uses: □ Scrap and waste materials. □ Chemicals and allied products.
Manufacturing		
General manufacturing	N	Only the following general manufacturing activities are additional prohibited uses: □ Paperboard containers and boxes. □ Paper bag and coated and treated paper manufacturing. □ Drugs, cleaning agents, and personal care products. □ Batteries. □ Sign manufacturing.

TABLE 608-2. ADDITIONAL PROHIBITED USES		
Use	Status	Limitations & Qualifications
Heavy manufacturing	N	Only the following heavy manufacturing activities are additional prohibited uses: □ Animal slaughtering and processing. □ Pulp, paper, and paperboard mills. □ Sawmills. □ Chemical manufacturing. □ Petroleum and coal products. □ Cement and concrete products. □ Foundries, smelting, and other similar activities. □ Ordnance, small arms, and ammunition.
Transportation Facilities		
Aviation facilities	N	
Utilities		
Fuel dealers	N	
Waste-related facilities	N	Only the following waste-related facilities are additional prohibited uses: □ Solid waste transfer stations.
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	
Forestry	N	
Agriculture and forestry services	N	
Keeping of livestock and other animals	N	

(Prior Code, § 608.015; Ord. No. 31-13)

Sec. 608.020. Development standards.

Development within the West Salem General Industrial Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) *Continued development.* Buildings and structures existing within the West Salem General Industrial Overlay Zone that conformed to the development standards existing on December 1, 2002, but which would otherwise be made nonconforming development by this chapter, are hereby deemed continued

development. The owner shall have the burden to demonstrate continued development status under this subsection.

(1) Continued development may be enlarged, rebuilt, or the exterior altered, provided such enlargement, rebuilding, or exterior alteration complies with all applicable standards in the underlying zone.

(2) An owner or user of property on December 1, 2002, may extend continued development onto any contiguous vacant land owned by such owner or user if such land was held under the same ownership on December 1, 2002, and has been maintained under the same ownership continuously thereafter. The extension of continued development onto contiguous vacant land under the same ownership must comply with all applicable standards in the underlying zone.

(3) A determination by the Building Official that a continued development is derelict or dangerous, as defined in SRC 50.600 and ~~SRC~~ 56.230, shall terminate the continued development status conferred by this subsection and the building or structure shall thereafter be deemed a nonconforming development.

(b) *Development standards for additional permitted uses set forth in Table 608-1.* Within the West Salem General Industrial Overlay Zone, the additional uses set forth in Table 608-1 shall conform to the following additional development standards:

(1) *Site area.* The use shall be located on a lot not more than six acres in size.

(2) *Parking and loading areas.*

(A) Planter bays or islands shall have a minimum planting area of 50 square feet.

(B) Within parking lots greater than 50,000 square feet in size, a minimum of one tree per eight parking spaces is required, of which not more than 25 percent may be evergreen trees. Required trees must be planted within 20 feet of the parking lot perimeter.

(3) *Screening.*

(A) Trash receptacles shall be screened from adjacent household living uses and streets by a sight obscuring fence, wall, or hedge.

(B) Concertina or barbed wire fencing shall not be located within 60 feet of the street right-of-way, unless such fencing is obstructed by a building or structure.

(C) Concertina or barbed wire fencing shall be screened from public view and adjacent property by sight-obscuring landscaping.

(4) *Outdoor storage.*

(A) Outdoor storage areas shall not be located within required setbacks.

(B) Outdoor storage areas shall be enclosed by a minimum six-foot-high sight-obscuring fence, wall, hedge, or berm; provided, however, items more than six feet in height above grade shall be screened by sight-obscuring landscaping.

(C) Items stored within outdoor storage areas shall not exceed a maximum height of 14 feet above grade.

(c) *Pedestrian access.*

(1) A pedestrian connection shall be provided from the public sidewalk to the primary building entrance.

(2) A pedestrian connection through the parking area to the primary building entrance shall be provided when the parking area is greater than 60 feet in depth.

(3) Within shopping centers, office complexes, and mixed-use developments, pedestrian connections shall be provided to connect the buildings. Pedestrian connections shall be the most practical, direct route.

(4) Pedestrian connections shall be a minimum of five feet in width, and defined by visual contrast or tactile finish texture.

(5) Wheel stops or extended curbs shall be provided along required pedestrian connections to prevent the encroachment of vehicles onto pedestrian connections.

(d) *Project enhancements.* Development within the West Salem General Industrial Overlay Zone shall include four or more of the following project enhancements:

(1) Joint parking agreement under SRC 806.020(a)(5) or implementation of a plan to satisfy off-street parking requirements through alternative modes of transportation under SRC 806.015(e)(2);

(2) Freestanding sign not more than five feet in height and placed upon a foundation;

(3) Weather protection, in the form of awnings or canopies, along more than 50 percent of the length of the ground floor building facade adjacent to sidewalks or pedestrian connections;

(4) Pedestrian connections that are:

(A) Constructed with pavers, scored or colored cement, and/or stamped asphalt;

(B) Elevated above the parking area and driveway; or

(C) Defined with landscaping or building features such as canopies, awnings, or arcades;

(5) Replacement of existing surface parking areas with new development of buildings or structures;

(6) A minimum of seven percent interior landscaping within parking areas not more than 50,000 square feet in size; or a minimum of ten percent interior landscaping within parking areas greater than 50,000 square feet in size;

(7) Installation of landscaping and irrigation using a plan designed by an Oregon landscape architect;

(8) Development of a mixed-use building;

(9) Construction of a building where at least 50 percent of the building frontage is constructed contiguous to the minimum building setback line;

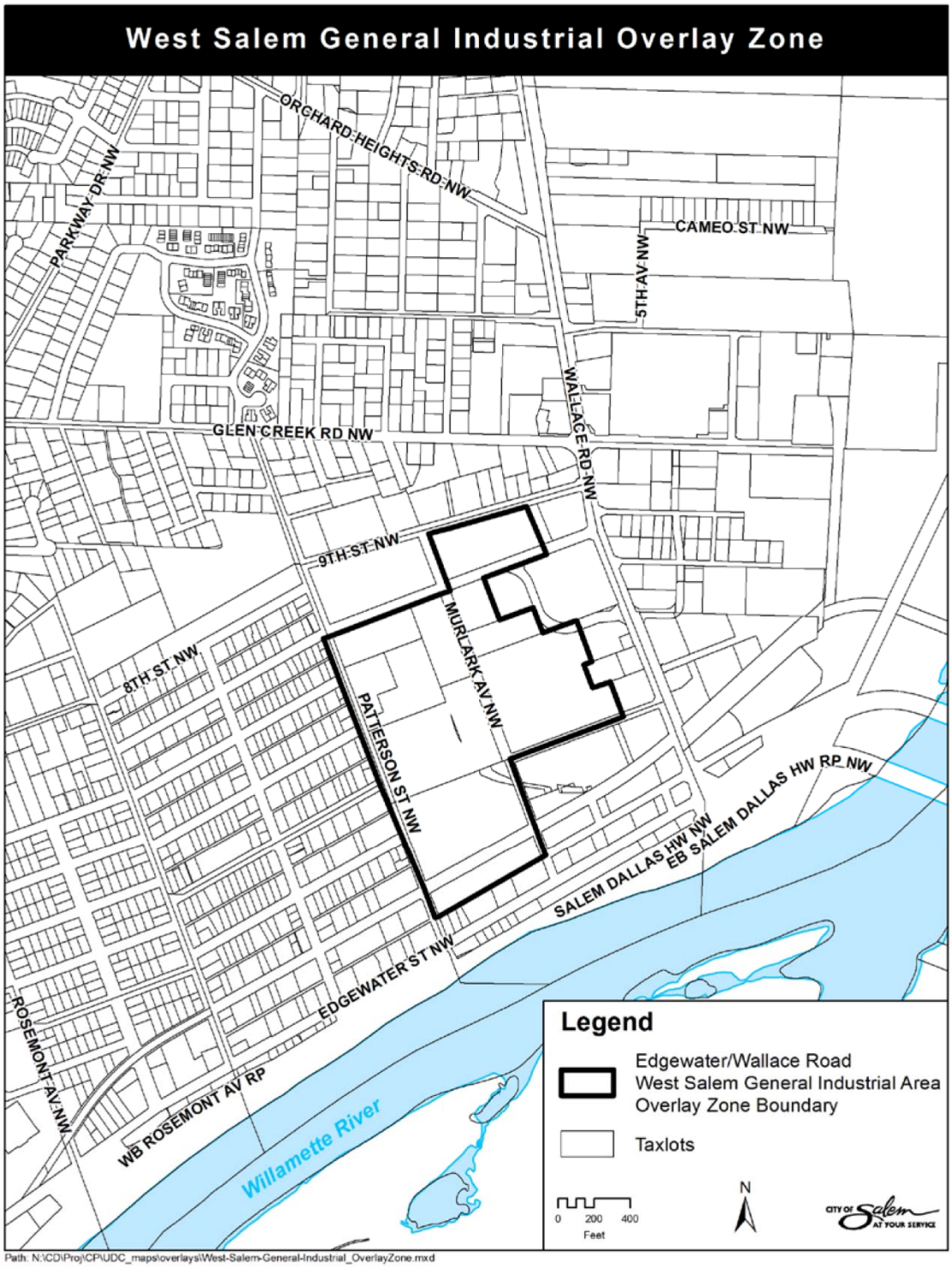
(10) Construction of one or more buildings at least two stories in height;

(11) Construction of planter bays, each a minimum of 50 square feet in size, to meet minimum interior parking area landscaping requirements;

(12) Construction of planter bays below the surface grade of parking areas to accommodate surface water runoff; or

(13) Use of native plant materials to meet minimum landscaping requirements.

FIGURE 608-1. WEST SALEM GENERAL INDUSTRIAL OVERLAY ZONE



(Prior Code, § 608.020; Ord. No. 31-13)

CHAPTER 609. PATTERSON STREET CORRIDOR OVERLAY ZONE

Sec. 609.001. Purpose.

The purpose of the Patterson Street Corridor Overlay Zone is to establish development standards to promote mixed-use neighborhood-scale development.

(Prior Code, § 609.001; Ord. No. 31-13)

Sec. 609.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Mixed-use development*~~:~~ means a combination of uses in two or more of the following use categories within a single building, or within separate buildings on the same lot or contiguous lots:

~~(1)~~ (a) Household living;

~~(2)~~ (b) Lodging;

~~(3)~~ (c) Retail sales and service;

~~(4)~~ (d) Business and professional services;

~~(5)~~ (e) Health services; or

~~(6)~~ (f) Civic services.

(Prior Code, § 609.005; Ord. No. 31-13)

Sec. 609.010. Patterson Street Corridor Overlay Zone boundary.

The boundaries of the Patterson Street Corridor Overlay Zone are shown in Figure 609-1.

(Prior Code, § 609.010; Ord. No. 31-13)

Sec. 609.015. Uses.

Any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the Patterson Street Corridor Overlay Zone.

(Prior Code, § 609.015; Ord. No. 31-13)

Sec. 609.020. Development standards.

Development within the Patterson Street Corridor Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) *Continued development.* Buildings and structures existing within the Patterson Street Corridor Overlay Zone that conformed to the development standards existing on December 1, 2002, but which would otherwise be made nonconforming development by this chapter, are hereby deemed continued development. The owner shall have the burden to demonstrate continued development status under this subsection.

(1) Continued development may be enlarged, rebuilt, or the exterior altered, provided such enlargement, rebuilding, or exterior alteration complies with all applicable standards in the underlying zone.

(2) An owner or user of property on December 1, 2002, may extend continued development onto any

contiguous vacant land owned by such owner or user if such land was held under the same ownership on December 1, 2002, and has been maintained under the same ownership continuously thereafter. The extension of continued development onto contiguous vacant land under the same ownership must comply with all applicable standards in the underlying zone.

(3) A determination by the Building Official that a continued development is derelict or dangerous, as defined in SRC 50.600 and ~~SRC~~ 56.230, shall terminate the continued development status conferred by this subsection and the building or structure shall thereafter be deemed a nonconforming development.

(b) *Pedestrian access.* All development, other than development of single family and two family uses, shall comply with the following pedestrian access standards:

(1) A pedestrian connection shall be provided from the public sidewalk to the primary building entrance.

(2) A pedestrian connection through the parking area to the primary building entrance shall be provided when the parking area is greater than 60 feet in depth.

(3) Within shopping centers, office complexes, and mixed-use developments, pedestrian connections shall be provided to connect the buildings. Pedestrian connections shall be the most practical, direct route.

(4) Pedestrian connections shall be a minimum of five feet in width, and defined by visual contrast or tactile finish texture.

(5) Wheel stops or extended curbs shall be provided along required pedestrian connections to prevent the encroachment of vehicles onto pedestrian connections.

(c) *Project enhancements.* All development, other than development of single family and two family uses, shall include four or more of the following project enhancements:

(1) Joint parking agreement under SRC 806.020(a)(5) or implementation of a plan to satisfy off-street parking requirements through alternative modes of transportation under SRC 806.015(e)(2);

(2) Freestanding sign not more than five feet in height and placed upon a foundation;

(3) Weather protection, in the form of awnings or canopies, along more than 50 percent of the length of the ground floor building facade adjacent to sidewalks or pedestrian connections;

(4) Pedestrian connections that are:

(A) Constructed with pavers, scored or colored cement, and/or stamped asphalt;

(B) Elevated above the parking area and driveway; or

(C) Defined with landscaping or building features such as canopies, awnings, or arcades;

(5) Replacement of existing surface parking areas with new development of buildings or structures;

(6) A minimum of seven percent interior landscaping within parking areas not more than 50,000 square feet in size; or a minimum of ten percent interior landscaping within parking areas greater than 50,000 square feet in size;

(7) Installation of landscaping and irrigation using a plan designed by an Oregon landscape architect;

(8) Development of a mixed-use building;

(9) Construction of a building where at least 50 percent of the building frontage is constructed contiguous to the minimum building setback line;

(10) Construction of one or more buildings at least two stories in height;

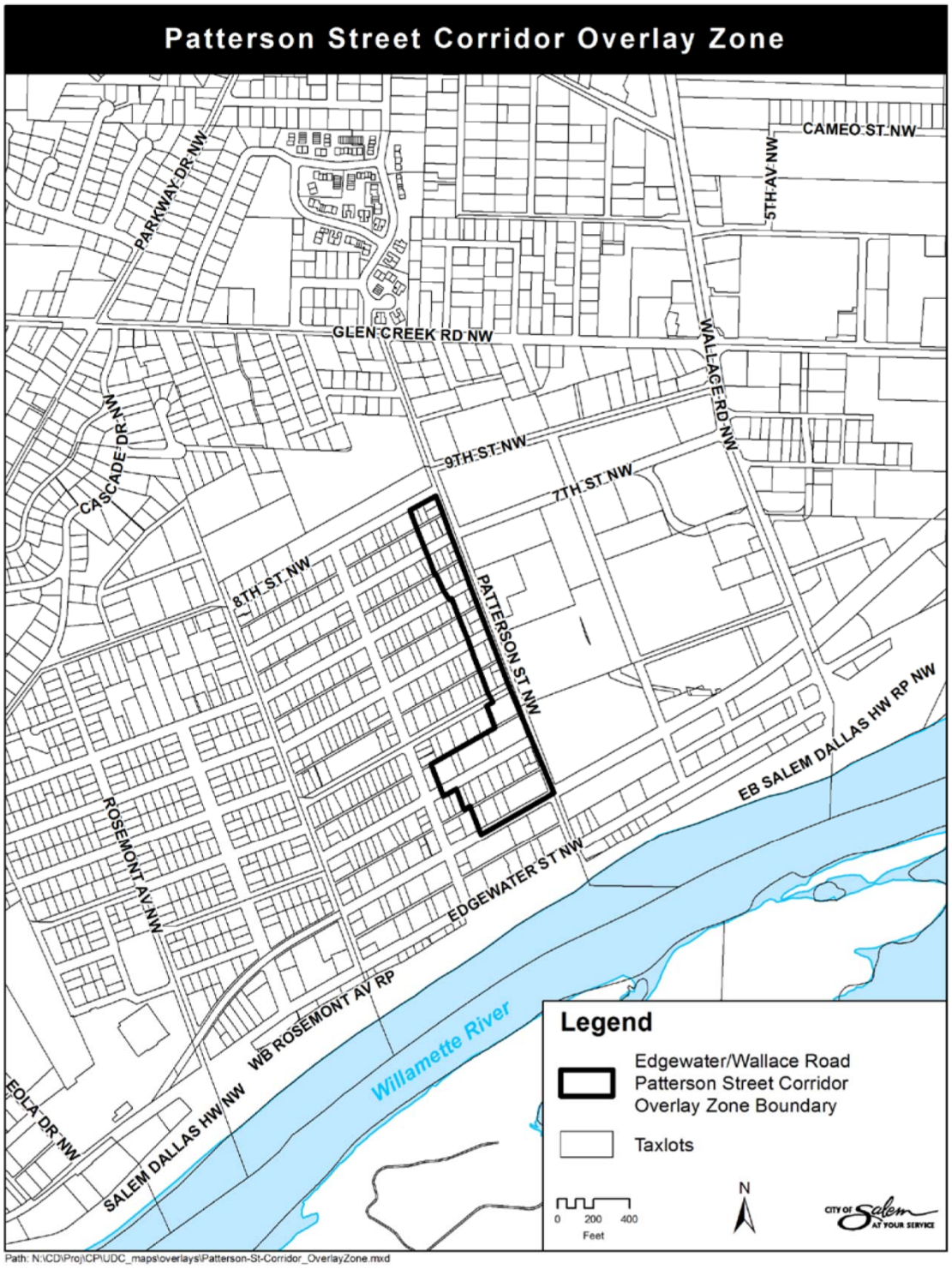
(11) Construction of planter bays, each a minimum of 50 square feet in size, to meet minimum interior parking area landscaping requirements;

(12) Construction of planter bays below the surface grade of parking areas to accommodate surface

water runoff; or

(13) Use of native plant materials to meet minimum landscaping requirements.

FIGURE 609-1. PATTERSON STREET CORRIDOR OVERLAY ZONE



(Prior Code, § 609.020; Ord. No. 31-13)

CHAPTER 610. EDGEWATER STREET CORRIDOR OVERLAY ZONE

Sec. 610.001. Purpose.

The purpose of the Edgewater Street Corridor Overlay Zone is to identify allowed uses and to establish development standards that promote pedestrian-oriented mixed-use development in keeping with a "main street" character.

(Prior Code, § 610.001; Ord. No. 31-13)

Sec. 610.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Mixed-use development*~~:~~ means a combination of uses in two or more of the following use categories within a single building, or within separate buildings on the same lot or contiguous lots:

~~(1)~~ (a) Household living;

~~(2)~~ (b) Lodging;

~~(3)~~ (c) Retail sales and service;

~~(4)~~ (d) Business and professional services;

~~(5)~~ (e) Health services; or

~~(6)~~ (f) Civic services.

(Prior Code, § 610.005; Ord. No. 31-13)

Sec. 610.010. Edgewater Street Corridor Overlay Zone boundary.

The boundaries of the Edgewater Street Corridor Overlay Zone are shown in Figure 610-2.

(Prior Code, § 610.010; Ord. No. 31-13)

Sec. 610.015. Uses.

Except as otherwise provided in this section, any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the Edgewater Street Corridor Overlay Zone.

(a) *Continued uses.* Uses existing within the Edgewater Street Corridor Overlay Zone that were allowed as permitted, special, or conditional uses on December 1, 2002, but which would otherwise be made nonconforming uses by this chapter, are hereby deemed continued uses. The owner shall have the burden to demonstrate continued use status under this subsection.

(1) A continued use may be intensified, and buildings or structures housing a continued use may be ~~may be~~ enlarged, rebuilt, or the exterior altered, provided such intensification, enlargement, rebuilding, or exterior alteration complies with all applicable standards in the underlying zone.

(2) An owner or user of property on December 1, 2002, may extend a continued use onto any contiguous vacant land owned by such owner or user if such land was held under the same ownership on December 1, 2002, and has been maintained under the same ownership continuously thereafter. The extension of a continued use onto contiguous vacant land under the same ownership must comply with all applicable standards in the underlying zone.

(3) A continued use may be changed to any use that is allowed in the Edgewater Street Corridor Overlay Zone. Such change of use shall terminate the continued use status conferred by this subsection and the property must thereafter only be used for uses allowed in the Edgewater Street

Corridor Overlay Zone.

(4) A determination by the Building Official that the building or structure housing a continued use is derelict or dangerous, as defined in SRC 50.600 and 56.230, shall terminate the continued use status conferred by this subsection and the property may thereafter only be used for uses allowed in the Edgewater Street Corridor Overlay Zone.

(b) *Additional permitted uses.* The uses set forth in Table 610-1 are additional permitted (P) uses in the Edgewater Street Corridor Overlay Zone.

TABLE 610-1. ADDITIONAL PERMITTED USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	P	
Two family	P	
Multiple family	P	

(c) *Additional prohibited uses.*

(1) In addition to the prohibited uses in the underlying zone, the uses set forth in Table 610-2 are additional prohibited (N) uses in the Edgewater Street Corridor Overlay Zone; provided, however, where an additional prohibited use set forth in Table 610-2 existed within the Edgewater Street Corridor Overlay Zone on February 11, 2008, such use shall be deemed a permitted use on the property where it existed on such date. The use may be intensified, enlarged, or rebuilt, but may not be extended onto other property within the Edgewater Street Corridor Overlay Zone not previously utilized for such use.

TABLE 610-2. ADDITIONAL PROHIBITED USES

Use	Status	Limitations & Qualifications
Retail Sales and Service		
Retail sales	N	Only the following retail sales activities are additional prohibited uses: □ Lumber and building materials dealers.
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Major event entertainment	N	
Construction Contracting, Repair, Maintenance, and Industrial Services		

TABLE 610-2. ADDITIONAL PROHIBITED USES		
Use	Status	Limitations & Qualifications
Building and grounds services and construction contracting	N	
Industrial services	N	
Utilities		
Waste-related facilities	N	
Farming, Forestry, and Animal Services		
Agriculture	N	
Forestry	N	
Other Uses		
Temporary uses	N	Only the following temporary uses activities are additional prohibited uses: □ Temporary motor vehicle and recreational vehicle sales.

(2) In addition to the prohibited uses set forth in Table 610-2, any permitted, special, or conditional use within the Edgewater Street Corridor Overlay Zone shall be a prohibited use within the overlay zone if developed with the following:

(A) Drive-through.

(Prior Code, § 610.015; Ord. No. 31-13)

Sec. 610.020. Development standards.

Development within the Edgewater Street Corridor Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) *Continued development.* Buildings and structures existing within the Edgewater Street Corridor Overlay Zone that conformed to the development standards existing on December 1, 2002, but which would otherwise be made nonconforming development by this chapter, are hereby deemed continued development. The owner shall have the burden to demonstrate continued development status under this subsection.

(1) Continued development may be enlarged, rebuilt, or the exterior altered, provided such enlargement, rebuilding, or exterior alteration complies with all applicable standards in the underlying zone.

(2) An owner or user of property on December 1, 2002, may extend continued development onto any contiguous vacant land owned by such owner or user if such land was held under the same ownership on December 1, 2002, and has been maintained under the same ownership continuously thereafter. The extension of continued development onto contiguous vacant land under the same ownership must comply with all applicable standards in the underlying zone.

(3) A determination by the Building Official that a continued development is derelict or dangerous, as defined in SRC 50.600 and ~~SRC~~ 56.230, shall terminate the continued development status conferred by this subsection and the building or structure shall thereafter be deemed a nonconforming development.

(b) *Dwelling unit density.* Dwelling unit density within the Edgewater Street Corridor Overlay Zone shall conform to the standards set forth in Table 610-3. Dwelling unit density cannot be varied or adjusted.

TABLE 610-3. DWELLING UNIT DENSITY

Use	Standard		Limitations & Qualifications
	Minimum	Maximum	
Single family, two family, and multiple family	8 dwelling units per acre	14 dwelling units per acre	
	1 dwelling unit per acre	None	Applicable to single family, two family, and multiple family within a mixed-use building.

(c) *Off-street parking.* Except for new single family, two family, or multiple family uses, there is no minimum off-street parking requirement for development sites with buildings in existence as of January 9, 2013, provided there is no increase in building square footage and any existing parking is not reduced, except as necessary to comply with state and federal law, including the Americans with Disabilities Act.

(d) *Screening.* Concertina or barbed wire fencing shall not be located within 60 feet of the street right-of-way, unless such fencing is obstructed by a building or structure.

(e) *Pedestrian access.* All development, other than development of single family and two family uses, shall comply with the following pedestrian access standards:

(1) A pedestrian connection shall be provided from the public sidewalk to the primary building entrance.

(2) A pedestrian connection through the parking area to the primary building entrance shall be provided when the parking area is greater than 60 feet in depth.

(3) Within shopping centers, office complexes, and mixed-use developments, pedestrian connections shall be provided to connect the buildings. Pedestrian connections shall be the most practical, direct route.

(4) Pedestrian connections shall be a minimum of five feet in width, and defined by visual contrast or tactile finish texture.

(5) Wheel stops or extended curbs shall be provided along required pedestrian connections to prevent the encroachment of vehicles onto pedestrian connections.

(f) *Project enhancements.* All development, other than development of single family and two family uses, shall include four or more of the following project enhancements:

(1) Closure of one driveway approach on Edgewater Street;

(2) Joint parking agreement under SRC 806.020(a)(5) or implementation of a plan to satisfy off-street parking requirements through alternative modes of transportation under SRC 806.015(e)(2);

(3) Freestanding sign not more than five feet in height and placed upon a foundation;

(4) Cast iron or wrought iron fencing adjacent to Edgewater Street;

(5) Pedestrian connections that are:

(A) Constructed with pavers, scored or colored cement, and/or stamped asphalt;

(B) Elevated above the parking area and driveway; or

(C) Defined with landscaping or building features such as canopies, awnings, or arcades;

(6) Replacement of existing surface parking areas with new development of buildings or structures;

(7) Provision of one or more of the following pedestrian-oriented design features on property adjacent to Edgewater Street:

(A) Pedestrian scale lighting not more than 16 feet in height; or

(B) Plazas or other outdoor spaces open to the public;

(8) A minimum of seven percent interior landscaping within parking areas not more than 50,000 square feet in size; or a minimum of ten percent interior landscaping within parking areas greater than 50,000 square feet in size;

(9) Installation of landscaping and irrigation using a plan designed by an Oregon landscape architect;

(10) Development of a mixed-use building;

(11) Construction of a building where at least 75 percent of the building frontage is constructed contiguous to the minimum building setback line;

(12) Provision of underground, structured, or tuck-under parking. For purposes of this ~~paragraph~~ subsection, the term "tuck-under parking" means parking placed at grade with a building constructed above it;

(13) Construction of one or more buildings at least two stories in height;

(14) Construction of planter bays, each a minimum of 50 square feet in size, to meet minimum interior parking area landscaping requirements;

(15) Construction of planter bays below the surface grade of parking areas to accommodate surface water runoff; or

(16) Use of native plant materials to meet minimum landscaping requirements.

(Prior Code, § 610.020; Ord. No. 31-13)

Sec. 610.025. Design review.

Design review under SRC chapter 225 is required for development within Edgewater Street Corridor Overlay Zone as follows:

(a) Except as otherwise provided in this section, design review according to the design review guidelines or the design review standards set forth in SRC 610.030 is required for all development within the Edgewater Street Corridor Overlay Zone.

(b) Design review according to the design review guidelines or the design review standards set forth in SRC 610.030 is not required for:

(1) Development of single family uses.

(2) Development of two family uses.

(c) Multiple family development, other than multiple family development within a mixed-use building, shall only be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(d) Multiple family development within a mixed-use building shall only be subject to design review according to the design review guidelines or the design review standards set forth in SRC 610.030.

(Prior Code, § 610.025; Ord. No. 31-13)

Sec. 610.030. Design review guidelines and design review standards.

(a) *Building location, orientation, and design.*

(1) *Building setbacks.*

(A) *Design review guidelines.*

(i) Building setbacks from Edgewater Street shall be minimized.

(B) *Design review standards.*

(i) Buildings shall have the following setbacks from Edgewater Street:

(aa) Minimum: zero feet.

(bb) Maximum: ten feet.

(cc) Where a minimum of 50 percent of the buildable width of a lot is already occupied by buildings, or portions of buildings, located within ten feet of the Edgewater Street right-of-way, the maximum setback shall not apply.

(2) *Building orientation and design.*

(A) *Design review guidelines.*

(i) Buildings facing Edgewater Street shall create safe, pleasant, and active pedestrian environments.

(ii) Ground floor building facades facing Edgewater Street shall include transparent windows to ensure that the ground floor promotes a sense of interaction between activities in the building and activities in the public realm.

(iii) Buildings shall be human scale and avoid long monotonous exterior walls. To minimize the appearance of bulk and divide overall building mass, building offsets and building articulation shall be provided throughout building facades.

(iv) Weather protection, in the form of awnings or canopies appropriate to the design of the building, shall be provided along ground floor building facades adjacent to sidewalks or pedestrian connections in order to create a comfortable and inviting pedestrian environment.

(B) *Design review standards.*

(i) A primary building entrance shall be provided for each building facade facing a street. If a building has frontage on more than one street, a single primary building entrance may be provided at the corner of the building where the streets intersect (see Figure 610-1).

(aa) *Alternative standard for existing buildings.* Notwithstanding subsection (a)(2)(B)(i) of this section, where a building existing on December 1, 2002, has a primary building entrance facing a street, such entrance may be relocated but not eliminated. The relocated entrance must face a street.

(ii) Ground floor building facades facing Edgewater Street shall include transparent windows on a minimum of 65 percent of the ground floor facade. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum visible transmittance (VT) of 37 percent.

(aa) *Alternative standard for existing buildings.* Notwithstanding subsection (a)(2)(B)(ii) of this section, where a building existing on December 1, 2002, does not include transparent windows on a minimum of 65 percent of the ground floor facade facing Edgewater Street, the percentage of transparent windows existing on the ground floor facade shall not be reduced. Additional windows meeting the transparency requirements of subsection (a)(2)(B)(ii) may be added without meeting the minimum ground floor facade window percentage of 65 percent.

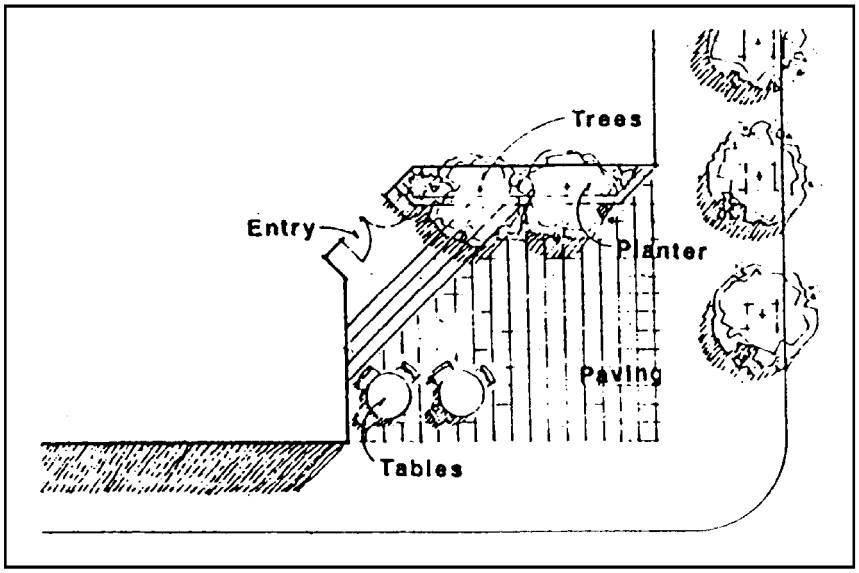
(iii) Building offsets shall be provided for building frontages greater than 75 feet in width. Building frontages two or more stories in height may be constructed without required building offsets on the first floor, but all additional floors shall incorporate building offsets. Building offsets shall be a minimum four feet in depth and shall be provided at intervals of not more than 40 feet along the building frontage. Building offsets may extend into required setbacks.

(iv) Weather protection, in the form of awnings or canopies, shall be provided along a minimum

of 90 percent of the length of the ground floor building facade adjacent to sidewalks or pedestrian connections. Awnings or canopies shall have a minimum clearance height above the sidewalk of eight feet, and may encroach into the street right-of-way as provided in SRC 76.160.

(aa) *Alternative standard for existing buildings.* Notwithstanding subsection (a)(2)(B)(iv) of this section, where a building existing on December 1, 2002, does not include weather protection, in the form of awnings or canopies, along a minimum of 90 percent of the length of the ground floor facade adjacent to sidewalks or pedestrian connections, the percentage of weather protection along the ground floor facade shall not be reduced. Additional weather protection meeting the sidewalk clearance requirements in subsection (a)(2)(B)(iv) of this section may be added without meeting the minimum weather protection standard of 90 percent.

FIGURE 610-1. BUILDING CORNER ENTRY



(b) *Landscaping.*

(1) *Landscaping for open sales areas.*

(A) *Design review guidelines.*

(i) Landscaping shall be utilized to provide adequate screening of open sales areas.

(B) *Design review standards.*

(i) Open sales areas for construction, communication, or recreational equipment, vehicles, boats, recreational vehicles, and building materials shall be screened from Edgewater Street with a minimum three-foot tall sight-obscuring fence, masonry wall, or hedge, and a minimum six-foot wide landscape strip. The fence, masonry wall, or hedge shall not encroach into the vision clearance area.

(c) *Off-street parking.*

(1) *Design and location of off-street parking.*

(A) *Design review guidelines.*

(i) The area devoted to off-street surface parking along the Edgewater Street shall be minimized.

(ii) Parking structures located adjacent to Edgewater Street shall include space for ground floor

commercial uses along their Edgewater Street frontage in order to create a safe, pleasant, and active pedestrian environment.

(iii) Where possible, access to parking serving activities along Edgewater Street shall be provided from Second Street or an alley.

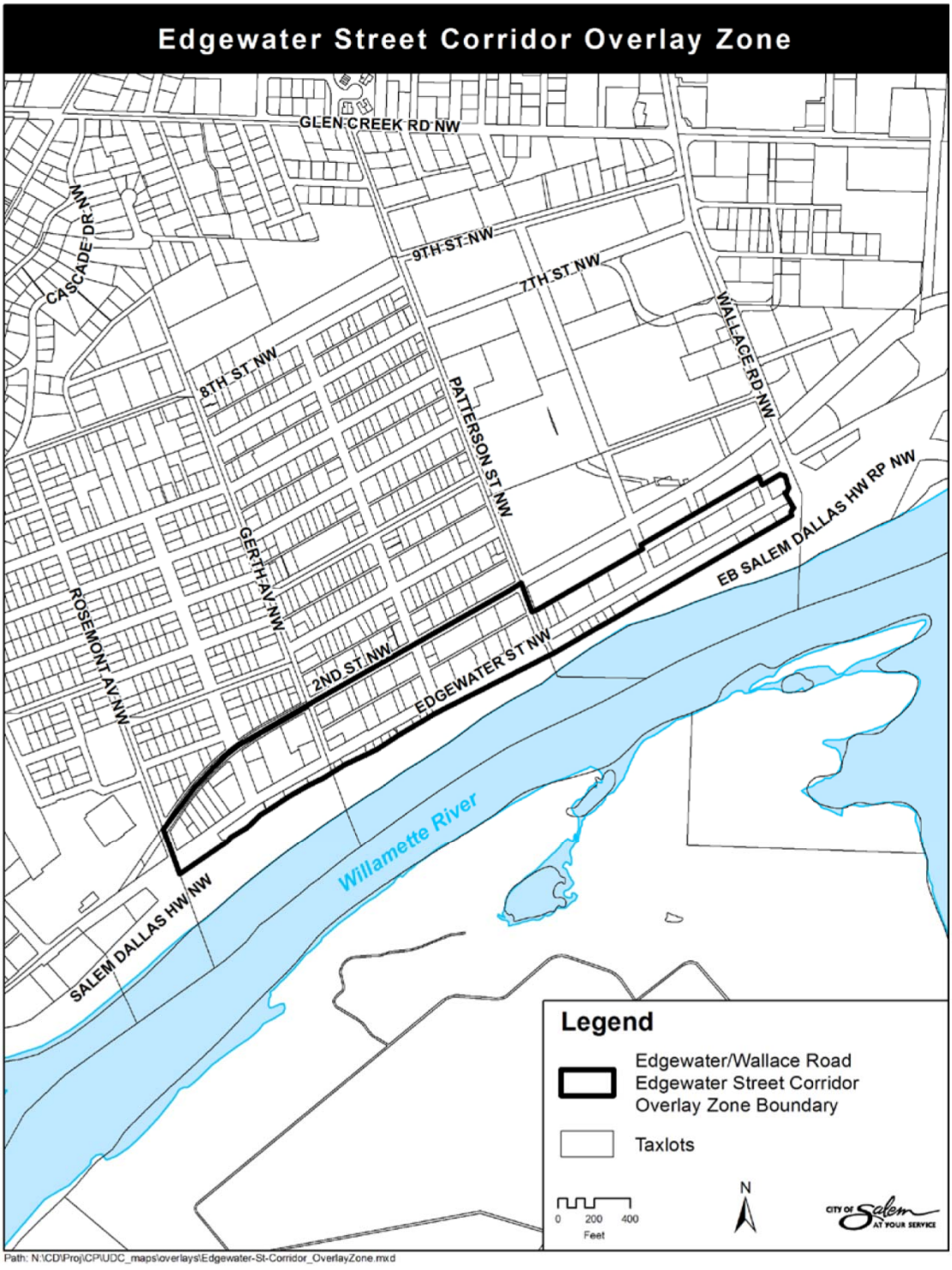
(B) *Design review standards.*

(i) Along Edgewater Street, off-street surface parking shall not occupy more than 50 percent of the street frontage of the lot, except that where a lot has frontage on Edgewater Street and a side street, off-street surface parking may occupy more than 50 percent of the side-street frontage.

(ii) Parking structures located adjacent to Edgewater Street shall include space for ground floor commercial uses along their entire Edgewater Street frontage.

(iii) Where access to parking is available from Second Street or an alley, no new driveway approaches onto Edgewater Street shall be provided.

FIGURE 610-2. EDGEWATER STREET CORRIDOR OVERLAY ZONE



(Prior Code, § 610.030; Ord. No. 31-13)

CHAPTER 611. SECOND STREET CORRIDOR OVERLAY ZONE

Sec. 611.001. Purpose.

The purpose of the Second Street Corridor Overlay Zone is to promote live/work opportunities in close proximity to Second Street NW.

(Prior Code, § 611.001; Ord. No. 31-13)

Sec. 611.005. Second Street Corridor Overlay Zone boundary.

The boundaries of the Second Street Corridor Overlay Zone are shown in Figure 611-1.

(Prior Code, § 611.005; Ord. No. 31-13)

Sec. 611.010. Uses.

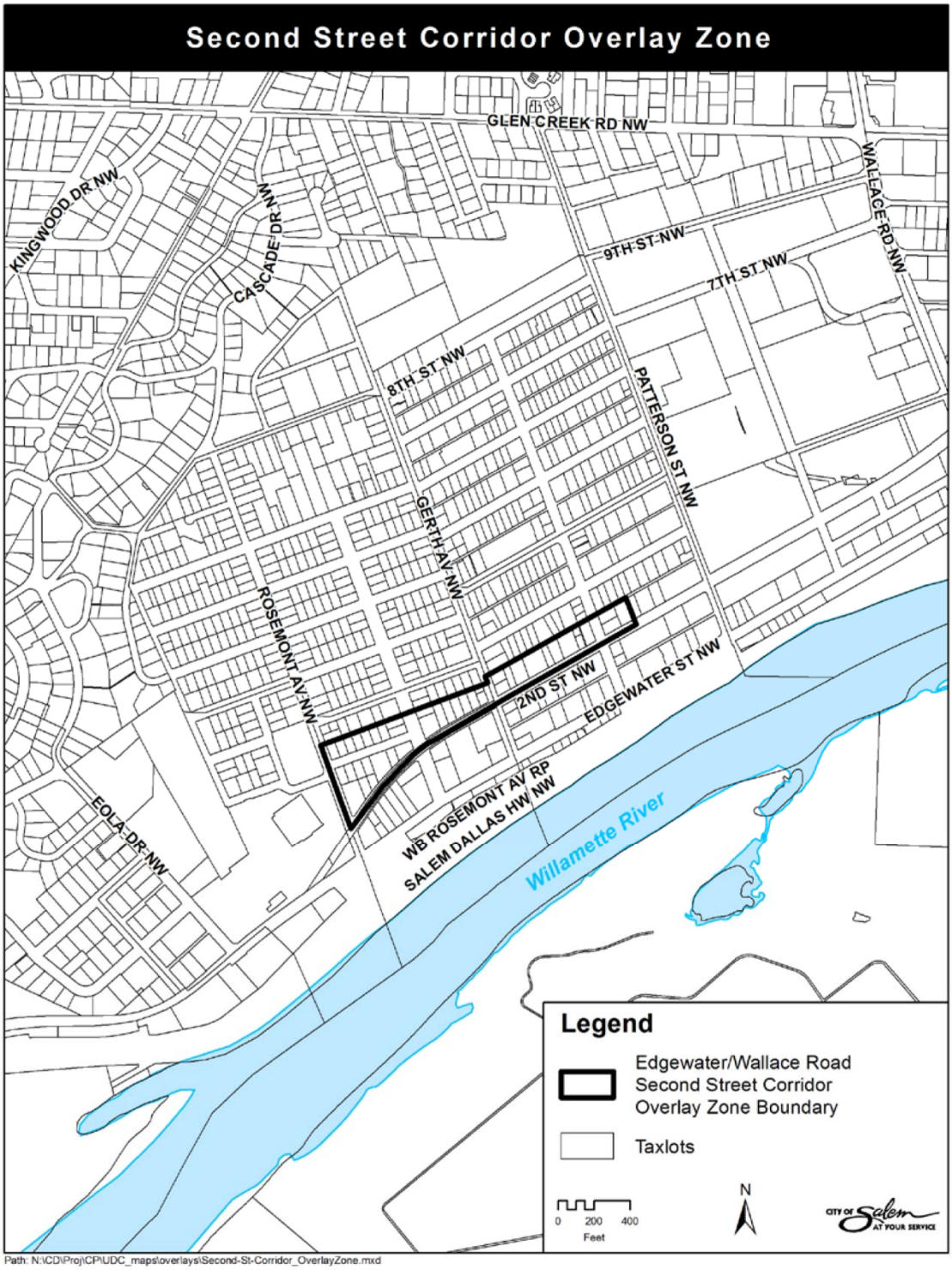
Except as otherwise provided in this section, any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the Second Street Corridor Overlay Zone.

(a) *Additional special uses.* The uses set forth in Table 611-1 are additional special (S) uses in the Second Street Corridor Overlay Zone.

TABLE 611-1. ADDITIONAL SPECIAL USES

Use	Status	Limitations & Qualifications
Other Uses		
Home occupations	S	Home occupations are allowed subject to SRC 700.020; provided, however, notwithstanding SRC 700.020(d), on-site sales associated with professional services, artists, and craftspeople is permitted.

FIGURE 611-1. SECOND STREET CORRIDOR OVERLAY ZONE



(Prior Code, § 611.010; Ord. No. 31-13)

CHAPTER 612. WALKER SCHOOL RESIDENTIAL AREA OVERLAY ZONE

Sec. 612.001. Purpose.

The purpose of the Walker School Residential Area Overlay Zone is to establish additional development standards for multiple family development and compact residential development, allowed pursuant to SRC chapter 690, that promote compatibility between the higher density infill residential development and existing single family dwellings.

(Prior Code, § 612.001; Ord. No. 31-13)

Sec. 612.005. Walker School Residential Area Overlay Zone boundary.

The boundaries of the Walker School Residential Area Overlay Zone are shown in Figure 612-1.

(Prior Code, § 612.005; Ord. No. 31-13)

Sec. 612.010. Uses.

Any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the Walker School Residential Area Overlay Zone.

(Prior Code, § 612.010; Ord. No. 31-13)

Sec. 612.015. Development standards.

Development within the Walker School Residential Area Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) *Continued development.* Buildings and structures existing within the Walker School Residential Area Overlay Zone that conformed to the development standards existing on December 1, 2002, but which would otherwise be made nonconforming development by this chapter, are hereby deemed continued development. The owner shall have the burden to demonstrate continued development status under this subsection.

(1) Continued development may be enlarged, rebuilt, or the exterior altered, provided such enlargement, rebuilding, or exterior alteration complies with all applicable standards in the underlying zone.

(2) An owner or user of property on December 1, 2002, may extend continued development onto any contiguous vacant land owned by such owner or user if such land was held under the same ownership on December 1, 2002, and has been maintained under the same ownership continuously thereafter. The extension of a continued development onto contiguous vacant land under the same ownership must comply with all applicable standards in the underlying zone.

(3) A determination by the Building Official that a continued development is derelict or dangerous, as defined in SRC 50.600 and ~~SRC~~ 56.230, shall terminate the continued development status conferred by this subsection and the building or structure shall thereafter be deemed a nonconforming development.

(b) *Pedestrian access.* All development, other than development of single family and two family uses, shall comply with the following pedestrian access standards:

(1) A pedestrian connection shall be provided from the public sidewalk to the primary building entrance.

(2) A pedestrian connection through the parking area to the primary building entrance shall be provided

when the parking area is greater than 60 feet in depth.

(3) Within shopping centers, office complexes, and mixed-use developments pedestrian connections shall be provided to connect the buildings. Pedestrian connections shall be the most practical, direct route.

(4) Pedestrian connections shall be a minimum of five feet in width and defined by visual contrast or tactile finish texture.

(5) Wheel stops or extended curbs shall be provided along required pedestrian connections to prevent the encroachment of vehicles onto pedestrian connections.

(c) *Project enhancements.* All development, other than development of single family and two family uses, shall include four or more of the following project enhancements:

(1) Joint parking agreement under SRC 806.020(a)(5) or implementation of a plan to satisfy off-street parking requirements through alternate modes of transportation under SRC 806.015(e)(2);

(2) Freestanding sign not more than five feet in height and placed upon a foundation;

(3) Weather protection, in the form of awnings or canopies, along more than 50 percent of the length of the ground floor building facade adjacent to sidewalks and pedestrian connections;

(4) Pedestrian connections that are:

(A) Constructed with pavers, scored or colored cement, and/or stamped asphalt;

(B) Elevated above the parking area and driveway; or

(C) Defined with landscaping or building features such as canopies, awnings, or arcades;

(5) Replacement of existing surface parking areas with new development of buildings or structures;

(6) A minimum of seven percent interior landscaping within parking areas not more than 50,000 square feet in size; or a minimum of ten percent interior landscaping within parking areas greater than 50,000 square feet in size;

(7) Installation of landscaping and irrigation using a plan designed by an Oregon landscape architect;

(8) Construction of a building where at least 50 percent of the building frontage is constructed contiguous to the minimum building setback line;

(9) Construction of one or more buildings at least two stories in height;

(10) Construction of planter bays, each a minimum of 50 square feet in size, to meet minimum interior parking area landscaping requirements;

(11) Construction of planter bays below the surface grade of parking areas to accommodate surface water runoff; or

(12) Use of native plant materials to meet minimum landscaping requirements.

(Prior Code, § 612.015; Ord. No. 31-13)

Sec. 612.020. Design review.

Design review under SRC chapter 225 is required for development within the Walker School Residential Area Overlay Zone as follows:

(a) Except as otherwise provided in this section, design review according to the design review guidelines or the design review standards set forth in SRC 612.025 is required for all residential development within the Walker School Residential Area Overlay Zone.

(b) Design review according to the design review guidelines or the design review standards set forth in SRC 612.025 is not required for:

(1) Development of single family uses.

(2) Development of two family uses.

(c) Multiple family development shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702, and the design review guidelines or the design review standards set forth in SRC 612.025.

(Prior Code, § 612.020; Ord. No. 31-13)

Sec. 612.025. Design review guidelines and design review standards.

(a) *Building design.*

(1) *Building orientation and design.*

(A) *Design review guidelines.*

(i) Building design shall reflect the scale, shape, and detailing of single family dwellings.

(ii) Dwelling units shall have entries oriented to the street. Apartments may have entries oriented to a central courtyard that is open to the street.

(iii) Architecturally defined entryways shall be provided.

(iv) Buildings shall be human scale and avoid long monotonous exterior walls.

(B) *Design review standards.*

(i) Trim boards shall be used to mark and define all roof lines, porches, windows, and doors on building facades facing streets.

(ii) Buildings shall be oriented so that their front facades are parallel to the street; with side walls oriented at right angles to the street.

(iii) Dwelling units located on the ground floor shall, when facing a street, include individual covered entry porches.

(iv) On interior lots less than 50 feet in width, at least one dwelling unit shall face the street. A paved walkway shall be provided from the street to each dwelling unit.

(v) Attached dwelling units shall be differentiated by building offsets.

(2) *Building mass, location, and facade design.*

(A) *Design review guidelines.*

(i) The roof lines of new structures shall reflect the roof lines of single family structures in the neighborhood or single family structures along the block face.

(ii) Building setbacks from the front property line shall be minimized.

(iii) Building height adjacent to the front property line shall be minimized.

(iv) The scale of building facades shall be minimized.

(v) Developments with multiple buildings shall include useable common open space and provide visual interest to reduce the appearance of bulk.

(B) *Design review standards.*

(i) Buildings shall have a minimum roof pitch of 3:12 or greater.

(ii) Buildings shall be setback from the front property line a minimum of 18 feet.

(iii) Buildings shall not to exceed 28 feet in height within 50 feet of the front property line.

(iv) No building facade facing a street shall:

(aa) Exceed 960 square feet within 30 feet of a street;

(bb) Exceed 1,400 square feet within 50 feet of a street; and

(cc) Have a horizontal dimension greater than 40 feet.

(v) Where more than one building facade faces a property line, and such building facades align

at a common distance from the property line, the building facades shall be horizontally separated by a distance of at least 20 feet to create a courtyard effect. For purposes of this design review standard, the term "common distance" shall ~~be~~ mean within 12 feet.

(b) *Off-street parking.*

(1) *Design and location of off-street parking.*

(A) *Design review guidelines.*

(i) Views of parking areas from the street shall be minimized.

(ii) The amount of building frontage devoted to garages facing a street shall be minimized.

(iii) The amount of land area used for driveways shall be minimized.

(B) *Design review standards.*

(i) Parking areas shall not occupy more than 25 percent of any street frontage.

(ii) Only single car garages shall face a street. Garages shall be setback from the street at least four feet further than any enclosed living area.

(iii) Driveways shall be no greater than eight feet in width. Tandem parking is permitted to meet off-street parking requirements.

(c) *Open space.*

(1) *Private open space.*

(A) *Design review guidelines.*

(i) Entry porches shall have useable private outdoor open space.

(B) *Design review standards.*

(i) Entry porches shall have minimum dimensions of six feet by eight feet.

(d) *Landscaping.*

(1) *Trees.*

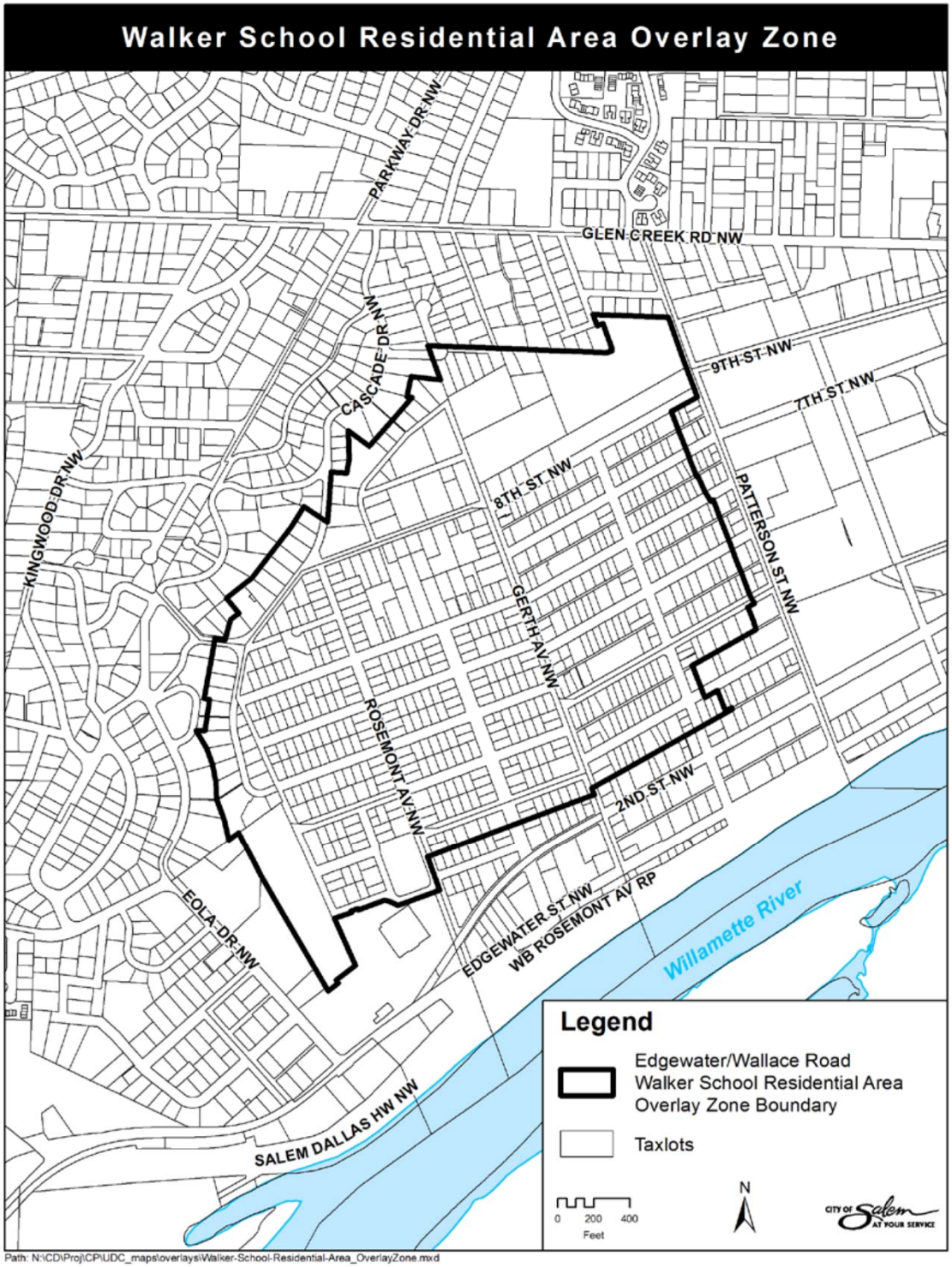
(A) *Design review guidelines.*

(i) Trees shall be planted along the street frontage according to SRC chapter 86.

(B) *Design review standards.*

(i) A minimum of one street tree shall be provided for each dwelling unit; provided, however, no more than one street tree shall be required for every 20 feet of street frontage or fraction thereof. Street trees shall be canopy trees with a minimum caliper of three inches. Existing trees may be used to satisfy this requirement.

FIGURE 612-1. WALKER SCHOOL RESIDENTIAL AREA OVERLAY ZONE



(Prior Code, § 612.025; Ord. No. 31-13)

CHAPTER 613. BROADWAY-HIGH STREET RETAIL OVERLAY ZONE

Sec. 613.001. Purpose.

The purpose of the Broadway/High Street Retail Overlay Zone is to identify allowed uses and to establish development standards that promote a pedestrian-oriented mixed-use residential and commercial district with an emphasis on retail.

(Prior Code, § 613.001; Ord. No. 31-13)

Sec. 613.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Side street*~~:~~ means any public street that intersects Broadway/High Street.

(Prior Code, § 613.005; Ord. No. 31-13)

Sec. 613.010. Broadway/High Street Retail Overlay Zone boundary.

The boundaries of the Broadway/High Street Retail Overlay Zone are shown in Figure 613-7.

(Prior Code, § 613.010; Ord. No. 31-13)

Sec. 613.015. Uses.

Except as otherwise provided in this section, any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the Broadway/High Street Retail Overlay Zone.

(a) *Additional permitted uses.* The uses set forth in Table 613-1 are additional permitted (P) uses in the Broadway/High Street Retail Overlay Zone.

TABLE 613-1. ADDITIONAL PERMITTED USES

Use	Status	Limitations & Qualifications
Household Living		
Multiple family	P	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Commercial parking	P	Only the following commercial parking activities are allowed as additional permitted uses: □ Parking structures.

(b) *Additional conditional uses.* The uses set forth in Table 613-2, when allowed in the underlying zone, shall be additional conditional (C) uses in the Broadway/High Street Retail Overlay Zone.

TABLE 613-2. ADDITIONAL CONDITIONAL USES

Use	Status	Limitations & Qualifications
Retail Sales and Service		

TABLE 613-2. ADDITIONAL CONDITIONAL USES		
Use	Status	Limitations & Qualifications
Postal services and retail financial services	C	Only the following postal services and retail financial services activities are additional conditional uses: □ Banks and credit unions developed with a drive-through.

(c) *Additional prohibited uses.* In addition to the prohibited uses in the underlying zone, any permitted, special, or conditional use, other than banks and credit unions, within the Broadway/High Street Retail Overlay Zone shall be a prohibited use within the overlay zone if developed with the following:

(1) Drive-through.

(Prior Code, § 613.015; Ord. No. 31-13; Ord. No. 4-16, § 1, 3-28-2016)

Sec. 613.020. Development standards.

Development within the Broadway/High Street Retail Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) *Height.* Buildings and accessory structures within the Broadway/High Street Retail Overlay Zone shall conform to the height standards set forth in Table 613-~~2~~3.

TABLE 613-3. HEIGHT		
Requirements	Standards	Limitations & Qualifications
Height		
Buildings		
all uses	Max. 50 ft.	
Accessory Structures		
Accessory to all uses	Max. 50 ft.	

(b) *Reductions to required off-street parking.* Within the Broadway/High Street Retail Overlay Zone, the minimum number of off-street parking spaces required under SRC chapter 806 shall be automatically reduced by ten percent. Further reductions to the minimum number of required off-street parking spaces may be satisfied through one or more of the following alternative means; provided, however, the total number of off-street parking spaces reduced through such alternative means shall not exceed 20 percent:

(1) *Transit stop.* A transit stop or stops approved by the Salem-Keizer Transit District may be used to satisfy five percent of the minimum number of required off-street parking spaces for building sites located within 400 feet of the transit stop or stops.

(2) *Covered bicycle parking.* Covered bicycle parking, provided at a ratio of one bicycle space for each ten vehicle parking spaces, may be used to satisfy five percent of the minimum number of required off-street parking spaces.

(3) *Pedestrian improvements.* Pedestrian improvements, provided in an amount equal to or greater than one percent of the estimated construction cost of the proposed building(s), may be used to satisfy

ten percent of the minimum number of required off-street parking spaces. Construction cost estimates shall be prepared by a licensed architect, landscape architect, or other qualified professional and shall be subject to review and approval by the Planning Administrator.

(A) Pedestrian improvements include plazas, sidewalk extensions on development sites (e.g., sidewalk extensions with outdoor cafe space), street furnishings (e.g., benches, public art, pedestrian-scale lighting, water fountains, trash receptacles, transit shelters, or shade structures), wayfinding signs, or similar amenities, as approved by the Planning Administrator.

(B) Where a plaza adjoins a building entrance, pedestrian improvements include the incorporation of weather protection over that plaza in the form of a canopy, awning, pergola, or similar feature.

(Prior Code, § 613.020; Ord. No. 31-13; Ord. No. 18-14; Ord. No. 4-16, § 2, 3-28-2016)

Sec. 613.025. Design review.

Design review under SRC chapter 225 is required for development within the Broadway/High Street Retail Overlay Zone as follows:

(a) Except as otherwise provided in this section, design review according to the design review guidelines or the design review standards set forth in SRC 613.030 is required for all development within the Broadway/High Street Retail Overlay Zone.

(b) Multiple family developments shall only be subject to design review according to the design review guidelines or the design review standards set forth in SRC 613.030.

(Prior Code, § 613.025; Ord. No. 31-13)

Sec. 613.030. Design review guidelines and design review standards.

(a) *Building location, orientation, and design.*

(1) *Building location.*

(A) *Design review guidelines.*

(i) Building setbacks from the street shall be minimized (see Figure 613-1). Buildings constructed contiguous to the right-of-way of Broadway/High Streets are preferred.

(ii) Buildings shall be located to minimize impacts to adjacent residential uses.

(B) *Design review standards.*

(i) Setbacks abutting Broadway/High Street. Buildings shall have the following setbacks from Broadway/High Street:

(aa) Contiguous to the street right-of-way; or

(bb) Maximum ten feet from the street right-of-way, for those portions of a building where a plaza or other outdoor space open to the public is provided between the building and the street right-of-way.

(cc) Portions of buildings greater than 25 feet in height may be setback up to ten additional feet from the street right-of-way.

(ii) Setbacks abutting a street other than Broadway/High Street. Buildings shall have the following setbacks abutting a street other than Broadway/High Street:

(aa) Minimum: zero feet.

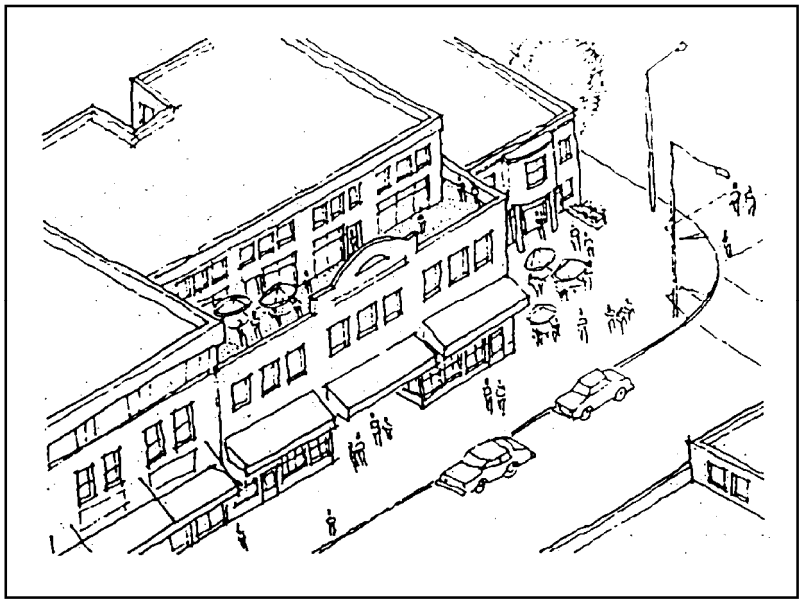
(bb) Maximum: 12 feet, for buildings or portions of buildings not more than 25 feet in height.

(cc) Maximum: 25 feet, for portions of buildings greater than 25 feet in height.

(iii) Interior side setback. Buildings shall be constructed contiguous to interior side lot lines.

(iv) Interior rear setback. Buildings shall have a minimum interior rear setback of one foot for each one foot of building height. Such setback need not exceed 20 feet in depth.

FIGURE 613-1. BUILDING SETBACKS MINIMIZED FROM STREET



(2) *Building orientation and design.*

(A) *Design review guidelines.*

(i) Buildings shall create safe, pleasant, and active pedestrian environments.

(ii) Ground floor building facades facing Broadway/High Street shall include transparent windows to ensure that the ground floor promotes a sense of interaction between activities in the building and activities in the public realm.

(iii) Upper floors of buildings facing Broadway/High Street should incorporate decks and balconies.

(iv) Weather protection, in the form of awnings or canopies appropriate to the design of the building, shall be provided along ground floor building facades adjacent to a street in order to create a comfortable and inviting pedestrian environment.

(v) An urban streetscape shall be provided along Broadway/High Street by locating new buildings close to the street and close to one another, and by providing, wherever practical, buildings with multiple stories in order to create a sense of enclosure along sidewalks and a variety of street level facades.

(B) *Design review standards.*

(i) A primary building entrance shall be provided for each building facade facing Broadway/High Street. If a building has frontage on Broadway/High Street and another street, a single primary building entrance may be provided at the corner of the building where the streets intersect (see Figure 613-2).

(ii) Ground floor building facades facing Broadway/High Street shall include transparent windows on a minimum of 65 percent of the ground floor facade. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall

have a minimum visible transmittance (VT) of 37 percent.

(aa) *Alternative standard for existing buildings.* Notwithstanding subsection (a)(2)(B)(ii) of this section, where a building existing on November 23, 1998, does not include transparent windows on at least 65 percent of the ground floor facade facing Broadway/High Street, the percentage of transparent windows existing on the ground floor facade shall not be reduced. Additional windows meeting the transparency requirements of subsection (a)(2)(B)(ii) may be added without meeting the minimum ground floor facade window percentage of 65 percent.

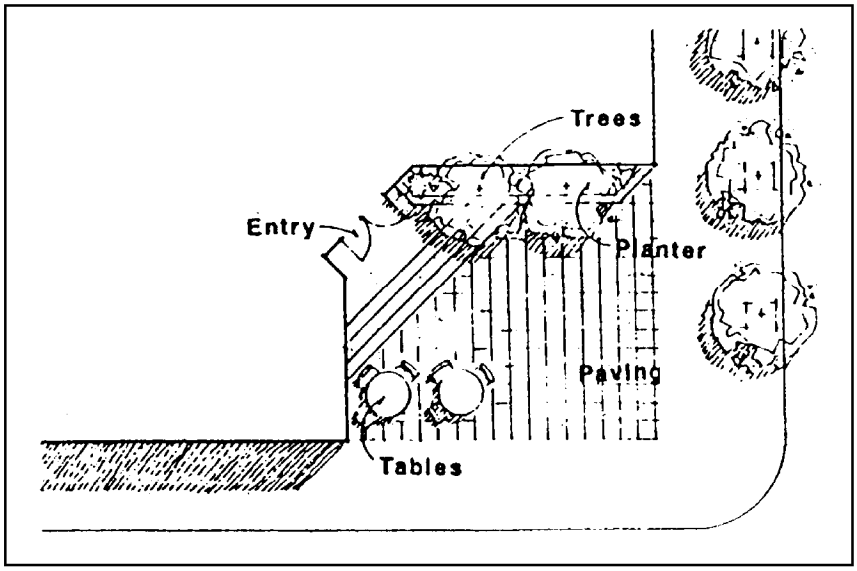
(iii) Building offsets and articulation shall be provided for building frontages greater than 100 feet in length in order to create pedestrian scale.

(iv) Weather protection, in the form of awnings or canopies, shall be provided along a minimum of 50 percent of the length of the ground floor building facade adjacent to a street. Awnings or canopies shall have a minimum clearance height above the sidewalk of eight feet, and may encroach into the street right-of-way as provided in SRC 76.160.

(aa) *Alternative standard for existing buildings.* Notwithstanding subsection (a)(2)(B)(iv) of this section, where a building existing on November 23, 1998, does not include weather protection, in the form of awnings or canopies, along a minimum of 50 percent of the length of the ground floor facade adjacent to a street, the percentage of weather protection along the ground floor facade shall not be reduced. Additional weather protection meeting the sidewalk clearance requirements in subsection (a)(2)(B)(iv) of this section may be added without meeting the minimum weather protection standard of 50 percent.

(v) New buildings on lots abutting Broadway/High Street shall be a minimum of 25 feet in height and shall provide space for commercial uses on the ground floor and office and/or residential uses above.

FIGURE 613-2. BUILDING CORNER ENTRY



(b) *Open space.*

(1) *Private open space.*

(A) *Design review guidelines.*

(i) Private open space shall be provided for each dwelling unit that provides a pleasant and private place for the enjoyment of the occupants.

(B) *Design review standards.*

(i) A minimum of 48 square feet of private open space shall be provided for each dwelling unit. The private open space shall have no dimension less than six feet and shall be directly accessible from the dwelling unit through a doorway.

(c) *Site access.*

(1) *Vehicle access.*

(A) *Design review guidelines.*

(i) Vehicle access and driveway approaches onto Broadway/High Street shall be minimized. Joint use driveways providing access to Broadway/High Street are preferred (see Figure 613-3).

(ii) Where feasible, provide vehicle access to buildings on lots abutting Broadway/High Street from an alley or side street (see Figure 613-4).

(B) *Design review standards.*

(i) Vehicle access to off-street parking and loading areas shall be provided from an alley or side street (see Figure 613-4).

(ii) No new driveway approaches shall be permitted onto Broadway/High Street.

FIGURE 613-3. VEHICLE ACCESS MINIMIZED THROUGH JOINT USE DRIVEWAYS

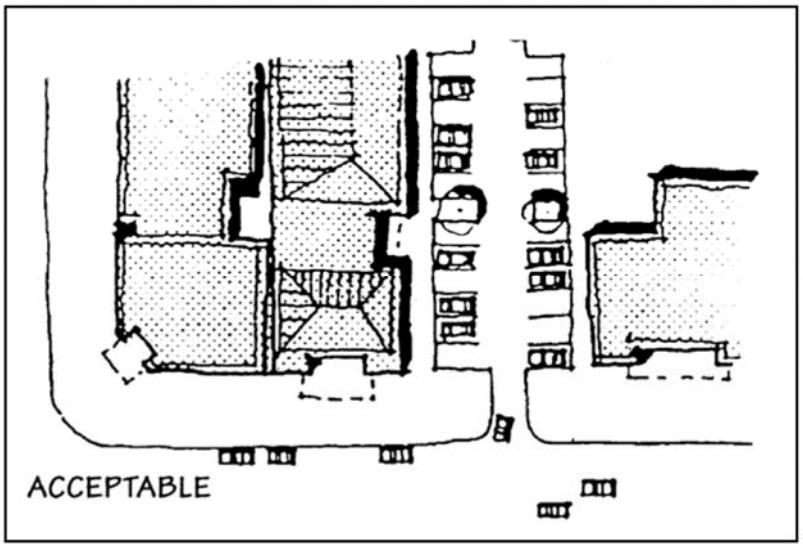
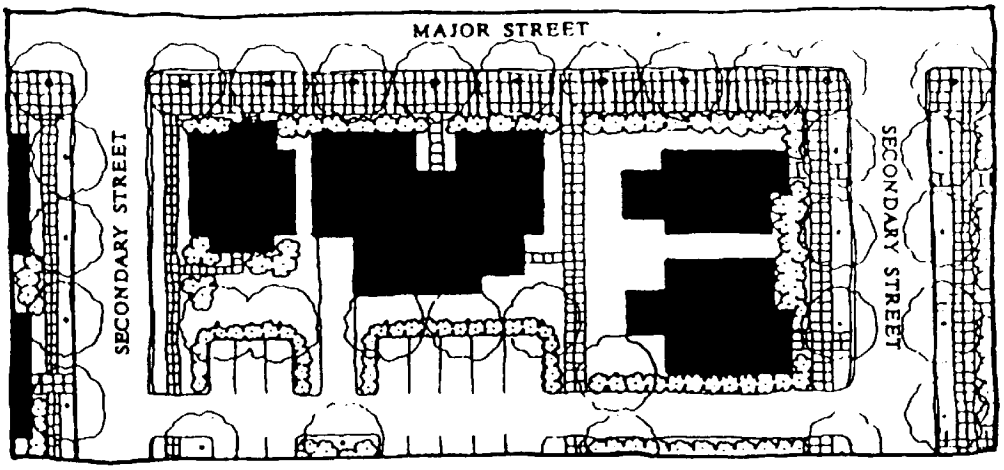


FIGURE 613-4. VEHICLE ACCESS PROVIDED FROM ALLEY OR SIDE STREET



(d) *Off-street parking and loading.*

(1) *Off-street parking.*

(A) *Design review guidelines.*

(i) Off-street surface parking areas shall have a scale, orientation, and location that support a pedestrian-oriented mixed-use residential and commercial district.

(ii) The amount of land needed to accommodate off-street parking shall be minimized through shared and structured parking where such parking is physically possible.

(B) *Design review standards.*

(i) Off-street surface parking areas and vehicle maneuvering areas shall be located behind or beside buildings and structures. Off-street surface parking areas and vehicle maneuvering areas shall not be located between a building or structure and a street (see Figure 613-5 and Figure 613-6).

(iii) Off-street parking areas shall not occupy more than 50 percent of the street frontage of a lot, except that:

(aa) Where a lot has frontage on Broadway/High Street and a side street, an off-street surfacing parking area may occupy more than 50 percent of the side street frontage.

(bb) On lots abutting Broadway/High Street, multi-level parking structures may occupy more than 50 percent of the Broadway/High Street frontage, provided the parking structures include space for ground floor commercial uses along their entire Broadway/High Street frontage.

FIGURE 613-5. PARKING CONSISTENT WITH PEDESTRIAN-ORIENTED MIXED-USE RESIDENTIAL AND COMMERCIAL DISTRICT

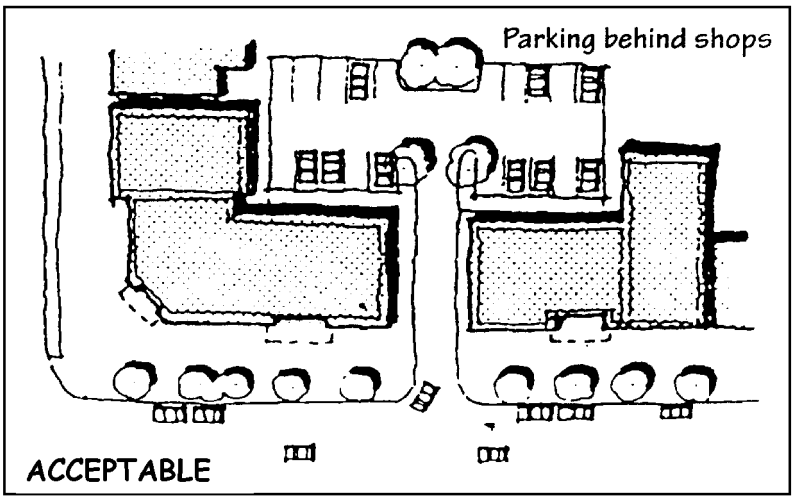
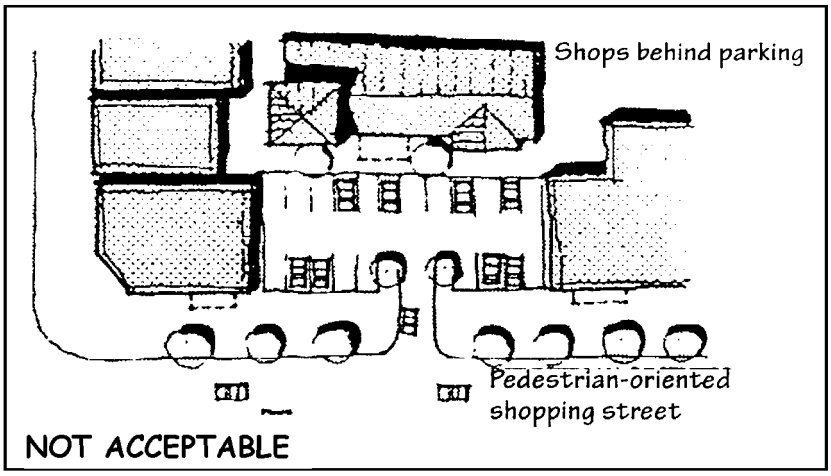


FIGURE 613-6. PARKING NOT CONSISTENT WITH PEDESTRIAN-ORIENTED MIXED-USE RESIDENTIAL AND COMMERCIAL DISTRICT



(2) *Off-street loading.*

(A) *Design review guidelines.*

(i) Off-street loading areas shall be located so as to minimize their visibility from the street.

(B) *Design review standards.*

(i) Off-street loading areas shall be located behind or beside buildings and structures. Off-street loading areas shall not be located between a building or structure and a street.

(e) *Drive-through.*

(1) *Drive-through location, access, and design.*

(A) *Design review guidelines.*

(i) A drive-through shall have a scale, orientation, and design supportive of a pedestrian-oriented

mixed-use residential and commercial district.

(ii) A drive-through service area or service window shall be located and designed to minimize its visibility from Broadway/High Street.

(iii) Any queuing lane shall be located and designed to minimize its visibility from the street.

(iv) Vehicular access to a drive-through may enter from the street when the drive-through exits onto an alley. A drive-through may exit onto the street when vehicular access to the drive-through enters from an alley.

(v) Any queuing lane shall be located and designed to minimize conflicts with pedestrians and to ensure safe pedestrian access to and throughout the site.

(B) *Design review standards.*

(i) A drive-through service area or service window shall be located behind the building or structure. For purposes of this standard, the term "located behind the building or structure" means located on the side of the building or structure that is opposite the side of the building or structure facing Broadway/High Street.

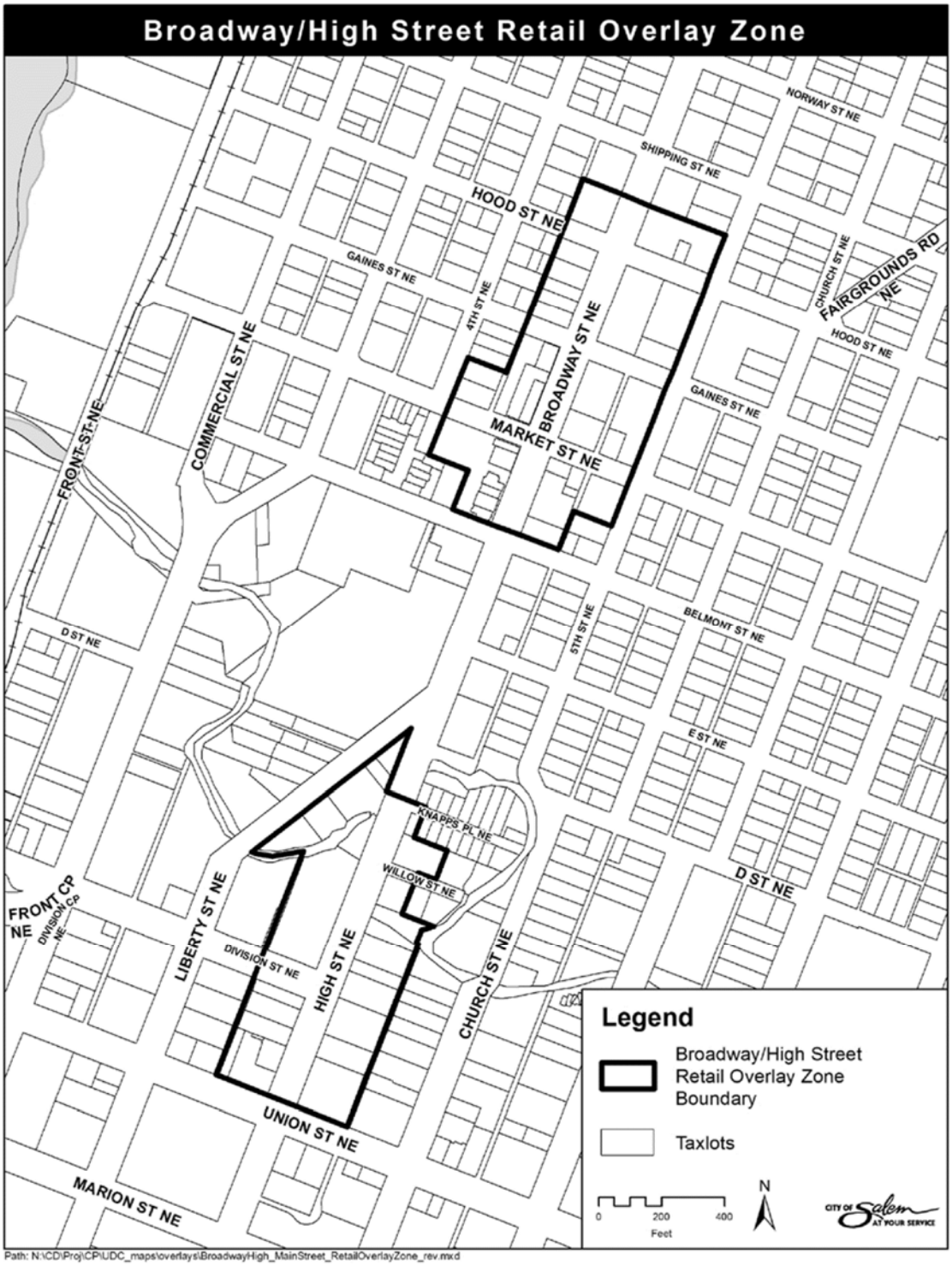
(ii) Not more than one drive-through, which includes only one queuing lane and one service area, shall be provided per development site.

(iii) A queuing lane shall not be located between a building or structure and a street.

(iv) Vehicular access to and from a drive-through shall be taken from an alley.

(v) Where pedestrians must cross a queuing lane, a minimum five-foot-wide pedestrian connection shall be provided across the queuing lane. The pedestrian connection shall be defined by visual contrast or tactile finish texture.

FIGURE 613-7. BROADWAY/HIGH STREET RETAIL OVERLAY ZONE



(Prior Code, § 613.030; Ord. No. 31-13; Ord. No. 4-16, § 3, 3-28-2016; Ord. No. 17-16, exh. 1, 11-14-2016)

CHAPTER 614. BROADWAY-HIGH STREET HOUSING OVERLAY ZONE

Sec. 614.001. Purpose.

The purpose of the Broadway/High Street Housing Overlay Zone is to identify allowed uses and to establish development standards that promote a pedestrian-oriented mixed-use residential and commercial district with an emphasis on residential uses to support retail areas.

(Prior Code, § 614.001; Ord. No. 31-13)

Sec. 614.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Project*~~:~~ means a single development built in a single phase. A project may involve a single building or multiple buildings.

~~(b)~~ *Side street*~~:~~ means any public street that intersects Broadway/High Street.

(Prior Code, § 614.005; Ord. No. 31-13)

Sec. 614.010. Broadway/High Street Housing Overlay Zone boundary.

The boundaries of the Broadway/High Street Housing Overlay Zone are shown in Figure 614-7.

(Prior Code, § 614.010; Ord. No. 31-13)

Sec. 614.015. Uses.

Except as otherwise provided in this section, any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the Broadway/High Street Housing Overlay Zone.

(a) *Additional permitted uses.* The uses set forth in Table 614-1 are additional permitted (P) uses in the Broadway/High Street Housing Overlay Zone.

TABLE 614-1. ADDITIONAL PERMITTED USES

Use	Status	Limitations & Qualifications
Household Living		
Multiple family	P	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Commercial parking	P	Only the following commercial parking activities are allowed as additional permitted uses: □ Parking structures.

(b) *Uses within mixed-use project with 25 or more dwelling units.* Notwithstanding the permitted, special, conditional, or prohibited uses in the underlying zone, the only uses that shall be permitted (P) in a mixed use project with 25 or more dwelling units within the Broadway/High Street Housing Overlay Zone are the uses set forth in Table 614-2.

TABLE 614-2. USES WITHIN MIXED-USE PROJECT WITH 25 OR MORE DWELLING UNITS		
Use	Status	Limitations & Qualifications
Household Living		
Multiple family	P	Multiple family is permitted, subject to SRC 614.015(b)(1).
Lodging		
Short-term commercial lodging	P	Short-term commercial lodging is permitted, subject to SRC 614.015(b)(1).
Long-term commercial lodging	P	Long-term commercial lodging is permitted, subject to SRC 614.015(b)(1).
Retail Sales and Service		
Eating and drinking establishments	P	Eating and drinking establishments are permitted, subject to SRC 614.015(b)(1).
Retail sales	P	Retail sales are permitted, unless noted below, subject to SRC 614.015(b)(1).
Personal services	P	Personal services are permitted, subject to SRC 614.015(b)(1).
Postal and retail financial services	P	Postal and retail financial services are permitted, subject to SRC 614.015(b)(1).
Business and Professional Services		
Office	P	Office is permitted, subject to SRC 614.015(b)(1).
Audio/visual media production	P	Audio/visual media production is permitted, subject to SRC 614.015(b)(1).
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	P	Commercial entertainment—indoor is permitted, subject to SRC 614.015(b)(1).
Recreational and cultural community services	P	Recreational and cultural community services are permitted, subject to SRC 614.015(b)(1).
Health Services		
Outpatient medical services and laboratories	P	Outpatient medical services and laboratories are permitted, subject to SRC 614.015(b)(1).

(1) Limitations on uses in a mixed-use project with 25 or more dwelling units. Uses in a mixed-use project with 25 or more dwelling units set forth in Table 614-2 shall conform to the following additional limitations:

(A) A mix of residential and nonresidential uses shall be provided.

(B) The use shall not include:

(i) Rendering, processing, or cleaning of animals, fish, seafood, fowl, poultry, fruits, vegetables, or dairy products, except for consumption on the premises.

(ii) Packaging of products for retail sale, except for purchases made by a retail customer at the time of purchase.

(iii) Outdoor display or storage of merchandise or materials.

(c) *Additional prohibited uses.* In addition to the prohibited uses in the underlying zone, any permitted, special, or conditional use within the Broadway/High Street Housing Overlay Zone shall be a prohibited use within the overlay zone if developed with the following:

(1) Drive-through.

(Prior Code, § 614.015; Ord. No. 31-13)

Sec. 614.020. Development standards.

Development within the Broadway/High Street Housing Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) *Dwelling units required.* A minimum of 50 percent of the floor area of each new building shall include dwelling units.

(b) *Location of nonresidential uses within building.* All nonresidential uses, except for office uses, shall be limited to the ground floor of a building. Office uses may be located on the upper floors of a building.

(c) *Height.* Buildings and accessory structures within the Broadway/High Street Housing Overlay Zone shall conform to the height standards set forth in Table 614-3.

TABLE 614-3. HEIGHT

Requirements	Standards	Limitations & Qualifications
Height		
Buildings		
All uses	Max. 50 ft.	
Accessory Structures		
Accessory to all uses	Max. 50 ft.	

(d) *Additional development standards for uses in mixed-use project with 25 or more dwelling units.* Uses in a mixed-use project with 25 or more dwelling units set forth in Table 614-2 shall conform to the following additional development standards:

(1) A minimum of 50 percent of the floor area of each building within a mixed-use project shall include dwelling units; except that eating and drinking establishments may be housed in a separate building if the floor area of all nonresidential uses within the mixed-use project, including the eating and drinking establishments, total no more than 50 percent of the total floor area of the mixed-use project.

(2) All nonresidential uses, except for office uses, shall be limited to the ground floor of a building or buildings within a mixed-use project. Office uses may be located on upper floors.

(e) *Reductions to required off-street parking.* Within the Broadway/High Street Retail Overlay Zone, the minimum number of off-street parking spaces required under SRC chapter 806 shall be automatically reduced by ten percent. Further reductions to the minimum number of required off-street parking spaces may be satisfied through one or more of the following alternative means; provided, however, the total number of off-street parking spaces reduced through such alternative means shall not exceed 20 percent:

(1) *Transit stop.* A transit stop or stops approved by the Salem-Keizer Transit District may be used to

satisfy five percent of the minimum number of required off-street parking spaces for building sites located within 400 feet of the transit stop or stops.

(2) *Covered bicycle parking.* Covered bicycle parking, provided at a ratio of one bicycle space for each ten vehicle parking spaces, may be used to satisfy five percent of the minimum number of required off-street parking spaces.

(3) *Pedestrian improvements.* Pedestrian improvements, provided in an amount equal to or greater than one percent of the estimated construction cost of the proposed building(s), may be used to satisfy ten percent of the minimum number of required off-street parking spaces. Construction cost estimates shall be prepared by a licensed architect, landscape architect, or other qualified professional and shall be subject to review and approval by the Planning Administrator.

(A) Pedestrian improvements include plazas, sidewalk extensions on development sites (e.g., sidewalk extensions with outdoor cafe space), street furnishings (e.g., benches, public art, pedestrian-scale lighting, water fountains, trash receptacles, transit shelters, or shade structures), wayfinding signs, or similar amenities, as approved by the Planning Administrator.

(B) Where a plaza adjoins a building entrance, pedestrian improvements include the incorporation of weather protection over that plaza in the form of a canopy, awning, pergola, or similar feature.

(Prior Code, § 614.020; Ord. No. 31-13; Ord. No. 8-14)

Sec. 614.025. Design review.

Design review under SRC chapter 225 is required for development within the Broadway/High Street Housing Overlay Zone as follows:

(a) Except as otherwise provided in this section, design review according to the design review guidelines or the design review standards set forth in SRC 614.030 is required for all development within the Broadway/High Street Housing Overlay Zone.

(b) Multiple family development shall only be subject to design review according to the design review guidelines or the design review standards set forth in SRC 614.030.

(Prior Code, § 614.025; Ord. No. 31-13)

Sec. 614.030. Design review guidelines and design review standards.

(a) *Building location, orientation, and design.*

(1) *Building location.*

(A) *Design review guidelines.*

(i) Building setbacks from the street shall be minimized (see Figure 614-1). Buildings constructed contiguous to the right-of-way of Broadway/High Streets are preferred.

(ii) Buildings shall be located to minimize impacts to adjacent residential uses.

(B) *Design review standards.*

(i) *Setbacks abutting Broadway/High Street.* Buildings shall have the following setbacks from Broadway/High Street:

(aa) Contiguous to the street right-of-way; or

(bb) Maximum ten feet from the street right-of-way, for those portions of a building where a plaza or other outdoor space open to the public is provided between the building and the street right-of-way.

(cc) Portions of buildings greater than 25 feet in height may be setback up to ten additional feet from the street right-of-way.

(ii) *Setback abutting street other than Broadway/High Street.* Buildings shall have the following setbacks abutting a street other than Broadway/High Street:

(aa) Minimum: zero feet.

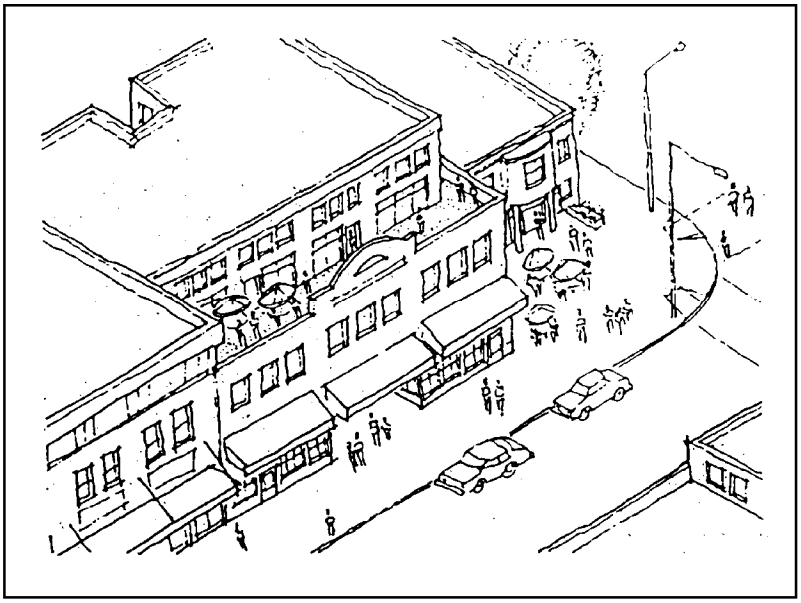
(bb) Maximum: 12 feet, for buildings or portions of buildings not more than 25 feet in height.

(cc) Maximum: 25 feet, for portions of buildings greater than 25 feet in height.

(iii) *Interior side setback.* Buildings shall be constructed contiguous to interior side lot lines.

(iv) *Interior rear setback.* Buildings shall have a minimum interior rear setback of one foot for each one foot of building height. Such setback need not exceed 20 feet in depth.

FIGURE 614-1. BUILDING SETBACKS MINIMIZED FROM STREET



(2) *Building orientation and design.*

(A) *Design review guidelines.*

(i) Buildings shall create safe, pleasant, and active pedestrian environments.

(ii) Ground floor building facades facing Broadway/High Street shall include transparent windows to ensure that the ground floor promotes a sense of interaction between activities in the building and activities in the public realm.

(iii) Upper floors of buildings facing Broadway/High Street should incorporate decks and balconies.

(iv) Weather protection, in the form of awnings or canopies appropriate to the design of the building, shall be provided along ground floor building facades adjacent to a street in order to create a comfortable and inviting pedestrian environment.

(v) An urban streetscape shall be provided along Broadway/High Street by locating new buildings close to the street and close to one another, and by providing, wherever practical, buildings with multiple stories in order to create a sense of enclosure along sidewalks and to provide a variety of street level facades.

(B) *Design review standards.*

(i) A primary building entrance shall be provided for each building facade facing Broadway/High Street. If a building has frontage on Broadway/High Street and another street, a single primary building entrance may be provided at the corner of the building where the streets intersect (see Figure 614-2).

(ii) Ground floor building facades facing Broadway/High Street shall include transparent windows on a minimum of 65 percent of the ground floor facade. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum visible transmittance (VT) of 37 percent.

(aa) *Alternative standard for existing buildings.* Notwithstanding subsection (a)(2)(B)(ii) of this section, where a building existing on November 23, 1998, does not include transparent windows on a minimum of 65 percent of the ground floor facade facing Broadway/High Street, the percentage of transparent windows existing on the ground floor facade shall not be reduced. Additional windows meeting the transparency requirements of subsection (a)(2)(B)(ii) may be added without meeting the minimum ground floor facade window percentage of 65 percent.

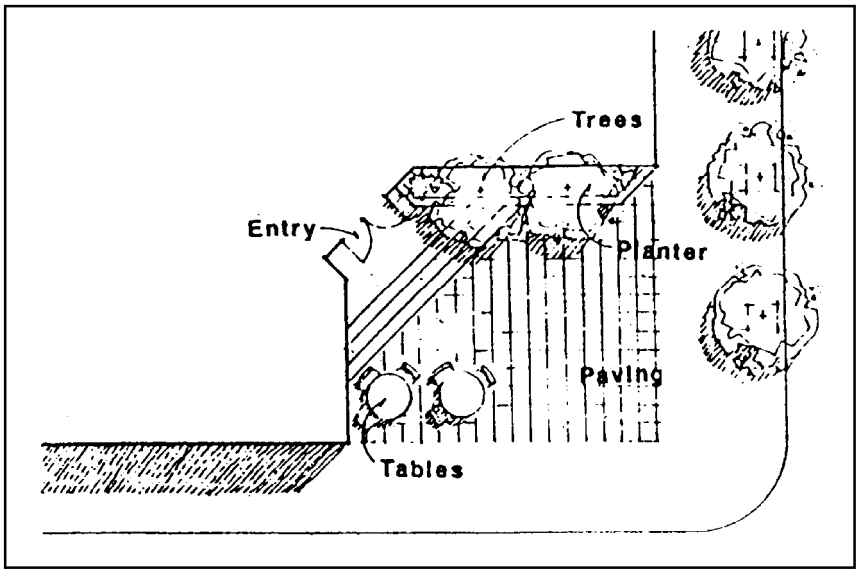
(iii) Building offsets and articulation shall be provided for building frontages greater than 100 feet in length in order to create pedestrian scale.

(iv) Weather protection, in the form of awnings or canopies, shall be provided along a minimum of 50 percent of the length of the ground floor building facade adjacent to a street. Awnings or canopies shall have a minimum clearance height above the sidewalk of eight feet, and may encroach into the street right-of-way as provided in SRC 76.160.

(aa) *Alternative standard for existing buildings.* Notwithstanding subsection (a)(2)(B)(iv) of this section, where a building existing on November 23, 1998, does not include weather protection, in the form of awnings or canopies, along a minimum of 50 percent of the length of the ground floor facade adjacent to a street, the percentage of weather protection along the ground floor facade shall not be reduced. Additional weather protection meeting the sidewalk clearance requirements in subsection (a)(2)(B)(iv) of this section may be added without meeting the minimum weather protection standard of 50 percent.

(v) New buildings on lots abutting Broadway/High Street shall be a minimum of 25 feet in height and shall provide space for commercial uses on the ground floor and office and/or residential uses above.

FIGURE 614-2. BUILDING CORNER ENTRY



(b) *Open space.*

(1) *Private open space.*

(A) *Design review guidelines.*

(i) Private open space shall be provided for each dwelling unit that provides a pleasant and private place for the enjoyment of the occupants.

(B) *Design review standards.*

(i) A minimum of 48 square feet of private open space shall be provided for each dwelling unit. The private open space shall have no dimension less than six feet and shall be directly accessible from the dwelling unit through a doorway.

(c) *Site access.*

(1) *Vehicle access.*

(A) *Design review guidelines.*

(i) Vehicle access and driveways onto Broadway/High Street shall be minimized. Joint use driveways providing access to Broadway/High Street are preferred (see Figure 614-3).

(ii) Where feasible, provide vehicle access to buildings on lots abutting Broadway/High Street from an alley or side street (see Figure 614-4).

(B) *Design review standards.*

(i) Vehicle access to off-street parking and loading areas shall be provided from an alley or side street (see Figure 614-4).

(ii) No new driveways shall be permitted onto Broadway/High Street.

FIGURE 614-3. VEHICLE ACCESS MINIMIZED THROUGH JOINT USE DRIVEWAYS

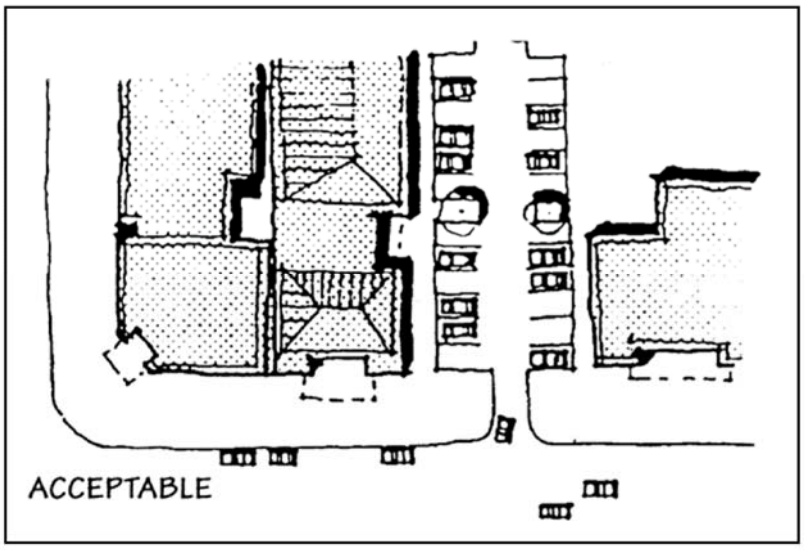
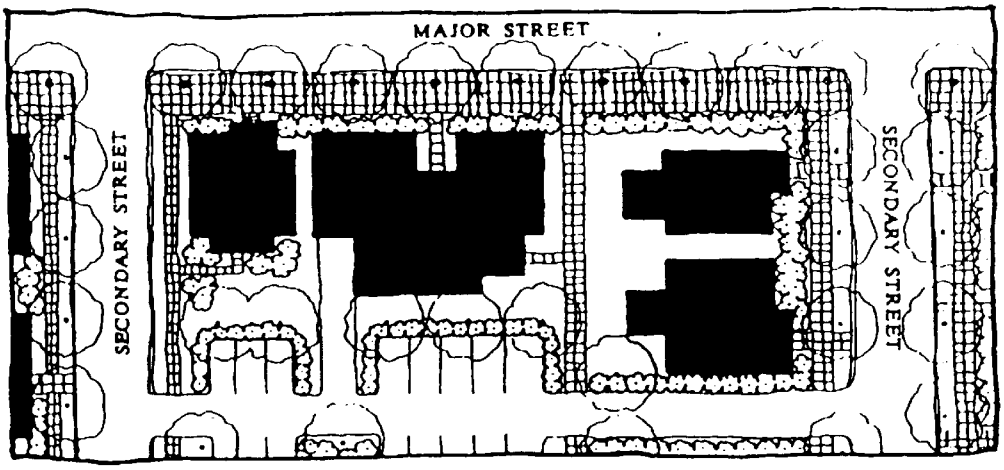


FIGURE 614-4. VEHICLE ACCESS PROVIDED FROM ALLEY OR SIDE STREET



(d) *Off-street parking and loading.*

(1) *Off-street parking.*

(A) *Design review guidelines.*

(i) Off-street parking areas shall have a scale, orientation, and location that support a pedestrian-oriented mixed-use residential and commercial district.

(ii) The amount of land needed to accommodate off-street parking shall be minimized through shared and structured parking where such parking is physically possible.

(B) *Design review standards.*

(i) Off-street surface parking areas and vehicle maneuvering areas shall be located behind or beside buildings and structures. Off-street surface parking areas and vehicle maneuvering areas shall not be located between a building or structure and a street (see Figure 614-5 and

Figure 614-6).

(ii) Off-street parking areas shall not occupy more than 50 percent of the street frontage of a lot, except that:

(aa) Where a lot has frontage on Broadway/High Street and a side street, an off-street surfacing parking area may occupy more than 50 percent of the side street frontage.

(bb) On lots abutting Broadway/High Street, multi-level parking structures may occupy more than 50 percent of the Broadway/High Street frontage, provided the parking structures include space for ground floor commercial uses along their entire Broadway/High Street frontage.

FIGURE 614-5. PARKING CONSISTENT WITH PEDESTRIAN-ORIENTED MIXED-USE RESIDENTIAL AND COMMERCIAL DISTRICT

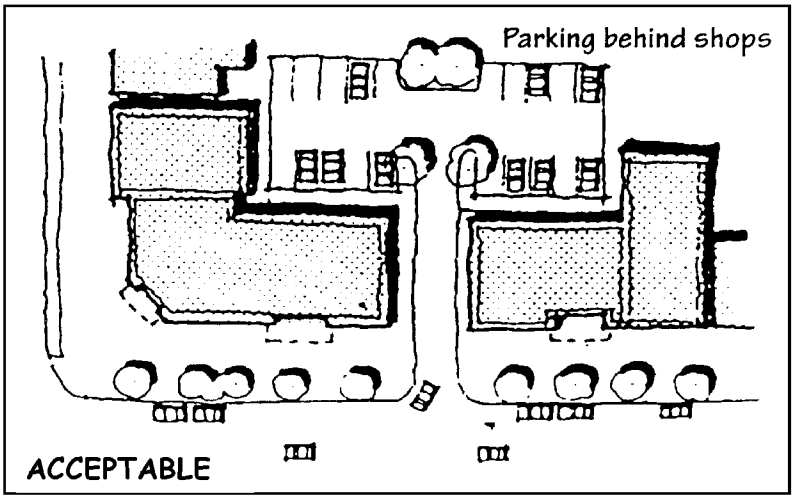
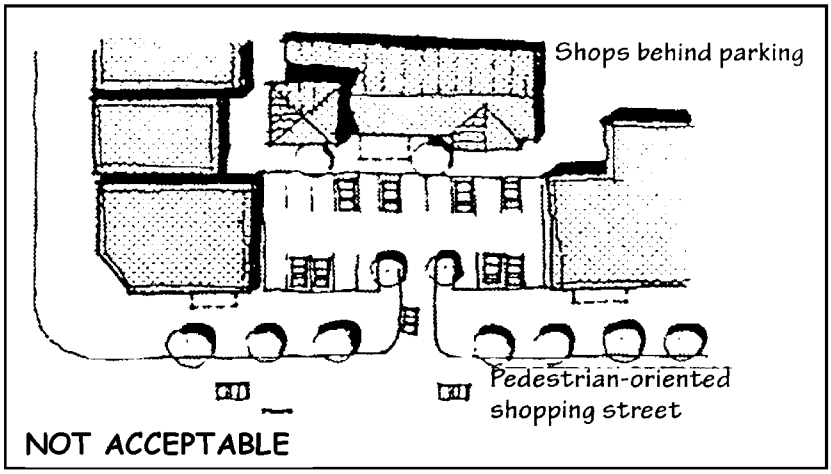


FIGURE 614-6. PARKING NOT CONSISTENT WITH PEDESTRIAN-ORIENTED MIXED-USE RESIDENTIAL AND COMMERCIAL DISTRICT



(2) *Off-street loading.*

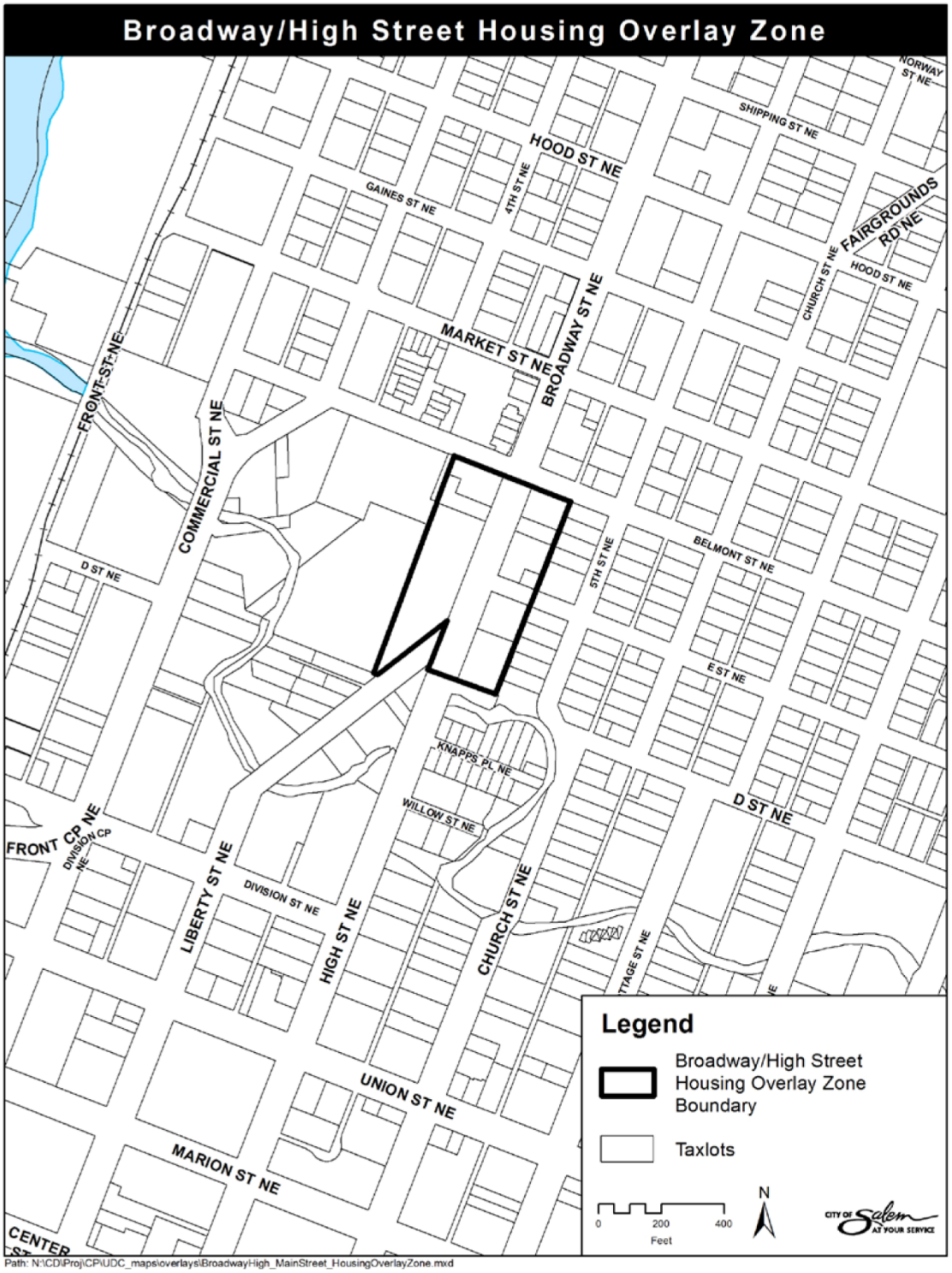
(A) *Design review guidelines.*

(i) Off-street loading areas shall be located so as to minimize their visibility from the street.

(B) *Design review standards.*

(i) Off-street loading areas shall be located behind or beside buildings and structures. Off-street loading areas shall not be located between a building or structure and a street.

FIGURE 614-7. BROADWAY/HIGH STREET HOUSING OVERLAY ZONE



(Prior Code, § 614.030; Ord. No. 31-13)

CHAPTER 615. BROADWAY-HIGH STREET TRANSITION OVERLAY ZONE

Sec. 615.001. Purpose.

The purpose of the Broadway/High Street Transition Overlay Zone is to identify allowed uses and to establish development standards that buffer existing residential from the commercial corridor along Broadway/High Street by providing a transition from lower density development to the east of the overlay zone and higher density development to the west of the overlay zone.

(Prior Code, § 615.001; Ord. No. 31-13)

Sec. 615.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Project*~~:~~ means a single development built in a single phase. A project may involve a single building or multiple buildings.

~~(b)~~ *Side street*~~:~~ means any public street that intersects Broadway/High Street.

(Prior Code, § 615.005; Ord. No. 31-13)

Sec. 615.010. Broadway/High Street Transition Overlay Zone boundary.

The boundaries of the Broadway/High Street Transition Overlay Zone are shown in Figure 615-4.

(Prior Code, § 615.010; Ord. No. 31-13)

Sec. 615.015. Uses.

Except as otherwise provided in this section, any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the Broadway/High Street Transition Overlay Zone.

(a) *Additional permitted uses.* The uses set forth in Table 615-1 are additional permitted (P) uses in the Broadway/High Street Transition Overlay Zone.

TABLE 615-1. ADDITIONAL PERMITTED USES

Use	Status	Limitations & Qualifications
Household Living		
Multiple family	P	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Commercial parking	P	Only the following commercial parking activities are allowed as additional permitted uses: □ Parking structures.

(b) *Uses permitted only within a mixed-use project with 25 or more dwelling units.* Notwithstanding the permitted, special, conditional, or prohibited uses in the underlying zone, the uses set forth in Table 615-2 are permitted (P) within the Broadway/High Street Transition Overlay Zone only if located within a mixed use project with 25 or more dwelling units.

TABLE 615-2. USES PERMITTED ONLY WITHIN A MIXED-USE PROJECT WITH 25 OR MORE DWELLING UNITS		
Use	Status	Limitations & Qualifications
Lodging		
Short-term commercial lodging	P	Short-term commercial lodging is permitted, subject to SRC 615.015(b)(1).
Long-term commercial lodging	P	Long-term commercial lodging is permitted, subject to SRC 615.015(b)(1).
Retail Sales and Service		
Eating and drinking establishments	P	Eating and drinking establishments are permitted, subject to SRC 615.015(b)(1).
Retail sales	P	Retail sales are permitted, subject to SRC 615.015(b)(1).
Personal services	P	Personal services are permitted, subject to SRC 615.015(b)(1).
Postal and retail financial services	P	Postal and retail financial services are permitted, subject to SRC 615.015(b)(1).
Business and Professional Services		
Office	P	Office is permitted, subject to SRC 615.015(b)(1).
Audio/visual media production	P	Audio/visual media production is permitted, subject to SRC 615.015(b)(1).
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	P	Commercial entertainment—indoor is permitted, subject to SRC 615.015(b)(1).
Recreational and cultural community services	P	Recreational and cultural community services are permitted, subject to SRC 615.015(b)(1).
Health Services		
Outpatient medical services and laboratories	P	Outpatient medical services and laboratories are permitted, subject to SRC 615.015(b)(1).

(1) *Limitations on uses permitted only within a mixed-use project with 25 or more dwelling units.* Uses permitted only within a mixed-use project with 25 or more dwelling units set forth in Table 615-2 shall conform to the following additional limitations:

(A) A mix of residential and nonresidential uses shall be provided.

(B) The use shall not include:

(i) Rendering, processing, or cleaning of animals, fish, seafood, fowl, poultry, fruits, vegetables, or dairy products, except for consumption on the premises.

(ii) Packaging of products for retail sale, except for purchases made by a retail customer at the time of purchase.

(iii) Outdoor display or storage of merchandise or materials.

(c) *Uses permitted only within a parking structure.* Notwithstanding the permitted, special, conditional, or prohibited uses in the underlying zone, the uses set forth in Table 615-3 are permitted (P) within the Broadway/High Street Transition Overlay Zone only if located within a parking structure.

TABLE 615-3. USES PERMITTED ONLY IN A PARKING STRUCTURE		
Use	Status	Limitations & Qualifications
Lodging		
Short-term commercial lodging	P	
Long-term commercial lodging	P	
Retail Sales and Service		
Eating and drinking establishments	P	
Retail sales	P	
Personal services	P	
Postal and retail financial services	P	
Business and Professional Services		
Office	P	
Audio/visual media production	P	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	P	
Recreational and cultural community services	P	
Health Services		
Outpatient medical services and laboratories	P	

(d) *Additional prohibited uses.* In addition to the prohibited uses in the underlying zone, any permitted, special, or conditional use within the Broadway/High Street Transition Overlay Zone shall be a prohibited use within the overlay zone if developed with the following:

(1) Drive-through.

(Prior Code, § 615.015; Ord. No. 31-13)

Sec. 615.020. Development standards.

Development with the Broadway/High Street Transition Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) *Height.* Buildings and accessory structures within the Broadway/High Street Transition Overlay Zone shall conform to the height standards set forth in Table 615-4.

TABLE 615-4. HEIGHT		
Requirements	Standards	Limitations & Qualifications
Height		
Buildings		
All uses	Max. 50 ft.	
Accessory Structures		
Accessory to all uses	Max. 50 ft.	

(b) *Additional development standards for uses permitted only in a mixed-use project with 25 or more dwelling units.* Uses permitted only in a mixed-use project with 25 or more dwelling units set forth in Table 615-2 shall conform to the following additional development standards:

(1) A minimum of 50 percent of the floor area of each building within a mixed-use project shall include dwelling units; except that eating and drinking establishments may be housed in a separate building if the floor area of all nonresidential uses within the mixed-use project, including the eating and drinking establishments, total no more than 50 percent of the total floor area of the mixed-use project.

(2) All nonresidential uses, except for office uses, shall be limited to the ground floor of a building or buildings within a mixed-use project. Office uses may be located on upper floors.

(c) *Reductions to required off-street parking.* Within the Broadway/High Street Retail Overlay Zone, the minimum number of off-street parking spaces required under SRC chapter 806 shall be automatically reduced by ten percent. Further reductions to the minimum number of required off-street parking spaces may be satisfied through one or more of the following alternative means; provided, however, the total number of off-street parking spaces reduced through such alternative means shall not exceed 20 percent:

(1) *Transit stop.* A transit stop or stops approved by the Salem-Keizer Transit District may be used to satisfy five percent of the minimum number of required off-street parking spaces for building sites located within 400 feet of the transit stop or stops.

(2) *Covered bicycle parking.* Covered bicycle parking, provided at a ratio of one bicycle space for each ten vehicle parking spaces, may be used to satisfy five percent of the minimum number of required off-street parking spaces.

(3) *Pedestrian improvements.* Pedestrian improvements, provided in an amount equal to or greater than one percent of the estimated construction cost of the proposed building(s), may be used to satisfy ten percent of the minimum number of required off-street parking spaces. Construction cost estimates shall be prepared by a licensed architect, landscape architect, or other qualified professional and shall be subject to review and approval by the Planning Administrator.

(A) Pedestrian improvements include plazas, sidewalk extensions on development sites (e.g., sidewalk extensions with outdoor cafe space), street furnishings (e.g., benches, public art, pedestrian-scale lighting, water fountains, trash receptacles, transit shelters, or shade structures), wayfinding signs, or similar amenities, as approved by the Planning Administrator.

(Prior Code, § 615.020; Ord. No. 31-13)

Sec. 615.025. Design review.

Design review under SRC chapter 225 is required for development within the Broadway/High Street Transition Overlay Zone as follows:

(a) Except as otherwise provided in this section, design review according to the design review guidelines or

the design review standards set forth in SRC 615.030 is required for all development within the Broadway/High Street Transition Overlay Zone.

(b) Multiple family development, other than multiple family development within a mixed-use building, shall only be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(c) Multiple family development within a mixed-use building shall only be subject to design review according to the design review guidelines or the design review standards set forth in SRC 615.030.

(Prior Code, § 615.025; Ord. No. 31-13)

Sec. 615.030. Design review guidelines and design review standards.

(a) *Building location, orientation, and design.*

(1) *Building location.*

(A) *Design review guidelines.*

(i) Building setbacks from the street shall be minimized (see Figure 615-1).

(ii) Buildings shall be located to minimize impacts to adjacent residential uses.

(B) *Design review standards.*

(i) *Setbacks abutting street.* Buildings shall have the following setbacks abutting a street:

(aa) Minimum: zero feet.

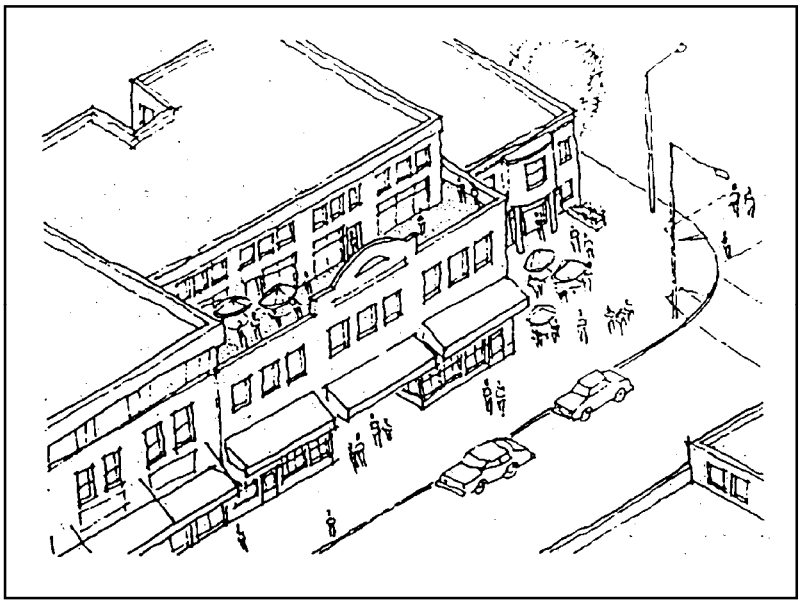
(bb) Maximum: 12 feet, for buildings or portions of buildings not more than 25 feet in height.

(cc) Maximum: 25 feet, for portions of buildings greater than 25 feet in height.

(ii) *Interior side setback.* Buildings shall be constructed contiguous to interior side lot lines.

(iii) *Interior rear setback.* Buildings shall have a minimum interior rear setback of one foot for each one foot of building height. Such setback need not exceed 20 feet in depth.

FIGURE 615-1. BUILDING SETBACKS MINIMIZED FROM STREET



(2) *Building orientation and design.*

(A) *Design review guidelines.*

(i) Buildings shall create safe, pleasant, and active pedestrian environments.

(ii) Upper floors of buildings facing Broadway/High Street should incorporate decks and balconies.

(iii) Weather protection, in the form of awnings or canopies appropriate to the design of the building, shall be provided along ground floor building facades adjacent to a street in order to create a comfortable and inviting pedestrian environment.

(B) *Design review standards.*

(i) Building offsets and articulation shall be provided for building frontages greater than 100 feet in length in order to create pedestrian scale.

(ii) Weather protection, in the form of awnings or canopies, shall be provided along a minimum of 50 percent of the length of the ground floor building facade adjacent to a street. Awnings or canopies shall have a minimum clearance height above the sidewalk of eight feet, and may encroach into the street right-of-way as provided in SRC 76.160.

(aa) *Alternative standard for existing buildings.* Notwithstanding subsection (a)(2)(B)(ii) of this section, where a building existing on November 23, 1998, does not include weather protection, in the form of awnings or canopies, along a minimum of 50 percent of the length of the ground floor facade adjacent to a street, the percentage of weather protection along the ground floor facade shall not be reduced. Additional weather protection meeting the sidewalk clearance requirements in subsection (a)(2)(B)(ii) of this section may be added without meeting the minimum weather protection standard of 50 percent.

(b) *Open space.*

(1) *Private open space.*

(A) *Design review guidelines.*

(i) Private open space shall be provided for each dwelling unit that provides a pleasant and private place for the enjoyment of the occupants.

(B) *Design review standards.*

(i) A minimum of 48 square feet of private open space shall be provided for each dwelling unit. The private open space shall have no dimension less than six feet and shall be directly accessible from the dwelling unit through a doorway.

(c) *Off-street parking and loading.*

(1) *Off-street parking.*

(A) *Design review guidelines.*

(i) Off-street surface parking areas shall have a scale, orientation, and location that support a pedestrian-oriented mixed-use residential and commercial district.

(ii) The amount of land needed to accommodate off-street parking shall be minimized through shared and structured parking where such parking is physically possible.

(B) *Design review standards.*

(i) Off-street surface parking areas and vehicle maneuvering areas shall be located behind or beside buildings and structures. Off-street surface parking areas and vehicle maneuvering areas shall not be located between a building or structure and a street (see Figure 615-2 and Figure 615-3).

FIGURE 615-2. PARKING CONSISTENT WITH PEDESTRIAN-ORIENTED MIXED-USE RESIDENTIAL AND COMMERCIAL DISTRICT

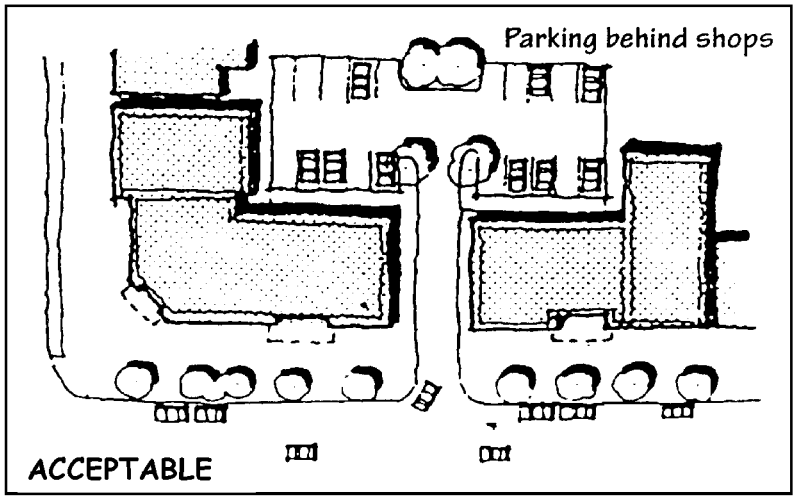
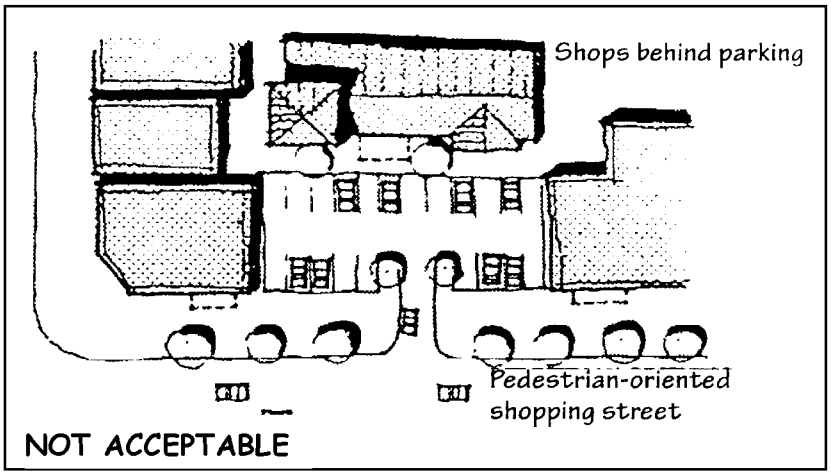


FIGURE 615-3. PARKING NOT CONSISTENT WITH PEDESTRIAN-ORIENTED MIXED-USE RESIDENTIAL AND COMMERCIAL DISTRICT



(2) *Off-street loading.*

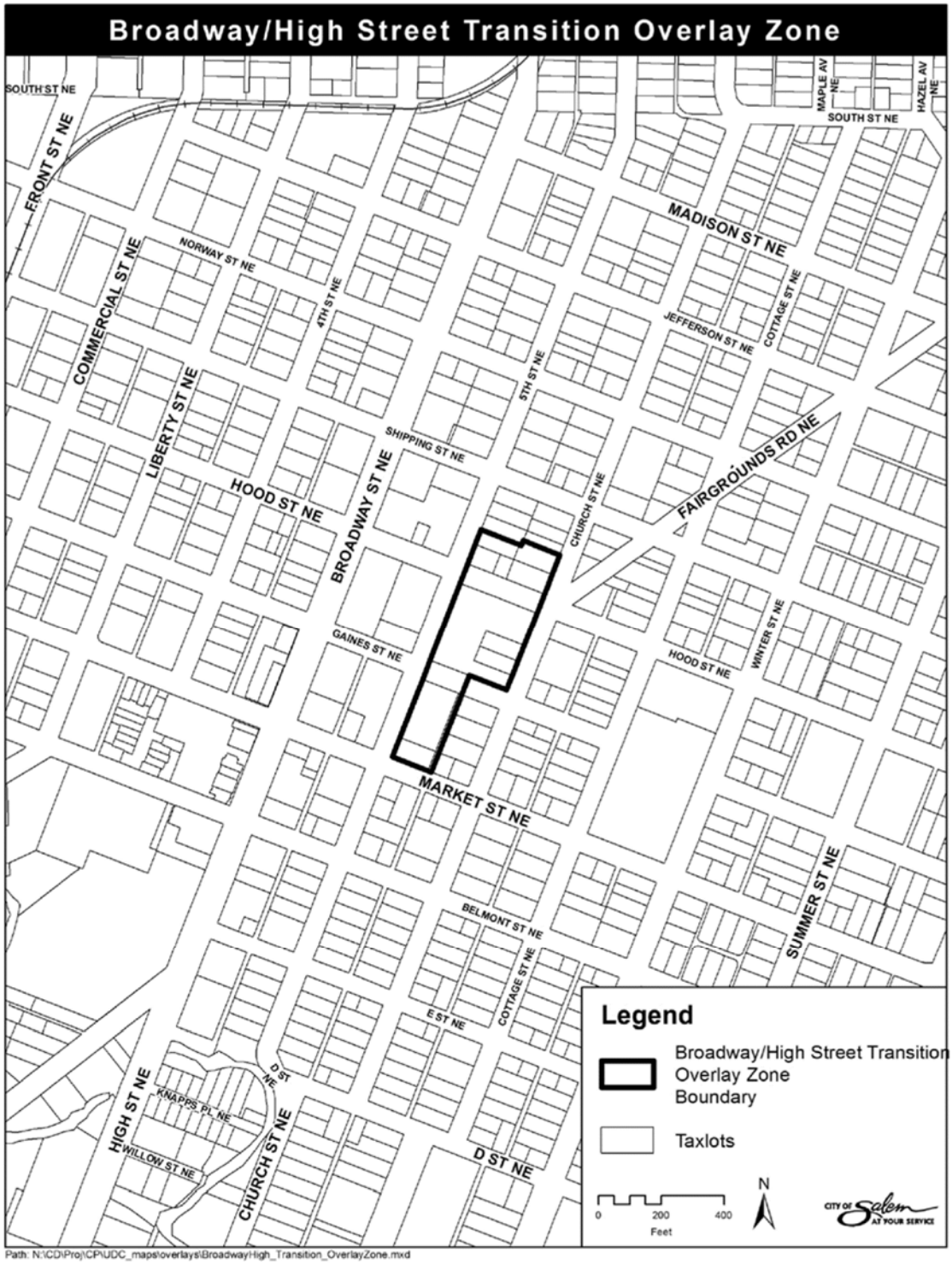
(A) *Design review guidelines.*

(i) Off-street loading areas shall be located so as to minimize their visibility from the street.

(B) *Design review standards.*

(i) Off-street loading areas shall be located behind or beside buildings and structures. Off-street loading areas shall not be located between a building or structure and a street.

FIGURE 615-4. ROADWAY/HIGH STREET TRANSITION OVERLAY ZONE



(Prior Code, § 615.030; Ord. No. 31-13)

CHAPTER 616. RIVERFRONT HIGH DENSITY RESIDENTIAL OVERLAY ZONE

Sec. 616.001. Purpose.

The purpose of the Riverfront High Density Residential Overlay Zone is to identify allowed uses and to establish development standards to promote a mixed-use residential and commercial district with an emphasis on high density residential development and pedestrian access to and along the Willamette Riverfront, while affording existing buildings additional flexibility until property is redeveloped for the uses set forth in this chapter.

(Prior Code, § 616.001; Ord. No. 31-13)

Sec. 616.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Project*~~:~~ means a single development built in a single phase. A project may involve a single building or multiple buildings.

~~(b)~~ *Side street*~~:~~ means any public street that intersects Front Street.

(Prior Code, § 616.005; Ord. No. 31-13)

Sec. 616.010. Riverfront High Density Residential Overlay Zone boundary.

The boundaries of the Riverfront High Density Residential Overlay Zone are shown in Figure 616-6.

(Prior Code, § 616.010; Ord. No. 31-13)

Sec. 616.015. Uses.

Except as otherwise provided in this section, any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the Riverfront High Density Residential Overlay Zone.

(a) *Additional permitted uses.* The uses set forth in Table 616-1 are additional permitted (P) uses in the Riverfront High Density Residential Overlay Zone.

TABLE 616-1. ADDITIONAL PERMITTED USES

Use	Status	Limitations & Qualifications
Retail Sales and Services		
Eating and drinking establishments	P	
Retail sales	P	
Personal services	P	
Postal services and retail financial services	P	
Business and Professional Services		
Office	P	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		

TABLE 616-1. ADDITIONAL PERMITTED USES		
Use	Status	Limitations & Qualifications
Commercial parking	P	Only the following commercial parking activities are allowed as additional permitted uses: □ Parking structures.

(b) *Additional prohibited uses.* In addition to the prohibited uses in the underlying zone, any permitted, special, or conditional use within the Riverfront High Density Residential Overlay Zone shall be a prohibited use within the overlay zone if developed with the following:

(1) Drive-through.

(c) *Adaptive reuse of existing buildings and structures.* In order to allow for greater flexibility in the use of existing buildings and structures within the Riverfront High Density Residential Overlay Zone, the adaptive reuse of buildings and structures existing on May 14, 2014, is allowed as set forth in this subsection.

(1) *Uses.* Any use within the industrial use classification that is a permitted, special, or conditional use within the Industrial Commercial (IC) Zone shall be a permitted, special, or conditional use within an existing building or structure within the Riverfront High Density Residential Overlay Zone.

(2) *Development standards; design review.* The exterior of the existing building or structure may be altered, but shall not be enlarged. The exterior alteration shall comply with all applicable standards of the Industrial Commercial (IC) Zone. The exterior alteration shall not be subject to the development standards, or the design review guidelines or the design review standards, of this chapter.

(3) *Termination.* Adaptive reuse of an existing building or structure shall terminate as provided in this ~~paragraph~~ subsection. When the adaptive reuse of a building or structure has terminated, the property shall thereafter only be used for uses allowed in the Riverfront High-Density Residential Overlay Zone.

(A) Change of use to any use that is allowed in the Riverfront High-Density Residential Overlay Zone shall terminate the adaptive reuse of the building or structure.

(B) Determination by the Building Official that the building or structure is derelict or dangerous, as defined in SRC 50.600 and 56.230, shall terminate the adaptive reuse of the building or structure.

(C) Substantial damage or destruction of the building or structure by any cause, to the extent that the cost of repair or restoration would exceed 60 percent of the building or structure replacement cost using new materials and conforming to the current building codes, shall terminate the adaptive reuse of the building or structure. Cost of repair or restoration, and replacement cost, shall be determined by the Building Official. The Building Official's determination is appealable as provided in SRC 20J.240 through 20J.430 for contested case proceedings.

(Prior Code, § 616.015; Ord. No. 31-13)

Sec. 616.020. Development standards.

Development within the Riverfront High Density Residential Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) *Dwelling unit density.* Dwelling unit density within the Riverfront High Density Residential Overlay Zone shall conform to the standards set forth in Table 616-2.

TABLE 616-2. DWELLING UNIT DENSITY			
Use or Activity	Standard		Limitations & Qualifications
	Minimum	Maximum	
Single family, two family, and multiple family	20 dwelling units per acre	None	

(b) *Height.* Buildings and accessory structures within the Riverfront High Density Residential Overlay Zone shall conform to the height standards set forth in Table 616-3.

TABLE 616-3. HEIGHT		
Requirements	Standards	Limitations & Qualifications
Height		
Buildings		
All uses	Max. 70 ft.	
Accessory Structures		
Accessory to all uses	Max. 70 ft.	

(c) *Additional development standards for additional permitted uses in Table 616-1.* With the exception of parking structures, the additional permitted uses set forth in Table 616-1 shall conform to the following additional development standards:

(1) *Location.* The uses shall be restricted to the ground floor of a building.

(2) *Size.* The uses shall not exceed 50 percent of the gross floor area of a project; provided, however, grocery stores and other related food stores shall not contain more than 15,000 square feet of gross floor area per establishment.

(Prior Code, § 616.020; Ord. No. 31-13)

Sec. 616.025. Design review.

Design review under SRC chapter 225 is required for development within the Riverfront High Density Residential Overlay Zone as follows:

(a) Except as otherwise provided in this section, design review according to the design review guidelines or the design review standards set forth in SRC 616.030 is required for all development within the Riverfront High Density Residential Overlay Zone.

(b) Multiple family development shall only be subject to design review according to the design review guidelines or the design review standards set forth in SRC 616.030.

(Prior Code, § 616.025; Ord. No. 31-13)

Sec. 616.030. Design review guidelines and design review standards.

(a) *Building location, orientation, and design.*

(1) *Building location.*

(A) *Design review guidelines.*

(i) Building setbacks from the street shall be minimized.

(B) *Design review standards.*

(i) *Setback abutting street.* Buildings shall have the following setbacks abutting a street:

(aa) Minimum: zero feet.

(bb) Maximum: 12 feet.

(ii) *Interior side setback.* Buildings shall have no minimum interior side setback.

(2) *Building orientation and design.*

(A) *Design review guidelines.*

(i) The riverfront and Mill Creek, where applicable, shall be incorporated into the proposed development as public amenities.

(ii) Building facades adjacent to the riverfront shall facilitate pedestrian interaction by incorporating pedestrian arcades and plazas.

(iii) Ground floor building facades facing the riverfront shall include transparent windows to ensure that the ground floor promotes a sense of interaction between activities in the building and activities in the public realm (see Figure 616-1).

(iv) Ground floor building facades facing a street shall include transparent windows to ensure that the ground floor promotes a sense of interaction between activities in the building and activities in the public realm.

(v) Upper floors of buildings facing the riverfront shall incorporate decks and balconies (see Figure 616-1).

(vi) New buildings shall be designed to minimize noise impacts from surrounding industrial uses and streets.

(B) *Design review standards.*

(i) Buildings adjacent to the riverfront shall include at least one primary building entrance facing the Willamette River.

(ii) A primary building entrance shall be provided for each building facade facing a street. If a building has frontage on more than one street, a single primary building entrance may be provided at the corner of the building where the streets intersect (see Figure 616-2).

(aa) *Alternative standard for existing buildings.* Notwithstanding subsection (a)(2)(B)(ii) of this section, where a building existing on December 1, 1998, has a primary building entrance facing a street, such entrance may be relocated but not eliminated. The relocated entrance must face a street.

(iii) Ground floor building facades facing the riverfront shall include transparent windows on a minimum of 65 percent of the ground floor facade. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum visible transmittance (VT) of 37 percent.

(aa) *Alternative standard for existing buildings.* Notwithstanding subsection (a)(2)(B)(iii) of this section, where a building existing on December 1, 1998, does not include transparent windows on a minimum of 65 percent of the ground floor facade facing the riverfront, the percentage of transparent windows existing on the ground floor facade shall not be reduced. Additional windows meeting the transparency requirements of subsection (a)(2)(B)(iii) may be added without meeting the minimum ground floor facade window percentage of 65 percent.

(iv) Ground floor building facades facing a street shall include transparent windows on a minimum

of 65 percent of the ground floor facade. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum visible transmittance (VT) of 37 percent.

(aa) *Alternative standard for existing buildings.* Notwithstanding subsection (a)(2)(B)(iv) of this section, where a building existing on December 1, 1998, does not include transparent windows on a minimum of 65 percent of the ground floor facade facing a street, the percentage of transparent windows existing on the ground floor facade shall not be reduced. Additional windows meeting the transparency requirements of subsection (a)(2)(B)(iv) may be added without meeting the minimum ground floor facade window percentage of 65 percent.

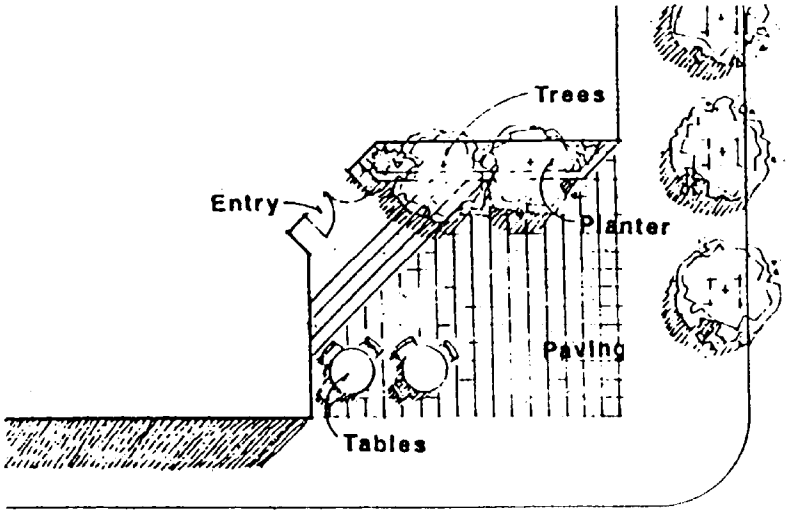
(v) Building offsets and articulation shall be provided for building frontages greater than 100 feet in length in order to create pedestrian scale. Building offsets shall be a minimum of four feet in depth and shall be provided at intervals of not more than 40 feet along the building frontage.

(vi) Weather protection, in the form of awnings or canopies, shall be provided along a minimum of 50 percent of the length of the ground floor building facade adjacent to a street. Awnings or canopies shall have a minimum clearance height above the sidewalk of eight feet, and may encroach into the street right-of-way as provided in SRC 76.160.

(aa) *Alternative standard for existing buildings.* Notwithstanding subsection (a)(2)(B)(vi) of this section, where a building existing on December 1, 1998, does not include weather protection, in the form of awnings or canopies, along a minimum of 50 percent of the length of the ground floor facade adjacent to a street, the percentage of weather protection along the ground floor facade shall not be reduced. Additional weather protection meeting the sidewalk clearance requirements in subsection (a)(2)(B)(vi) of this section may be added without meeting the minimum weather protection standard of 50 percent.

FIGURE 616-1. BUILDING DESIGN ADJACENT TO THE WILLAMETTE RIVERFRONT

FIGURE 616-2. BUILDING CORNER ENTRY



(b) *Open space.*

(1) *Private open space.*

(A) *Design review guidelines.*

(i) Private open space shall be provided for each dwelling unit that provides a pleasant and private place for the enjoyment of the occupants.

(B) *Design review standards.*

(i) A minimum of 48 square feet of private open space shall be provided for each dwelling unit. The private open space shall have no dimension less than six feet and shall be directly accessible from the dwelling unit through a doorway.

(c) *Site access.*

(1) *Vehicle access.*

(A) *Design review guidelines.*

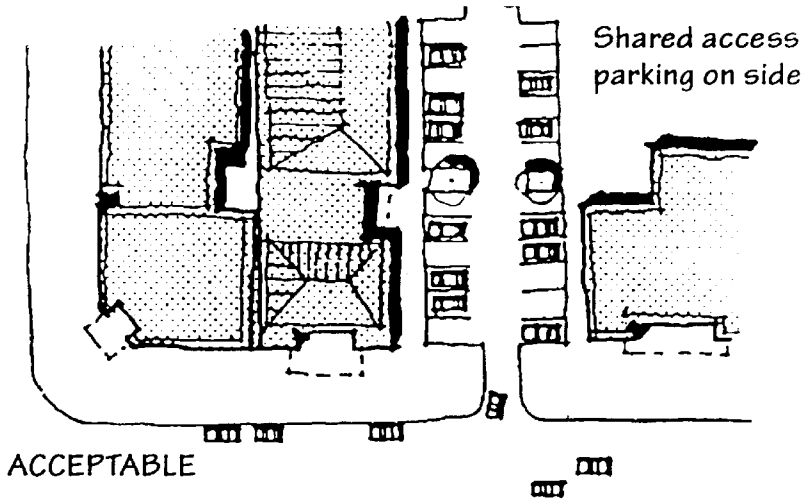
(i) Vehicle access and driveway approaches onto Front Street shall be minimized. Joint use driveways providing access to Front Street are preferred (see Figure 616-3).

(ii) Public pedestrian access shall be provided between the river and Front Street to create an interconnected pedestrian circulation system.

(B) *Design review standards.*

(i) Public pedestrian access, in the form of a sidewalk, street, or alley, shall be provided between the river and Front Street at least every 400 feet. The public pedestrian access shall not be less than 12 feet in width.

FIGURE 616-3. VEHICLE ACCESS MINIMIZED THROUGH JOINT USE DRIVEWAYS



(d) *Off-street parking and loading.*

(1) *Off-street parking.*

(A) *Design review guidelines.*

(i) Off-street parking areas shall have a scale, orientation, and location that support a pedestrian-oriented mixed-use residential and commercial district (see Figure 616-4).

(ii) The amount of land needed to accommodate off-street parking shall be minimized through shared and structured parking where such parking is physically possible.

(B) *Design review standards.*

(i) Off-street surface parking areas shall be located behind or beside buildings and structures (see Figures 616-4 and 616-5).

(ii) Off-street parking shall not be located within the Willamette Greenway riparian buffer set forth in SRC chapter 600.

(iii) Off-street parking areas shall not occupy more than 50 percent of the street frontage of a lot, except that:

(aa) Where a lot has frontage on two public streets, including a side street, an off-street surface parking area may occupy more than 50 percent of the side street frontage.

(bb) On lots abutting Front Street, multi-level parking structures may occupy more than 50 percent of the Front Street frontage, provided the parking structures include space for ground floor commercial uses along their entire Front Street frontage.

FIGURE 616-4. PARKING AREA SUPPORTIVE OF A PEDESTRIAN ORIENTED RETAIL AND RESIDENTIAL DISTRICT

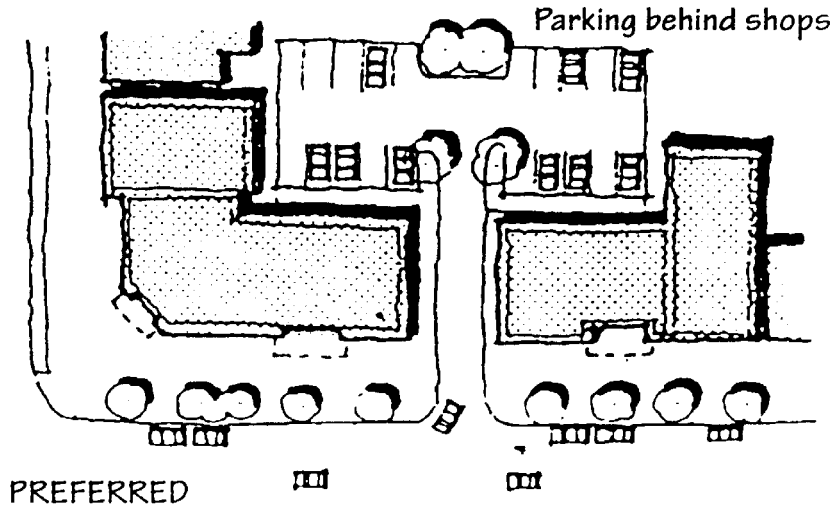
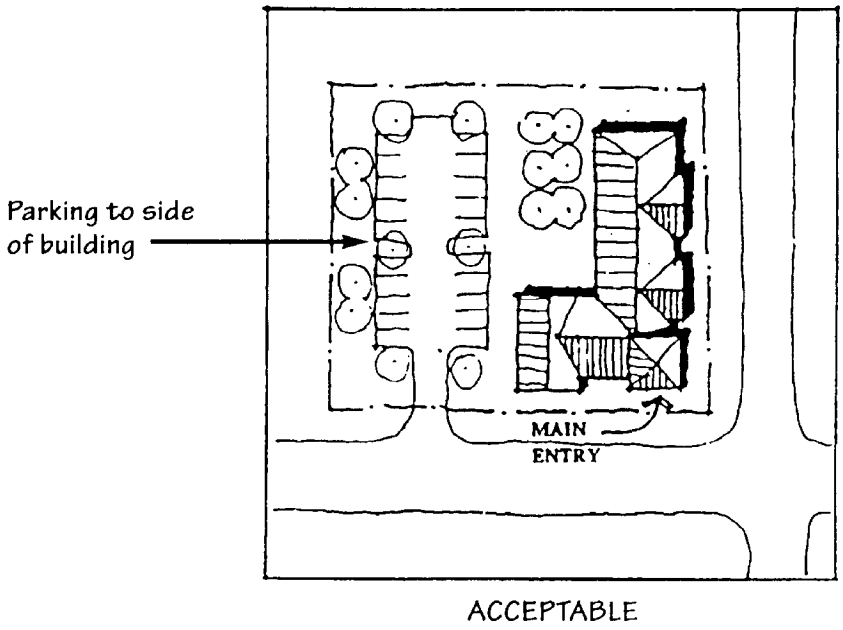


FIGURE 616-5. PARKING LOCATED TO SIDE OF BUILDING



(2) *Off-street loading.*

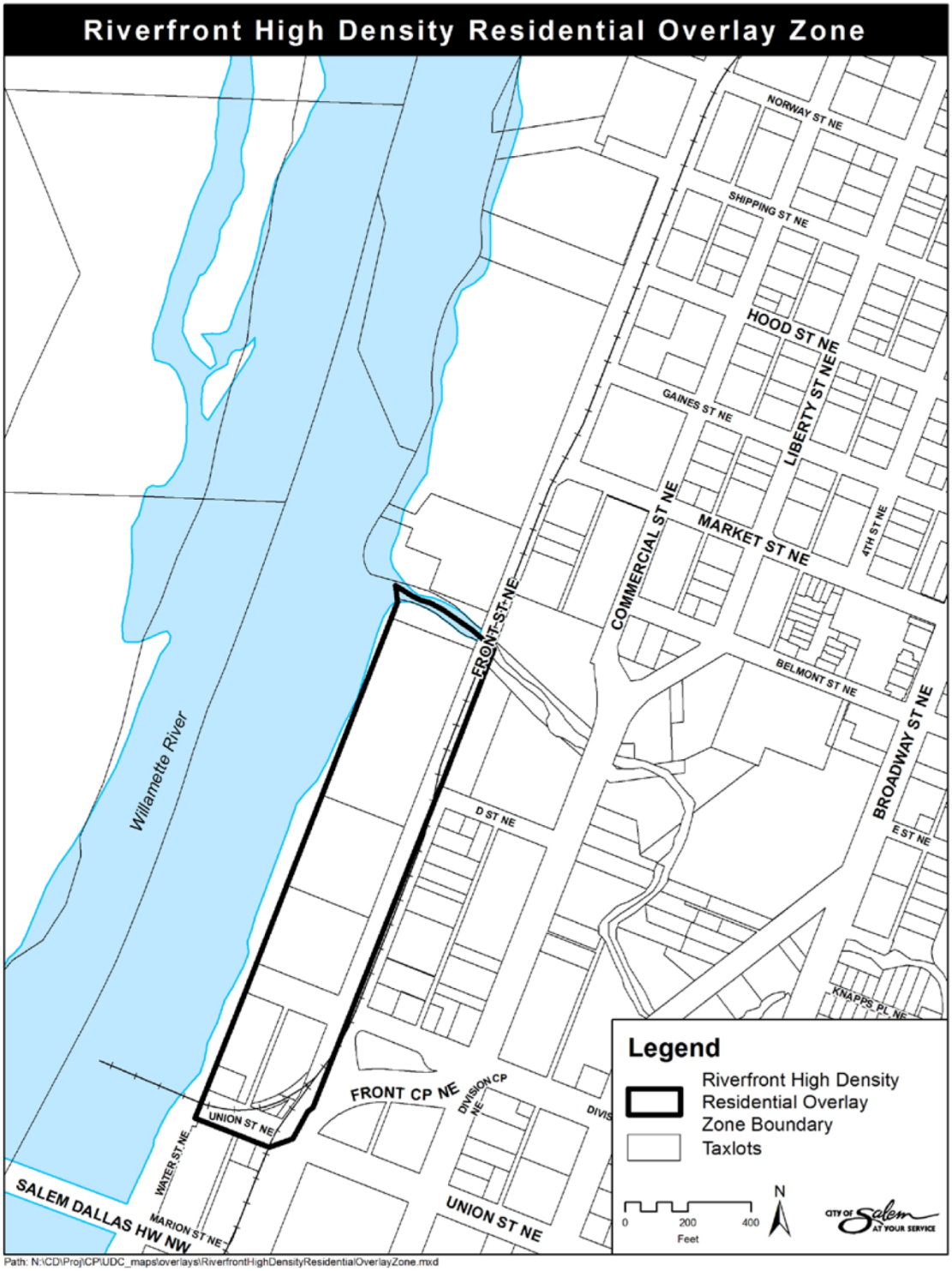
(A) *Design review guidelines.*

(i) Off-street loading areas shall be located so as to minimize their visibility from the street.

(B) *Design review standards.*

(i) Off-street loading areas shall be located behind or beside buildings and structures. Off-street loading areas shall not be located between a building or structure and a street.

FIGURE 616-6. RIVERFRONT HIGH DENSITY RESIDENTIAL OVERLAY ZONE



(Prior Code, § 616.030; Ord. No. 31-13)

CHAPTER 617. RIVERFRONT OVERLAY ZONE

Sec. 617.001. Purpose.

The purpose of the Riverfront Overlay Zone is to identify allowed uses and to establish development standards to promote a mixed-use residential and commercial district with an emphasis on office development and pedestrian access to and along the Willamette River.

(Prior Code, § 617.001; Ord. No. 31-13)

Sec. 617.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Side street*~~:~~ means any public street that intersects Front Street.

(Prior Code, § 617.005; Ord. No. 31-13)

Sec. 617.010. Riverfront Overlay Zone boundary.

The boundaries of the Riverfront Overlay Zone are shown in Figure 617-6.

(Prior Code, § 617.010; Ord. No. 31-13)

Sec. 617.015. Uses.

Except as otherwise provided in this section, any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the Riverfront Overlay Zone.

(a) *Continued uses.* Industrial uses, including, but not limited to, canned, frozen, and preserved fruits, vegetables, and food specialties, existing within the Riverfront Overlay Zone that were allowed as permitted, special, or conditional uses on December 1, 1998, but which would otherwise be made nonconforming uses by this chapter, are hereby deemed continued uses. The owner shall have the burden to demonstrate continued use status under this subsection.

(1) A continued use may be intensified, and buildings or structures housing a continued use may be ~~may be~~ enlarged, rebuilt, or the exterior altered, provided such intensification, enlargement, rebuilding, or exterior alteration complies with all applicable standards of the Industrial Commercial (IC) Zone.

(2) A continued use may be extended onto vacant land. The extension of a continued use onto vacant land must comply with all applicable standards for the Industrial Commercial (IC) Zone.

(3) Change of use to a non-industrial use shall terminate the continued use status conferred by this subsection and the property must thereafter only be used for uses allowed in the Riverfront Overlay Zone.

(4) A determination by the Building Official that the building or structure housing a continued use is derelict or dangerous, as defined in SRC 50.600 and 56.230, shall terminate the continued use status conferred by this subsection and the property may thereafter only be used for uses allowed in the Riverfront Overlay Zone.

(5) Continued uses are exempt from the development standards and the design review guidelines and design review standards of this chapter. Upon termination of continued use status, the development standards and the design review guidelines and design review standards of this chapter shall apply.

(b) *Additional permitted uses.* The uses set forth in Table 617-1 are additional permitted (P) uses in the Riverfront Overlay Zone.

TABLE 617-1. ADDITIONAL PERMITTED USES		
Use	Status	Limitations & Qualifications
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Commercial parking	P	Only the following commercial parking activities are allowed as additional permitted uses: □ Parking structures.
Wholesale Sales, Storage, and Distribution		
Self-service storage	P	Self-service storage is allowed as an additional permitted use provided that it is located within a building or structure existing on March 1, 2016, occupies not more than 50 percent of the total building floor area, and is not located on building floors that have street-facing facades built at sidewalk grade, street grade, or any grade up to 8 feet above sidewalk or street grade.

(c) *Additional conditional uses.* The uses set forth in Table 617-2 are additional conditional (C) uses in the Riverfront Overlay Zone.

TABLE 617-2: ADDITIONAL CONDITIONAL USES		
Use	Status	Limitations & Qualifications
Lodging		
Nonprofit shelters	C	Relocation of an existing nonprofit shelter from the CB zone serving more than 75 people, provided the shelter continually existed in the CB zone as of September 1, 1993.

(d) *Additional prohibited uses.* In addition to the uses prohibited in the underlying zone, any permitted, special, or conditional use within the Riverfront Overlay Zone shall be a prohibited use within the overlay zone if developed with the following:

(1) Drive-through.

(e) *Adaptive reuse of existing industrial buildings and structures.* In order to allow for greater flexibility in the use of existing industrial buildings and structures within the Riverfront Overlay Zone, the adaptive reuse of industrial buildings and structures existing on May 14, 2014, is allowed as set forth in this subsection.

(1) *Uses.* Any use within the industrial use classification that is a permitted, special, or conditional use within the Industrial Commercial (IC) Zone shall be a permitted, special, or conditional use within an existing industrial building or structure within the Riverfront High Density Residential Overlay Zone.

(2) *Development standards; design review.* The exterior of the existing industrial building or structure may be altered, but shall not be enlarged. The exterior alteration shall comply with all applicable standards of the Industrial Commercial (IC) Zone. The exterior alteration shall not be subject to the development standards, or the design review guidelines or the design review standards, of this chapter.

(3) *Termination.* Adaptive reuse of an existing industrial building or structure shall terminate as provided in this ~~paragraph~~ subsection. When the adaptive reuse of an existing industrial building or structure has terminated, the property shall thereafter only be used for uses allowed in the Riverfront Overlay Zone.

(A) Change of use to any use that is allowed in the Riverfront Overlay Zone shall terminate the adaptive reuse of the building or structure.

(B) Determination by the Building Official that the building or structure is derelict or dangerous, as defined in SRC 50.600 and 56.230, shall terminate the adaptive reuse of the building or structure.

(C) Substantial damage or destruction of the building or structure by any cause, to the extent that the cost of repair or restoration would exceed 60 percent of the building or structure replacement cost using new materials and conforming to the current building codes, shall terminate the adaptive reuse of the building or structure. Cost of repair or restoration, and replacement cost, shall be determined by the Building Official. The Building Official's determination is appealable as provided in SRC 20J.240 through 20J.430 for contested case proceedings.

(Prior Code, § 617.015; Ord. No. 31-13; Ord 19-14; Ord. No. 7-16, § 12, 6-27-2016)

Sec. 617.020. Development standards.

Development with the Riverfront Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) *Dwelling unit density.* Dwelling unit density within the Riverfront Overlay Zone shall conform to the standards set forth in Table 617-3.

TABLE 617-3. DWELLING UNIT DENSITY

Use or Activity	Standard		Limitations & Qualifications
	Minimum	Maximum	
Single family, two family, and multiple family	20 dwelling units per acre	None	

(b) *Height.* Buildings and accessory structures within the Riverfront Overlay Zone shall conform to the height standards set forth in Table 617-4.

TABLE 617-4. HEIGHT

Requirements	Standards	Limitations & Qualifications
Height		
Buildings		
All uses	Max. 70 ft.	
Accessory Structures		
Accessory to all uses	Max. 70 ft.	

(Prior Code, § 617.020; Ord. No. 31-13; Ord. No. 19-14)

Sec. 617.025. Design review.

Design review under SRC chapter 225 is required for development within the Riverfront Overlay Zone as follows:

(a) Except as otherwise provided in this section, design review according to the design review guidelines or the design review standards set forth in SRC 617.030 is required for all development within the Riverfront Overlay Zone.

(b) Multiple family development shall only be subject to design review according to the design review guidelines or the design review standards set forth in SR 617.030.

(Prior Code, § 617.025; Ord. No. 31-13)

Sec. 617.030. Design review guidelines and design review standards.

(a) *Building location, orientation, and design.*

(1) *Building location.*

(A) *Design review guidelines.*

(i) Building setbacks from the street shall be minimized.

(B) *Design review standards.*

(i) Setback abutting street. Buildings shall have the following setbacks abutting a street:

(aa) Minimum: zero feet.

(bb) Maximum: 12 feet.

(ii) Interior side setback. Buildings shall have no minimum interior side setback.

(2) *Building orientation and design.*

(A) *Design review guidelines.*

(i) The riverfront and Mill Creek, where applicable, shall be incorporated into the proposed development as public amenities.

(ii) Building facades adjacent to the riverfront shall facilitate pedestrian interaction by incorporating pedestrian arcades and plazas.

(iii) Ground floor building facades facing the riverfront shall include transparent windows to ensure that the ground floor promotes a sense of interaction between activities in the building and activities in the public realm (see Figure 617-1).

(iv) Ground floor building facades facing a street shall include transparent windows to ensure that the ground floor promotes a sense of interaction between activities in the building and activities in the public realm.

(v) Upper floors of buildings facing the riverfront shall incorporate decks and balconies (see Figure 617-1).

(vi) New buildings shall be designed to minimize noise impacts from surrounding industrial uses and streets.

(B) *Design review standards.*

(i) Buildings adjacent to the riverfront shall include at least one primary building entrance facing the Willamette River.

(ii) A primary building entrance shall be provided on each building facade facing a street. If a building has frontage on more than one street, a single primary building entrance may be provided at the corner of the building where the streets intersect (see Figure 617-2).

(aa) *Alternative standard for existing buildings.* Notwithstanding subsection (a)(2)(B)(ii) of this section, where a building existing on December 1, 1998, has a primary building entrance facing a street, such entrance may be relocated but not eliminated. The relocated entrance must face a street.

(iii) Ground floor building facades facing the riverfront shall include transparent windows on a minimum of 65 percent of the ground floor facade. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum visible transmittance (VT) of 37 percent.

(aa) *Alternative standard for existing buildings.* Notwithstanding subsection (a)(2)(B)(iii) of this section, where a building existing on December 1, 1998, does not include transparent windows on a minimum of 65 percent of the ground floor facade facing the riverfront, the percentage of transparent windows existing on the ground floor facade shall not be reduced. Additional windows meeting the transparency requirements of subsection (a)(2)(B)(iii) may be added without meeting the minimum ground floor facade window percentage of 65 percent.

(iv) Ground floor building facades facing a street shall include transparent windows on a minimum of 65 percent of the ground floor facade. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum visible transmittance (VT) of 37 percent.

(aa) *Alternative standard for existing buildings.* Notwithstanding subsection (a)(2)(B)(iv) of this section, where a building existing on December 1, 1998, does not include transparent windows on a minimum of 65 percent of the ground floor facade facing a street, the percentage of transparent windows existing on the ground floor facade shall not be reduced. Additional windows meeting the transparency requirements of subsection (a)(2)(B)(iv) may be added without meeting the minimum ground floor facade window percentage of 65 percent.

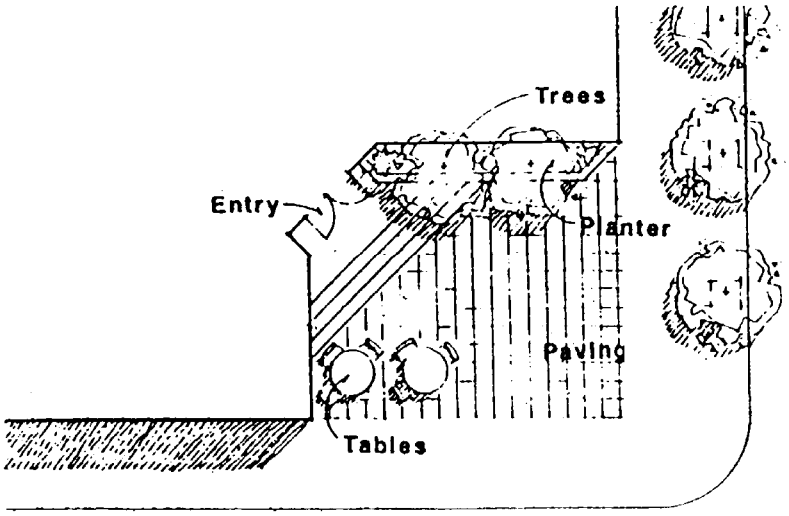
(v) Building offsets and articulation shall be provided for building frontages greater than 100 feet in length in order to create pedestrian scale. Building offsets shall be a minimum of four feet in depth and shall be provided at intervals of not more than 40 feet along the building frontage.

(vi) Weather protection, in the form of awnings or canopies, shall be provided along a minimum of 50 percent of the length of the ground floor building facade adjacent to a street. Awnings or canopies shall have a minimum clearance height above the sidewalk of eight feet, and may encroach into the street right-of-way as provided in SRC 76.160.

(aa) *Alternative standard for existing buildings.* Notwithstanding subsection (a)(2)(B)(vi) of this section, where a building existing on December 1, 1998, does not include weather protection, in the form of awnings or canopies, along a minimum of 50 percent of the length of a ground floor facade adjacent to a street, the percentage of weather protection along the ground floor facade shall not be reduced. Additional weather protection meeting the sidewalk clearance requirements in subsection (a)(2)(B)(vi) of this section may be added without meeting the minimum weather protection standard of 50 percent.

FIGURE 617-1. BUILDING DESIGN ADJACENT TO THE WILLAMETTE RIVERFRONT

FIGURE 617-2. BUILDING CORNER ENTRY



(b) *Open space.*

(1) *Private open space.*

(A) *Design review guidelines.*

(i) Private open space shall be provided for each dwelling unit that provides a pleasant and private place for the enjoyment of the occupants.

(B) *Design review standards.*

(i) A minimum of 48 square feet of private open space shall be provided for each dwelling unit. The private open space shall have no dimension less than six feet and shall be directly accessible from the dwelling unit through a doorway.

(c) *Site access.*

(1) *Vehicle access.*

(A) *Design review guidelines.*

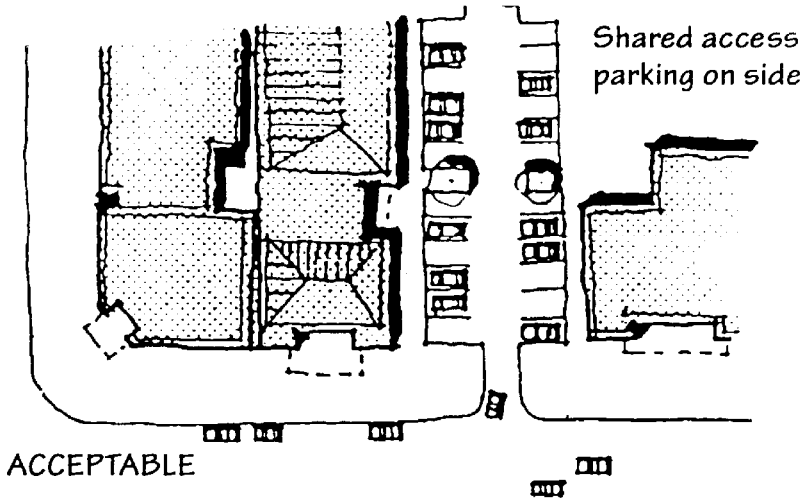
(i) Vehicle access and driveway approaches onto Front Street shall be minimized. Joint use driveways providing access to Front Street are preferred (see Figure 617-3).

(ii) Public pedestrian access shall be provided between the river and Front Street to create an interconnected pedestrian circulation system.

(B) *Design review standards.*

(i) Public pedestrian access, in the form of a sidewalk, street, or alley, shall be provided between the river and Front Street at least every 400 feet. The public pedestrian access shall not be less than 12 feet in width.

FIGURE 617-3. VEHICLE ACCESS MINIMIZED THROUGH JOINT USE DRIVEWAYS



(d) *Off-street parking and loading.*

(1) *Off-street parking.*

(A) *Design review guidelines.*

(i) Off-street parking areas shall have a scale, orientation, and location that support a pedestrian-oriented mixed-use residential and commercial district (see Figure 617-4).

(ii) The amount of land needed to accommodate off-street parking shall be minimized through shared and structured parking where such parking is physically possible.

(B) *Design review standards.*

(i) Off-street surface parking areas shall be located behind or beside buildings and structures (see Figures 617-4 and 617-5).

(ii) Off-street parking shall not be located within the Willamette Greenway riparian buffer set forth in SRC chapter 600.

(iii) Off-street parking areas shall not occupy more than 50 percent of the street frontage of a lot, except that:

(aa) Where a lot has frontage on two public streets, including a side street, an off-street

surface parking area may occupy more than 50 percent of the side street frontage.

(bb) On lots abutting Front Street, multi-level parking structures may occupy more than 50 percent of the Front Street frontage, provided the parking structures include space for ground floor commercial uses along their entire Front Street frontage.

FIGURE 617-4. PARKING AREA SUPPORTIVE OF A PEDESTRIAN ORIENTED RETAIL AND RESIDENTIAL DISTRICT

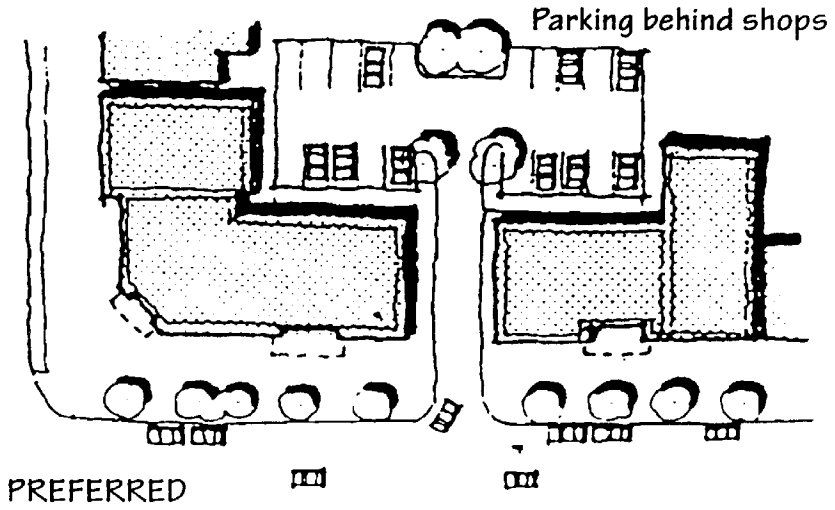
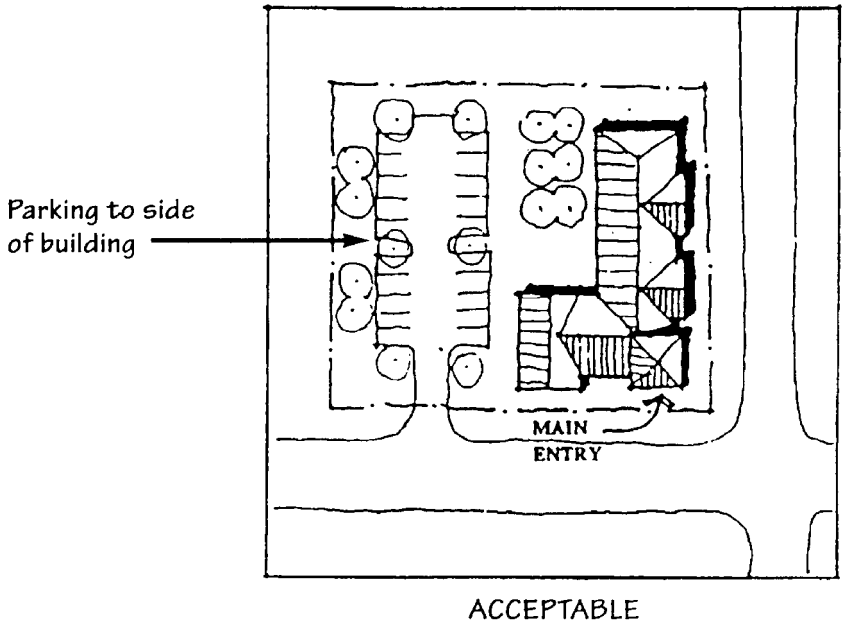


FIGURE 617-5. PARKING LOCATED TO SIDE OF BUILDING



(2) *Off-street loading.*

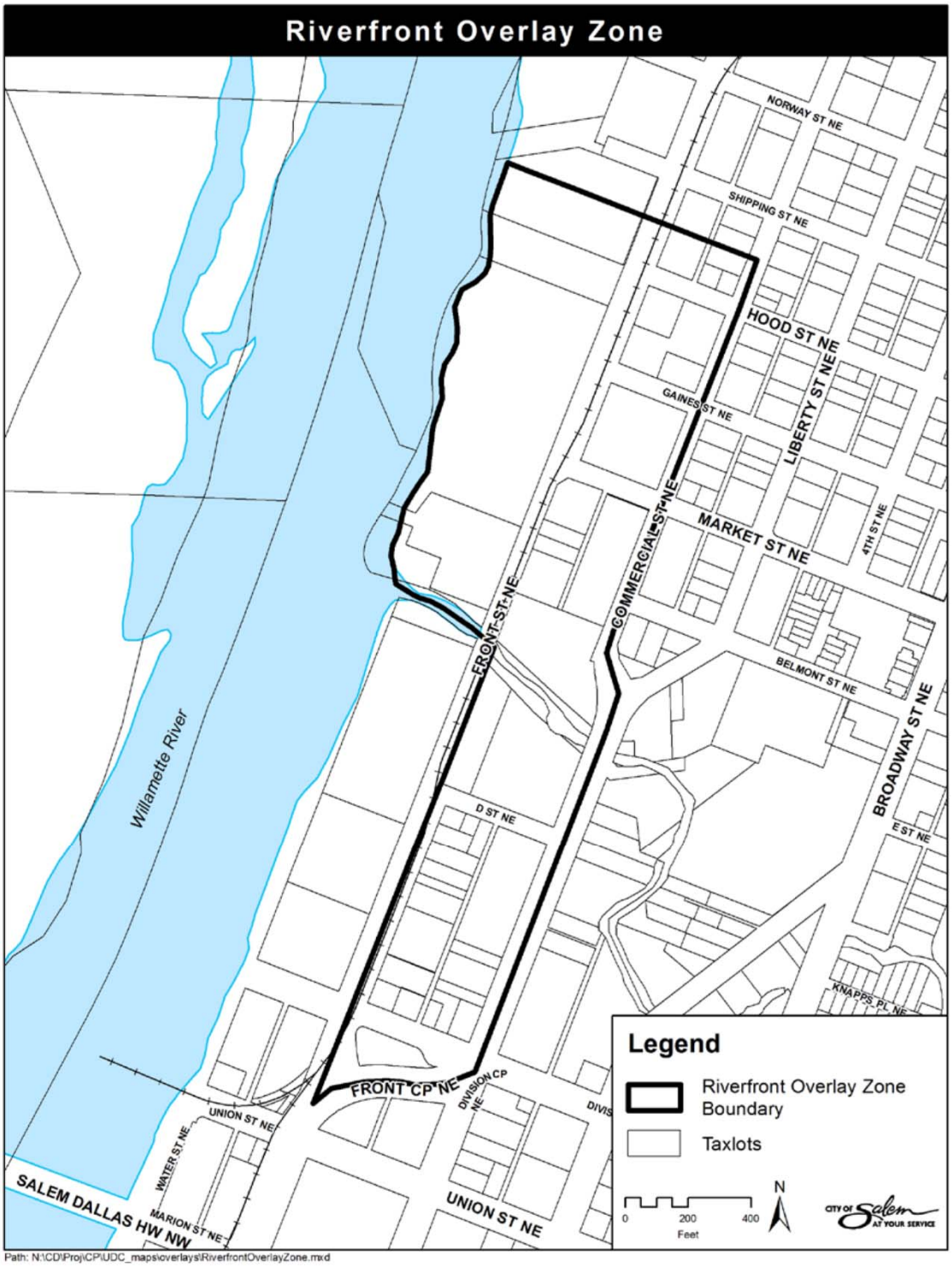
(A) *Design review guidelines.*

(i) Off-street loading areas shall be located so as to minimize their visibility from the street.

(B) *Design review standards.*

(i) Off-street loading areas shall be located behind or beside buildings and structures. Off-street loading areas shall not be located between a building or structure and a street.

FIGURE 617-6. RIVERFRONT OVERLAY ZONE



(Prior Code, § 617.030; Ord. No. 31-13)

CHAPTER 618. CHEMAWA-I-5 NORTHEAST QUADRANT GATEWAY OVERLAY ZONE

Sec. 618.001. Purpose.

The purpose of the Chemawa/I-5 Northeast Quadrant Gateway Overlay Zone is to identify allowed uses and to establish development standards to provide a gateway to Salem.

(Prior Code, § 618.001; Ord. No. 31-13)

Sec. 618.005. Chemawa/I-5 Northeast Quadrant Gateway Overlay Zone boundary.

The boundaries of the Chemawa/I-5 Northeast Quadrant Gateway Overlay Zone are shown in Figure 618-2.

(Prior Code, § 618.005; Ord. No. 31-13)

Sec. 618.010. Uses.

Except as otherwise provided in this section, any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the Chemawa/I-5 Northeast Quadrant Gateway Overlay Zone.

(a) *Additional prohibited uses.* In addition to the prohibited uses in the underlying zone, the uses set forth in Table 618-1 are additional prohibited (N) uses in the Chemawa/I-5 Northeast Quadrant Gateway Overlay Zone.

TABLE 618-1. ADDITIONAL PROHIBITED USES

Use	Status	Limitations & Qualifications
Utilities		
Waste-related facilities	N	

(Prior Code, § 618.010; Ord. No. 31-13)

Sec. 618.015. Development standards.

Development within the Chemawa/I-5 Northeast Quadrant Gateway Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) *Declaration of transportation and public infrastructure demands.* If a use is proposed for property, or any portion of a property, within the Chemawa/I-5 Northeast Quadrant Gateway Overlay Zone that is different from that presented in the pre-annexation analysis, the applicant shall provide the following information:

(1) A transportation impact analysis demonstrating that development for the entire Chemawa/I-5 Northeast Quadrant Gateway Overlay Zone can be completed without exceeding the design capacity of the Chemawa/I-5 Interchange and the local and regional transportation network; and

(2) An analysis demonstrating that development for the entire Chemawa/I-5 Northeast Quadrant Gateway Overlay Zone can be completed without exceeding the water and sewer allocations in the water system master plan and the Salem Area Wastewater Management Master Plan.

(b) *Overlay zone boundary setbacks.* Setbacks from the boundary of the Chemawa/I-5 Northeast Quadrant Gateway Overlay Zone shall be provided as set forth in this subsection.

(1) A minimum 20-foot setback shall be provided from the boundary of the Chemawa/I-5 Northeast

Quadrant Gateway Overlay Zone. For purposes of establishing standards for designated areas within the minimum required overlay zone boundary setback, the following overlay zone boundary setback areas are established:

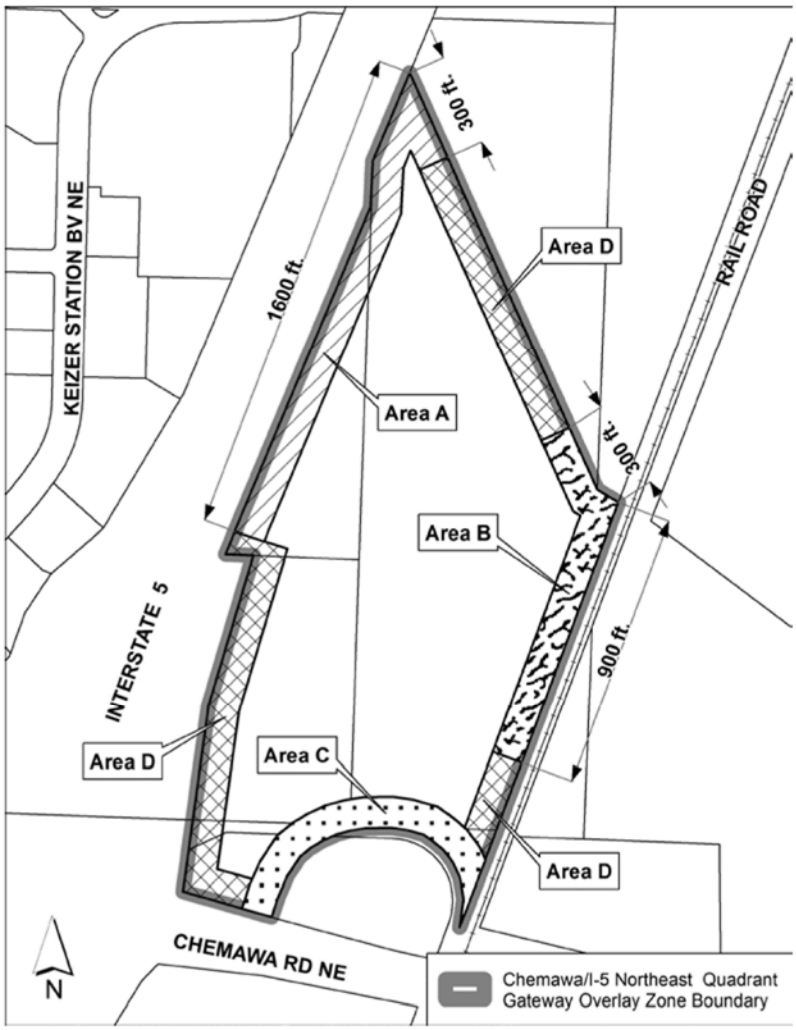
(A) Area A. Area A, as set forth in Figure 618-1, includes 1,600 feet of frontage along Interstate-5 and 300 feet frontage along the north overlay zone boundary.

(B) Area B. Area B, as set forth in Figure 618-1, includes 300 feet of frontage along the north overlay zone boundary and 900 feet of frontage along the railroad.

(C) Area C. Area C, as set forth in Figure 618-1, includes the road frontage connecting Indian School Road NE and Chemawa Road NE.

(D) Area D. Area D, as set forth in Figure 618-1, includes those overlay zone boundary setback areas not included within Areas A, B, or C.

FIGURE 618-1. OVERLAY ZONE BOUNDARY SETBACK AREAS



(2) In addition to the minimum overlay zone boundary setback set forth in subsection (b)(1) of this section, structures greater than 20 feet in height shall be set back from the minimum overlay zone boundary setback a minimum of one foot for each one foot of height greater than 20 feet.

(3) No structures, signs, vehicle use areas, or outdoor storage areas are allowed within the minimum

overlay zone boundary setback; provided, however, parking areas may encroach not more than ten feet into overlay zone boundary setback Area C (see Figure 618-1).

(4) Recreational equipment, furniture, sidewalks, and pedestrian connections are allowed within the overlay zone boundary setback.

(5) Sight-obscuring fences, walls, hedges, or berms are not allowed within the overlay zone boundary setback; provided, however, landscaped berms not more than four feet in height are allowed within the overlay zone boundary setback.

(6) Non-sight-obscuring fences not more than eight feet in height are allowed within the overlay zone boundary setback. Such fences shall be integrated into the landscaping so as to minimize the visual impact of the fence.

(c) *Open space.* A minimum of 20 percent of the gross area of each lot, or the Chemawa/I-5 Northeast Quadrant Gateway Overlay Zone as a whole if developed as a single project, shall be designated as open space. Required setbacks and other required landscaped areas may be counted towards meeting the minimum open space requirement.

(d) *Landscaping.* Landscaping shall conform to the standards set forth in SRC chapter 807, together with the standards set forth in this subsection.

(1) *Overlay zone boundary setback landscaping.* The overlay zone boundary setback, excluding any portion of which is located within designated wetlands, shall be landscaped with a mixture of trees, shrubs, hedges, turf, and vegetative ground cover in conformance with the standards set forth in this ~~paragraph~~ subsection.

(A) Landscaping within the overlay zone boundary setback shall conform to the plant unit (PU) densities set forth in Table 618-2.

TABLE 618-2. OVERLAY ZONE BOUNDARY SETBACK LANDSCAPING

Overlay Zone Boundary Setback Area	Required Plant Units (PU)
Area A	Min. 1 PU per 14 sq. ft. of overlay zone boundary setback area.
Area B	Min. 1 PU per 16 sq. ft. of overlay zone boundary setback area.
Area C	Min. 1 PU per 14 sq. ft. of overlay zone boundary setback area; plus 1 street tree every 50 ft. along the street frontage.
Area D	Min. 1 PU per 25 sq. ft. of overlay zone boundary setback area.

(B) Plant units may be distributed or clustered within the overlay zone boundary setback. If clustering of plant units is used to create visual corridors within the overlay zone boundary setback, the visual corridors shall be no wider than 150 feet. For purposes of this ~~subparagraph~~ subsection, the term "visual corridor" means an area with no landscaping, or landscaping with a plant unit density of less than one plant unit per 49 square feet, that is located between landscaped areas each consisting of at least 20 plant units and a least one shade tree or two conifer trees.

(C) Within 15 years of planting, all new trees shall provide canopy coverage to at least 35 percent of the overly zone boundary setback area.

(2) *Landscaping abutting non-articulated building facades.* Where a building facade exceeds 70 feet in length without openings or articulation, vertical landscaping shall be provided in conformance with the standards set forth in this ~~paragraph~~ subsection to lessen the visual bulk of the building facade. For purposes of this ~~paragraph~~ subsection, the term "openings" does not include windows or doorways; and the term "articulation" means a minimum two-foot deep vertical or horizontal

offset within the building facade.

(A) Vertical landscaping shall be provided in the minimum amount of ten plant units for every 70 linear feet of non-articulated building facade.

(B) A minimum of 75 percent of the vertical landscaping shall consist of shade, conifer, evergreen, or ornamental trees.

(C) Vertical landscaping shall be located abutting, and centered within, the non-articulated portion of the building facade.

(3) *Off-street parking area landscaping.* A minimum of ten percent of the interior of each parking area shall be landscaped. The landscaping shall be distributed throughout the parking area within landscape islands in conformance with the standards set forth in this ~~paragraph~~ subsection.

(A) Landscape islands shall have a minimum planting area of 25 square feet, and shall have no dimension less than five feet.

(B) Shade trees shall be distributed throughout the parking area so that no parking space is more than 35 feet from the trunk of a shade tree.

(C) Turf, vegetative ground cover, or decorative bricks must completely cover the remaining area of any landscape island not covered by shrubs.

(D) Landscape islands shall be protected from vehicular damage by a minimum six-inch-high curb.

(4) *Open space landscaping.*

(A) Designated open space, excluding any portions of which are located within designated wetlands, where living vegetation has been removed or damaged, or where earth has been disturbed by the development process, shall be landscaped with a mixture of trees, shrubs, hedges, turf, and vegetative ground cover.

(B) No single tree species shall comprise more than 34 percent of new trees planted.

(5) *Off-street loading area screening.* All loading spaces, docks, doors, and bays shall be screened from the overlay zone boundary setback and adjacent property by a minimum six-foot-high sight-obscuring fence, wall, hedge, or berm.

(e) *Outdoor storage.* Outdoor storage areas shall comply with the following:

(1) Outdoor storage areas shall not be located within 20 feet of overlay zone boundary setback Areas A, B, or C.

(2) Outdoor storage areas larger than one acre in size shall include a minimum of six permanent interior landscape islands, plus one additional permanent interior landscape island for each one-half acre of outdoor storage area sized over one acre. The permanent interior landscape islands shall:

(A) Have a minimum planting area of 25 square feet, with no dimension less than five feet;

(B) Be planted with a minimum of 15 plant units; and

(C) Be protected from vehicular damage by a minimum six-inch-high curb or barrier.

(3) Vehicle access and maneuvering areas within outdoor storage areas shall be dust free.

(f) *Transportation.*

(1) An internal pedestrian network shall be provided within the Chemawa/I-5 Northeast Quadrant Gateway Overlay zone that:

(A) Provides connectivity between primary buildings, parking areas, and designated open space; and

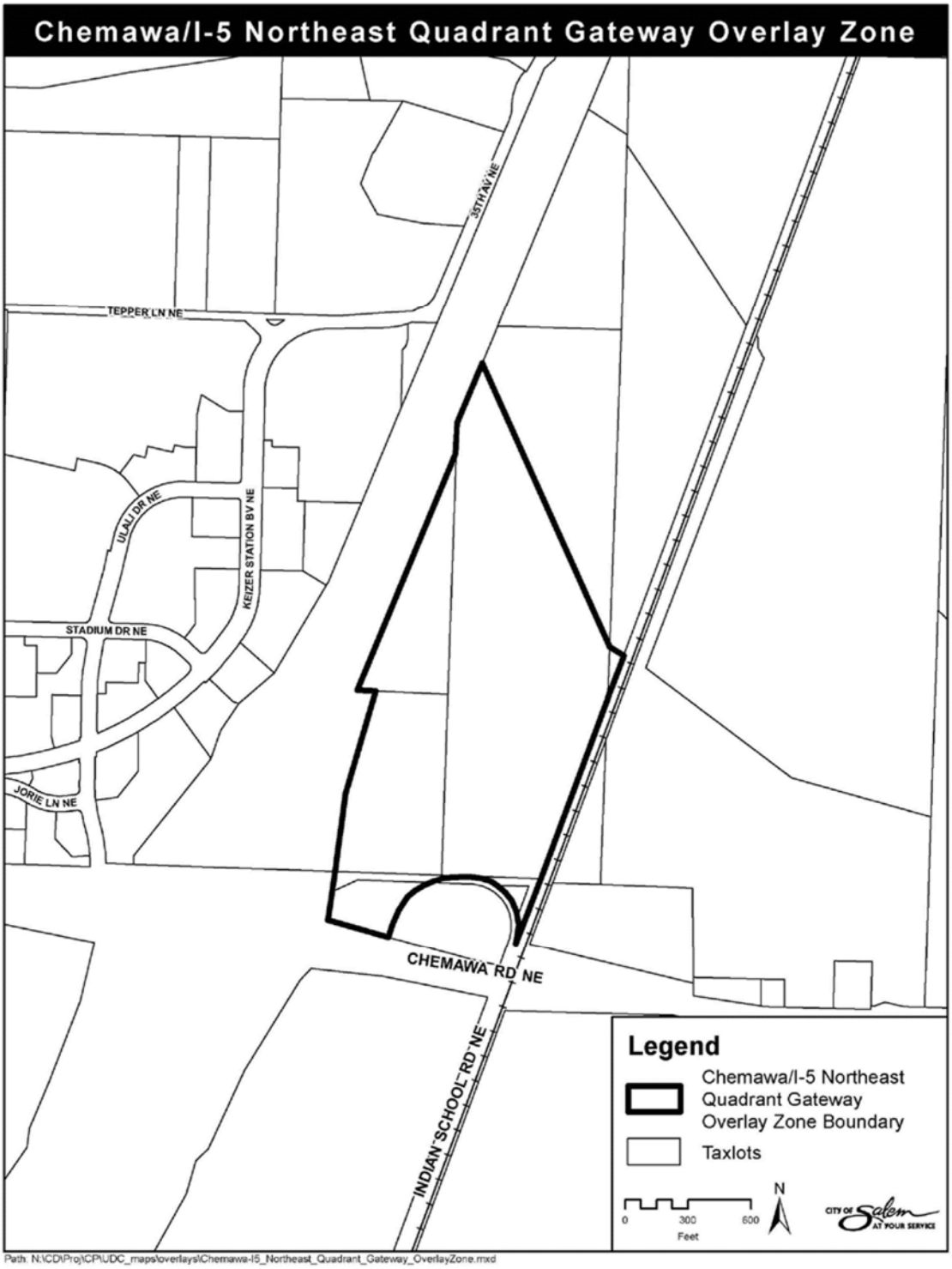
(B) Provides connectivity to transit on Chemawa Road NE and to Indian School Road NE.

(2) Development of a transit stop on Chemawa Road NE stall be addressed in the transportation impact

analysis for development.

(3) The internal transportation network of the Chemawa/I-5 Northeast Quadrant Gateway Overlay Zone shall encourage and accommodate freight movement by truck and rail.

FIGURE 618-2. CHEMAWA I-5 NORTHEAST QUADRANT GATEWAY OVERLAY ZONE



(Prior Code, § 618.015; Ord. No. 31-13)

CHAPTER 619. MIXED-USE OVERLAY ZONE

Sec. 619.001. Purpose.

The purpose of the Mixed Use Overlay Zone is to implement the mixed-use land use concepts in the Salem Area Comprehensive Plan by providing residential uses along with commercial, office, and neighborhood service uses.

(Prior Code, § 619.001; Ord. No. 31-13)

Sec. 619.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Mixed-use development*~~:~~ means a combination of residential and nonresidential uses within a single building, or within separate buildings on the same lot or contiguous lots.

(Prior Code, § 619.005; Ord. No. 31-13)

Sec. 619.010. Mixed-Use Overlay Zone boundary.

The boundaries of the Mixed-Use Overlay Zone are shown in Figure 619-1.

(Prior Code, § 619.010; Ord. No. 31-13)

Sec. 619.015. Uses.

Except as otherwise provided in this section, any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the Mixed-Use Overlay Zone.

(a) *Additional permitted uses.* The uses set forth in Table 619-1 are additional permitted (P) uses in the Mixed-Use Overlay Zone.

TABLE 619-1. ADDITIONAL PERMITTED USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	P	Only the following single family activities are allowed as additional permitted uses: □ Townhouse. □ Residential home, as defined under ORS 197.660.
Two family	P	Only the following two family activities are allowed as additional permitted uses: □ Duplex.
Multiple family	P	
Group Living		
Room and board	P	Only the following room and board activities are allowed as additional permitted uses: □ Room and board serving 5 or fewer persons.
Recreation, Entertainment, and Cultural Services and Facilities		

TABLE 619-1. ADDITIONAL PERMITTED USES		
Use	Status	Limitations & Qualifications
Recreation and cultural Community services	P	
Parks and open space	P	
Public Safety		
Emergency services	P	Only the following emergency services activities are allowed as additional permitted uses: □ Fire stations.

(Prior Code, § 619.015; Ord. No. 31-13)

Sec. 619.020. Development standards.

Development within the Mixed-Use Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) *Dwelling Unit Density.* Dwelling unit density within the Mixed-Use Overlay Zone shall conform to the standards set forth in Table 619-2.

TABLE 619-2. DWELLING UNIT DENSITY		
Use or Activity	Standard	Limitations & Qualifications
Single family, two family, and multiple family	Min. 12 dwelling units per acre	
	None	Applicable to mixed-use buildings.

(b) *Height.* Buildings and accessory structures within the Mixed-Use Overlay Zone shall conform to the height standards set forth in Table 619-3.

TABLE 619-3. HEIGHT		
Requirements	Standards	Limitations & Qualifications
Height		
Buildings and Accessory Structures		
All uses	Max. 75 ft.	Applicable when developed as part of a mixed-use development.
Accessory Structures		
Accessory to all uses	Max. 75 ft.	Applicable when developed as part of a mixed-use development.

(c) *Off-street parking.* Off-street parking for dwelling units within the Mixed-Use Overlay Zone shall be as follows:

(1) *Minimum off-street parking.* The minimum off-street parking requirement for dwelling units within the Mixed-Use Overlay Zone shall be one space per dwelling unit.

(2) *Maximum off-street parking.* The maximum off-street parking requirement for dwelling units within the Mixed-use Overlay Zone shall be 2.5 spaces per dwelling unit.

(Prior Code, § 619.020; Ord. No. 31-13)

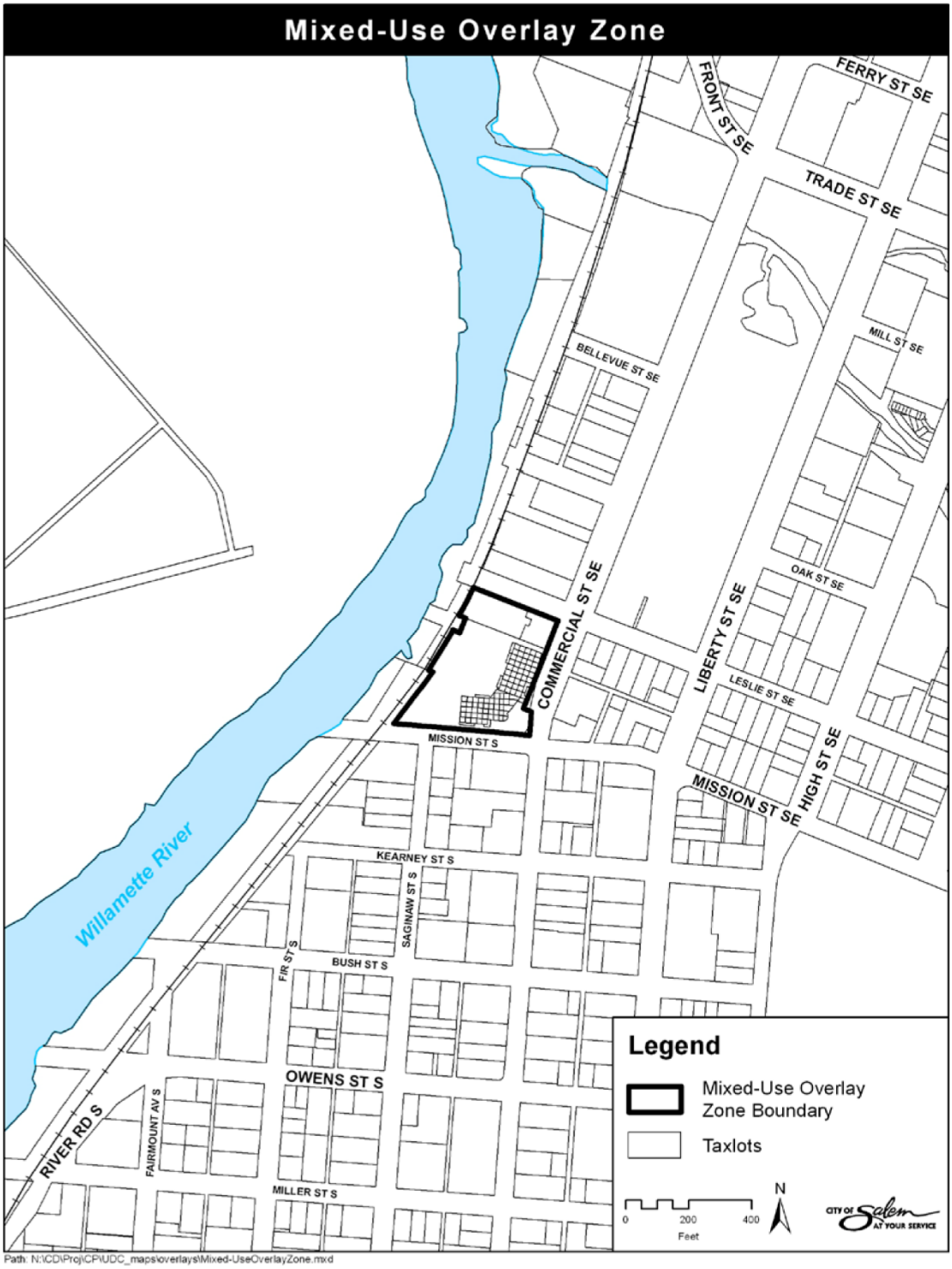
Sec. 619.025. Design review.

Design review under SRC chapter 225 is required for development within the Mixed-Use Overlay Zone as follows:

(a) Multiple family development, other than multiple family development within a mixed-use building, shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(b) Multiple family development within a mixed-use building shall not be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

FIGURE 619-1. MIXED-USE OVERLAY ZONE



(Prior Code, § 619.025; Ord. No. 31-13)

CHAPTER 620. SALEM HOSPITAL OVERLAY ZONE

Sec. 620.001. Purpose.

The purpose of the Salem Hospital Overlay Zone is to allow medical centers/hospitals to exceed the maximum height limit of the underlying zone.

(Prior Code, § 620.001; Ord. No. 31-13)

Sec. 620.005. Salem Hospital Overlay Zone boundary.

The boundaries of the Salem Hospital Overlay Zone are shown in Figure 620-1.

(Prior Code, § 620.005; Ord. No. 31-13)

Sec. 620.010. Uses.

Any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the Salem Hospital Overlay Zone.

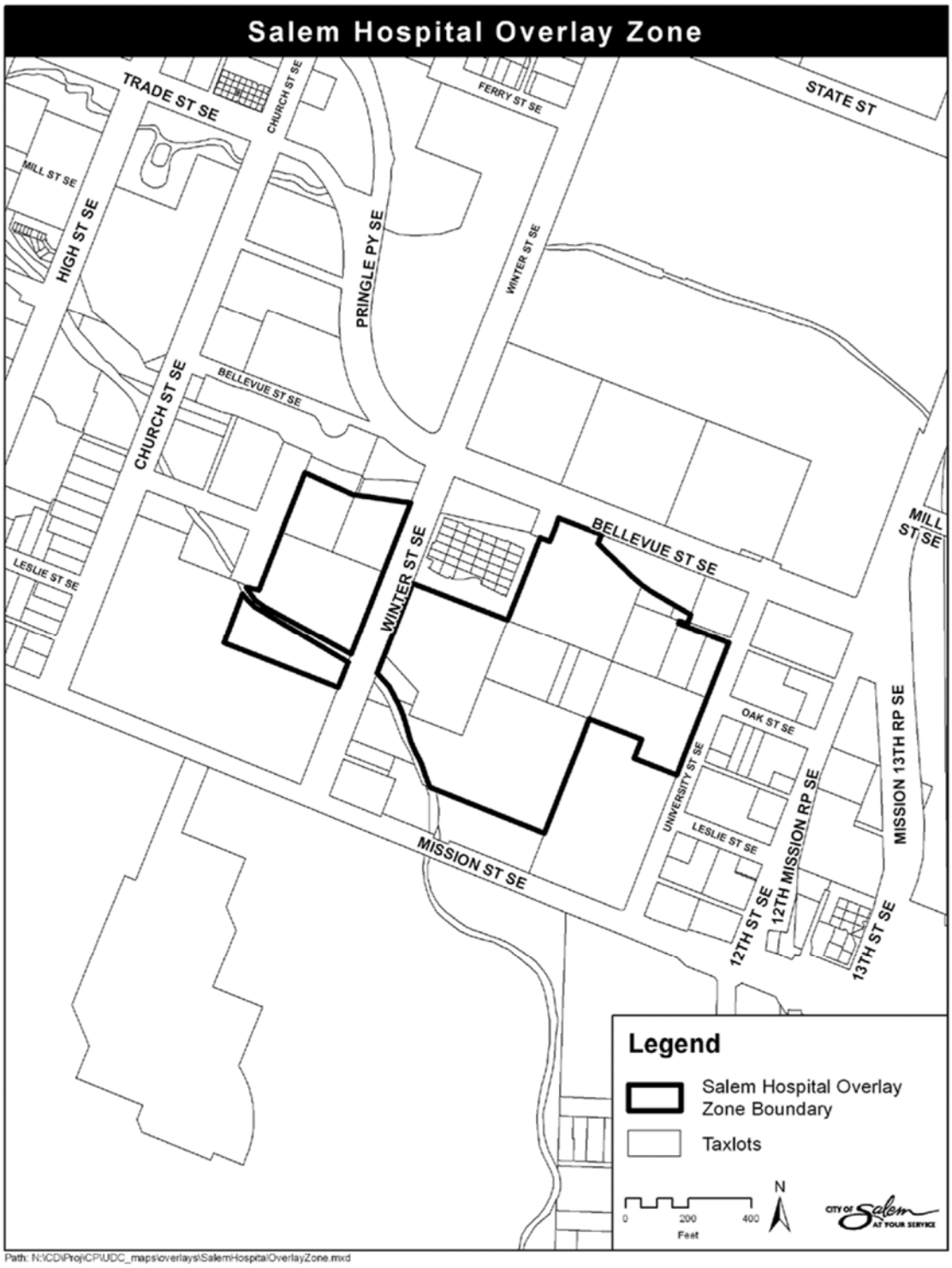
(Prior Code, § 620.010; Ord. No. 31-13)

Sec. 620.015. Development standards.

Development within the Salem Hospital Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) *Height.* Unless located within the Airport Overlay Zone, medical centers/hospitals in the Salem Hospital Overlay Zone shall not exceed 120 feet in height. Medical centers/hospitals located within the Airport Overlay Zone shall not exceed the height limits set forth in SRC chapter 602.

FIGURE 620-1. SALEM HOSPITAL OVERLAY ZONE



(Prior Code, § 620.015; Ord. No. 31-13)

CHAPTER 621. SUPERIOR-RURAL OVERLAY ZONE

Sec. 621.001. Purpose.

The purpose of the Superior/Rural Overlay Zone is to establish development standards that minimize the impacts of nonresidential development on existing residential uses.

(Prior Code, § 621.001; Ord. No. 31-13)

Sec. 621.005. Superior/Rural Overlay Zone boundary.

The boundaries of the Superior/Rural Overlay Zone are shown in Figure 621-1.

(Prior Code, § 621.005; Ord. No. 31-13)

Sec. 621.010. Uses.

Any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the Superior/Rural Overlay Zone.

(Prior Code, § 621.010; Ord. No. 31-13)

Sec. 621.015. Development standards.

Change of use or development within the Superior/Rural Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) *Setbacks.* Setbacks within the Superior/Rural Overlay Zone shall be provided as set forth in Table 621-1.

TABLE 621-1. SETBACKS

Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
Uses other than single family and two family	Min. 12 ft., plus 1 ft. for each 1 ft. of height over 12 ft.; provided, however, not more than 20 ft. is required.	
Accessory Structures		
Accessory to uses other than single family and two family	Min. 12 ft., plus 1 ft. for each 1 ft. of height over 12 ft.; provided, however, not more than 20 ft. is required.	
Vehicle Use Areas		

TABLE 621-1. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Uses other than single family and two family	Min. 12 ft.	
ABUTTING ALLEY		
Buildings		
Uses other than single family and two family	Min. 38 ft.	
Accessory Structures		
Accessory to uses other than single family and two family	Min. 38 ft.	
Vehicle Use Areas		
Uses other than single family and two family	Min. 10 ft.	

(b) *Height.* Buildings and accessory structures within the Superior/Rural Overlay Zone shall conform to the height standards set forth in Table 621-2.

TABLE 621-2. HEIGHT		
Requirements	Standards	Limitations & Qualifications
Height		
Buildings		
Uses other than single family and two family	Max. 35 ft.	
Accessory Structures		
Accessory to uses other than single family and two family	Max. 35 ft.	

(c) *Landscaping.* Landscaping shall be provided for uses other than single family and two family as set forth in this subsection.

(1) *Generally.* All areas of the lot not developed shall be landscaped. Landscaping shall meet the requirements set forth in SRC chapter 807.

(2) *Landscaping abutting alley.*

(A) A minimum ten-foot-wide landscape strip shall be provided abutting the alley.

(B) Plant materials within the ten-foot-wide landscape strip shall conform to the plant unit (PU) values set forth in Table 621-3, and the number of required plant units set forth in Table 621-4.

(C) The required plant units within the ten-foot-wide landscape strip shall be distributed at a density of not less than three plant units per each 20 linear feet of boundary or lot line.

(D) Landscaping shall conform to the vision clearance requirements set forth in SRC chapter 805.

TABLE 621-3. PLANT UNIT VALUES	
Plant Material	Plant Unit (PU) Value
1 canopy tree	1 PU
1 understory tree	1 PU
1 evergreen/conifer tree	1 PU
1 shrub	1 PU

TABLE 621-4. REQUIRED PLANT UNITS	
Plant Material	Required Plant Units (PU)
Canopy trees	Min. 2 PU per 100 linear feet of boundary or lot line.
Understory trees	Min. 6 PU per 100 linear feet of boundary or lot line.
Evergreen/conifer trees	Min. 6 PU per 100 linear feet of boundary or lot line.
Shrubs	Min. 9 PU per 100 linear feet of boundary or lot line.

(d) *Screening.* Screening shall be provided for uses other than single family and two family as set forth in this subsection.

(1) *Screening abutting alley.* A four-foot-high sight-obscuring fence, wall, or berm shall be provided abutting the alley. The sight-obscuring fence, wall, or berm shall stop 25 feet from either end of the alley. Screening shall conform to the vision clearance requirements set forth in SRC chapter 805.

(2) *Parking and loading areas.* Parking and loading areas shall be screened from adjacent residential uses and from abutting streets by a sight-obscuring fence, wall, or berm. Screening shall conform to the vision clearance requirements set forth in SRC chapter 805.

(e) *Access.* Access to properties within the Superior/Rural Overlay Zone shall be limited as follows:

(1) Not more than three permanent driveway approaches may be provided onto Commercial Street SE. The specific locations of the driveway approaches shall be approved by the Director as properties develop.

(2) Not more than one permanent driveway approach may be provided onto Superior Street SE, and not more than one permanent driveway approach may be provided onto Rural Street SE. The driveway approaches shall be located no closer than 100 feet west of Commercial Street SE.

(3) Driveways serving uses other than single family and two family shall not be allowed onto the alley between Rural Street SE and Superior Street SE.

(4) If lots are developed individually, temporary access from Commercial Street SE to the individually developed lots may be provided until the permanent driveway approaches allowed under ~~paragraphs~~ subsections (e)(1) and (2) of this ~~sub~~section are developed.

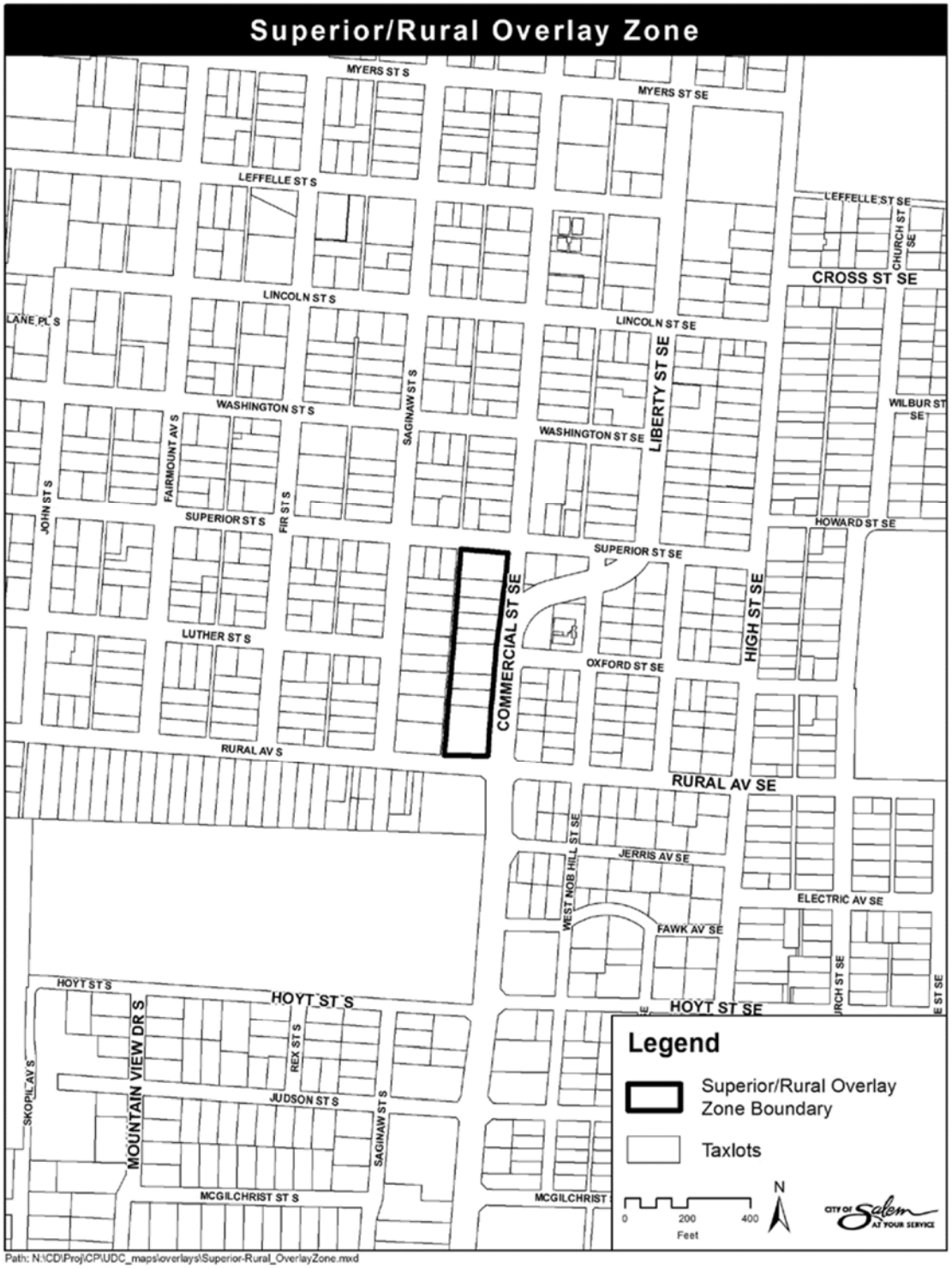
(5) As development or change of use of property occurs, reciprocal and irrevocable easements for access shall be provided by the appropriate property owners to accommodate joint access from each property to a public street. The easements shall be recorded with the County.

(f) *Trees.* Trees with a dbh of ten inches or greater shall be preserved wherever possible.

(g) *Existing buildings.* Existing residential buildings shall be maintained wherever possible and, if converted to nonresidential use, shall maintain their residential character.

(h) *Location of off-street parking.* Off-street parking serving uses within the overlay zone shall not be located outside of the overlay zone.

FIGURE 621-1. SUPERIOR/RURAL OVERLAY ZONE



(Prior Code, § 621.015; Ord. No. 31-13)

CHAPTER 622. OXFORD-WEST NOB HILL OVERLAY ZONE

Sec. 622.001. Purpose.

The purpose of the Oxford/West Nob Hill Overlay Zone is to establish development standards that minimize the impacts of nonresidential development on existing residential uses.

(Prior Code, § 622.001**;** Ord. No. 31-13)

Sec. 622.005. Oxford/West Nob Hill Overlay Zone boundary.

The boundaries of the Oxford/West Nob Hill Overlay Zone are shown in Figure 622-1.

(Prior Code, § 622.005; Ord. No. 31-13)

Sec. 622.010. Uses.

Any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the Oxford/West Nob Hill Overlay Zone.

(Prior Code, § 622.010; Ord. No. 31-13)

Sec. 622.015. Development standards.

Change of use or development within the Oxford/West Nob Hill Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) *Setbacks.* Setbacks within the Oxford/West Nob Hill Overlay Zone shall be provided as set forth in Table 622-1.

TABLE 622-1. SETBACKS

Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
Uses other than single family and two family	Min. 12 ft., plus 1 ft. for each 1 ft. of height over 12 ft.; provided, however, not more than 20 ft. is required.	Applicable abutting Commercial Street SE, Liberty Street SE, and Oxford Street SE.
	Min. 20 ft.	Applicable abutting West Nob Hill Street SE.
Accessory Structures		
Accessory to uses other than single family and two family	Min. 12 ft., plus 1 ft. for each 1 ft. of height over 12 ft.; provided, however, not more than 20 ft. is required.	Applicable abutting Commercial Street SE, Liberty Street SE, and Oxford Street SE.
	Min. 20 ft.	Applicable abutting West Nob Hill Street SE.

TABLE 622-1. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Vehicle Use Areas		
Uses other than single family and two family	Min. 12 ft.	

(b) *Height.* Buildings and accessory structures within the Oxford/West Nob Hill Overlay Zone shall conform to the height standards set forth in Table 622-2.

TABLE 622-2. HEIGHT		
Requirements	Standards	Limitations & Qualifications
Height		
Buildings		
Uses other than single family and two family	Max. 35 ft.	
Accessory Structures		
Accessory to uses other than single family and two family	Max. 35 ft.	

(c) *Landscaping.* Landscaping shall be provided for uses other than single family and two family as set forth in this subsection.

(1) *Generally.* All areas of the lot not developed shall be landscaped. Landscaping shall meet the requirements set forth in SRC chapter 807.

(2) *Landscaping abutting West Nob Hill Street.*

(A) A continuous minimum 12-foot-wide landscape strip shall be provided abutting West Nob Hill Street SE. Sidewalks running perpendicular to the street and utility structures may be located within the 12-foot-wide landscape strip.

(B) Plant materials within the 12-foot-wide landscape strip shall conform to the plant unit (PU) values set forth in Table 622-3, and the number of required plant units set forth in Table 622-4.

(C) The required plant units within the 12-foot-wide landscape strip shall be distributed at a density of not less than three plant units per each 20 linear feet of boundary or lot line.

(D) Landscaping shall conform to the vision clearance requirements set forth in SRC chapter 805.

TABLE 622-3. PLANT UNIT VALUES	
Plant Material	Plant Unit (PU) Value
1 canopy tree	1 PU
1 understory tree	1 PU
1 evergreen /conifer tree	1 PU

TABLE 622-3. PLANT UNIT VALUES	
Plant Material	Plant Unit (PU) Value
1 shrub	1 PU

TABLE 622-4. REQUIRED PLANT UNITS	
Plant Material	Required Plant Units (PU)
Canopy trees	Min. 2 PU per 100 linear feet of boundary or lot line.
Understory trees	Min. 6 PU per 100 linear feet of boundary or lot line.
Evergreen/conifer trees	Min. 6 PU per 100 linear feet of boundary or lot line.
Shrubs	Min. 9 PU per 100 linear feet of boundary or lot line.

(d) *Screening.*

(1) *Screening abutting West Nob Hill Street.* A four-foot-high sight-obscuring fence, wall, or berm shall be provided abutting West Nob Hill Street SE as follows:

(A) The sight-obscuring fence or wall shall be setback 12 feet from West Nob Hill Street.

(B) The sight-obscuring berm shall be located within the landscape strip required under subsection (c) of this section.

(C) The sight-obscuring fence, wall, or berm shall conform to the vision clearance requirements set forth in SRC chapter 805.

(2) *Parking and loading areas.* Parking and loading areas shall be screened from adjacent residential uses by a four-foot-high sight-obscuring fence, wall, or hedge. Screening shall conform to the vision clearance requirements set forth in SRC chapter 805.

(e) *Access.* Access to properties within the Oxford/West Nob Hill Overlay Zone shall be limited as follows:

(1) Not more than one driveway approach may be provided onto West Nob Hill Street SE.

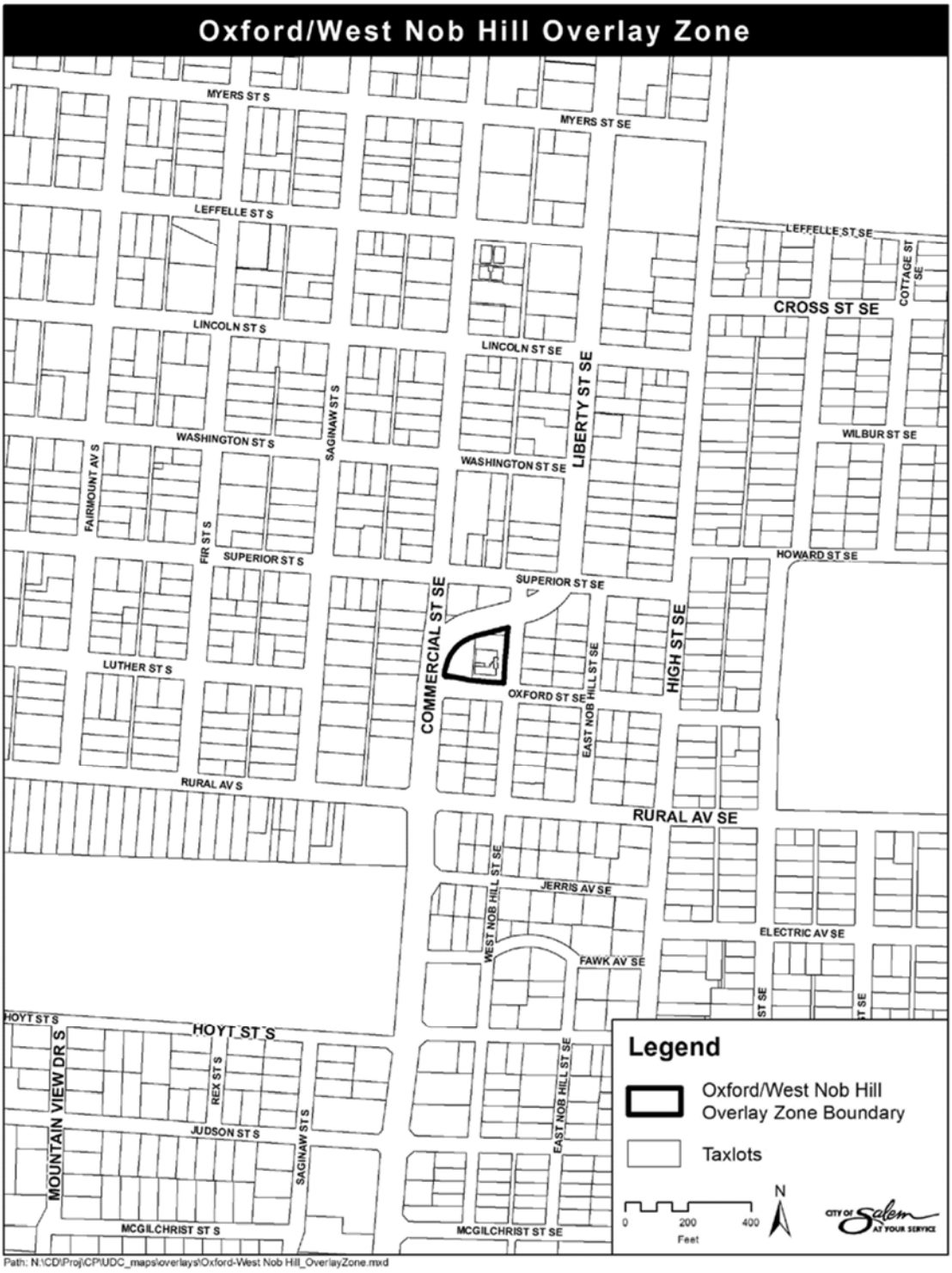
(2) Not more than one driveway approach may be provided onto Oxford Street SE.

(3) Driveway approaches shall not be allowed onto Commercial Street SE.

(f) *Trees.* Trees with a dbh of ten inches or greater shall be preserved wherever possible.

(g) *Location of off-street parking.* Off-street parking serving uses within the overlay zone shall not be located outside of the overlay zone.

FIGURE 622-1. OXFORD/WEST NOB HILL OVERLAY ZONE



(Prior Code, § 622.015; Ord. No. 31-13)

CHAPTER 623. OXFORD-HOYT OVERLAY ZONE

Sec. 623.001. Purpose.

The purpose of the Oxford/Hoyt Overlay Zone is to establish development standards that minimize the impacts of nonresidential development on existing residential uses.

(Prior Code, § 623.001; Ord. No. 31-13)

Sec. 623.005. Oxford/Hoyt Overlay Zone boundary.

The boundaries of the Oxford/Hoyt Overlay Zone are shown in Figure 623-1.

(Prior Code, § 623.005; Ord. No. 31-13)

Sec. 623.010. Uses.

Except as otherwise provided in this section, any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the Oxford/Hoyt Overlay Zone.

(a) *Additional prohibited uses.* In addition to the prohibited uses in the underlying zone, any permitted, special, or conditional use within the Oxford/Hoyt Overlay Zone shall be a prohibited use within the overlay zone if developed with the following:

(1) Drive-through.

(Prior Code, § 623.010; Ord. No. 31-13)

Sec. 623.015. Development standards.

Change of use or development within the Oxford/Hoyt Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) *Orientation.* All activities shall be oriented away from West Nob Hill Street.

(b) *Hours of operation.* Hours of operation shall be limited to 6:00 a.m. to 12:00 midnight.

(c) *Setbacks.* Setbacks within the Oxford/Hoyt Overlay Zone shall be provided as set forth in Table 623-1.

TABLE 623-1. SETBACKS

Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
Uses other than single family and two family	Min. 20 ft.	Applicable abutting West Nob Hill Street SE.
Accessory Structures		
Accessory to uses other than single family and two family	Min. 20 ft.	Applicable abutting West Nob Hill Street SE.
Vehicle Use Areas		
Uses other than single family and two family	Min. 12 ft.	Applicable abutting West Nob Hill Street SE.

(d) *Height.* Buildings and accessory structures within the Oxford/Hoyt Overlay Zone shall conform to the height standards set forth in Table 623-2.

TABLE 623-2. HEIGHT		
Requirements	Standards	Limitations & Qualifications
Height		
Buildings		
Uses other than single family and two family	Max. 35 ft.	
Accessory Structures		
Accessory to uses other than single family and two family	Max. 35 ft.	

(e) *Landscaping.* Landscaping shall be provided for uses other than single family and two family as set forth in this subsection.

(1) *Generally.* All areas of the lot not developed shall be landscaped. Landscaping shall meet the requirements set forth in SRC chapter 807.

(2) *Landscaping abutting West Nob Hill Street.*

(A) A continuous minimum 12-foot-wide landscape strip shall be provided abutting West Nob Hill Street SE. Sidewalks running perpendicular to the street and utility structures may be located within the 12-foot-wide landscape strip.

(B) Plant materials within the 12-foot-wide landscape strip shall conform to the plant unit (PU) values set forth in Table 623-3, and the number of required plant units set forth in Table 623-4.

(C) The required plant units within the 12-foot-wide landscape strip shall be distributed at a density of not less than three plant units per each 20 linear feet of boundary or lot line.

(D) Landscaping shall conform to the vision clearance requirements set forth in SRC chapter 805.

TABLE 623-3. PLANT UNIT VALUES	
Plant Material	Plant Unit (PU) Value
1 canopy tree	1 PU
1 understory tree	1 PU
1 evergreen/conifer tree	1 PU
1 shrub	1 PU

TABLE 623-4. REQUIRED PLANT UNITS	
Plant Material	Required Plant Units (PU)
Canopy trees	Min. 2 PU per 100 linear feet of boundary or lot line.
Understory trees	Min. 6 PU per 100 linear feet of boundary or lot line.
Evergreen/conifer trees	Min. 6 PU per 100 linear feet of boundary or lot line.
Shrubs	Min. 9 PU per 100 linear feet of boundary or lot line.

(f) *Screening.*

(1) *Screening abutting West Nob Hill Street.* A four-foot-high sight-obscuring fence, wall, or berm shall be provided abutting West Nob Hill Street SE as follows:

(A) The sight-obscuring fence or wall shall be setback 12 feet from West Nob Hill Street.

(B) The sight-obscuring berm shall be located within the landscape strip required under subsection (e) of this section.

(C) The sight-obscuring fence, wall, or berm shall conform to the vision clearance requirements set forth in SRC chapter 805.

(2) *Parking and loading areas.* Parking and loading areas shall be screened from adjacent residential uses by a sight-obscuring fence, wall, or berm, in combination with living plant material. Screening shall conform to the vision clearance requirements set forth in SRC chapter 805.

(g) *Access.* Access to properties within the Oxford/Hoyt Overlay Zone shall be limited as follows:

(1) Driveways serving uses other than single family and two family shall not be allowed onto West Nob Hill Street SE.

(2) Access to Commercial Street SE shall be limited to the following:

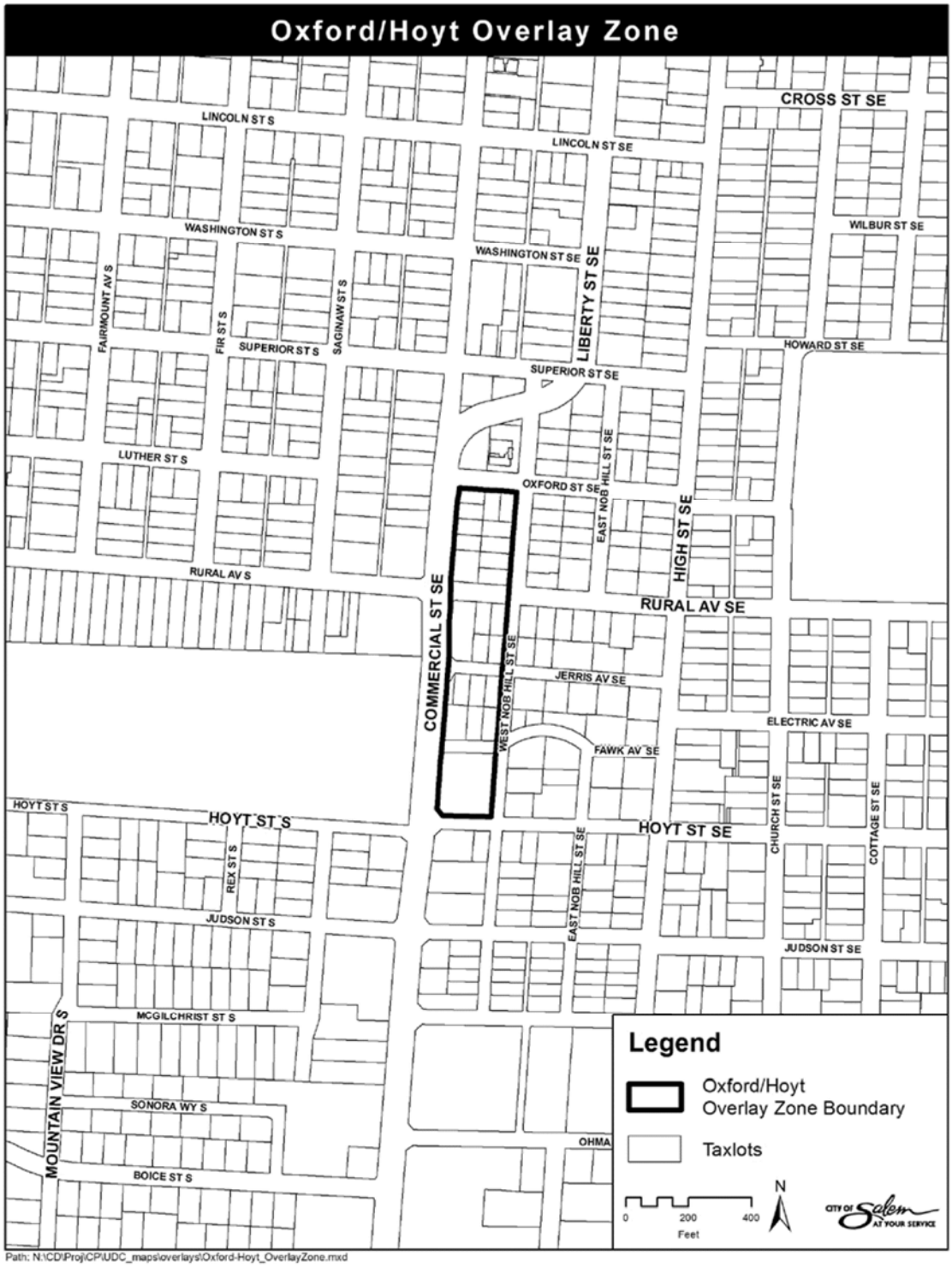
(A) Between Oxford Street SE and Rural Avenue SE. On the block between Oxford Street SE and Rural Avenue SE, access onto Commercial Street SE shall be limited to the two existing driveway approaches.

(B) Between Hoyt Street SE and Fawk Avenue SE. On the block between Hoyt Street SE and Fawk Avenue SE, access to Commercial Street SE shall be limited to one entrance-only driveway approach.

(C) Between Rural Avenue SE and Fawk Avenue SE. On the blocks between Rural Avenue SE and Fawk Avenue SE, no driveway approaches shall be allowed onto Commercial Street SE; provided, however, if lots are developed individually, temporary access from Commercial Street SE to the individually developed lots may be allowed until permanent access to Rural Avenue SE, Jerris Avenue SE, or Fawk Avenue SE is secured. As development or change of use of property occurs, reciprocal and irrevocable easements for access shall be provided by the appropriate property owners to accommodate joint access from each property to Rural Avenue SE, Jerris Avenue SE, or Fawk Avenue SE. The easements shall be recorded with the County.

(h) *Location of off-street parking.* Off-street parking serving uses within the overlay zone shall not be located outside of the overlay zone.

FIGURE 623-1. OXFORD/HOYT OVERLAY ZONE



(Prior Code, § 623.015; Ord. No. 31-13)

CHAPTER 624. HOYT-MCGILCHRIST OVERLAY ZONE

Sec. 624.001. Purpose.

The purpose of the Hoyt/McGilchrist Overlay Zone is to establish development standards that minimize the impacts of nonresidential development on existing residential uses.

(Prior Code, § 624.001; Ord. No. 31-13)

Sec. 624.005. Hoyt/McGilchrist Overlay Zone boundary.

The boundaries of the Hoyt/McGilchrist Overlay Zone are shown in Figure 624-1.

(Prior Code, § 624.005; Ord. No. 31-13)

Sec. 624.010. Uses.

Except as otherwise provided in this section, any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the Hoyt/McGilchrist Overlay Zone.

(a) *Additional prohibited uses.* In addition to the prohibited uses in the underlying zone, any permitted, special, or conditional use within the Hoyt/McGilchrist Overlay Zone shall be a prohibited use within the overlay zone if developed with the following:

(1) Drive-through.

(Prior Code, § 624.010; Ord. No. 31-13)

Sec. 624.015. Development standards.

Change of use or development within the Hoyt/McGilchrist Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) *Orientation.* All activities shall be oriented away from West Nob Hill Street.

(b) *Hours of operation.* Hours of operation shall be limited to 6:00 a.m. to 12:00 midnight.

(c) *Setbacks.* Setbacks within the Hoyt/McGilchrist Overlay Zone shall be provided as set forth in Table 624-1.

TABLE 624-1. SETBACKS

Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
Uses other than single family and two family	Min. 20 ft.	Applicable abutting West Nob Hill Street SE.
Accessory Structures		
Accessory to uses other than single family and two family	Min. 20 ft.	Applicable abutting West Nob Hill Street SE.
Vehicle Use Areas		
Uses other than single family and	Min. 12 ft.	Applicable abutting West Nob Hill Street SE.

TABLE 624-1. SETBACKS		
Requirement	Standard	Limitations & Qualifications
two family		

(d) *Height.* Buildings and accessory structures within the Hoyt/McGilchrist Overlay Zone shall conform to the height standards set forth in Table 624-2.

TABLE 624-2. HEIGHT		
Requirements	Standards	Limitations & Qualifications
Height		
Buildings		
Uses other than single family and two family	Max. 35 ft.	
Accessory Structures		
Accessory to uses other than single family and two family	Max. 35 ft.	

(e) *Landscaping.* Landscaping shall be provided for uses other than single family and two family as set forth in this subsection.

(1) *Generally.* All areas of the lot not developed shall be landscaped. Landscaping shall meet the requirements set forth in SRC chapter 807.

(2) *Landscaping abutting West Nob Hill Street.*

(A) A continuous minimum 12-foot-wide landscape strip shall be provided abutting West Nob Hill Street SE. Sidewalks running perpendicular to the street and utility structures may be located within the 12-foot-wide landscape strip.

(B) Plant materials within the 12-foot-wide landscape strip shall conform to the plant unit (PU) values set forth in Table 624-3, and the number of required plant units set forth in Table 624-4.

(C) The required plant units within the 12-foot-wide landscape strip shall be distributed at a density of not less than three plant units per each 20 linear feet of boundary or lot line.

(D) Landscaping shall conform to the vision clearance requirements set forth in SRC chapter 805.

TABLE 624-3. PLANT UNIT VALUES	
Plant Material	Plant Unit (PU) Value
1 canopy tree	1 PU
1 understory tree	1 PU
1 evergreen/conifer tree	1 PU
1 shrub	1 PU

TABLE 624-4. REQUIRED PLANT UNITS	
Plant Material	Required Plant Units (PU)
Canopy trees	Min. 2 PU per 100 linear feet of boundary or lot line.
Understory trees	Min. 6 PU per 100 linear feet of boundary or lot line.
Evergreen/conifer trees	Min. 6 PU per 100 linear feet of boundary or lot line.
Shrubs	Min. 9 PU per 100 linear feet of boundary or lot line.

(f) *Screening.*

(1) *Screening abutting West Nob Hill Street.* A four-foot-high sight-obscuring fence, wall, or berm shall be provided abutting West Nob Hill Street SE as follows:

(A) The sight-obscuring fence or wall shall be setback 12 feet from West Nob Hill Street.

(B) The sight-obscuring berm shall be located within the landscape strip required under subsection (e) of this section.

(C) The sight-obscuring fence, wall, or berm shall conform to the vision clearance requirements set forth in SRC chapter 805.

(2) *Parking and loading areas.* Parking and loading areas shall be screened from adjacent residential uses by a sight-obscuring fence, wall, or berm, in combination with living plant material. Screening shall conform to the vision clearance requirements set forth in SRC chapter 805.

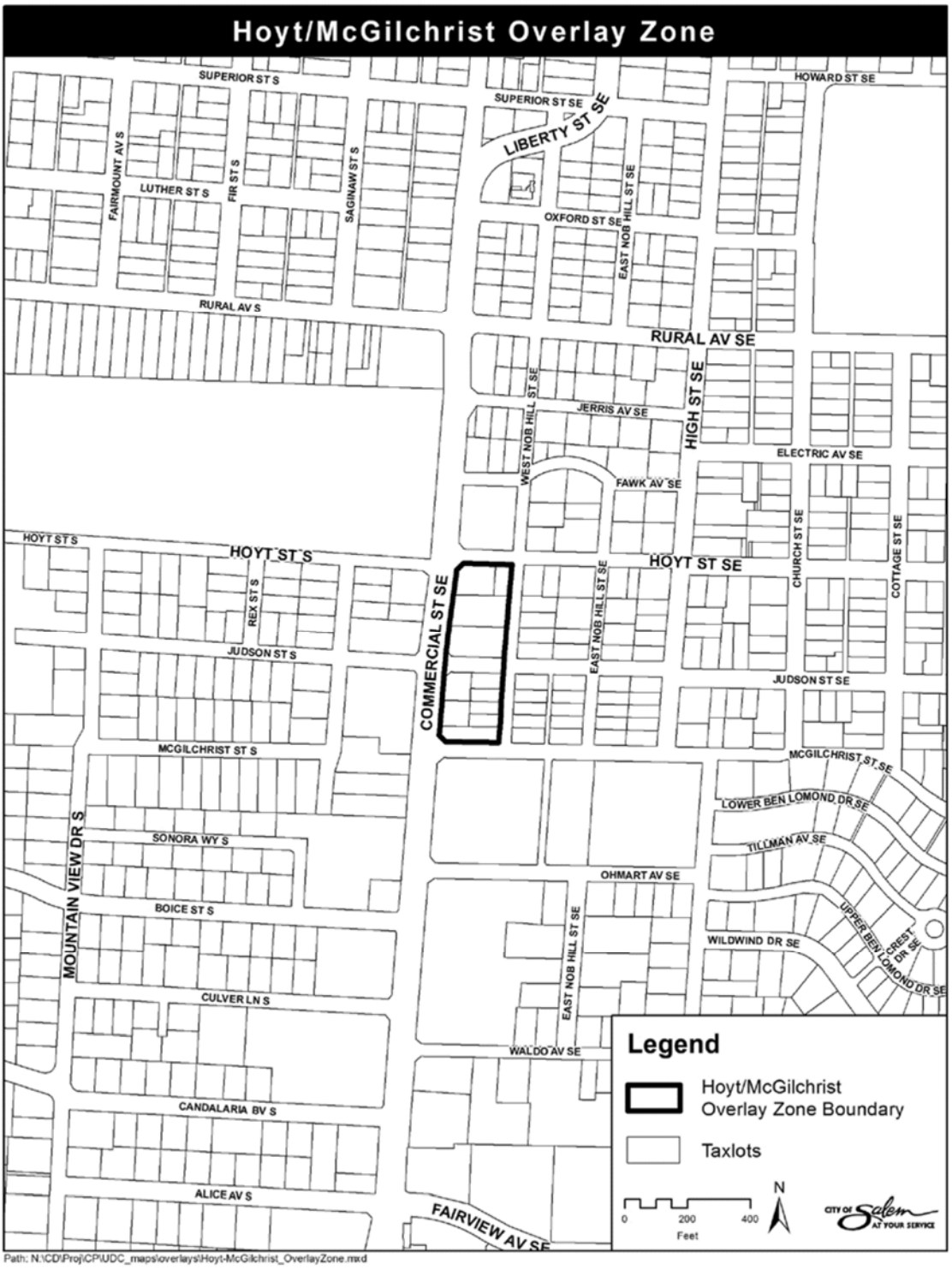
(g) *Access.* Access to properties within the Hoyt/McGilchrist Overlay Zone shall be limited as follows:

(1) All properties with frontage on Commercial Street SE shall be allowed one driveway approach onto Commercial Street SE.

(2) No new driveway approaches shall be allowed onto West Nob Hill Street SE.

(h) *Location of off-street parking.* Off-street parking serving uses within the overlay zone shall not be located outside of the overlay zone.

FIGURE 624-1. HOYT/MCGILCHRIST OVERLAY ZONE



(Prior Code, § 624.015; Ord. No. 31-13)

CHAPTER 625. SAGINAW STREET OVERLAY ZONE

Sec. 625.001. Purpose.

The purpose of the Saginaw Street Overlay Zone is to establish development standards that minimize impacts on residential uses.

(Prior Code, § 625.001; Ord. No. 31-13)

Sec. 625.005. Saginaw Street Overlay Zone boundary.

The boundaries of the Saginaw Street Overlay Zone are shown in Figure 625-1.

(Prior Code, § 625.005; Ord. No. 31-13)

Sec. 625.010. Uses.

Any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the Saginaw Street Overlay Zone.

(Prior Code, § 625.010; Ord. No. 31-13)

Sec. 625.015. Development standards.

Change of use or development within the Saginaw Street Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) *Setbacks.* Setbacks within the Saginaw Street Overlay Zone shall be provided as set forth in Table 625-1.

TABLE 625-1. SETBACKS

Requirements	Standards	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	Min. 30 ft.	
Accessory Structures		
Accessory to all uses	Min. 30 ft.	
Vehicle Use Areas		
All uses	Min. 5 ft.	Applicable abutting Kearney Street SE and Bush Street SE.
	Min. 12 ft.	Applicable abutting all other streets.
Abutting Alley		
Buildings		
All uses	None	
Accessory Structures		
Accessory to all uses	None	

TABLE 625-1. SETBACKS		
Requirements	Standards	Limitations & Qualifications
Vehicle Use Areas		
All uses	None	

(b) *Height.* Buildings and accessory structures within the Saginaw Street Overlay Zone shall conform to the height standards set forth in Table 625-2.

TABLE 625-2. HEIGHT		
Requirements	Standards	Limitations & Qualifications
Height		
Buildings		
All uses	Max. 35 ft.	
Accessory Structures		
Accessory to all uses	Max. 35 ft.	

(c) *Landscaping.* All areas of the lot not developed shall be landscaped. Landscaping shall meet the requirements set forth in SRC chapter 807.

(d) *Screening.*

(1) Nonresidential uses shall be screened along Saginaw Street by a minimum six-foot-high sight-obscuring hedge. The sight-obscuring hedge shall be of a species capable of attaining a height of eight feet within two years after planting. The sight-obscuring hedge shall conform to the vision clearance requirements set forth in SRC chapter 805.

(2) Nonresidential uses shall be screened from abutting residentially zoned lots, and residential uses on abutting lots, by a minimum six-foot-high sight-obscuring hedge. The sight-obscuring hedge shall be of a species capable of attaining a height of eight feet within two years after planting.

(e) *Access.*

(1) Access may be provided directly from an alley.

(2) No driveway serving a nonresidential use shall be permitted onto Saginaw Street.

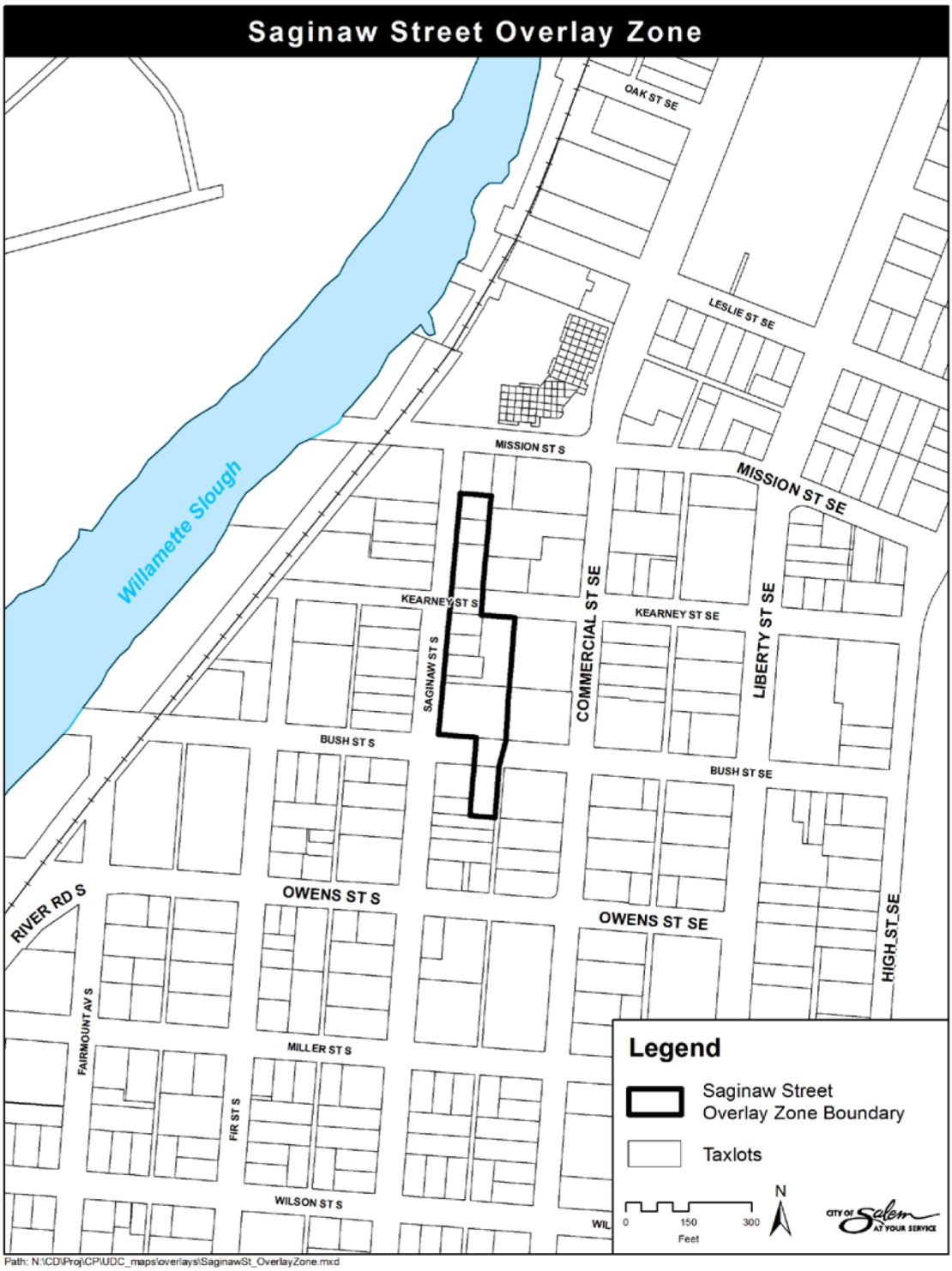
(3) No driveway serving a nonresidential use shall be permitted onto Bush Street if alley access to serve the nonresidential use is available.

(4) No driveway approach serving a nonresidential use shall be located within 100 feet of the intersection of Bush Street and Saginaw Street.

(5) No driveway approach serving a nonresidential use shall be located within 100 feet of the intersection of Kearney Street and Saginaw Street.

(f) *Trees.* Trees with a dbh of ten inches or greater shall be preserved wherever possible.

FIGURE 625-1. SAGINAW STREET OVERLAY ZONE



(Prior Code, § 625.015; Ord. No. 31-13)

CHAPTER 626. COMMERCIAL HIGH-DENSITY RESIDENTIAL OVERLAY ZONE

Sec. 626.001. Purpose.

The purpose of the Commercial/High Density Residential Overlay Zone is to identify allowed uses and to establish development standards that accommodate commercial, office, and small warehouse uses, while promoting high density residential development.

(Prior Code, § 626.001; Ord. No. 31-13)

Sec. 626.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Mixed-use development*~~:~~ means a combination of uses in two or more of the following use categories within a single building, or within separate buildings on the same lot or contiguous lots:

~~(1)~~ (a) Household living;

~~(2)~~ (b) Lodging;

~~(3)~~ (c) Retail sales and service;

~~(4)~~ (d) Business and professional services;

~~(5)~~ (e) Health services; or

~~(6)~~ (f) Civic services.

(Prior Code, § 626.005; Ord. No. 31-13)

Sec. 626.010. Commercial/High Density Residential Overlay Zone boundary.

The boundaries of the Commercial/High Density Residential Overlay Zone are shown in Figure 626-1.

(Prior Code, § 626.010; Ord. No. 31-13)

Sec. 626.015. Uses.

(a) *General.* Except as otherwise provided in this section, the uses set forth in Table 626-1 shall be the only permitted (P), special (S), conditional (C), and prohibited (N) uses in the Commercial/High Density Residential Overlay Zone.

TABLE 626-1. USES

Use	Status	Limitations & Qualifications
Household Living		
Single family	P	Residential home, as defined under ORS 197.660.
	N	All other single family.
Two family	N	
Multiple family	P	
Group Living		
Room and board	P	Room and board serving 5 or fewer persons.
	N	All other room and board.

TABLE 626-1. USES		
Use	Status	Limitations & Qualifications
Residential care	P	
Nursing care	S	Nursing care, subject to SRC 700.~~040.~~045.
Lodging		
Short-term commercial lodging	P	
Long-term commercial lodging	P	
Nonprofit shelters	P	
Retail Sales and Service		
Eating and drinking establishments	P	
Retail sales	N	The following retail sales activities: □ Lumber and building materials dealers. □ Hardware stores. □ Lawn and garden supply stores. □ Auto supply stores. □ Meat and seafood markets, where live animals are sold or processed. □ Used merchandise stores, where sales and storage of merchandise and equipment is not conducted entirely within a building.
	P	All other retail sales.
Personal services	P	
Postal services and retail financial services	P	
Business and Professional Services		
Office	P	
Audio/visual media production	N	
Laboratory research and testing	N	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	Gas stations.
	C	All other motor vehicle services.
Commercial parking	P	
Park-and-ride facilities	N	
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	

TABLE 626-1. USES		
Use	Status	Limitations & Qualifications
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	C	Nightclubs, located within 200 feet of a residential zone.
	P	All other commercial entertainment—indoor.
Commercial entertainment—outdoor	P	
Major event entertainment	N	
Recreational and cultural community services	P	
Parks and open space	P	
Nonprofit membership assembly	P	
Religious assembly	P	
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	P	
Educational Services		
Day care	P	The following day care activities: □ Child day care home. □ Adult day care home.
	C	The following day care activities: □ Child day care center. □ Adult day care center.
	N	All other day care.
Basic education	P	
Post-secondary and adult education	P	
Civic Services		
Governmental services	P	
Social services	P	
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	P	
Detention facilities	N	

TABLE 626-1. USES		
Use	Status	Limitations & Qualifications
Military installations	P	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	P	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	P	
Building and grounds services and construction contracting	N	
Cleaning plants	N	
Industrial services	N	
Wholesale Sales, Storage, and Distribution		
General wholesaling	N	The following general wholesaling activities: □ Automobile, and other motor vehicle, and trailer wholesalers. □ Manufactured dwelling wholesalers. □ Motor vehicle supplies and parts wholesalers. □ Non-consumer electronics and electrical supplies wholesalers. □ Heating and cooling equipment and supplies wholesalers. □ Industrial and commercial supplies wholesalers. □ Toys and sporting goods wholesalers. □ Meat, fish, and poultry product wholesalers. □ Farm supplies wholesalers. □ Paint and varnish wholesalers. □ Tobacco product wholesalers.
	P	All other general wholesaling.
Heavy wholesaling	N	
Warehousing and distribution	P	
Self-service storage	P	
Manufacturing		
General manufacturing	N	
Heavy manufacturing	N	
Printing	P	
Transportation Facilities		
Aviation facilities	N	

TABLE 626-1. USES		
Use	Status	Limitations & Qualifications
Passenger ground transportation facilities	P	Transit stop shelters.
	N	All other passenger ground transportation facilities.
Marine facilities	N	
Utilities		
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed subject to SRC chapter 703.
Drinking water treatment facilities	N	
Power generation facilities	N	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	N	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	
Forestry	N	
Agriculture and forestry services	N	
Keeping of livestock and other animals	N	
Animal services	N	
Other Uses		
Temporary uses	P	Replacement single family dwelling is permitted, subject to SRC ~~701.025~~ 701.020.
Home occupations	S	Home occupations are allowed, subject to SRC 700.020
Historic resource adaptive reuse pursuant to SRC chapter 230	Allowed	Historic resource adaptive reuse pursuant SRC chapter 230 is allowed, subject to SRC 230.085

(b) *Additional conditional uses.* In addition to the uses set forth in Table 626-1, any permitted, special, or conditional use within the Commercial/High Density Residential Overlay Zone shall be a conditional use within the overlay zone if developed with the following:

(1) Drive-through.

(c) *Continued uses.* Uses existing within the Commercial/High Density Residential Overlay Zone that were allowed as permitted, special, or conditional uses on November 30, 1998, but which would otherwise be made

nonconforming uses by this chapter, are hereby deemed continued uses. The owner shall have the burden to demonstrate continued use status under this subsection.

(1) A continued use may be intensified, and buildings or structures housing a continued use may be ~~may be~~ enlarged, rebuilt, or the exterior altered, provided such intensification, enlargement, rebuilding, or exterior alteration complies with all applicable standards in the underlying zone.

(2) A continued use may be extended onto other properties within the Commercial/High Density Residential Overlay Zone. The extension of a continued use onto other properties within the Commercial/High Density Residential Overlay Zone must comply with all applicable standards in the underlying zone.

(3) A continued use may be changed to any use that is allowed in the Commercial/High Density Residential Overlay Zone. Such change of use shall terminate the continued use status conferred by this subsection and the property must thereafter only be used for uses allowed in the Commercial/High Density Residential Overlay Zone.

(4) A determination by the Building Official that the building or structure housing a continued use is derelict or dangerous, as defined in SRC 50.600 and 56.230, shall terminate continued use status conferred by this subsection and the property may thereafter only be used for uses allowed in the Commercial/High Density Residential Overlay Zone.

(Prior Code, § 626.015; Ord. No. 31-13; Ord. No. 22-15, § 27, 11-23-2015)

Sec. 626.020. Development standards.

Development with the Commercial/High Density Residential Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) *Continued development.* Buildings and structures existing within the Commercial/High Density Residential Overlay Zone that conformed to the development standards existing on November 30, 1998, but which would otherwise be made nonconforming development by this chapter, are hereby deemed continued development. The owner shall have the burden to demonstrate continued development status under this subsection.

(1) Continued development may be enlarged, rebuilt, or the exterior altered, provided such enlargement, rebuilding, or exterior alteration complies with all applicable standards in the underlying zone.

(2) Continued development may be extended onto other properties within the Commercial/High Density Residential Overlay Zone. The extension of continued development onto other properties within the Commercial/High Density Residential Overlay Zone must comply with all applicable standards in the underlying zone.

(3) A determination by the Building Official that a continued development is derelict or dangerous, as defined in SRC 50.600 and 56.230, shall terminate the continued development status conferred by this subsection and the building or structure shall thereafter be deemed a nonconforming development.

(b) *Development density.* Development within the Commercial/High Density Residential Overlay Zone shall conform to the density standards set forth in Table 626-2. Dwelling unit density cannot be varied or adjusted.

TABLE 626-2. DEVELOPMENT DENSITY		
Requirements	Standard	Limitations & Qualifications
Development Density		
Multiple family	Min. 14 dwelling units per acre	
All other uses	Min. 0.6 FAR	Applicable to lots less than 32,000 sq. ft. in size.
	Min. 0.75 FAR	Applicable to lots 32,000 sq. ft. or greater in size.

(c) *Dwelling units required.* Development on lots with frontage on Fourth Street NE shall provide residential dwelling units meeting the residential density requirements of Table 626-2 if:

(1) The lot is greater than 32,000 square feet in size;

(2) The lot is vacant; or

(3) A use is expanded by more than 50 percent of the ground floor area.

(d) *Setbacks.* Setbacks within the Commercial/High Density Residential Overlay Zone shall be provided as set forth in Table 626-3.

TABLE 626-3. SETBACKS		
Requirements	Standards	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	None	
Accessory Structures		
Accessory to all uses	None	
Interior Front		
Buildings		
All uses	None	
Accessory Structures		
Accessory to all uses	None	
Interior Side		
Buildings		
All uses	None	
Accessory Structures		
Accessory to all uses	None	
Interior Rear		
Buildings		
All uses	Min. 5 ft.	

TABLE 626-3. SETBACKS		
Requirements	Standards	Limitations & Qualifications
Accessory Structures		
Accessory to all uses	Min. 5 ft.	

(e) *Height.* Buildings and accessory structures within the Commercial/High Density Residential Overlay Zone shall conform to the height standards set forth in Table 626-4.

TABLE 626-4. HEIGHT		
Requirements	Standards	Limitations & Qualifications
Height		
Buildings		
Multiple family	No Max.	
All other uses	Max. 50 ft.	
	No Max.	Applicable to mixed-use developments.
Accessory Structures		
Accessory to multiple family	No Max.	
Accessory to all other uses	Max. 50 ft.	
	No Max.	Applicable to mixed-use developments.

(f) *Screening.*

(1) Uses shall be screened from abutting residentially zoned lots, and residential uses on abutting lots, by a minimum six-foot-high sight-obscuring fence, wall, or hedge.

(2) Concertina or barbed wire fencing shall be screened from adjacent properties and abutting streets by sight-obscuring landscaping.

(g) *Outdoor storage.* Outdoor storage of materials and equipment is prohibited.

(Prior Code, § 626.020; Ord. No. 31-13)

Sec. 626.025. Design review.

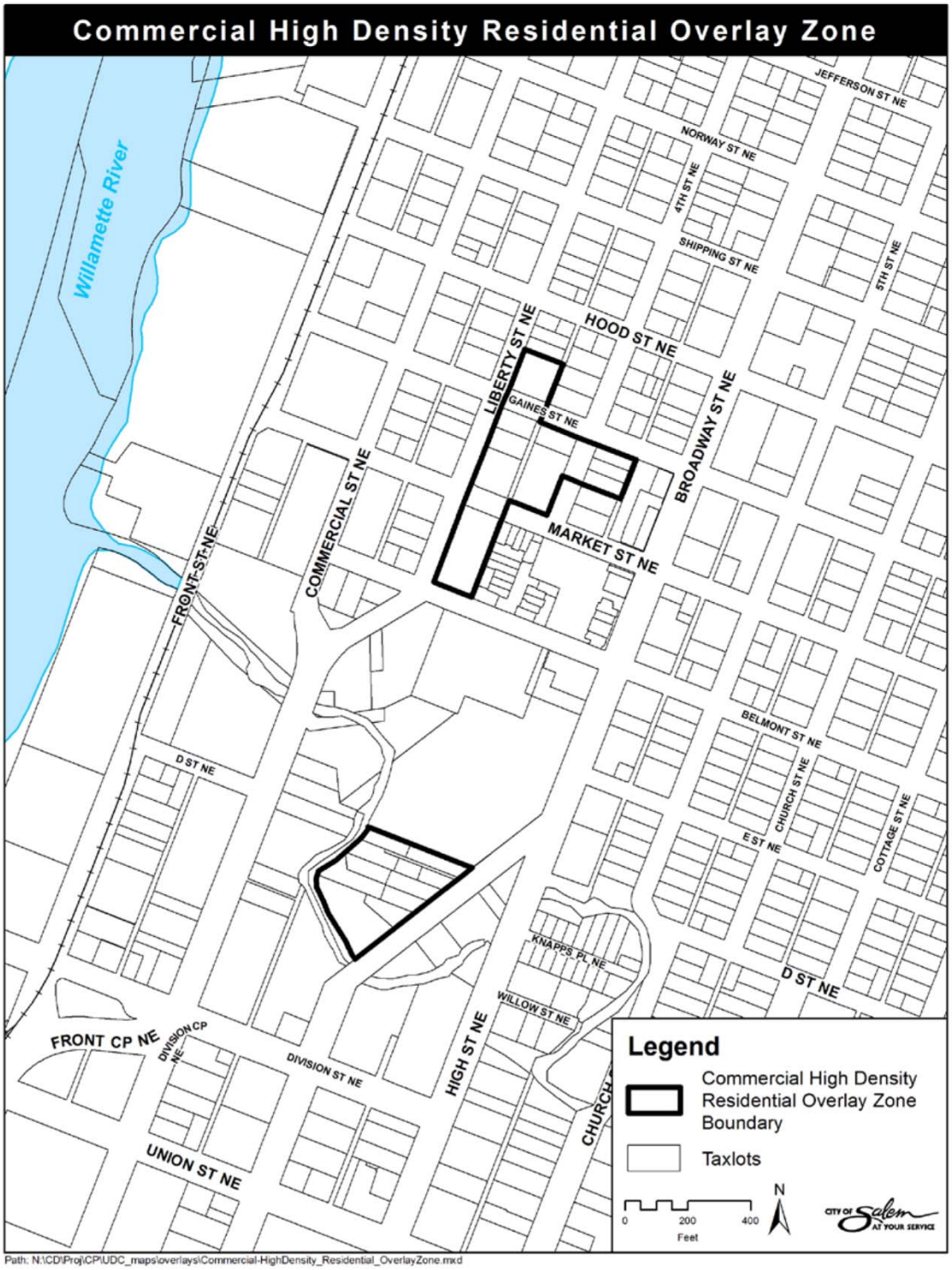
Design review under SRC chapter 225 is required for development within the Commercial/High Density Residential Overlay Zone as follows:

(a) Multiple family development, other than multiple family development within a mixed-use building, shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(b) Multiple family development within a mixed-use building shall not be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

(c) Residential care with three or more self-contained dwelling units shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702.

FIGURE 626-1. COMMERCIAL/HIGH DENSITY RESIDENTIAL OVERLAY ZONE



(Prior Code, § 626.025; Ord. No. 31-13)

CHAPTER 627. 22ND AND ELECTRIC OVERLAY ZONE

Sec. 627.001. Purpose.

The purpose of the 22nd and Electric Overlay Zone is to allow the continuation of existing single family and two family uses on IG zoned properties within the vicinity of 22nd Street SE and Electric Street SE until such time those uses are converted to uses other than single family and two family.

(Prior Code, § 627.001; Ord. No. 31-13)

Sec. 627.005. 22nd and Electric Overlay Zone boundary.

The boundaries of the 22nd and Electric Overlay Zone are shown in Figure 627-1.

(Prior Code, § 627.005; Ord. No. 31-13)

Sec. 627.010. Uses.

Except as otherwise provided in this section, any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the 22nd and Electric Overlay Zone.

(a) *Continued uses.* Single family and two family uses, specifically single family detached dwellings, manufactured dwellings, and duplexes, existing within the 22nd and Electric Overlay Zone on January 1, 1988, but which would otherwise be made nonconforming uses in the General Industrial (IG) Zone, are hereby deemed continued uses. The owner shall have the burden to demonstrate continued use status under this subsection.

(1) Buildings or structures housing a continued use may be structurally altered, enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with all applicable standards in this chapter and with all applicable standards of the UDC.

(2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for that use; provided, however, conversion of the building or structure to another use shall thereafter prevent conversion back to that use.

(Prior Code, § 627.010; Ord. No. 31-13)

Sec. 627.015. Development standards.

Except as otherwise provided in this section, development within the 22nd and Electric Overlay Zone must comply with the development standards applicable in the underlying zone.

(a) *Development standards for continued uses.* In-lieu of complying with the development standards applicable in the underlying zone, continued uses shall comply with the development standards set forth in this subsection.

(1) *Lot standards.* Lots for continued uses within the 22nd and Electric Overlay Zone shall conform to the standards set forth in Table 627-2.

TABLE 627-2. LOT STANDARDS

Requirement	Standard	Limitations & Qualifications
Lot Area		
Single family	Min. 4,000 sq. ft.	
Two family	Min. 7,000 sq. ft.	
Lot Width		
Single family and two family	Min. 40 ft.	

TABLE 627-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Depth		
Single family and two family	Min. 70 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	Max. 300% of average lot width	
Street Frontage		
Single family and two family	Min. 40 ft.	

(2) *Setbacks.* Setbacks for continued uses within the 22nd and Electric Overlay Zone shall be provided as set forth in Table 627-3.

TABLE 627-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
Single family and two family	Min. 12 ft.	
	Min. 20 ft.	Applicable along collector or arterial streets.
Accessory structures		
Accessory to single family and two family	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height
	Min. 20 ft.	Applicable to accessory structures greater than 4 ft. in height when located in a yard adjacent to a collector or arterial street.
Interior Front		
Buildings		
Single family and two family	Min. 12 ft.	
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height
Interior Side		
Buildings		
Single family	Min. 3 ft.	Applicable to existing buildings.
	Min. 5 ft.	Applicable to replacement buildings.

TABLE 627-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Two family	Min. 5 ft.	
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.
Interior Rear		
Buildings		
Single family and two family	Min. 14 ft.	Applicable to any portion of a building not more than 1 story in height.
	Min. 20 ft.	Applicable to any portion of a building greater than 1 story in height.
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures not more than 9 ft. in height.
	Min. 1 ft. for each 1 ft. of height over 9 ft.	Applicable to accessory structures greater than 9 ft. in height.
	Min. 1 ft.	Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure.

(3) *Lot coverage; height.* Continued uses within the 22nd and Electric Overlay Zone shall conform to the lot coverage and height standards set forth in Table 627-4.

TABLE 627-4. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
Single family and two family	Max. 60%	
Rear Yard Coverage		
Buildings		
Single family and two family	N/A	
Accessory Structures		
Accessory to single family and two family	Max. 25%	
Height		
Buildings		
Single family and two family	Max. 28 ft. or	Applicable to existing buildings.

TABLE 627-4. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
	existing building height, whichever is greater	
	Max. 35 ft.	Applicable to replacement buildings.
Accessory Structures		
Accessory to single family and two family	Max. 15 ft.	

(4) *Maximum square footage for all accessory structures.* In addition to the maximum coverage requirements established under Table 627-4, accessory structures for continued uses within the 22nd and Electric Overlay Zone shall conform to the maximum aggregate total square footage set forth in Table 627-5.

TABLE 627-5. MAXIMUM SQUARE FOOTAGE FOR ALL ACCESSORY STRUCTURES	
Main Building Gross Area	Maximum Aggregate Total Square Footage for All Accessory Structures
1,200 square feet or less	600 sq. ft.
Greater than 1,200 square feet	1,000 sq. ft. or 50% of main building gross area, whichever is less.

(5) *Garages required.*

(A) Except as otherwise provided in SRC 627.015(a)(6)(F) for manufactured dwellings, each dwelling constructed after February 8, 2006, within the 22nd and Electric Overlay Zone shall have, at the time of original construction, a garage that is constructed of like materials and color as the dwelling. The garage may be attached to or detached from the dwelling. Nothing in this section shall prevent subsequent removal or conversion of a garage, so long as the minimum number of required off-street parking spaces is provided.

(B) Exception to this standard may be made if, at the time of building permit review, the applicant can show that the construction of the dwelling is being provided by a not-for-profit organization and that the dwelling is affordable to families at or below the City's 60 percent median income level, as defined by the U.S. Department of Housing and Urban Development. Such exemption shall only be made for those dwellings built on lots created through the subdivision process. Provision shall be made for a minimum of 480 cubic feet of on-site storage in a portion of the dwelling unit or in a detached accessory structure.

(6) *Additional standards for manufactured dwellings.* In addition to the other standards applicable to continued uses set forth in this chapter, manufactured dwellings shall conform to the following:

(A) Manufactured dwellings shall be multi-sectional and enclose a space of not less than 860 square feet.

(B) Manufactured dwellings shall be placed on an excavated and back-filled foundation, and enclosed continuously at the perimeter with material comparable to the predominant materials used in foundations of surrounding dwellings.

(C) Manufactured dwellings shall have a pitched roof, with a slope not less than a nominal three

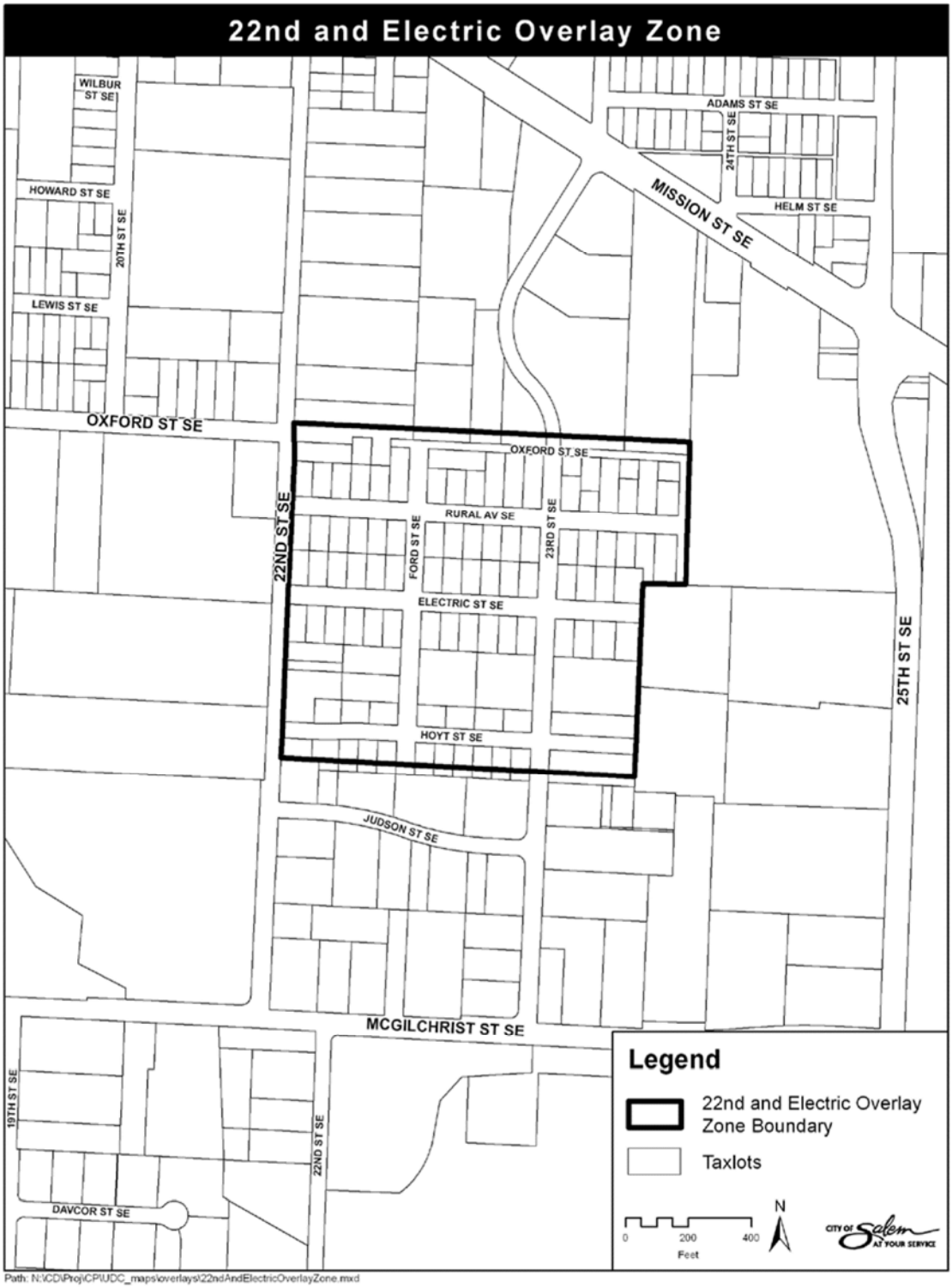
feet in height for each 12 feet in width.

(D) Manufactured dwellings shall have exterior siding and roofing which in color, material, and appearance is similar to the exterior siding and roofing commonly used on residential dwellings within the community, or which is comparable to the predominant materials used on surrounding dwellings.

(E) Manufactured dwellings shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards equivalent to the performance standards required of single family dwellings constructed under the State Building Code as defined in ORS 455.010.

(F) Manufactured dwellings shall have a garage or carport constructed of like materials.

FIGURE 627-1. 22ND AND ELECTRIC OVERLAY ZONE



(Prior Code, § 627.015)

CHAPTER 628. STATE STREET OVERLAY ZONE

Sec. 628.001. Purpose.

The purpose of the State Street Overlay Zone is to establish additional permitted office and specialty service uses that are compatible with the uses in the surrounding corridor.

(Prior Code, § 628.001; Ord. No. 31-13)

Sec. 628.005. State Street Overlay Zone boundary.

The boundaries of the State Street Overlay Zone are shown in Figure 628-1.

(Prior Code, § 628.005; Ord. No. 31-13)

Sec. 628.010. Uses.

Except as otherwise provided in this section, any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the State Street Overlay Zone.

(a) *Additional permitted uses.* The uses set forth in Table 628-1 are additional permitted (P) uses in the State Street Overlay Zone.

TABLE 628-1. ADDITIONAL PERMITTED USES

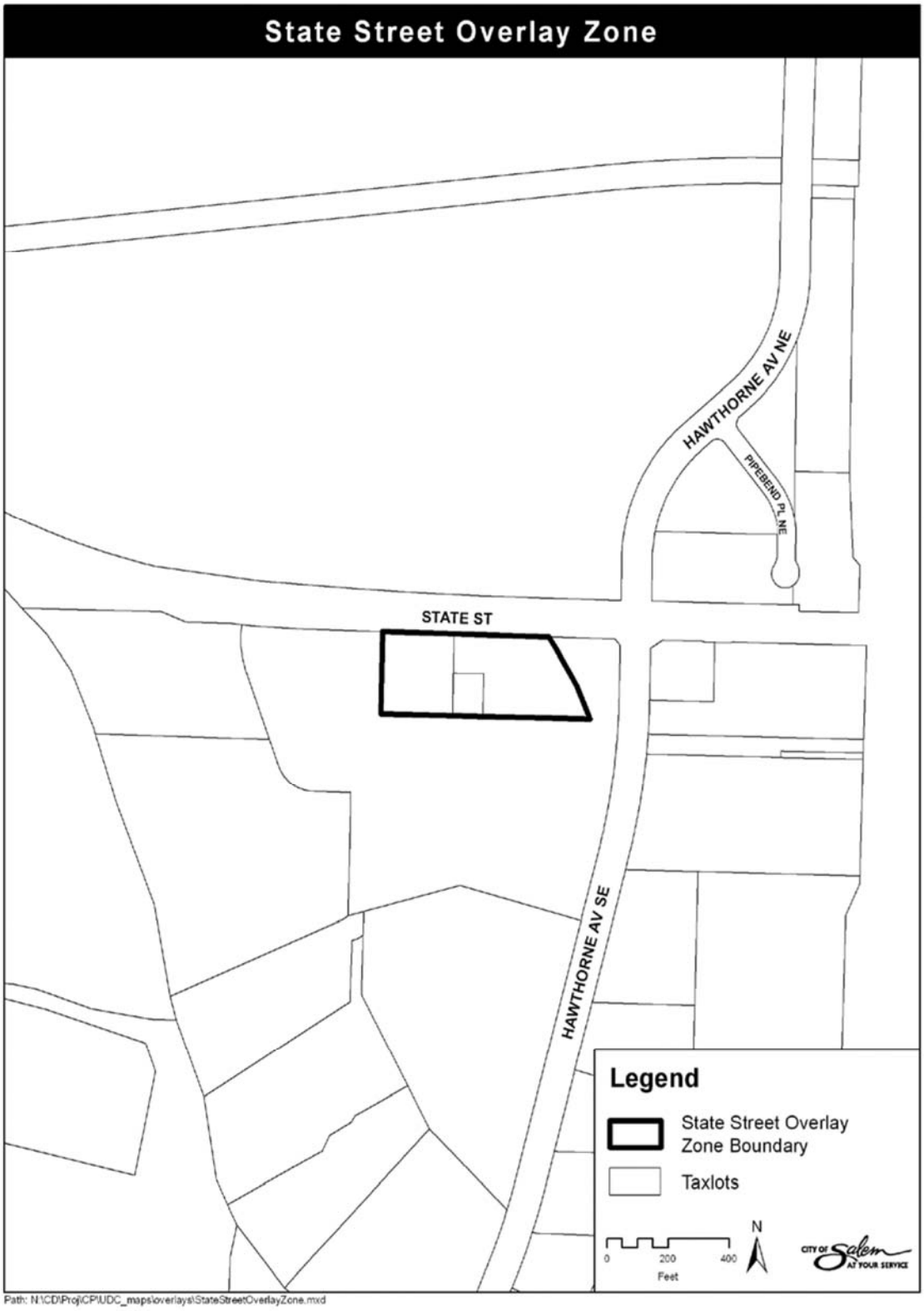
Use	Status	Limitations & Qualifications
Business and Professional Services		
Office	P	
Health Services		
Outpatient medical services and laboratories	P	
Educational Services		
Basic education	P	
Post-secondary and adult education	P	
Civic Services		
Governmental services	P	
Social services	P	Only the following social services activities are allowed as additional permitted uses: □ Job training and vocational rehabilitation services.

(Prior Code, § 628.010)

Sec. 628.015. Development standards.

Development within the State Street Overlay Zone must comply with the development standards applicable in the underlying zone.

FIGURE 628-1. STATE STREET OVERLAY ZONE



(Prior Code, § 628.015; Ord. No. 31-13)

CHAPTER 629. MCNARY FIELD OVERLAY ZONE

Sec. 629.001. Purpose.

The purpose of the McNary Field Overlay Zone is to identify additional permitted uses that are compatible with the McNary Field Airport Master Plan.

(Prior Code, § 629.001; Ord. No. 31-13)

Sec. 629.005. McNary Field Overlay Zone boundary.

The boundaries of the McNary Field Overlay Zone are shown in Figure 629-1.

(Prior Code, § 629.005; Ord. No. 31-13)

Sec. 629.010. Uses.

Except as otherwise provided in this section, any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the McNary Field Overlay Zone.

(a) *Additional permitted uses.* The uses set forth in Table 629-1 are additional permitted (P) uses in the McNary Field Overlay Zone.

TABLE 629-1. ADDITIONAL PERMITTED USES

Use	Status	Limitations & Qualifications
Lodging		
Short-term commercial lodging	P	
Retail Sales and Service		
Personal services	P	
Postal services and retail financial services	P	Only the following postal services and retail financial Services activities are allowed as additional permitted uses: □ Banks, credit unions, and other customer-oriented facilities for financial institutions.
Business and Professional Services		
Office	P	
Audio/visual media production	P	
Laboratory research and testing	P	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services		
Motor vehicle and manufactured dwelling and trailer sales	P	Only the following motor vehicle and manufactured dwelling and trailer sales activities are allowed as additional permitted uses: □ Automotive rental and leasing.
Heavy vehicle and trailer sales	P	Only the following heavy vehicle and trailer sales activities are allowed as additional permitted uses: □ Truck rental and leasing.
Recreation, Entertainment, and Cultural Services and Facilities		
Nonprofit membership assembly	P	

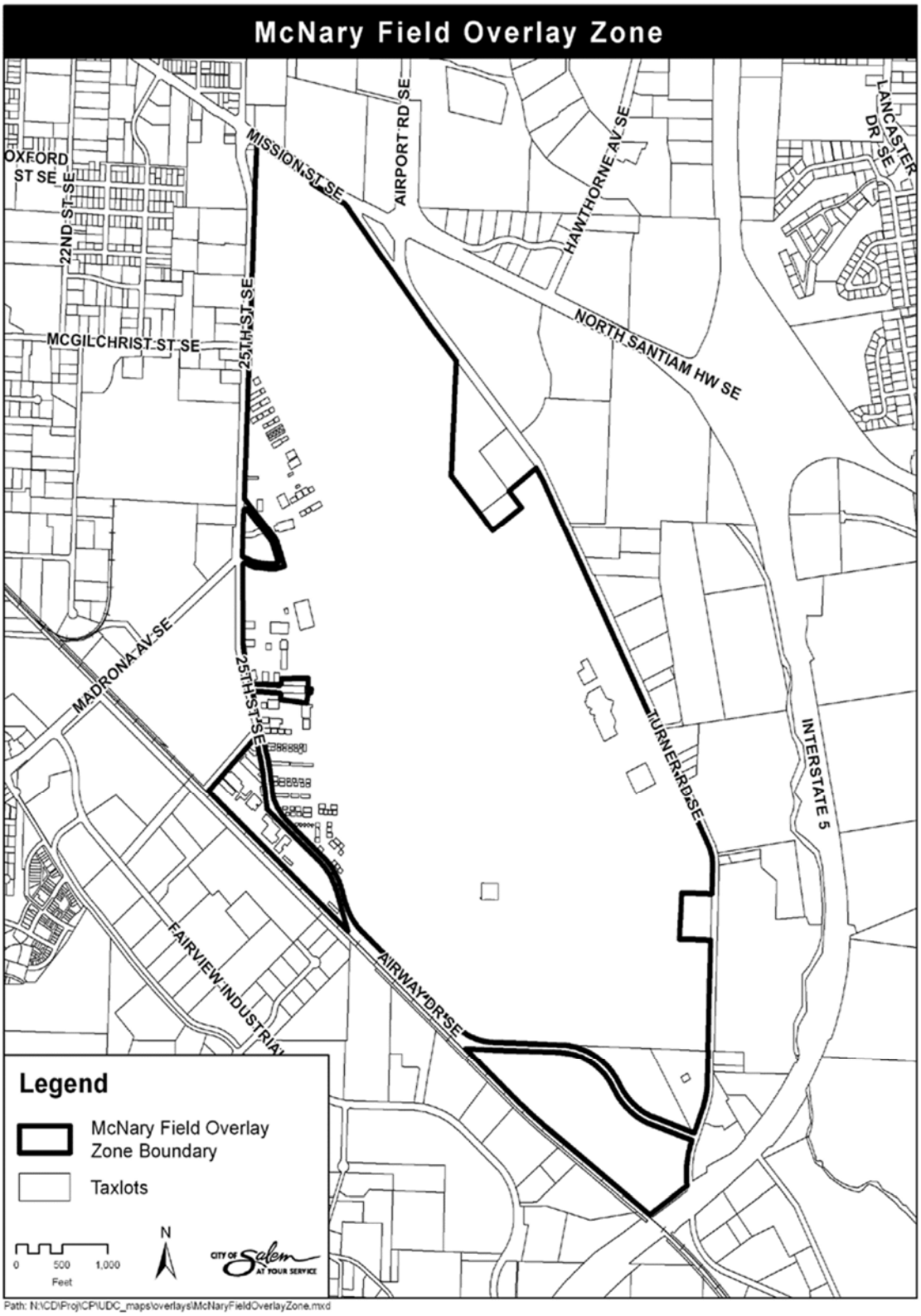
TABLE 629-1. ADDITIONAL PERMITTED USES		
Use	Status	Limitations & Qualifications
Religious assembly	P	
Construction Contracting, Repair, Maintenance, and Industrial Services		
Building and grounds services and construction contracting	P	
Cleaning plants	P	
Wholesale Sales, Storage, and Distribution		
Heavy wholesaling	P	Only the following heavy wholesaling activities are allowed as additional permitted uses: □ Petroleum and petroleum products.
Warehousing and distribution	P	Only the following warehousing and distribution activities are allowed as additional permitted uses: □ Services related to freight movement.
Manufacturing		
General manufacturing	P	Only the following general manufacturing activities are allowed as additional permitted uses: □ Motor vehicles and motor vehicle parts and equipment. □ Aircraft and aircraft parts and equipment. □ Computers and computer equipment. □ Office machines and equipment. □ Household appliances. □ Consumer electronics. □ Electronic equipment, components, and accessories. □ Navigation equipment. □ Audio and video equipment. □ Electric lighting and wiring equipment.
Transportation Facilities		
Aviation facilities	P	

(Prior Code, § 629.010; Ord. No. 31-13)

Sec. 629.015. Development standards.

Development within the McNary Field Overlay Zone must comply with the development standards applicable in the underlying zone.

FIGURE 629-1. MCNARY FIELD OVERLAY ZONE



(Prior Code, § 629.015; Ord. No. 31-13)

CHAPTER 630. SOUTH GATEWAY OVERLAY ZONE

Sec. 630.001. Purpose.

The purpose of the South Gateway Overlay Zone is to identify allowed uses and to establish development standards to enhance the area's role as the southern gateway into the City.

(Prior Code, § 630.001; Ord. No. 31-13)

Sec. 630.005. South Gateway Overlay Zone boundary.

The boundaries of the South Gateway Overlay Zone are shown in Figure 630-1. The requirements set forth in this chapter shall apply only to development on lots within the boundaries of the South Gateway Overlay Zone that are adjacent to Commercial Street SE, or that have access to Commercial Street SE through one or more lots adjacent to Commercial Street SE.

(Prior Code, § 630.005; Ord. No. 31-13)

Sec. 630.010. Uses.

Except as otherwise provided in this section, any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the South Gateway Overlay Zone.

(a) *Continued uses.* Uses existing within the South Gateway Overlay Zone that were allowed as permitted, special, or conditional uses on December 16, 2002, but which would otherwise be made nonconforming uses by this chapter, are hereby deemed continued uses. The owner shall have the burden to demonstrate continued use status under this subsection.

(1) A continued use may be intensified, and buildings or structures housing a continued use may be ~~may be~~ enlarged, rebuilt, or the exterior altered, provided such intensification, enlargement, rebuilding, or exterior alteration complies with all applicable standards in this chapter and with all applicable standards of the UDC.

(2) A continued use may be extended onto any contiguous vacant land under the same ownership if such land was held under the same ownership on December 16, 2002, and has been maintained under the same ownership continuously thereafter. The extension of a continued use onto any contiguous vacant land under the same ownership must comply with all applicable standards in this chapter and with all applicable standards of the UDC.

(3) A continued use may be changed to any use that is allowed in the South Gateway Overlay Zone. Such change of use shall terminate the continued use status conferred by this subsection and the property must thereafter only be used for uses allowed in the South Gateway Overlay Zone.

(4) A determination by the Building Official that a building or structure housing a continued use is derelict or dangerous, as defined in SRC 50.600 and ~~SRC~~ 56.230, shall terminate the continued use status conferred by this subsection and the property may thereafter only be used for uses allowed in the South Gateway Overlay Zone.

(b) *Additional conditional uses.*

(1) The uses set forth in Table 630-1, when allowed in the underlying zone, shall be additional conditional (C) uses within the South Gateway Overlay Zone.

TABLE 630-1. ADDITIONAL CONDITIONAL USES

Use	Status	Limitations & Qualifications
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Motor vehicle services	C	

TABLE 630-1. ADDITIONAL CONDITIONAL USES		
Use	Status	Limitations & Qualifications
Commercial parking	C	
Park-and-ride facilities	C	
Heavy vehicle and trailer service and storage	C	

(2) In addition to the uses set forth in Table 630-1, any permitted, special, or conditional use within the South Gateway Overlay Zone shall be a conditional use within the overlay zone if developed with the following:

(A) Outside storage and parking for professional and commercial equipment.

(c) *Additional prohibited uses.* In addition to the prohibited uses in the underlying zone, the uses set forth in Table 630-2 are additional prohibited (N) uses in the South Gateway Overlay Zone.

TABLE 630-2. ADDITIONAL PROHIBITED USES		
Use	Status	Limitations & Qualifications
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Motor vehicle and manufactured dwelling and trailer sales	N	

(Prior Code, § 630.010; Ord. No. 31-13)

Sec. 630.015. Development standards.

Development within the South Gateway Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standards.

(a) *Continued development.* Buildings and structures existing within the South Gateway Overlay Zone that conformed to the development standards existing on December 16, 2002, but which would otherwise be made nonconforming development by this chapter, are hereby deemed continued development. The owner shall have the burden to demonstrate continued development status under this subsection.

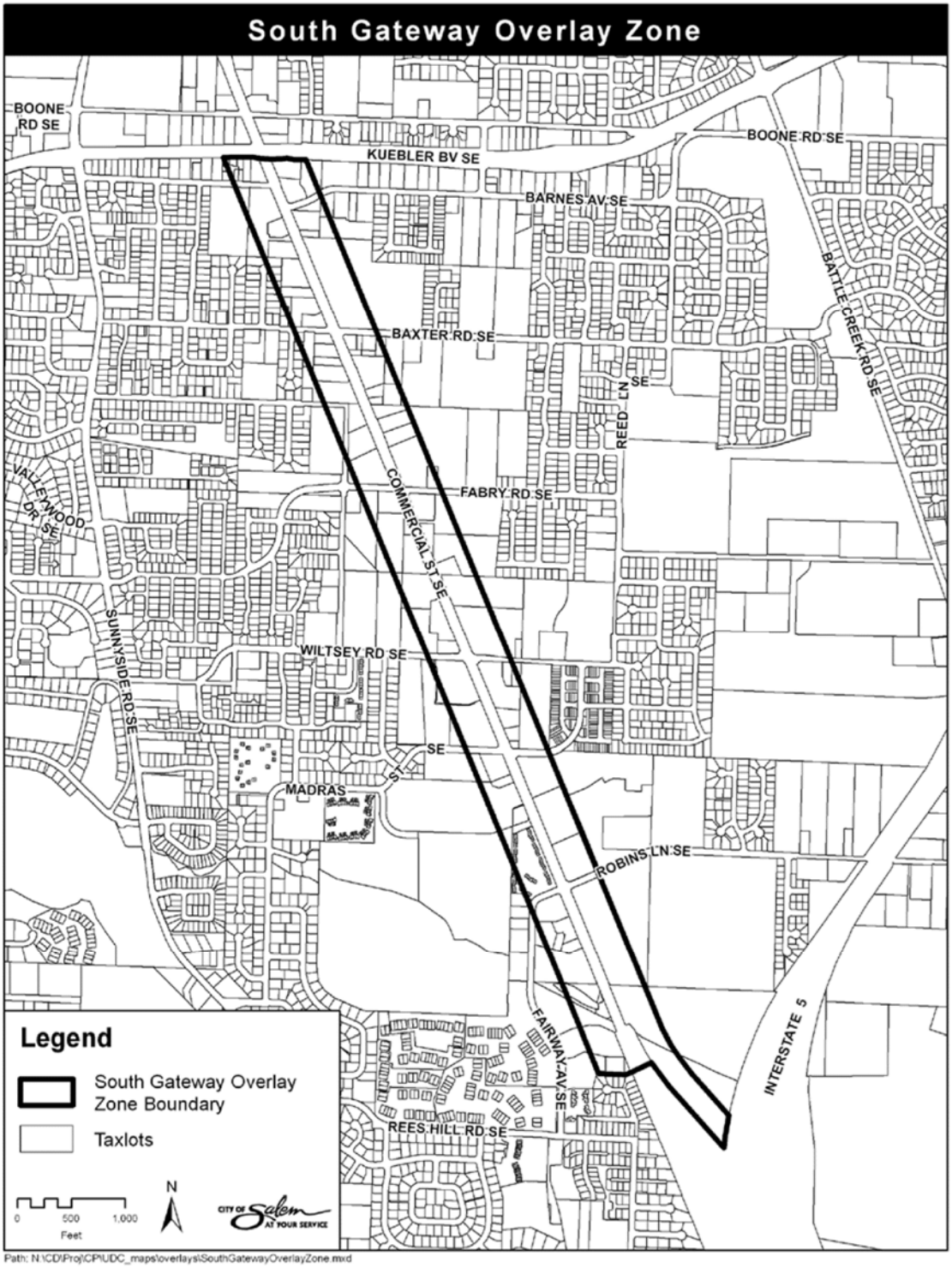
(1) Continued development may be enlarged, rebuilt, or the exterior altered, provided such enlargement, rebuilding, or exterior alteration complies with all applicable standards in this chapter and with all applicable standards of the UDC.

(2) Continued development may be extended onto any contiguous vacant land under the same ownership if such land was held under the same ownership on December 16, 2002, and has been maintained under the same ownership continuously thereafter. The extension of continued development onto contiguous vacant land under the same ownership must comply with all applicable standards in this chapter and with all applicable standards of the UDC.

(3) A determination by the Building Official that a continued development is derelict or dangerous, as defined in SRC 50.600 and ~~SRC~~ 56.230, shall terminate the continued development status conferred by this subsection and the building or structure shall thereafter be deemed a nonconforming development.

(b) *Outdoor display and storage of merchandise.* Outdoor display and storage of merchandise shall not be located within 50 feet of the right-of-way of Commercial Street SE.

FIGURE 630-1. SOUTH GATEWAY OVERLAY ZONE



(Prior Code, § 630.015; Ord. No. 31-13)

CHAPTER 631. COMPACT DEVELOPMENT OVERLAY ZONE

Sec. 631.001. Purpose.

The purpose of the Compact Development Overlay Zone is to identify allowed uses and to establish development standards to promote increased density infill development on vacant and underutilized Single Family Residential (RS) zoned land, in the form of a variety of housing types and in a manner that is consistent with, and conforms to, the established character of existing neighborhoods.

(Prior Code, § 631.001; Ord. No. 31-13)

Sec. 631.005. Requirements for application of Compact Development Overlay Zone.

The Compact Development Overlay Zone shall be applied to property through a zone change. Proposals to zone property for compact development shall, in addition to the approval criteria for zone changes set forth in SRC chapter 265, meet the following criteria:

(a) The underlying zoning of the property shall be Single Family Residential (RS);

(b) The property shall be located along an arterial or collector street, or shall be located in an area identified as appropriate for compact development in an urban renewal plan, residential infill study, or neighborhood plan; and

(c) The property shall not exceed five acres in size.

(Prior Code, § 631.005; Ord. No. 31-13)

Sec. 631.010. Uses.

Except as otherwise provided in this section, any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the Compact Development Overlay Zone.

(a) *Continued uses.* Multiple family uses existing within the Compact Development Overlay Zone on January 1, 1999, but which would otherwise be made nonconforming uses by this chapter, are hereby deemed continued uses. The owner shall have the burden to demonstrate continued use status under this subsection.

(1) A continued use may be intensified or expanded, and buildings or structures housing a continued use may be ~~may be~~ enlarged, rebuilt, or the exterior altered, provided such intensification, expansion, enlargement, rebuilding, or exterior alteration complies with all applicable standards of the Multiple Family Residential-I (RM-I) Zone.

(2) Abandonment shall terminate the continued use status conferred by this subsection and the property may thereafter only be used for uses allowed in the Compact Development Overlay Zone. For purposes of this ~~paragraph~~ subsection, the term "abandonment" means the cessation of the use or structure for a continuous period of one year.

(3) A determination by the Building Official that the building or structure housing a continued use is derelict or dangerous, as defined in SRC 50.600 and 56.230, shall terminate the continued use status conferred by this subsection and the property may thereafter only be used for uses allowed in the Compact Development Overlay Zone.

(4) Continued uses are exempt from the development standards and the design review guidelines and design review standards of this chapter. Upon termination of continued use status, the development standards and the design review guidelines and design review standards of this chapter shall apply.

(b) *Additional permitted uses.* The uses set forth in Table 631-1 are additional permitted (P) uses in the Compact Development Overlay Zone.

TABLE 631-1. ADDITIONAL PERMITTED USES		
Use	Status	Limitations & Qualifications
Household Living		
Single family	P	
Two family	P	
Multiple family	P	

(Prior Code, § 631.010; Ord. No. 31-13)

Sec. 631.015. Development standards.

Development within the Compact Development Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) *Lot standards.* Lots within the Compact Development Overlay Zone shall conform to the standards set forth in Table 631-2.

TABLE 631-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
Single family	Min. 1,500 sq. ft.	Applicable to townhouses.
	Min. 3,000 sq. ft.	Applicable to all other single family.
Two family and multiple family	Min. 3,000 sq. ft. per dwelling unit	
Lot Width		
Single family, two family, and multiple family	Min. 20 ft.	
Lot Depth		
Single family, two family, and multiple family	Min. 65 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
Street Frontage		
Single family, two family, and multiple family	Min. 20 ft.	

(b) *Dwelling unit density.* Dwelling unit density within the Compact Development Overlay Zone shall conform to the standards set forth in this subsection. Dwelling unit density cannot be varied or adjusted.

(1) *Minimum density.* There is no minimum dwelling unit density.

(2) *Maximum density.* The maximum dwelling unit density shall be 14 dwelling units per acre; provided, however:

(A) Not more than three dwelling units shall be permitted on an individual lot; and

(B) Not more than five townhouse dwelling units shall be attached in a single structure.

(c) *Setbacks.* Setbacks within the Compact Development Overlay Zone shall be provided as set forth in Table 631-3.

TABLE 631-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
Single family (other than townhouses) and two family	Min. 12 ft.	
	Min. 20 ft.	Applicable along collector or arterial streets.
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height
	Min. 20 ft.	Applicable to accessory structures greater than 4 ft. in height when located in a yard adjacent to a collector or arterial street.
Interior Front		
Buildings		
Single family (other than townhouses) and two family	Min. 12 ft.	
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height
Interior Side		
Buildings		
Single family (other than townhouses)	Min. 3 ft.	Applicable to existing buildings.
	Min. 5 ft.	Applicable to new building.
Two family	Min. 5 ft.	
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.
Interior Rear		
Buildings		
Single family (other than townhouses) and two family	Min. 14 ft.	Applicable to any portion of a building not more than 1 story in height.
	Min. 20 ft.	Applicable to any portion of a building greater

TABLE 631-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
		than 1 story in height.
Accessory Structures		
Accessory to single family and two family	None	Applicable to accessory structures not more than 9 ft. in height.
	Min. 1 ft. for each 1 ft. of height over 9 ft.	Applicable to accessory structures greater than 9 ft. in height.
	Min. 1 ft.	Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure.

(d) *Lot coverage; height.* Buildings and accessory structures within the Compact Development Overlay Zone shall conform to the lot coverage and height standards set forth in Table 631-4.

TABLE 631-4. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
Single family, two family, and multiple family	Max. 60%	
Rear Yard Coverage		
Accessory Structures		
Accessory to single family, two family, and multiple family	Max. 25%	
Height		
Buildings		
Single family, two family, and multiple family	Max. 28 ft. or existing building height, whichever is greater	Applicable to existing buildings.
	Max. 35 ft.	Applicable to new buildings.
Accessory Structures		
Accessory to single family, two family, and multiple family	Max. 15 ft.	

(e) *Building separation.* A minimum ten-foot separation shall be provided between individual buildings containing dwelling units located on the same lot.

(f) *Access.*

(1) Where a property abuts an alley, access to parking for single family, two family, and multiple family

uses shall be taken from the alley.

(2) Within front yards abutting streets, no driveway serving single family, two family, or multiple family uses shall be more than one-half the width of the property frontage on the street or 20 feet, whichever is less. Flag lot accessways shall comply with the standards set forth in SRC 800.025.

(Prior Code, § 631.015; Ord. No. 31-13)

Sec. 631.020. Design review.

Design review under SRC chapter 225 is required for development within the Compact Development Overlay Zone as follows:

(a) Townhouses shall be subject to design review according to the design review guidelines or the design review standards set forth in SRC 631.025.

(b) Multiple family development shall be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC chapter 702, and the design review guidelines or the design review standards set forth in SRC 631.025.

(Prior Code, § 631.020; Ord. No. 31-13)

Sec. 631.025. Design review guidelines and design review standards.

(a) *Building setbacks, location, size, and articulation.*

(1) *Setbacks.*

(A) *Design review guidelines.*

(i) Buildings shall be setback from abutting properties in a manner that provides an appropriate transition which encourages compatibility with the neighborhood.

(B) *Design review standards.*

(i) Buildings shall comply with the setbacks set forth in Table 631-5.

TABLE 631-5. BUILDING SETBACKS

Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings 28 feet or less in height	Min. 12 ft.	
	Min. 20 ft.	Applicable along collector or arterial streets.
Buildings greater than 28 feet in height	Min. 12 ft., plus 1 ft. for each 1 ft. of height over 28 ft.	
	Min. 20 ft., plus 1 ft. for each 1 ft. of height over 28 ft.	Applicable along collector or arterial streets.
Interior Front		
Buildings 28 feet or less in height	Min. 12 ft.	
Buildings greater than 28 feet in height	Min. 12 ft., plus 1 ft. for each 1 ft. of height over 28 ft.	
Interior Side		
Buildings 28 feet or less in height	Min. 5 ft.	Applicable to buildings, other than townhouses.

TABLE 631-5. BUILDING SETBACKS		
Requirement	Standard	Limitations & Qualifications
	None	Applicable to townhouses where they abut at the interior side lot line.
	Min. 5 ft.	Applicable to townhouses where they do not abut at the interior side lot line.
Buildings greater than 28 feet in height	Min 5 ft., plus 1 ft. for each 1 ft. of height over 28 ft.	Applicable to buildings, other than townhouses.
	None	Applicable to townhouses where they abut at the interior side lot line.
	Min. 5 ft., plus 1 ft. for each 1 ft. of height over 28 ft.	Applicable to townhouses where they do not abut at the interior side lot line.
Interior Rear		
Buildings	Min. 14 ft.	Applicable to any portion of a building not more than 1 story in height.
	Min. 20 ft.	Applicable to any portion of a building greater than 1 story in height.

(2) *Building location, size, and orientation.*

(A) *Design review guidelines.*

(i) A majority of the dwelling units shall be constructed within close proximity to the street right-of-way.

(ii) Buildings shall be located to reinforce the residential character of the neighborhood.

(iii) Where possible, dwelling unit entries shall be visible from the street and shall incorporate weather protection into their design.

(iv) The appearance of building bulk shall be minimized by:

(aa) Establishing a building offset interval along building facades; and

(bb) Dispersing windows throughout building facades.

(B) *Design review standards.*

(i) Dwelling units within 28 feet of a street right-of-way shall provide entrances that face the street (see Figure 631-1).

(ii) Buildings shall have no dimension greater than 100 feet.

(iii) On sites with 75 feet or more of buildable width, a minimum of 50 percent of the buildable width shall be occupied by building(s) placed at the setback line. Accessory structures shall not apply towards meeting the required percentage.

(iv) Every two attached dwelling units shall be offset from the next dwelling unit by at least four feet in depth (see Figure 631-2).

(v) Individual and common entryways shall be articulated with a differentiated roof, awning, or portico (see Figure 631-1).

(vi) Windows shall be provided in all habitable rooms, other than bathrooms, that face a street.

FIGURE 631-1. ARTICULATED BUILDING ENTRANCES FACING A STREET

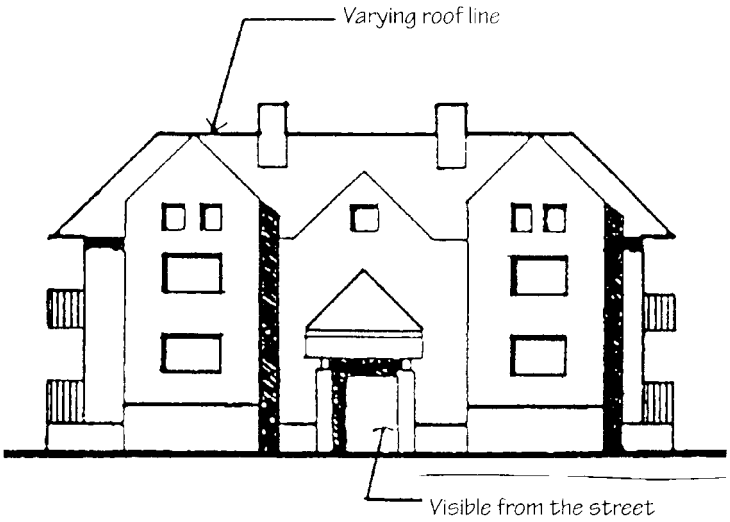
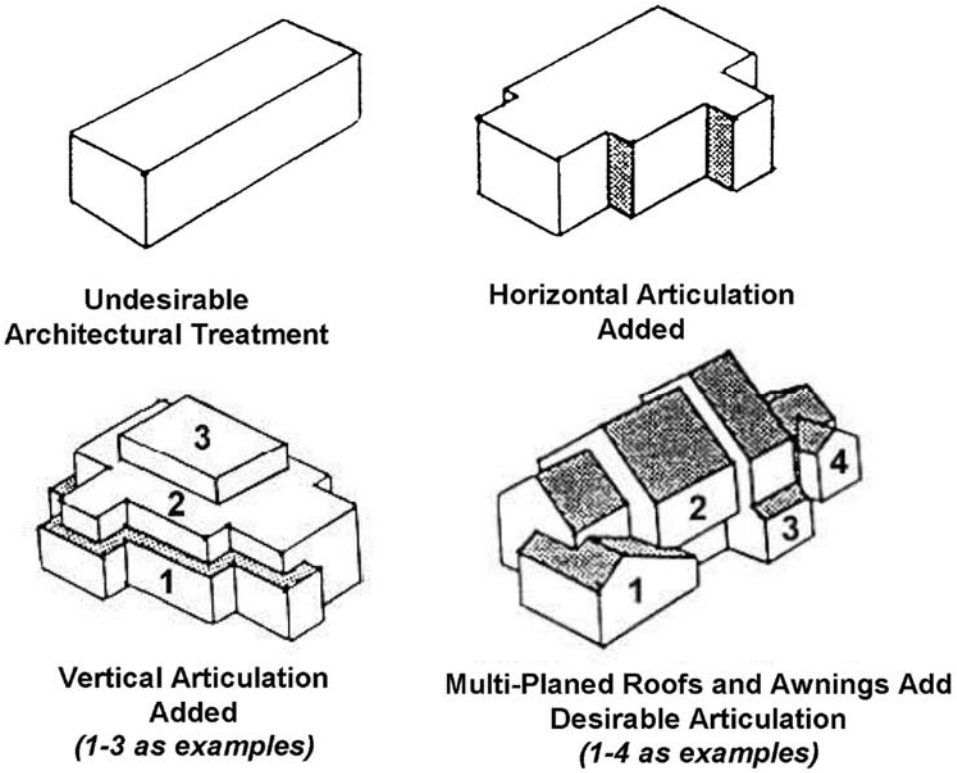


FIGURE 631-2. BUILDING OFFSETS AND ARTICULATION



(b) *Open space.*

(1) *Private open space.*

(A) *Design review guidelines.*

(i) Individual private open space shall be provided for each dwelling unit.

(ii) Private open space shall be easily accessible from the dwelling unit.

(iii) If private open space is located adjacent to common open space, a buffer between the two open space areas shall be provided.

(B) *Design review standards.*

(i) Private open space, meeting the size and dimension standards set forth in Table 631-5, shall be provided for each dwelling unit.

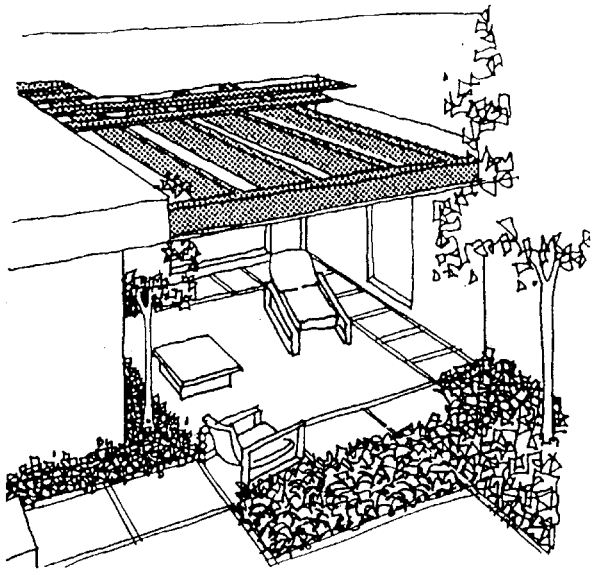
TABLE 631-5. PRIVATE OPEN SPACE SIZE AND DIMENSIONS

Location of Dwelling Unit	Minimum Open Space Area Size	Minimum Dimension
Not more than 5 feet above finished grade	96 sq. ft.	6 ft.
More than 5 feet above finished grade	48 sq. ft.	6 ft.

(ii) Private open space shall be located contiguous to the dwelling unit, with direct access to the private open space provided through a doorway (see Figure 631-3).

(iii) Private open space shall be visually separated from common open space through the use of perimeter landscaping or fencing.(see Figure 631-3).

FIGURE 631-3. PRIVATE OPEN SPACE



(c) *Parking, access, and circulation.*

(1) *General parking and site access.*

(A) *Design review guidelines.*

(i) Parking areas and driveways shall be located and designed to minimize impacts to abutting properties and promote human scale within the development.

(B) *Design review standards.*

(i) Not more than one driveway approach shall be provided to an individual lot.

(ii) Parking areas shall not occupy more than 50 percent of any street frontage.

(iii) Parking areas shall be setback a minimum of 20 feet from the public right-of-way.

(iv) Garages shall be setback from the street at least four feet further than the front wall of the main building.

(v) The design and materials of garages and carports shall be compatible with the design and materials of the dwelling units.

(d) *Landscaping.*

(1) *General landscaping.*

(A) *Design review guidelines.*

(i) Landscaping shall be provided to buffer the development from abutting uses.

(ii) A variety of trees and other plant materials shall be distributed throughout the site and located adjacent to buildings and parking areas.

(iii) Trees shall be planted within the street right-of-way to enhance the residential character of the development.

(B) *Design review standards.*

(i) A minimum of one tree shall be planted or retained for every 2,000 square feet of gross site area.

(ii) Trees shall be planted to provide canopy coverage for at least one-third of the open space and setbacks within 15 years of planting. Existing trees that are retained may be counted towards meeting this requirement.

(iii) Within the street right-of-way, trees shall be planted at one of the following ratios:

(aa) *Canopy trees.* One canopy tree shall be planted for every 50 feet of street frontage; or

(bb) *Columnar trees.* One columnar tree shall be planted for every 30 feet of street frontage.

(iv) A minimum of two plant units shall be provided adjacent to the primary entrance of each dwelling unit, or combination of dwelling units.

(v) Landscaping shall be distributed around the perimeter of buildings as follows:

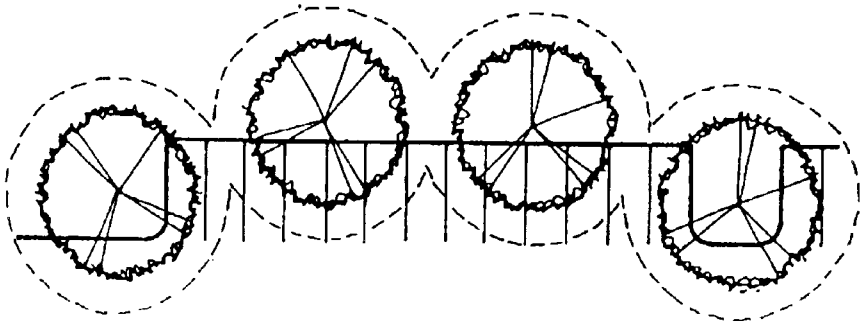
(aa) *Trees.* Trees shall be provided in the minimum amount of ten plant units per 60 linear feet of exterior building wall. The trees shall be distributed around the perimeter of the building and located not more than 25 feet from the exterior wall. Existing trees that are retained may be counted towards meeting this requirement.

(bb) *Shrubs.* Shrubs shall be provided in the minimum amount of one plant unit per 15 linear feet of exterior building wall. The shrubs shall be distributed around the perimeter of the building and located not more than 25 feet from the exterior wall.

(vi) Landscaping shall be distributed around the perimeter of parking areas as follows:

(aa) *Trees.* A minimum of one canopy tree shall be planted every 50 feet along the perimeter of the parking area. The canopy trees shall be located within 15 feet of the edge of the parking area (see Figure 631-4). Existing canopy trees that are retained may be counted towards meeting this requirement.

FIGURE 631-4. PARKING AREA PERIMETER CANOPY TREES



(e) *Crime prevention through environmental design.*

(1) *Safety features for residents.*

(A) *Design review guidelines.*

(i) Developments shall be designed in a manner that considers crime prevention and resident safety.

(ii) Landscaping and fencing shall be provided in a manner that does not obscure visual surveillance of common open space, parking areas, or dwelling unit entryways.

(B) *Design review standards.*

(i) Fences, walls, and plant materials shall not be installed between street-facing dwelling units and public or private streets in locations that obstruct the visibility of dwelling unit entrances from the street. For purposes of this standard, the term "obstructed visibility" means the entry is not in view from the street along one-half or more of the dwelling unit's frontage.

(ii) Lighting shall be provided that illuminates all exterior dwelling unit entrances, pedestrian walkways, and parking areas within the development.

(iii) A completed "Enhanced Safety Assessment Report for Multi-Family Construction" shall be submitted. Compliance with the provisions of the assessment is advisable but not mandatory.

(Prior Code, § 631.025; Ord. No. 31-13)

CHAPTER 632. GENERAL RETAIL/OFFICE OVERLAY ZONE

Sec. 632.001. Purpose.

The purpose of the General Retail/Office Overlay Zone is to establish standards that promote an active and inviting urban and pedestrian-oriented district within the core of the downtown.

(Prior Code, § 632.001; Ord. No. 31-13)

Sec. 632.005. General Retail/Office Overlay Zone boundary.

The boundaries of the General Retail/Office Overlay Zone are shown in Figure 632-4.

(Prior Code, § 632.005; Ord. No. 31-13)

Sec. 632.010. Uses.

Any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the General Retail/Office Overlay Zone.

(Prior Code, § 632.010; Ord. No. 31-13)

Sec. 632.015. Development standards.

Development within the General Retail/Office Overlay Zone must comply with the development standards applicable in the underlying zone.

(Prior Code, § 632.015; Ord. No. 31-13)

Sec. 632.020. Design review.

Design review under SRC chapter 225 is required for development within the General Retail/Office Overlay Zone as follows:

(a) Except as otherwise provided in this section, design review according to the design review guidelines or the design review standards set forth in SRC 632.025 is required for all development within the General Retail/Office Overlay Zone.

(b) Multiple family development shall only be subject to design review according to the design review guidelines or the design review standards set forth in SRC 632.025.

(Prior Code, § 632.020; Ord. No. 31-13)

Sec. 632.025. Design review guidelines and design review standards.

(a) *Building location, orientation, and design.*

(1) *Building setbacks.*

(A) *Design review guidelines.*

(i) Building setbacks from the street shall be minimized (see Figure 632-1). Buildings constructed contiguous to the street right-of-way are preferred.

(B) *Design review standards.*

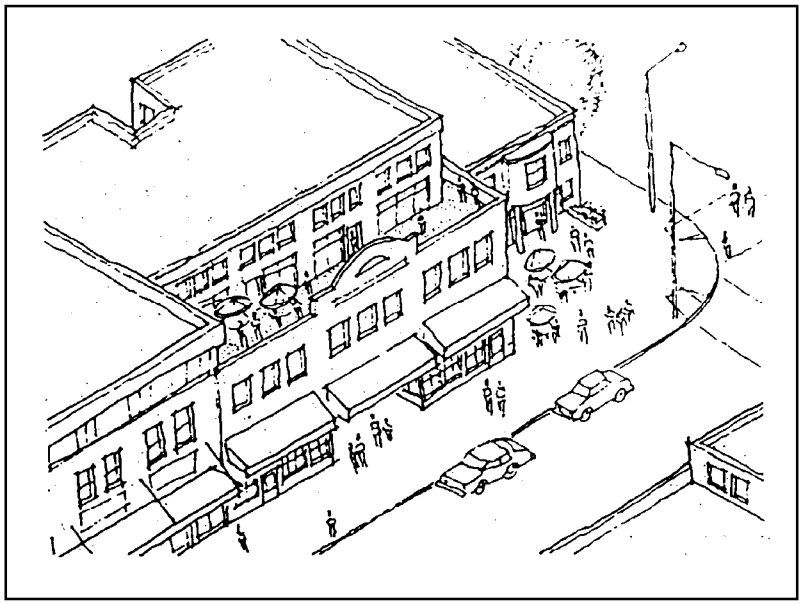
(i) *Setback abutting street.* New buildings shall have the following setbacks from a street:

(aa) Contiguous to the street right-of-way; or

(bb) Maximum ten feet from the street right-of-way, for those portions of a building where a plaza or other outdoor space open to the public is provided between the building and the street right-of-way.

(cc) Portions of buildings greater than 25 feet in height may setback up to ten additional feet from the street right-of-way.

FIGURE 632-1. BUILDING SETBACKS MINIMIZED FROM STREET



(2) *Building orientation and design.*

(A) *Design review guidelines.*

(i) Buildings shall create safe, pleasant, and active pedestrian environments.

(ii) Weather protection, in the form of awnings or canopies appropriate to the design of the building, shall be provided along ground floor building facades adjacent to a street in order to create a comfortable and inviting pedestrian environment.

(iii) Above grade pedestrian walkways shall not be provided to property located within the Salem Downtown Historic District.

(B) *Design review standards.*

(i) A primary building entrance shall be provided for each building facade facing a street. If a building as frontage on more than one street, a single primary building entrance may be provided at the corner of the building where the streets intersect (see Figure 632-2).

(ii) Ground floor building facades facing a street shall include transparent windows on a minimum of 65 percent of the ground floor facade. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum visible transmittance (VT) of 37 percent.

(aa) *Alternative standard for existing buildings.* Notwithstanding subsection (a)(2)(B)(ii) of this section, where a building existing on November 23, 1998, does not include transparent windows on a minimum of 65 percent of the ground floor facade facing a street, the percentage of transparent windows existing on the ground floor facade shall not be reduced. Additional windows meeting the transparency requirements of subsection (a)(2)(B)(ii) may be added without meeting the minimum ground floor facade window percentage of 65 percent.

(iii) Upper floors of buildings shall incorporate vertical windows.

(iv) Weather protection, in the form of awnings or canopies, shall be provided along a minimum of 90 percent of the length of the ground floor building facade adjacent to a street. Awnings or canopies shall have a minimum clearance height above the sidewalk of eight feet, and may encroach into the street right-of-way as provided in SRC 76.160.

(aa) *Alternative standard for existing buildings.* Notwithstanding subsection (a)(2)(B)(iv) of

this section, where a building existing on November 23, 1998, does not include weather protection, in the form of awnings or canopies, along a minimum of 90 percent of the length of a ground floor facade adjacent to a street, the percentage of weather protection along the ground floor facade shall not be reduced. Additional weather protection meeting the sidewalk clearance requirements in subsection (a)(2)(B)(iv) of this section may be added without meeting the minimum weather protection standard of 90 percent.

(v) Above grade pedestrian walkways may be provided, except that no above grade pedestrian walkway shall be provided to property located within the Salem Downtown Historic District.

FIGURE 632-2. BUILDING CORNER ENTRY

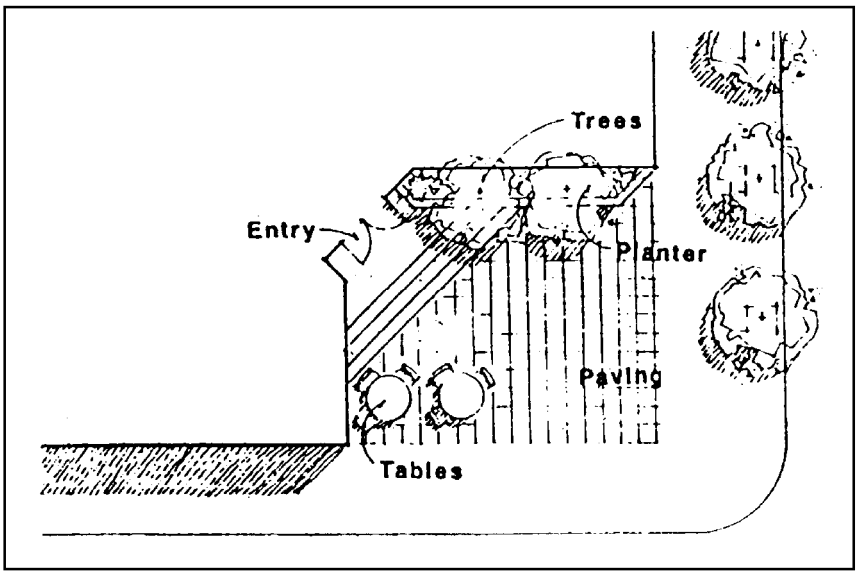


FIGURE 632-3. WEATHER PROTECTION ON GROUND FLOOR

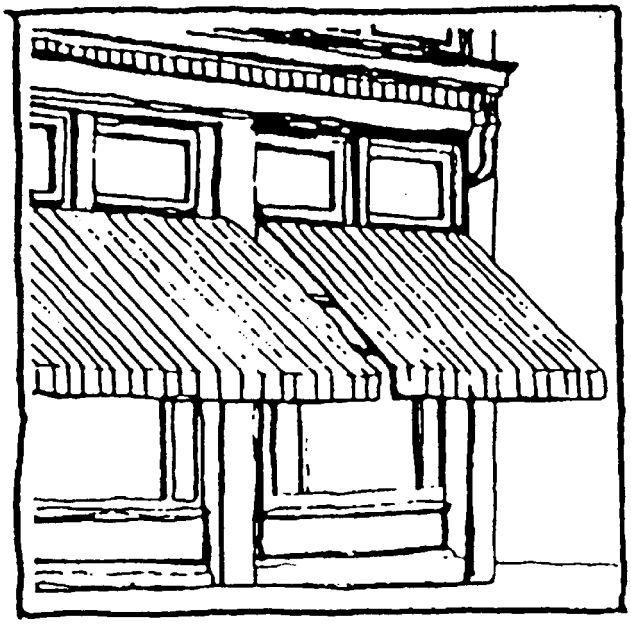
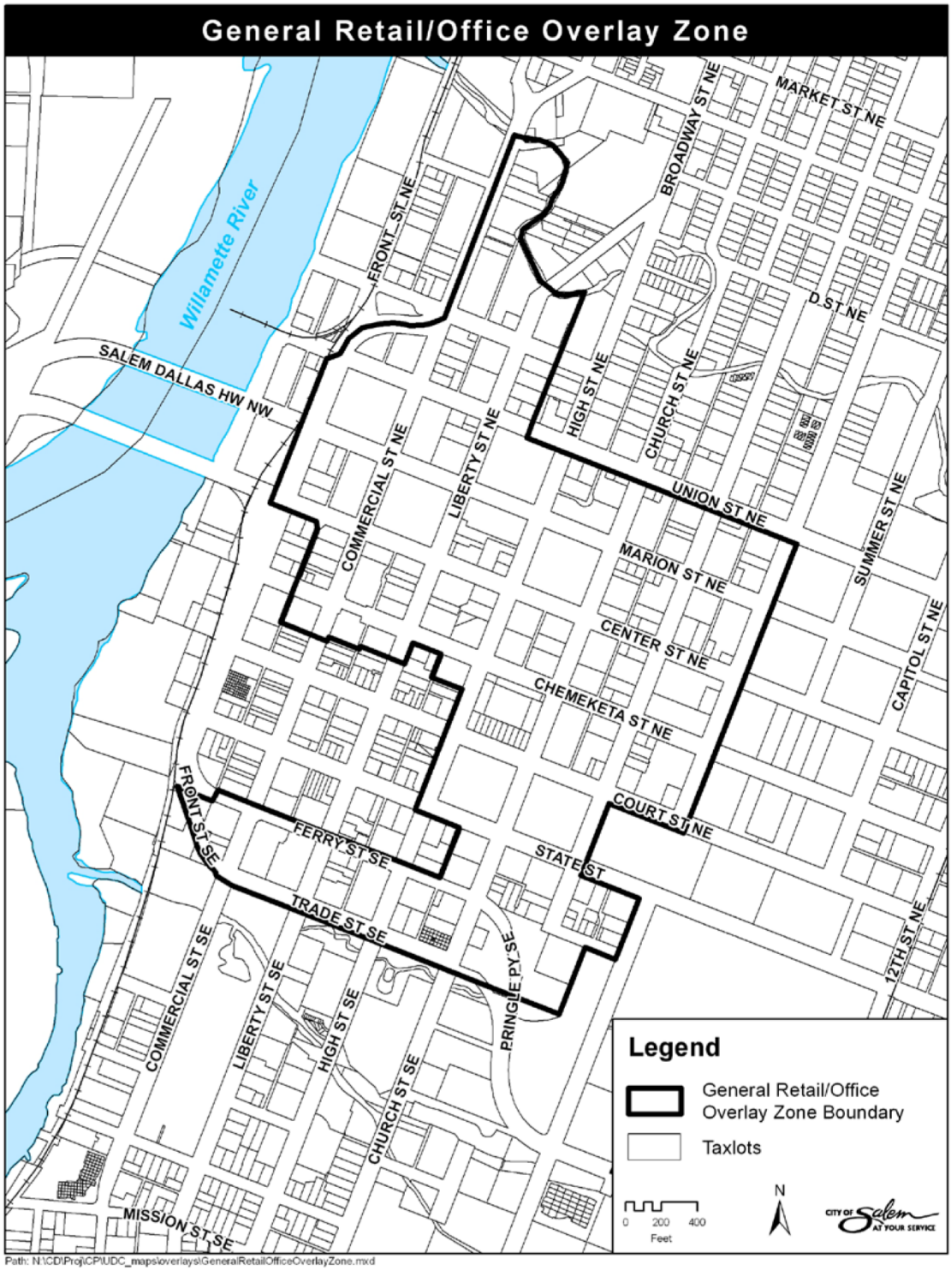


FIGURE 632-4. GENERAL RETAIL/OFFICE OVERLAY ZONE



(Prior Code, § 632.025; Ord. No. 31-13)

CHAPTER 633. FRONT STREET OVERLAY ZONE

Sec. 633.001. Purpose.

The purpose of the Front Street Overlay Zone is to establish standards that promote an active and inviting urban and pedestrian-oriented district within the core of the downtown that takes advantage of its proximity to Riverfront Park and the Willamette River.

(Prior Code, § 633.001; Ord. No. 31-13)

Sec. 633.005. Front Street Overlay Zone boundary.

The boundaries of the Front Street Overlay Zone are shown in Figure 633-3.

(Prior Code, § 633.005; Ord. No. 31-13)

Sec. 633.010. Uses.

Any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the Front Street Overlay Zone.

(Prior Code, § 633.010; Ord. No. 31-13)

Sec. 633.015. Development standards.

Development within the Front Street Overlay Zone must comply with the development standards applicable in the underlying zone.

(Prior Code, § 633.015; Ord. No. 31-13)

Sec. 633.020. Design review.

Design review under SRC chapter 225 is required for development within the Front Street Overlay Zone as follows:

(a) Except as otherwise provided in this section, design review according to the design review guidelines or the design review standards set forth in SRC 633.025 is required for all development with the Front Street Overlay Zone.

(b) Multiple family development shall only be subject to design review according to the design review guidelines or the design review standards set forth in SRC 633.025.

(Prior Code, § 633.020; Ord. No. 31-13)

Sec. 633.025. Design review guidelines and design review standards.

(a) *Building location, orientation and design.*

(1) *Building location.*

(A) *Design review guidelines.*

(i) Buildings shall be located to reinforce pedestrian orientation.

(B) *Design review standards.*

(i) New buildings with frontage on Front Street shall be constructed contiguous to the right-of-way of Front Street.

(2) *Building orientation and design.*

(A) *Design review guidelines.*

(i) Buildings adjacent to Front Street shall take advantage of views to Riverfront Park and the Willamette River by providing building facades with windows. Bay windows are preferred on upper floors.

(ii) The height of the ground floor of a building shall be greater than the height of any upper floors (see Figure 633-1).

(iii) Architectural detailing shall be provided that horizontally divides the ground floor and second floor facades of a building.

(iv) Weather protection, in the form of awnings, canopies, or arcades appropriate to the design of the building, shall be provided along ground floor building facades adjacent to a street in order to create a comfortable and inviting pedestrian environment.

(B) *Design review standards.*

(i) Windows shall be included in building facades.

(ii) Buildings shall have a minimum height of four stories, but shall not exceed a maximum height of six stories.

(iii) The height of the ground floor of a building shall be a minimum of 14 feet.

(iv) The ground floor and second floor facades of a building shall be horizontally divided by providing belt or string courses.

(v) Weather protection, in the form of awnings, canopies, or arcades, shall be provided along the ground floor building facade adjacent to a street. Awnings and canopies shall have a minimum depth of six feet, and a minimum clearance height above the sidewalk of eight feet. Arcades shall have a minimum depth of eight feet, and a minimum clearance height above the sidewalk of 14 feet.

FIGURE 633-1. GROUND FLOOR HEIGHT

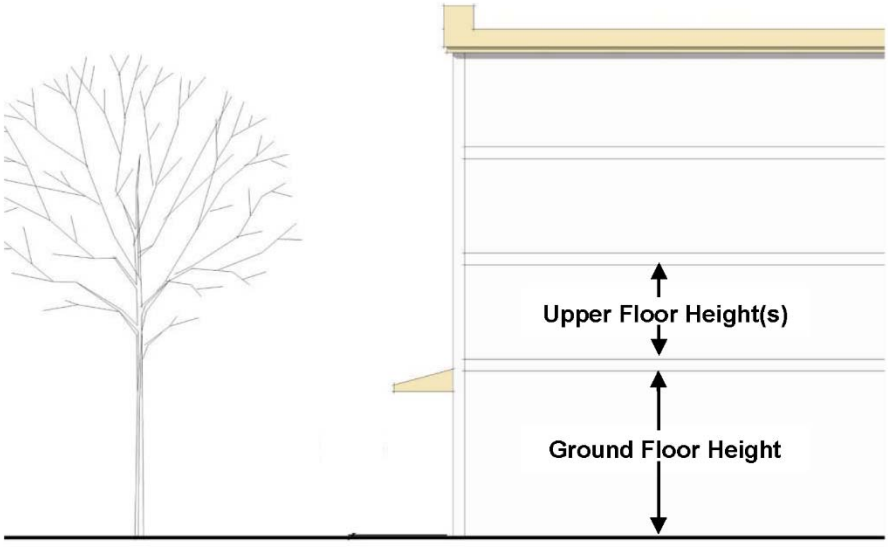
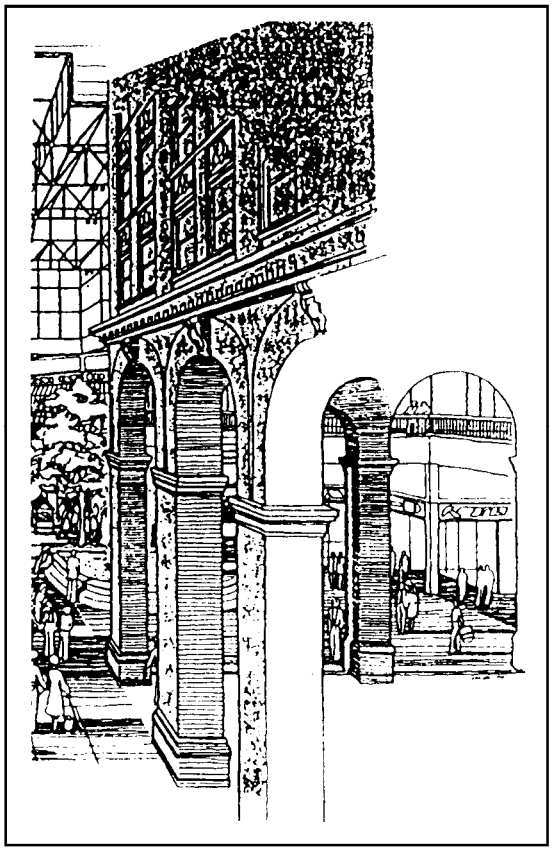


FIGURE 633-2. ARCADES



(b) *Open space.*

(1) *Private open space.*

(A) *Design review guidelines.*

(i) Buildings adjacent to Front Street shall take advantage of views to Riverfront Park and the Willamette River by providing private open space for residential units on upper building floors.

(B) *Design review standards.*

(i) Building facades facing Front Street shall provide upper floor balconies for residential units. Balconies shall be a minimum of 48 square feet in size, have no dimension less than six feet, and shall be directly accessible from each dwelling unit through a doorway.

(c) *Site access.*

(1) *Vehicle access.*

(A) Design review standards.

(i) Vehicle access to off-street parking areas shall not be provided directly from Front Street.

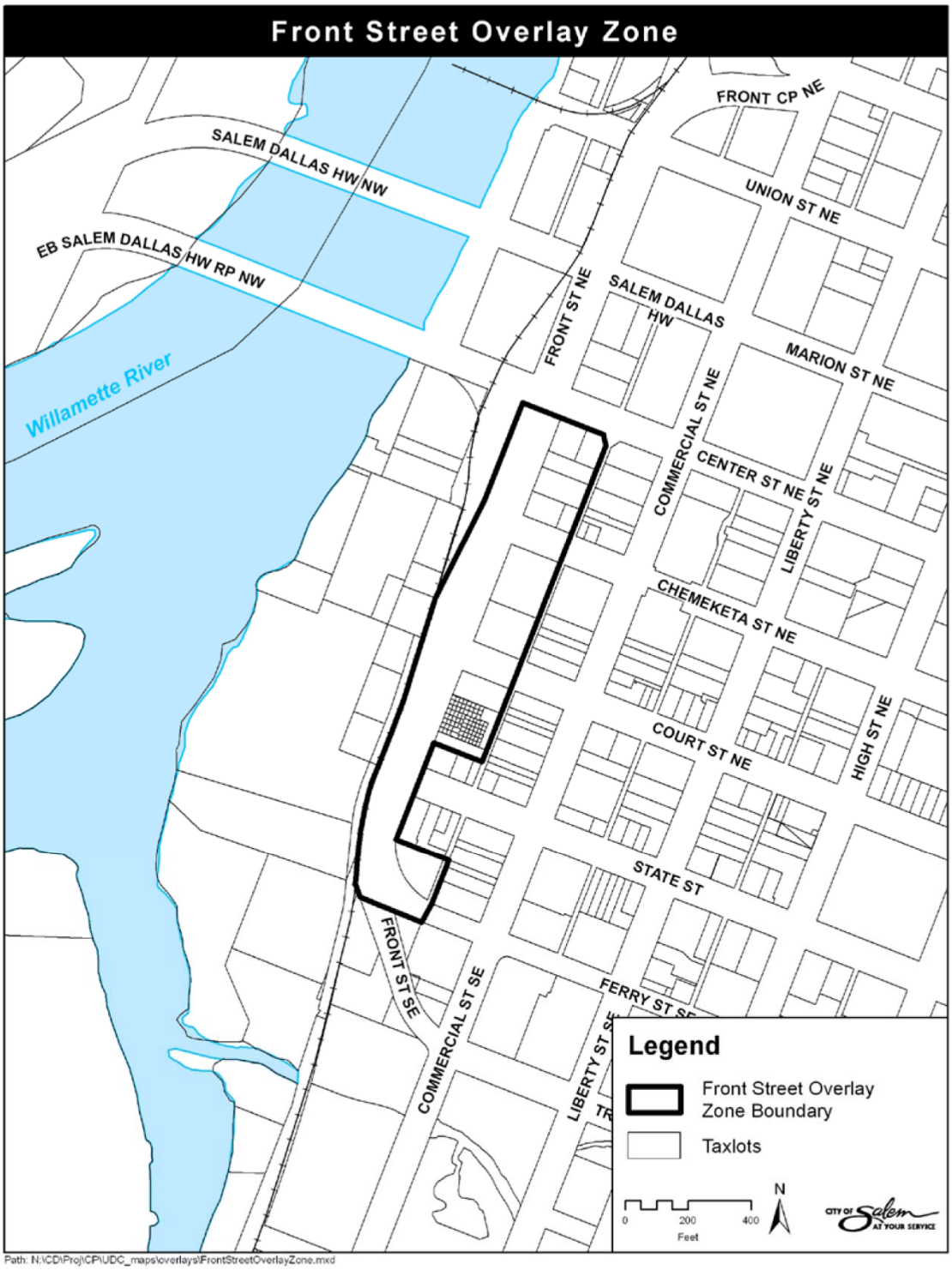
(d) *Off-street parking and loading.*

(1) *Off-street parking.*

(A) *Design review guidelines.*

(i) Off-street parking areas shall be located to reinforce pedestrian orientation.

FIGURE 633-3. FRONT STREET OVERLAY ZONE



(Prior Code, § 633.025; Ord. No. 31-13)

CHAPTERS 634—699. RESERVED

CHAPTER 700. SPECIAL USE PROVISIONS

Sec. 700.001. Purpose.

The purpose of this chapter is to establish standards for uses which, within certain zones or overlay zones, are designated as special uses under the UDC.

(Prior Code, § 700.001; Ord. No. 31-13)

Sec. 700.005. Special uses, generally.

(a) A special use is a use that, while allowed in certain zones and overlay zones, has the potential for creating impacts that merit special standards beyond those that would otherwise apply to uses generally in that zone or overlay zone. A use that is designated as a special use in one zone or overlay zone may be a permitted use in another zone or overlay zone.

(b) The special use standards set forth in this chapter apply only where a use is designated as a special use.

(c) A special use that complies with the standards set forth in this chapter and with the applicable standards of the UDC does not require approval beyond that required for a use that is a permitted use.

(d) The special use standards set forth in this chapter may be modified, unless otherwise specially provided in this chapter. Modification to a special use standard shall be made pursuant to conditional use approval, as provided in SRC chapter 240. In no case shall conditional use approval allow a standard that it less restrictive than the development standards established in the zone or overlay zone.

(e) Notwithstanding ~~SRC 700.005(d)~~ subsection (d) of this section, modifications to a special use standard for accessory dwelling units shall be made pursuant to adjustment approval, as provided in SRC chapter 250, or variance approval, as provided in SRC chapter 245.

(Prior Code, § 700.005; Ord. No. 31-13; Ord. No. 10-17, § 22, 7-10-2017)

Sec. 700.006. Accessory short-term rentals.

Where designated as a special use, accessory short-term rentals shall comply with the additional standards set forth in this section. The standards in this section cannot be modified through conditional use approval.

(a) *Operated as accessory use.* An accessory short-term rental shall only be operated as an accessory use to a single family or two family use on the same lot. In order to qualify as an accessory use:

  (1) The accessory short-term rental must be operated by the resident family who resides in the dwelling unit; and

  (2) The resident family must reside in the dwelling unit for a minimum of 270 days during each calendar year.

(b) *Structure type.* An accessory short-term rental shall be located within a lawfully-built single family dwelling unit, two family dwelling unit, or guest house, that meet building code requirements. For purposes of this subsection, a dwelling unit within a condominium is considered a single family dwelling unit. An accessory short-term rental shall not be allowed in:

  (1) An accessory dwelling unit (ADU);

  (2) A tent or other temporary enclosure or shelter;

  (3) A recreational vehicle, travel trailer, or similar structure;

  (4) A motor vehicle; or

  (5) Any structure not intended for ongoing human occupancy.

(c) *Relationship to other accessory uses on lot.* In order to minimize the cumulative impacts of multiple accessory uses located on one lot, an accessory short-term rental shall not be allowed if any of the following accessory uses are being conducted on the lot:

(1) Accessory dwelling unit (ADU); and

(2) Taking of boarders or leasing of rooms by a resident family.

(d) *Number of guest rooms.*

(1) Hosted rental. When the resident family is present as a host, the maximum number of guest rooms, including those within a guest house, that may be rented shall not exceed three.

(2) Non-hosted rental. When the resident family is not present as a host, the entire dwelling unit, and if applicable guest house, may be rented; there is no maximum limit on the number of guest rooms that may be used.

(e) *Number of guests.*

(1) Hosted rental. The maximum number of guests shall not exceed two per guest room. For purposes of this subsection, children under 12 years of age do not count toward the maximum number of guests.

(2) Non-hosted rental. When the resident family is not present as a host, the maximum number of guests shall not exceed two per guest room, but in no case shall the total number of guests exceed ~~10~~ten.

(3) For purposes of this subsection, children under 12 years of age do not count toward the maximum number of guests.

(f) *Length of stay.* The maximum length of stay for any guest shall not exceed 29 consecutive days.

(g) *Booking limits.*

(1) *Hosted rental.*

(A) There is no maximum limit on the number of days within a calendar year an accessory short-term rental may be rented when the resident family is present as a host.

(B) Multiple bookings at any given time by more than one group of guests are allowed.

(2) *Non-hosted rental.*

(A) The total number of days within a calendar year an accessory short-term rental may be rented without the resident family being present as a host shall not exceed a maximum of 95 days.

(B) Rental of the accessory short-term rental shall be limited to a maximum of one booking at any given time. Multiple bookings at any given time by more than one group of guests are not allowed.

(h) *Activities allowed.* Accessory short-term rentals shall be limited to the provision of lodging. Activities other than lodging, such as events, gatherings, luncheons, banquets, parties, weddings, meetings, fundraising, or commercial or advertising activities, are prohibited.

(Ord. No. 5-17, § 8(700.006), 6-12-2017)

Sec. 700.00~~6~~7. Accessory dwelling unit.

Where designated as a special use, accessory dwelling units shall comply with the standards set forth in this section. Where the standards in this section conflict with other standards in the UDC, the standards in this section shall be the applicable standard. Standards for accessory structures elsewhere in the UDC shall not apply to accessory dwelling units.

(a) *All accessory dwelling units.* The standards set forth in this subsection shall apply to all accessory dwelling units.

(1) *Number.* Only one accessory dwelling unit shall be allowed per lot.

(2) *Size.* Accessory dwelling units shall not exceed 900 square feet, or 75 percent of the main building gross area, whichever is less.

(3) *Types of structures allowed.* Accessory dwelling units shall only be allowed in lawfully-built dwelling units that meet building code requirements. Accessory dwelling units shall not be allowed in:

(A) A recreational vehicle, travel trailer, or similar structure;

(B) A motor vehicle;

(C) Any structure not intended for permanent human occupancy.

(4) *Condominium ownership.* Accessory dwelling units shall not be separated in ownership from the underlying property on which it and the main house to which it is accessory are located. Attached accessory dwelling units shall not be separated in ownership from the main house to which it is accessory.

(5) *Other uses.* Accessory dwelling units shall be prohibited from being used as short-term rentals or accessory short-term rentals.

(6) *Exemptions.* Accessory dwelling units are exempt from the following standards required elsewhere in the UDC:

(A) Dwelling unit density requirements, including requirements for a minimum or maximum number of dwelling units;

(B) Development standards, design review guidelines, and design review standards within overlay zones;

(C) Requirements to build garages.

(b) *Detached accessory dwelling units.* The standards set forth in this subsection shall apply to all detached accessory dwelling units and are in addition to the standards in subsection (a) of this section ~~SRC 700.006(a)~~.

(1) *Location.* Detached accessory dwelling units shall be located in the side yard or rear yard.

(2) *Setbacks.* Setbacks for detached accessory dwelling units shall be provided as set forth in Table 700-1.

Table 700-1. SETBACKS

Table 700-1. Setbacks		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Detached accessory dwelling unit	Min. 12 ft.	Applicable along local streets.
	Min. 20 ft.	Applicable along collector or arterial streets.
Interior Side		
Detached accessory dwelling unit	Min. 3 ft.	
Interior Rear		
Detached accessory dwelling unit	Min. 5 ft.	
	Min. 1 ft.	Applicable to detached accessory dwelling units adjacent to an alley.

(3) *Lot coverage.* The total lot coverage for buildings, accessory structures, and accessory dwelling units shall not exceed a maximum lot coverage of 60 percent.

(4) *Height.* Detached accessory dwelling units shall be no more than 25 feet in height.

(Ord. No. 10-17, § 23(700.006), 7-10-2017)

Sec. 700.010. Basic education.

Where designated as a special use, basic education shall comply with the additional standards set forth in this section.

(a) *Lot area.* Minimum three acres.

(b) *Setbacks.*

(1) Buildings shall be set back from every lot line a minimum of one foot for each one foot of building height; provided, however, the setback need not exceed 35 feet in depth.

(2) Off-street parking and loading areas shall be setback a minimum of ten feet from any abutting residentially zoned property or property used for a residential use.

(c) *Lot coverage.* No main building or combination of classroom buildings shall occupy more than 30 percent of the lot area.

(Prior Code, § 700.010; Ord. No. 31-13)

Sec. 700.015. Golf courses.

Where designated as a special use, golf courses shall comply with the additional standards set forth in this section.

(a) *Setbacks.*

(1) Buildings shall be setback a minimum of 100 feet from every lot line.

(2) Golf fairways, and if provided, any tennis courts and similar sports courts or fields, shall be set back a minimum of 25 feet from any abutting residentially or commercially zoned property or property used for a residential or commercial use.

(3) Swimming pools, if provided, shall be set back a minimum of 50 feet from any abutting residentially or commercially zoned property or property used for a residential or commercial use.

(4) Off-street parking and loading areas shall be setback a minimum of five feet from interior side and interior rear lot lines.

(b) *Screening.* Off-street parking and loading areas shall be screened from adjacent uses by a sight-obscuring fence, wall, or hedge.

(Prior Code, § 700.015; Ord. No. 31-13)

Sec. 700.020. Home occupations.

Where designated as a special use, a home occupation shall comply with the additional standards set forth in this section. The standards in this section cannot be modified through conditional use approval.

(a) A home occupation shall only be conducted in the residence of the person engaged in the home occupation.

(b) A home occupation shall be restricted to lawfully-built fully enclosed structures, and shall not be conducted in a manner as to give the outward appearance of a business.

(c) A home occupation shall not create a public or private nuisance, including, but not limited to, noise, odors, vibration, fumes, smoke, fire hazard, or electrical, electronic, or electromagnetic interference.

(d) A home occupation shall be limited to the provision of services, and shall not include on-site sales.

(e) Nonresident persons engaged in home occupation.

(1) Not more than one nonresident person engaged in the home occupation shall work at the subject property. Additional persons may be employed by or associated with the home occupation, so long as they do not report to work or pick up/deliver at the subject property.

(2) The subject property shall not be used as a gathering place for nonresident persons who work off-site from the home occupation.

(f) Vehicles, parking, and traffic.

(1) Parking of customer's or client's vehicles shall not create a hazard or excessive congestion.

(2) Delivery and pick-up of materials in connection with the home occupation shall be made by vehicles not exceeding two axles in size.

(g) Storage.

(1) On-site storage of hazardous materials not normally incidental to household living, including, but not limited to, those that are toxic, explosive, noxious, combustible, or flammable, is prohibited.

(2) Outside storage or display of materials, equipment, or merchandise used in or produced in connection with the home occupation is prohibited.

(h) The total floor area of all accessory structures used in connection with the home occupation shall cover no more than five percent of the total lot area.

(i) The total floor area of all buildings and accessory structures used in connection with the home occupation shall not exceed 25 percent of the habitable space of the dwelling.

(j) No alterations shall be made to the building or premises that would prevent its future use exclusively for household living.

(k) No alterations to or use of the premises shall be made that would reduce the number of off-street parking spaces required for the household living use under SRC chapter 806.

(Prior Code, § 700.020; Ord. No. 31-13)

Sec. 700.025. Manufactured home.

Where designated as a special use, manufactured homes shall comply with the additional standards set forth in this section. The standards in this section cannot be modified through conditional use approval.

(a) The manufactured home shall be multi-sectional and enclose a space of not less than 860 square feet.

(b) The manufactured home shall be placed on an excavated and back-filled foundation that shall be enclosed continuously at the perimeter with material comparable to the predominant materials used in foundations of surrounding dwellings.

(c) The manufactured home shall have a pitched roof with a slope of not less than three feet in height for each 12 feet in width.

(d) The manufactured home shall have exterior siding and roofing that in color, material, and appearance is similar to the exterior siding and roofing commonly used on residential dwellings within the community, or which is comparable to the predominant materials used on surrounding dwellings.

(e) The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards equivalent to the performance standards required of single family dwellings constructed under the State Building Code as defined in ORS 455.010.

(f) The manufactured home shall have a garage or carport constructed of like materials.

(Prior Code, § 700.025; Ord. No. 31-13)

Sec. 700.030. Manufactured home as dwelling for a caretaker.

Where designated as a special use, a manufactured home as dwelling for a caretaker shall comply with the additional standards set forth in this section.

(a) The manufactured home shall be used exclusively as the residence for a caretaker on the property where the manufactured home is located.

(b) Only manufactured homes that were manufactured after June 15, 1976, which exhibit the Oregon Department of Commerce "Insignia of Compliance" that indicates conformance with Housing and Urban Development (HUD) standards shall be allowed as a dwelling for a caretaker.

(c) The manufactured home shall be a minimum of 24 feet in width and shall enclose a space of not less than 860 square feet.

(d) The manufactured home shall have exterior siding and roofing that in color, material, and appearance is similar to the exterior siding and roofing commonly used on residential dwellings within the community.

(e) The manufactured home shall have a pitched roof with a minimum slope of two inches in height for each 12 inches in width.

(f) Unless set on a ground level foundation, the manufactured home shall have skirting that in design, color, and texture appears to be an integral part of the adjacent exterior wall of the manufactured home.

(g) Screening. Outdoor storage of furniture, tools, equipment, building materials, or supplies shall be screened. Screening shall be sight-obscuring and shall blend with the environment of the main use of the premises.

(h) Landscaping. Landscaping shall be provided around the manufactured home. The landscaping shall be a minimum of 20 feet in depth from each side of the manufactured home.

(Prior Code, § 700.030; Ord. No. 31-13)

Sec. 700.035. Marijuana production.

Where designated as a special use, marijuana production shall comply with the additional standards set forth in this section.

(a) Marijuana production shall be conducted indoors.

(b) The marijuana production facility must utilize an air filtration system to ensure that odor impacts upon neighboring properties are minimized.

(Ord. No. 22-15, § 28, 11-23-2015)

Sec. 700.~~035~~040. Nonresidential uses in a mixed-use project.

Where designated as a special use, nonresidential uses in a mixed-use project shall comply with the additional standards set forth in this section.

(a) Additional permitted uses. Notwithstanding the permitted, special, conditional, or prohibited uses in the zone, the nonresidential uses set forth in Table 700-2 are additional permitted (P) uses within a mixed-use project.

TABLE 700-2. ADDITIONAL PERMITTED USES IN A MIXED-USE PROJECT

Use	Status	Limitations & Qualifications
Lodging		
Short-term commercial lodging	P	
Long-term commercial lodging	P	
Retail Sales and Service		
Eating and drinking establishments	P	
Retail sales	P	

TABLE 700-2. ADDITIONAL PERMITTED USES IN A MIXED-USE PROJECT		
Use	Status	Limitations & Qualifications
Personal services	P	
Postal services and retail financial services	P	
Business and Professional Services		
Office	P	
Audio/visual media production	P	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	P	
Recreational and cultural community services	P	
Health Services		
Outpatient medical services and laboratories	P	

(b) A mix of residential and nonresidential uses shall be provided. A mixed-use project shall include a minimum of 25 dwelling units.

(c) A minimum of 50 percent of the floor area of each building within a mixed-use project shall include dwelling units; except that eating and drinking establishments may be housed in a separate building without dwelling units if the floor area of all nonresidential uses within the mixed-use project, including eating and drinking establishments, totals no more than 50 percent of the total floor area of the mixed-use project.

(d) Except for office uses, all nonresidential uses shall be limited to the ground floor of a building or buildings within a mixed-use project. Office uses may be located on upper floors.

(e) Uses within a mixed-use project shall not include:

(1) Rendering, processing, or cleaning of animals, fish, seafood, fowl, poultry, fruits, vegetables, or dairy products except for consumption on the premises.

(2) Packaging of products for retail sale, except for purchases made by a retail customer at the time of purchase.

(3) Outdoor display or storage of merchandise or materials.

(Prior Code, § 700.035; Ord. No. 22-15, § 28, 11-23-2015; Ord. No. 10-17, § 24, 7-10-2017)

Sec. 700.~~040~~045. Nursing care.

Where designated as a special use, nursing care shall comply with the additional standards set forth in this section.

(a) *Setbacks.*

(1) *Abutting street.*

(A) Buildings and accessory structures shall be setback a minimum of 20 feet from the street.

(B) Vehicle use areas shall be setback a minimum of 20 feet from the street, except where a driveway provides direct access to the street.

(2) *Interior front, interior side, and interior rear.*

(A) Buildings and accessory structures shall be setback a minimum of 20 feet from interior front, interior side, and interior rear property lines.

(B) Vehicle use areas shall be setback a minimum of five feet from interior front, interior side, and interior rear property lines, except where a shared driveway is located over the common lot line providing access to one or more uses.

(b) *Lot coverage.* Lot coverage shall not exceed a maximum of 40 percent.

(c) *Landscaping.* All lot area not developed for buildings, accessory structures, and vehicle use areas shall be landscaped as provided under SRC chapter 807.

(d) *Screening.* Off-street parking and loading areas shall be screened from adjacent uses by a sight-obscuring fence, wall, or hedge.

(Prior Code, § 700.040; Ord. No. 31-13; Ord. No. 22-15, § 28, 11-23-2015)

Sec. 700.~~045~~050. Commercial parking.

Where designated as a special use, commercial parking shall comply with the additional standards set forth in this section.

(a) *Location.* The parking area shall be located on a lot whose side abuts property, other than a street, alley, or creek, within a commercial or industrial zone, and the lot is located entirely within 165 feet of the abutting commercial or industrial zone.

(b) *Size.* The parking area shall not exceed a maximum of 10,000 square feet or 24 parking spaces, whichever is smaller.

(c) *Setbacks.* The parking area shall be setback a minimum of ten feet from abutting residentially zoned property or property used for a residential use. The setback shall be landscaped according to the Type C standard set forth in SRC chapter 807.

(d) *Access.* Access to the parking area shall be limited to the street that provides access to the abutting commercial or industrial zoned property.

(Prior Code, § 700.045; Ord. No. 31-13; Ord. No. 22-15, § 28, 11-23-2015)

Sec. 700.~~050~~055. Religious assembly.

Where designated as a special use, religious assembly shall comply with the additional standards set forth in this section.

(a) Where a development site is located in two or more zones, the entire development site shall comply with the more restrictive development standards of the zones involved.

(b) Notwithstanding SRC chapter 270, existing nonconforming religious assemblies that are substantially damaged or destroyed by any cause may be rebuilt provided that the degree of nonconformity is not increased. For purposes of this section, "existing nonconforming religious assemblies" are religious assemblies that were nonconforming on February 25, 1993.

(c) Seating capacity. The seating capacity of the largest space within a religious assembly shall not exceed the standards set forth in Table 700-3. Where seating is provided in the form of fixed individual seating, one fixed individual seat equals one seat. Where seating is provided in the form of fixed benches, two feet of fixed bench length equals one seat. In areas where portable seating is provided, 15 square feet of floor area equals one seat. Maximum seating capacity cannot be modified through conditional use approval.

TABLE 700-3. SEATING CAPACITY		
Zone	Standard	Limitations & Qualifications
RA zone	Max. 375	Applicable to: □ Lots abutting a local street. □ Lots abutting a collector or arterial street with less than 250 feet of frontage on such street.
	No Max.	Applicable to: □ Lots abutting a collector or arterial street with 250 feet or more of frontage on such street. □ Lots located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets. □ Double frontage lots with both frontages on collector or arterial streets.
RS zone	Max. 375	Applicable to lots abutting local, collector, and arterial streets.
RD zone	Max. 500	Applicable to lots abutting local, collector, and arterial streets.
RM-I, RM-II, and RH zones	Max. 500	Applicable to: □ Lots abutting a local street. □ Lots abutting a collector or arterial street with less than 250 feet of frontage on such street.
	No Max.	Applicable to: □ Lots abutting a collector or arterial street with 250 feet or more of frontage on such street. □ Lots located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets. □ Double frontage lots with both frontages on collector or arterial streets.
CO zone	Max. 500	Applicable to: □ Lots abutting a local street. □ Lots abutting a collector or arterial street, but which are not located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets.
	No Max.	Applicable to lots located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets.

(d) *Locational standards.* Religious assemblies shall be located on streets as set forth in Table 700-4~~3~~.

TABLE 700-4. LOCATIONAL STANDARDS		
Zone	Street Type	Standard
RA zone	Local street	Allowed for seating capacity of 375 seats or less.

TABLE 700-4. LOCATIONAL STANDARDS		
Zone	Street Type	Standard
	Collector or arterial street	Allowed for seating capacity of 375 seats or less, when located on a lot with less than 250 feet of frontage on a collector or arterial street.
		Allowed, regardless of seating capacity, when: □ Located on a lot with 250 feet or more of frontage on a collector or arterial street. □ Located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets. □ Double frontage lots with both frontages on collector or arterial streets.
RS zone	Local street	Allowed for seating capacity of 375 seats or less.
	Collector or arterial street	Allowed for seating capacity of 375 seats or less.
RD zone	Local street	Allowed for seating capacity of 500 seats or less.
	Collector or arterial street	Allowed for seating capacity of 500 seats or less.
RM-I, RM-II, and RH zones	Local street	Allowed for seating capacity of 500 seats or less.
	Collector or arterial street	Allowed for seating capacity of 500 seats or less, when located on lot with less than 250 feet of frontage on a collector or arterial street.
		Allowed, regardless of seating capacity, when: □ Located on a lot with 250 feet or more of frontage on a collector or arterial street. □ Located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets. □ Double frontage lots with both frontages on collector or arterial streets.
CO zone	Local street	Allowed for seating capacity of 500 seats or less.
	Collector or arterial street	Allowed for seating capacity of 500 seats or less, when not located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets.
		Allowed, regardless of seating capacity, when located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets.

(e) *Access.* Access to religious assemblies may be provided from local, collector, or arterial streets. Access provided from a local street shall conform to the standards set forth in Table 700-54.

TABLE 700-5. LOCAL STREET ACCESS	
Zone	Standard
RA and RS zones	Only 1 access point allowed.
RD, RM-I, RM-II, RH, and CO zones	Access points shall be located not more than 125 feet from a collector or arterial street.

(f) *Lot standards.* Maximum lot area and minimum street frontage requirements for religious assemblies are set forth in Table 700-6. The lot standards identified in Table 700-6 apply to an individual lot, or contiguous lots when two or more lots under a single ownership are combined to accommodate the development. For purposes of this subsection, contiguous lots shall include lots that are separated by an alley.

TABLE 700-6. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Maximum Lot Area		
RA zone	Max. 2 acres	Applicable to: □ Lot abutting a local street. □ Lot abutting a collector or arterial street with less than 250 feet of frontage on such street.
	No Max.	Applicable to: □ Lot abutting a collector or arterial street with 250 feet or more of frontage on such street. □ Lot located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets. □ Double frontage lot with both frontages on collector or arterial streets.
RS zone	Max. 2 acres	
RD zone	Max. 3.5 acres	
RM-I, RM-II, and RH zones	Max. 3.5 acres	Applicable to: □ Lot abutting a local street. □ Lot abutting a collector or arterial street with less than 250 feet of frontage on such street.
	No Max.	Applicable to: □ Lot abutting a collector or arterial street with 250 feet or more of frontage on such street. □ Lot located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets. □ Double frontage lot with both frontages on collector or arterial streets.

TABLE 700-6. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
CO zone	Max. 3.5 acres	Applicable to: □ Lot abutting a local street. □ Lot abutting a collector or arterial street, but which is not located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets.
	No Max.	Applicable to lot located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets.
Street Frontage		
RA and RS zones	Min. 100 ft. per street	
RD, RM-I, RM-II, RH, and CO zones	Min. 150 ft. per street	

(g) *Setbacks.* Setbacks for religious assemblies shall be provided as set forth in Table 700-7.

TABLE 700-7: SETBACKS		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings and Accessory Structures		
RA, RS, RD, RM-I, RM-II, and RH zones	Min. 12 ft.	Applicable to buildings and accessory structures not more than 25 ft. in height.
	Min. 12 ft., plus 2 feet for each 5 feet of height over 25 ft.	Applicable to building and accessory structures greater than 25 ft. in height.
CO zone	Min. 20 ft.	Applicable only where buildings and accessory structures are located on a lot abutting a residential zone.
Vehicle Use Areas		
RA, RS, RD, RM-I, RM-II, RH, and CO zones	Min. 12 ft.	
Interior Front		
Buildings and Accessory Structures		
RA, RS, RD, RM-I, RM-II, and RH zones	Min. 12 ft.	Applicable to buildings and accessory structures not more than 25 ft. in height.
	Min. 12 ft., plus 2 feet for each 5 feet of height over 25	Applicable to building and accessory structures greater than 25 ft. in height.

TABLE 700-7: SETBACKS		
Requirement	Standard	Limitations & Qualifications
	ft.	
CO zone	Min. 50 ft.	Applicable only where buildings and accessory structures are located on a lot abutting a residential zone.
Vehicle Use Areas		
RA, RS, RD, RM-I, RM-II, RH, and CO zones	Min. 5 ft.	
	Min. 15 ft.	Applicable when abutting a residential zone.
Interior Side		
Buildings and Accessory Structures		
RA, RS, RD, RM-I, RM-II, and RH zones	Min. 12 ft.	Applicable to buildings and accessory structures not more than 25 ft. in height.
	Min. 12 ft., plus 2 feet for each 5 feet of height over 25 ft.	Applicable to building and accessory structures greater than 25 ft. in height.
CO zone	Min. 50 ft.	Applicable only where buildings and accessory structures are located on a lot abutting a residential zone.
Vehicle Use Areas		
RA, RS, RD, RM-I, RM-II, RH, and CO zones	Min. 5 ft.	
	Min. 15 ft.	Applicable when abutting a residential zone.
Interior Rear		
Buildings and Accessory Structures		
RA, RS, RD, RM-I, RM-II, and RH zones	Min. 12 ft.	Applicable to buildings and accessory structures not more than 25 ft. in height.
	Min. 12 ft., plus 2 feet for each 5 feet of height over 25 ft.	Applicable to building and accessory structures greater than 25 ft. in height.
CO zone	Min. 50 ft.	Applicable only where buildings and accessory structures are located on a lot abutting a residential zone.
Vehicle Use Areas		
RA, RS, RD, RM-I, RM-II, RH, and CO zones	Min. 5 ft.	
	Min. 15 ft.	Applicable when abutting a residential zone.

(h) *Lot coverage; height.* Buildings and accessory structures for religious assemblies shall conform to the lot coverage and height standards set forth in Table 700-8~~7~~.

TABLE 700-8. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
RA, RS, RD, RM-I, RM-II, RH, and CO zones	Max. 40%	Applicable to an individual lot, or contiguous lots when multiple lots are combined under a single ownership to accommodate the development. For the purpose of this requirement, contiguous shall include lots that are separated by an alley
Height		
Buildings and Accessory Structures		
RA and RS zones	Max. 35 ft.	
	Max. 50 ft.	Applicable to spires, steeples, and towers without usable floor space.

(i) *Off-street parking.*

(1) *Location.*

(A) Off-street parking may be located on-site or off-site. When parking is provided off-site, it shall be located:

(i) On a lot or lots that are contiguous to the lot containing the main building or use; or

(ii) Within 600 feet of the lot containing the main building or use, on a lot or lots within a nonresidential zone.

(B) For the purposes of this ~~paragraph~~ subsection, contiguous shall include a lot or lots that are separated from the lot containing the main building or use by an alley.

(2) *Screening.* Off-street parking areas shall be screened from abutting residential zoned property.

(j) *Landscaping.* All lot area not developed for buildings, structures, parking, loading, or driveways shall be landscaped as provided in SRC chapter 807.

(k) *Related uses.* Schools, day care facilities, kindergartens, meeting facilities for clubs and organizations, and other similar activities operated primarily for the purpose of religious instruction, worship, government of the church, or the fellowship of its congregation shall be permitted. When such activities are not operated primarily for the purpose of religious instruction, worship, government of the church, or the fellowship of its congregation, the activities shall be allowed only if they are an allowed use in the zone.

(Prior Code, § 700.050; Ord. No. 31-13; Ord. No. 22-15, § 28, 11-23-2015; Ord. No. 10-17, § 25, 7-10-2017)

Sec. 700.~~055~~060. Residential facility.

Where designated as a special use, residential facilities, as defined under ORS 197.660, shall comply with the additional standards set forth in this section.

(a) *Setbacks.* Setbacks for residential facilities shall be provided as set forth in Table 700-9~~8~~.

TABLE 700-9. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings and accessory structures	Min. 20 ft.	
Vehicle use areas	Per SRC chapter 806	
Interior Front		
Buildings and accessory structures	Min. 20 ft.	
Vehicle use areas	Min. 5 ft.	
Interior Side		
Buildings and accessory structures	Min. 20 ft.	
Vehicle use areas	Min. 5 ft.	
Interior Rear		
Buildings and accessory structures	Min. 20 ft.	
Vehicle use areas	Min. 5 ft.	

(b) *Lot coverage.* Buildings and accessory structures shall not exceed a maximum lot coverage of 40 percent.

(c) *Landscaping.* All lot area not developed for buildings, structures, parking, loading, or driveways shall be landscaped as provided in SRC chapter 807.

(d) *Screening.* Off-street parking and loading areas shall be screened from adjacent uses by a sight-obscuring fence, wall, or hedge.

(Prior Code, § 700.055; Ord. No. 31-13; Ord. No. 22-15, § 28, 11-23-2015; Ord. No. 10-17, § 26, 7-10-2-17)

Sec. 700.~~060~~065. Scrap and waste material wholesalers.

Where designated as a special use, scrap and waste material wholesalers shall comply with the additional standards set forth in this section.

(a) *Heavy operations.* If conducted outdoors, the following operations shall be conducted more than 300 feet away from residentially zoned property or property used for a residential use:

(1) Shredding or baling of tires;

(2) Compression, cutting, or baling of scrap metal;

(3) Cutting or baling of used lumber; and

(4) Breaking up of concrete or masonry, other than the removal of mortar for the salvage of stone or brick masonry products.

(b) *Screening.* All outdoor operations shall be screened from adjacent streets and adjacent property by:

(1) A sight-obscuring fence or wall not less than seven feet in height; or

(2) A landscaped berm in combination with a sight-obscuring fence, the top of which is at least eight feet above the highest grade on either side thereof.

(Prior Code, § 700.060; Ord. No. 31-13; Ord. No. 22-15, § 28, 11-23-2015)

Sec. 700.~~065~~070. Secondary dwellings and guest rooms.

Where designated as a special use, secondary dwellings and guest rooms shall comply with the additional standards set forth in this section.

(a) *Location.*

(1) Secondary dwelling units and guest rooms may be located within a building devoted primarily to a nonresidential use, provided that none of the ground floor area within 25 feet of the exterior wall of the building facing a business street is occupied by any portion of a dwelling unit or guest room other than an entrance, hallway, or stairway not more than six feet in width.

(2) For purposes of this subsection, the term "business street" means a collector or arterial street providing access to commercially or industrially zoned lots fronting thereon.

(Prior Code, § 700.065; Ord. No. 31-13; Ord. No. 22-15, § 28, 11-23-2015)

Sec. 700.~~070~~075. Small animal veterinary services.

Where designated as a special use, small animal veterinary services shall comply with the additional standards set forth in this section.

(a) All operations, other than outside runs for dogs and other animals, shall be conducted within completely enclosed and soundproof buildings.

(b) Outside runs for dogs and other animals shall:

(1) Be operated only between the hours of 7:00 a.m. to 6:00 p.m. An attendant shall be present on the premises at all times during the hours of operation.

(2) Be setback a minimum of 60 feet from residentially zoned property or property used for a residential use.

(3) Be screened from adjacent streets and adjacent property by a sight-obscuring fence, wall, or hedge.

(Prior Code, § 700.070; Ord. No. 31-13; Ord. No. 22-15, § 28, 11-23-2015)

Sec. 700.~~075~~080. Social services.

Where designated as a special use, social services shall comply with the additional standards set forth in this section.

(a) *Lot area.* Social services shall have a minimum lot area of 43,560 square feet.

(b) *Setbacks.* Social services shall be set back a minimum of 35 feet from residentially zoned property or property used for a residential use.

(c) *Lot coverage.* Buildings and accessory structures for social services shall not exceed a maximum lot coverage of 40 percent.

(d) *Screening.* Social services shall be screened from adjacent uses by a sight-obscuring fence, wall, or hedge.

(Prior Code, § 700.075; Ord. No. 31-13; Ord. No. 22-15, § 28, 11-23-2015)

Sec. 700.~~080~~085. Townhouses.

Where designated as a special use, townhouses shall comply with the additional standards set forth in this section.

(a) *Permitted development.*

(1) Within the Residential Agriculture (RA), Single Family Residential (RS), and Duplex Residential (RD) Zones, not more than three townhouses, each on a separate platted lot, may be attached.

(2) Within any zone, other than the Residential Agriculture (RA), Single Family Residential (RS), and Duplex Residential (RD) Zones, not more than six townhouses, each on a separate platted lot, may be attached.

(b) *Interior side setback.* Any exterior wall or portion thereof which faces but is not contiguous to an interior side lot line shall be setback a minimum of five feet; otherwise, the interior side setback requirements of the UDC shall not apply. The provisions of this subsection shall also apply to accessory structures.

(c) *Maintenance easement.* No building permit shall be issued for a townhouse unless the applicant provides a copy of a recorded easement from the owner of the property that abuts the townhouse providing for reasonable ingress, egress, and use of such abutting property for the purpose of maintaining, repairing, and replacing the premises. The easement shall be in a form approved by the City Attorney.

(Prior Code, § 700.080; Ord. No. 31-13; Ord. No. 22-15, § 28, 11-23-2015)

Sec. 700.~~085~~090. Two family shared dwellings.

Where designated as a special use, two family shared dwellings shall comply with the additional standards set forth in this section.

(a) The building to be converted to a two family shared dwelling must have been constructed as a single family dwelling and must have been occupied as such by an owner for a continuous six-month period between the date of its first occupancy and the date of its conversion to a two family shared dwelling.

(b) The building shall contain no more than two dwelling units after conversion.

(c) One dwelling unit within the building must be occupied by the owner of the building.

(d) There shall be no more than two dwelling units per lot.

(e) A minimum of 60 percent of the building's habitable space prior to conversion must be included within one of the dwelling units.

(f) Each dwelling unit shall contain a minimum of 600 square feet of floor area.

(g) No more than 60 square feet of floor area shall be added to the building; provided, however, conversion of unfinished areas to habitable space shall not count toward the 60 square foot limitation.

(h) A two family shared dwelling shall not be separated in ownership under ORS ch. 94 or any other law or ordinance allowing ownership of a portion of a building or the space therein.

(Prior Code, § 700.085; Ord. No. 31-13; Ord. No. 22-15, § 28, 11-23-2015)

Sec. 700.~~090~~095. Zero side yard dwellings.

Where designated as a special use, zero side yard dwellings shall comply with the additional standards set forth in this section.

(a) *Permitted development.* Any number of zero side yard dwellings, each on a separate platted lot, may be developed under this section in any zone.

(b) *Interior side setback.* Any exterior wall or portion thereof which faces but is not contiguous to an interior side lot line shall be setback a minimum of five feet; otherwise, the interior side setback requirements of the UDC shall not apply.

(c) *Maintenance easement.* No building permit shall be issued for a zero side yard dwelling unless the applicant provides a copy of a recorded easement from the owner of the property which abuts the zero side yard dwelling providing for reasonable ingress, egress, and use of such abutting property for the purpose of maintaining, repairing, and replacing the premises. The easement shall be in a form approved by the City Attorney.

(Prior Code, § 700.090; Ord. No. 31-13; Ord. No. 22-15, § 28, 11-23-2015)

CHAPTER 701. TEMPORARY USES

Sec. 701.001. Purpose.

The purpose of this chapter is to establish standards and a review procedure for uses allowed as temporary uses under the UDC.

(Prior Code, § 701.001; Ord. No. 31-13)

Sec. 701.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Construction storage yard*~~:~~ means a storage area for construction supplies, materials, and/or equipment, located on a site other than the construction site itself, for use only during the actual construction of a project.

~~(b)~~ *Replacement single family dwelling*~~:~~ means a new single family dwelling constructed to replace an existing owner occupied, site-built, single family dwelling on the same lot.

~~(c)~~*Residential sales/development office*~~:~~ means a building or structure within a subdivision, planned unit development (PUD), condominium development, apartment complex, or manufactured dwelling park whose principal use is for the sale, rent, lease, and/or development of lots, units, and/or structures within the subdivision, PUD, condominium development, apartment complex, or manufactured dwelling park.

~~(e)~~*Temporary and seasonal gravel off-street parking and loading area*~~:~~ means a gravel off-street parking or loading area utilized to meet a need for parking or loading that is temporary or seasonal in nature, and which is restricted to a limited duration.

~~(d)~~ *Temporary motor vehicle and recreational vehicle sales*~~:~~ means the use of property for the sale of cars, light trucks, or recreational vehicles by a commercial dealer for a period that does not exceed four consecutive days.

(Prior Code, § 701.005; Ord. No. 31-13)

Sec. 701.010. Temporary use permit.

(a) *Applicability.* No building, structure, or land shall be used or developed for any use which is allowed as a temporary use under the UDC unless a temporary use permit has been granted pursuant to this chapter.

(b) *Classes.*

(1) *Class 1 temporary use permit.* A Class 1 temporary use permit is a permit for the following:

(A) Christmas tree sales;

(B) Construction storage yard;

(C) Replacement single family dwelling;

(D) Residential sales/development office; and

(E) Temporary motor vehicle and recreational vehicle sales.

(2) *Class 2 temporary use permit.* A Class 2 temporary use permit is a permit for the following:

(A) Temporary and seasonal gravel parking and loading areas.

(c) *Procedure type.*

(1) A Class 1 temporary use permit is processed as a Type I procedure under SRC chapter 300.

(2) A Class 2 temporary use permit is processed as a Type II procedure under SRC chapter 300.

(Prior Code, § 701.010; Ord. No. 31-13)

Sec. 701.015. Christmas tree sales.

Christmas tree sales shall comply with the following:

(a) *Temporary use permit required.* Christmas tree sales shall require a Class 1 temporary use permit.

(b) *Submittal requirements.* An application for a Class 1 temporary use permit for Christmas tree sales shall include the submittal requirements for a Type I application under SRC chapter 300.

(c) *Standards.* Christmas tree sales shall comply with the standards set forth in this subsection.

(1) *Period of use.* Christmas tree sales may be conducted in the location authorized under a temporary use permit only during the months of November and December.

(d) *Criteria.* A Class 1 temporary use permit for Christmas tree sales shall be granted if the applicable standards set forth in this section are met.

(Prior Code, § 701.015; Ord. No. 31-13)

Sec. 701.020. Replacement single family dwelling.

Replacement single family dwellings shall comply with the following:

(a) *Temporary use permit required.* Replacement single family dwellings shall require a Class 1 temporary use permit.

(b) *Submittal requirements.* In addition to the submittal requirements for a Type I application under SRC chapter 300, an application for a Class 1 temporary use permit for a replacement single family dwelling shall include the following:

(1) A bond and removal agreement, in conformance ~~with SRC 701.025(c)(3)~~ subsection (c)(3) of this section.

(c) *Standards.* Replacement single family dwellings shall comply with the standards set forth in this subsection.

(1) *Period of use.* The existing single family dwelling shall be removed within six months from date of issuance of the building permit for the replacement single family dwelling; provided, however, the Planning Administrator may grant the owner one extension for up to six months to remove the existing family dwelling if the owner proves that unusual circumstances beyond their control, and not financial circumstances, have delayed construction of the replacement single family dwelling.

(2) *Demolition permit required.* A demolition permit for the existing single family dwelling shall be obtained by the owner at the time the building permit for the replacement single family dwelling is issued.

(3) *Bond and removal agreement required.* The owner of the existing single family dwelling shall post a $7,500.00 bond and enter into an agreement with the City granting the City authority to remove the existing single family dwelling if the owner fails to remove the structure in compliance with ~~paragraph~~ subsection (c)(1) of this ~~sub~~section.

(d) *Criteria.* A Class 1 temporary use permit for a replacement single family dwelling shall be granted if the applicable standards set forth in this section are met.

(Prior Code, § 701.020; Ord. No. 31-13; Ord. No. 11-14)

Sec. 701.025. Residential sales/development office.

Residential sales/development offices shall comply with the following:

(a) *Temporary use permit required.* Residential sales/development offices shall require a Class 1 temporary use permit.

(b) *Submittal requirements.* In addition to the submittal requirements for a Type I application under SRC chapter 300, an application for a Class 1 temporary use permit for a residential sales/development office shall include the following:

(1) A site 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; and

(B) The location, distance to property lines, and height of the proposed building or structure to be used as a residential sales/development office.

(c) *Standards.* Residential sales/development offices shall comply with the standards set forth in this subsection.

(1) *Period of use.* A residential sales/development office may operate in the location authorized under a temporary use permit until the later of the following:

(A) Completion of the subdivision, PUD, condominium, apartment complex, or manufactured dwelling park; or

(B) The sale, rent, or lease of all lots and/or structures within the subdivision, PUD, condominium, apartment complex, or manufactured dwelling park.

(2) *Building or structure to be sited and constructed to accommodate a permitted use.* The building or structure to be used as a residential sales/development office shall be constructed and sited for the ultimate purpose of a legally permitted use. A mobile home that is being used as a temporary residential sales/development office shall be removed when its use as a residential sales/development office has ceased.

(3) *Appearance; maintenance.* The exterior of a residential sales/development office shall be finished and the site shall be landscaped and maintained while being used as a residential sales/development office. All plant material that dies or is diseased while the structure is being used as a residential sales/development office shall be replaced.

(4) *Hours of operation.* The hours of operation of a residential sales/development office shall be limited to between 8:00 a.m. and 8:00 p.m.

(5) *Restoration to residential use.* Upon termination of the use of the building or structure as a temporary residential sales/development office, the property shall be restored to its residential condition and use.

(d) *Criteria.* A Class 1 temporary use permit for a residential sales/development office shall be granted if the applicable standards set forth in this section are met.

(Prior Code, § 701.025; Ord. No. 31-13; Ord. No. 11-14)

Sec. 701.030. Temporary motor vehicle and recreational vehicle sales.

Temporary motor vehicle and recreational vehicle sales shall comply with the following:

(a) *Temporary use permit required.* Temporary motor vehicle and recreational vehicle sales shall require a Class 1 temporary use permit.

(b) *Submittal requirements.* In addition to the submittal requirements for a Type I application under SRC chapter 300, an application for a Class 1 temporary use permit for temporary motor vehicle or recreational vehicle sales shall include the following:

(1) A site 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 location of the proposed temporary motor vehicle or recreational vehicle sales area.

(c) *Standards.* Temporary motor vehicle and recreational vehicle sales shall comply with the standards set forth in this subsection.

(1) *Period of use.* Temporary motor vehicle and recreation vehicle sales may be conducted in the location authorized under a temporary use permit for a period not to exceed four consecutive days, and shall not be held more than three times per calendar year.

(d) *Criteria.* A Class 1 temporary use permit for temporary motor vehicle and recreational vehicle sales shall be granted if the applicable standards set forth in this section are met.

(Prior Code, § 701.030; Ord. No. 31-13; Ord. No. 11-14)

Sec. 701.035. Temporary and seasonal gravel parking and loading areas.

Temporary and seasonal gravel off-street parking and loading areas shall comply with the following:

(a) *Temporary use permit required.* Temporary and season gravel off-street parking and loading areas shall require a Class 2 temporary use permit.

(b) *Submittal requirements.* In addition to the submittal requirements for a Type II application under SRC chapter 300, an application for a Class 2 temporary use permit for a temporary or seasonal gravel off-street parking or loading area shall include the following:

(1) A site 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, total area, distance to property lines, and layout of the proposed temporary or seasonal gravel off-street parking or loading area, including the size, number, and dimensions of proposed parking or loading spaces, and the location of wheel barriers;

(C) The proposed thickness of the gravel improvement;

(D) The location of proposed driveways and driveway approaches;

(E) The location of proposed landscaping; and

(F) The location, height, and material of proposed screening.

(c) *Standards.* Temporary and seasonal gravel off-street parking and loading areas shall comply with the standards set forth in this subsection.

(1) *Period of use.*

(A) A seasonal gravel off-street parking or loading are may be approved at the location authorized under a temporary use permit for a period not exceed six consecutive months within any 12-month period.

(B) A temporary gravel off-street parking or loading area may be approved at the location authorized under a temporary use permit for a period not to exceed one year.

(C) A temporary use permit for a temporary or seasonal gravel off-street parking or loading area may be renewed annually, provided the applicant demonstrates that the facts upon which the temporary use permit was originally granted have not materially changed. The maximum cumulative total period for all such renewals shall not exceed five years.

(2) *Location.* No temporary or seasonal gravel off-street parking or loading area shall be located within the Central Business District (CB) Zone or within 500 feet of a residential zone.

(3) *Size.* The temporary or seasonal gravel off-street parking or loading area shall not exceed 15,000 square feet; provided, however, that any other more restrictive size requirement established by state or federal laws or rules shall be met.

(4) *Improvement.* Temporary and seasonal gravel off-street parking and loading areas shall be improved with a minimum of four inches of base rock covered by a minimum of two inches of three-quarter inch or smaller crushed rock as a leveling course; provided, however, temporary and seasonal gravel off-street parking and loading areas used exclusively by passenger cars need only be improved with a minimum of three inches of base rock.

(5) *Landscaping.* A landscaped area a minimum of five feet in depth shall be provided around the perimeter of the temporary or seasonal gravel off-street parking or loading area.

(6) *Screening.* Temporary and seasonal gravel off-street parking and loading areas shall be screened from all adjacent uses by a sight-obscuring fence, wall, or hedge. Screening may be located within the perimeter landscaping required in ~~paragraph~~ subsection (c)(5) of this ~~sub~~section.

(7) *Wheel barriers.* Wheel barriers shall be provided to designate each parking space.

(8) *Paving upon expiration or termination.* Upon expiration or termination of the temporary use permit, the temporary or seasonal gravel off-street parking or loading area shall be paved, in accordance with SRC chapter 806, or closed to vehicle access by a physical barrier.

(d) *Criteria.* A Class 2 temporary use permit for a temporary or seasonal gravel off-street parking or loading area shall be granted if all of the following criteria are met:

(1) The temporary or seasonal parking or loading need cannot otherwise be reasonably and economically met.

(2) The use of the gravel off-street parking or loading area will be, in fact, temporary or seasonal.

(3) The temporary or seasonal gravel off-street parking or loading area complies with the applicable standards set forth in this section.

(Prior Code, § 701.035; Ord. No. 31-13; Ord. No. 11-14)

Sec. 701.040. Construction storage yard.

Construction storage yards shall comply with the following:

(a) *Temporary use permit required.* Construction storage yards shall require a Class 1 temporary use permit.

~~(c)~~ (b) *Submittal requirements.* In addition to the submittal requirements for a Type I application under SRC chapter 300, an application for a Class 1 temporary use permit for a construction storage yard shall include the following:

(1) A site 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 location of the proposed temporary construction storage yard in relation to the construction site it will serve.

(c) *Standards.* Temporary construction storage yards shall comply with the standards set forth in this subsection.

(1) *Period of use.* A construction storage yard may operate in the location authorized under a temporary use permit for a period not to exceed six consecutive months; provided, however, such permit may be extended for additional six-month periods for active projects.

(2) *Location.* A construction storage yard shall be located within 500 feet of the construction site it serves. For purposes of this subsection, the term "construction site" means the property subject to an active building permit.

(3) *Prohibited storage.* No demolition debris or other waste may be stored or processed on the site.

(d) *Criteria.* A Class 1 temporary use permit for a construction storage yard shall be granted if the applicable standards set forth in this section are met.

(Prior Code, § 701.040; Ord. No. 31-13; Ord. No. 11-14)

CHAPTER 702. MULTIPLE FAMILY DESIGN REVIEW GUIDELINES AND STANDARDS

Sec. 702.001. Purpose.

The purpose of this chapter is to establish design review guidelines and design review standards for multiple family development.

(Prior Code, § 702.001; Ord. No. 31-13)

Sec. 702.005. Multiple family design review.

(a) Except as provided under subsection (b) of this section, and unless otherwise provided in the UDC, design review under SRC chapter 225 is required for all multiple family development.

(b) Exceptions. Multiple family design review is not required for:

(A) Multiple family development within a mixed-use building.

(B) Multiple family development within:

(i) The Central Business District (CB) Zone.

(ii) The South Waterfront Mixed-Use (SWMU) Zone.

(iii) The Neighborhood Center Mixed-Use (NCMU) Zone.

(iv) The Broadway/High Street Retail Overlay Zone

(v) The Broadway/High Street Housing Overlay Zone.

(vi) The General Retail/Office Overlay Zone.

(vii) The Front Street Overlay Zone.

(viii) The Riverfront High Density Residential Overlay Zone.

(ix) The Riverfront Overlay Zone.

(x) The Salem Downtown Historic District.

(xi) The Public and Private Health Services (PH) Zone.

(Prior Code, § 702.005; Ord. No. 31-13; Ord. No. 11-17, § 2, 6-26-2017)

Sec. 702.010. Multiple family design review guidelines and design review standards.

Multiple family development shall comply with either all of the applicable design review guidelines or all of the applicable design review standards set forth in this chapter. The design review guidelines and the design review standards set forth in this chapter are in addition to, and not in lieu of, all other applicable development standards in the UDC. Where the design review guidelines or the design review standards conflict with the development standards in the UDC, the design review guidelines and the design review standards shall be the applicable development standard.

(Prior Code, § 702.010; Ord. No. 31-13)

Sec. 702.015. Open space design review guidelines and standards.

(a) *Open space design goals and objectives.*

(1) *Design goals.*

(A) Implement ~~City~~ Council goals and neighborhood policies that encourage open space in multiple family developments;

(B) Provide common and private open space for active and passive uses;

(C) Encourage preservation of the natural open qualities which may exist on a site;

(D) Ensure that open space is accessible with pedestrian pathways available to all residents of the development; and

(E) Provide visual relief from structural bulk.

(2) *Design objectives.*

(A) Locate open space throughout the site and in proximity to dwelling units;

(B) Provide centrally located open space in increments large enough to accommodate intended activities;

(C) Integrate open space with the natural topography;

(D) Maximize private open space for each dwelling unit;

(E) Preserve exposure to light, air, and visual access;

(F) Provide children's play areas interspersed and centrally located within multiple family developments;

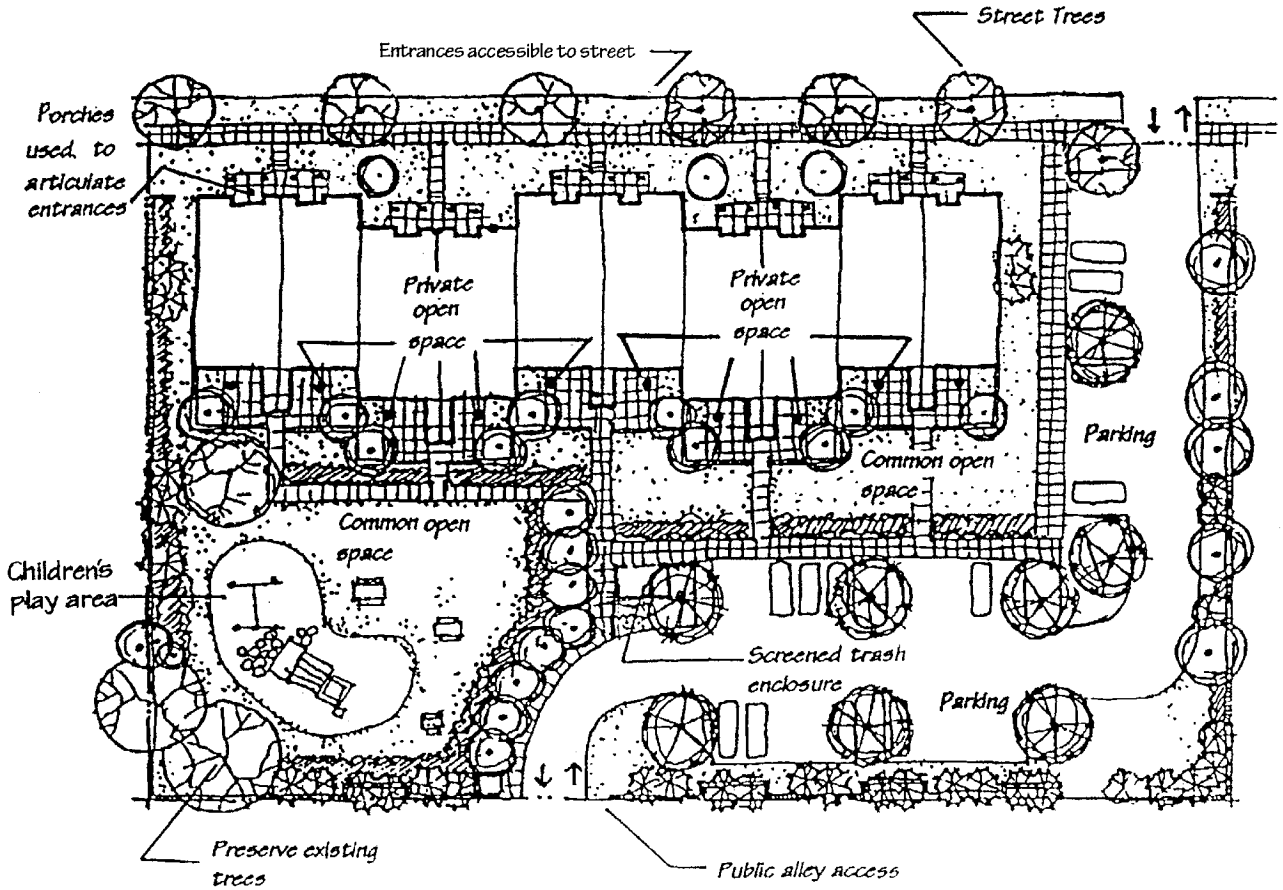
(G) Maximize visual relief from structural bulk;

(H) Provide separation between buildings on- and off-site;

(I) Promote active recreational opportunities within open space; and

(J) Provide pedestrian access to all common open space areas to promote active use.

FIGURE 702-1. MULTIPLE FAMILY CONCEPTUAL SITE DESIGN



(b) *Common open space.*

(1) *Design review guidelines.*

(A) A variety of open space areas of sufficient size shall be provided for use by all residents.

(B) Common open space shall be distributed around buildings and throughout the site.

(C) The amount of perimeter setbacks used for common open space shall be minimized.

(2) *Design review standards.*

(A) Common open space shall be provided in all newly constructed multiple family developments with five or more dwelling units as follows:

(i) A minimum of 30 percent of the gross site area shall be designated and permanently reserved as common open space.

(ii) Not more than 50 percent of the common open space shall be located in the required perimeter setbacks of the development.

(iii) Not more than 15 percent of the common open space shall be located on land with slopes greater than 25 percent.

(iv) Indoor or covered recreation space may count toward the common open space requirement, provided such indoor or covered space does not exceed 30 percent of the common open space.

(v) At least one of the common open space areas provided within the development shall meet the size and dimensional standards set forth in Table 702-1.

TABLE 702-1. COMMON OPEN SPACE AREA SIZE AND DIMENSIONS

Number of Dwelling Units	Minimum Open Space Area Size	Minimum Horizontal Dimension
5 to 10	500 sq. ft.	20 ft.
11 to 20	750 sq. ft.	25 ft.
More than 20	1000 sq. ft., plus an additional 250 sq. ft. for every 20 units, or portion thereof, over 20 units.	25 ft.

(c) *Children's play areas and adult recreation areas.*

(1) *Design review guidelines.*

(A) A variety of common open area opportunities shall be provided for enjoyment by all residents.

(B) Children's play and/or adult recreation areas shall be located centrally within the development.

(C) Children's play areas, if provided, shall be located in a manner to incorporate safety into the design by including such things as locating play areas to be visible from dwelling units, locating play areas away from physical barriers such as driveways and parking areas, and selection of play equipment with safe designs.

(2) *Design review standards.*

(A) Outdoor children's play and/or adult recreation areas shall be provided, as set forth in Table 702-2, in all newly constructed multiple family developments with 20 or more dwelling units. Outdoor children's play and/or adult recreation areas count toward meeting the common open space

requirement.

TABLE 702-2. OUTDOOR CHILDREN'S PLAY AREAS AND ADULT RECREATION AREAS		
Number of Dwelling Units	Play/Recreation Area Size	Minimum Horizontal Dimension
1 to 19	N/A	N/A
20	950 sq. ft.	25 ft.
More than 20	950 sq. ft., plus an additional 250 sq. ft. for every 20 units, or portion thereof, over 20 units.	25 ft.

(B) Outdoor children's play and/or adult recreation areas shall be located centrally within the development.

(C) Outdoor children's play and/or adult recreation areas shall not be located within required setbacks.

(D) Outdoor children's play and/or adult recreation areas may be located within stormwater detention areas if the area meets the following:

(i) No dimension is less than 15 feet wide;

(ii) Side slopes are 4:1 or less; and

(iii) There is a minimum 250 square foot area with a slope no greater than two percent.

(E) A minimum 30-inch tall fence shall be installed to separate outdoor children's play areas from any parking lot, drive aisle, or street.

(d) *Private open space.*

(1) *Design review guidelines.*

(A) Individual private open space shall be provided for each dwelling unit in all newly constructed multiple family developments.

(B) Private open space shall be easily accessible from the dwelling unit.

(C) If private open space is located adjacent to common open space, a buffer between the two open space areas shall be provided.

(2) *Design review standards.*

(A) Private open space, meeting the size and dimension standards set forth in Table 702-3, shall be provided for each dwelling unit in all newly constructed multiple family developments.

TABLE 702-3. PRIVATE OPEN SPACE SIZE AND DIMENSIONS		
Location of Dwelling Unit	Minimum Open Space Area Size	Minimum Dimension
Not more than 5 feet above finished grade	96 sq. ft.	6 ft.
More than 5 feet above finished grade	48 sq. ft.	6 ft.

(B) Private open space shall be located contiguous to the dwelling unit, with direct access to the private open space provided through a doorway.

(C) Private open space shall be visually separated from common open space through the use of perimeter landscaping or fencing.

(Prior Code, § 702.015; Ord. No. 31-13)

Sec. 702.020. Landscaping design review guidelines and standards.

(a) *Landscaping design goals and objectives.*

(1) *Landscaping goals.*

(A) Encourage a quality living environment for all residents of the City ~~of Salem~~;

(B) Ensure aesthetic values in the construction of multiple family developments;

(C) Achieve compatibility between multiple family developments and surrounding land uses; and

(D) Encourage a mix of landscaping treatments and techniques to enhance multiple family developments.

(2) *Landscaping objectives.*

(A) Provide adequate separation between abutting properties;

(B) Mitigate noise;

(C) Screen objectionable views;

(D) Establish a sense of place;

(E) Provide definition to dwelling unit entries and pedestrian pathways;

(F) Promote safety, security, and privacy;

(G) Enhance structural elements;

(H) Provide visual relief from blank exterior walls, building mass, and bulk;

(I) Help retain the long term value of property;

(J) Minimize the visual impact of impervious surfaces; and

(K) Provide protection from winter wind and summer sun.

(b) *General landscaping.*

(1) *Design review guidelines.*

(A) A variety of tree types shall be distributed throughout the site to maximize tree canopy.

(B) Landscaping shall be used to shield the site from winter winds and summer sun.

(C) Existing trees shall be preserved to the maximum extent possible.

(D) Where a development site abuts property zoned Residential Agricultural (RA) or Single Family Residential (RS), an appropriate combination of landscaping and screening shall be provided that is sufficient to buffer between the multiple family development and the abutting RA or RS zoned property.

(2) *Design review standards.*

(A) A minimum one tree shall be planted or preserved for every 2,000 square feet of gross site area.

(B) Trees shall be planted that, at maturity, will provide canopy coverage over at least one-third of the open space and setbacks.

(C) Landscaping, or a combination of landscaping and fencing, shall be provided for developments abutting arterial or collector streets to prevent headlights from shining into the windows of buildings.

(D) Where a development site abuts property that is zoned Residential Agricultural (RA) or Single Family Residential (RS), a combination of landscaping and screening shall be provided to buffer between the multiple family development and the abutting RA or RS zoned property. The landscaping and screening shall include the following:

(i) A minimum of one tree, not less than 1.5 inches in caliper, for every 30 ~~lineal~~ linear feet of abutting property width; and

(ii) A minimum six-foot tall, decorative, sight-obscuring fence or wall. The fence or wall shall be constructed of materials commonly used in the construction of fences and walls, such as wood, stone, rock, brick, or other durable materials. Chainlink fencing with slats shall be not allowed to satisfy this standard.

(c) *Street frontage.*

(1) *Design review guidelines.*

(A) The residential character of the site shall be enhanced with trees planted within the public right-of-way.

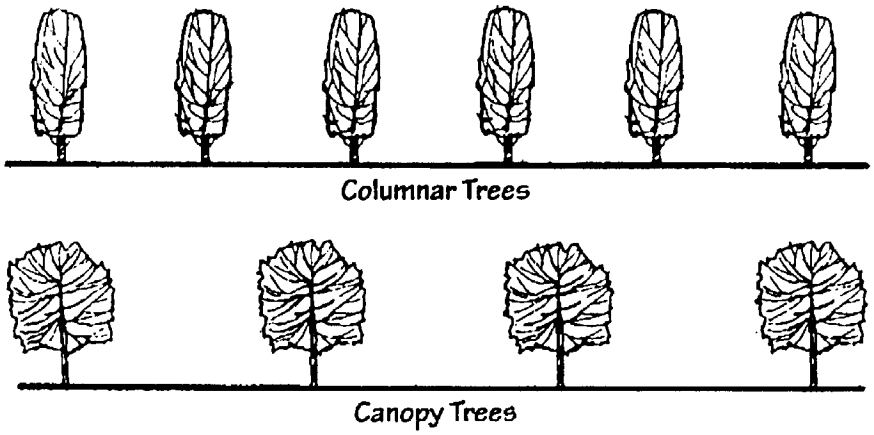
(2) *Design review standards.*

(A) Trees shall be planted within the public right-of-way at one of the following ratios:

(i) *Canopy trees.* One canopy tree per 50 linear feet of street frontage, or fraction thereof.

(ii) *Columnar trees.* One columnar tree per 40 linear feet of street frontage, or fraction thereof.

FIGURE 702-2. CANOPY AND COLUMNAR TREES



(d) *Building exteriors.*

(1) *Design review guidelines.*

(A) Landscaping shall be planted to define and accentuate the primary entryway of each dwelling unit, or combination of dwelling units.

(B) Vertical and horizontal landscape elements shall be provided along all exterior walls to soften the visual impact of buildings and create residential character.

(2) *Design review standards.*

(A) A minimum of two plant units, as set forth in SRC chapter 807, Table 807-2, shall be provided adjacent to the primary entryway of each dwelling unit, or combination of dwelling units.

(B) New trees shall be planted, or existing trees shall be preserved, at a minimum density of ten plant units per 60 linear feet of exterior building wall. Such trees shall be located not more than 25 feet from the edge of the building footprint.

(C) Shrubs, when used, shall be distributed around the perimeter of buildings at a minimum density of one plant unit per 15 linear feet of exterior building wall.

(e) *Privacy.*

(1) *Design review guidelines.*

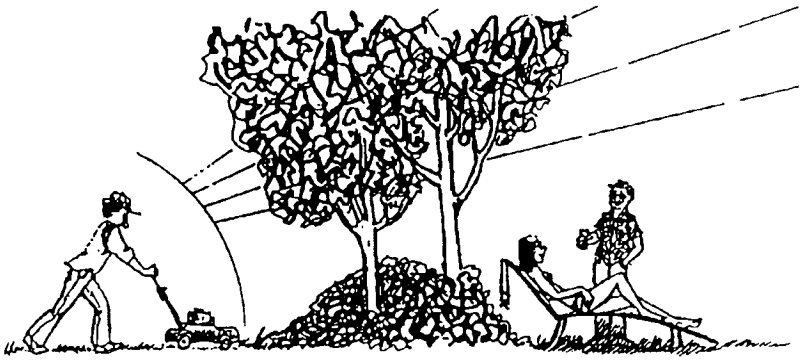
(A) Landscaping, or a combination of landscaping and fencing, shall be used to buffer the multiple family development from abutting properties.

(B) Landscaping shall be used to enhance the privacy of dwelling units. Methods may include fencing in combination with plant units.

(2) *Design review standards.*

(A) Ground level private open space shall be physically and visually separated from common open space with perimeter landscaping or perimeter fencing (see Figure 702-3).

FIGURE 702-3. SEPARATION OF PRIVATE AND COMMON OPEN SPACE



(f) *Parking areas.*

(1) *Design review guidelines.*

(A) Canopy trees shall be distributed throughout the interior, and planted along the perimeter, of parking areas (see Figure 702-4 and Figure 702-5).

(2) *Design review standards.*

(A) A minimum of one canopy tree shall be planted along every 50 feet of the perimeter of parking areas. Trunks of the trees shall be located within 15 feet of the edge of the parking area (see Figure 702-4).

(B) Canopy trees shall be planted within planter bays (see Figure 702-5).

(C) Planter bays shall be a minimum width of 18 feet.

FIGURE 702-4. PARKING LOT LANDSCAPING

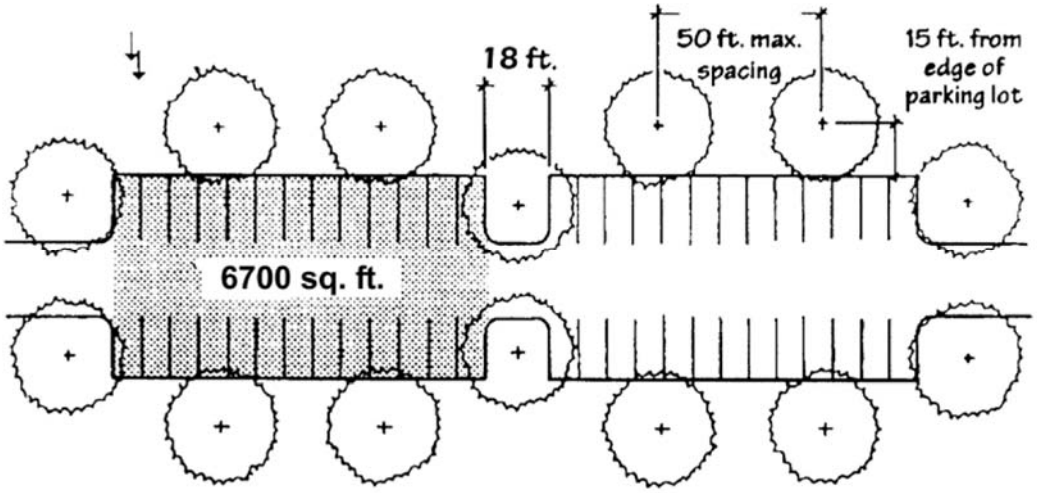
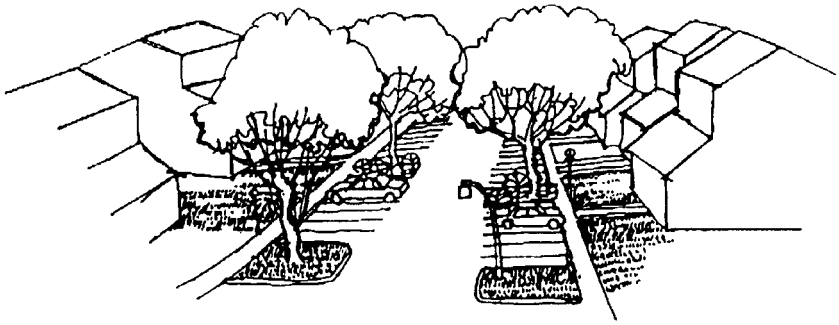


FIGURE 702-5. PARKING LOT WITH CANOPY TREES



(Prior Code, § 702.020; Ord. No. 31-13)

Sec. 702.025. Crime prevention through environmental design.

(a) *Safety features for residents*

(1) *Design review guidelines.*

(A) Multiple family developments shall be designed in a manner that considers crime prevention and resident safety.

(B) Landscaping and fencing shall be provided in a manner that does not obscure visual surveillance of common open space, parking areas, or dwelling unit entryways.

(2) *Design review standards.*

(A) Fences, walls, and plant materials shall not be installed between street-facing dwelling units and public or private streets in locations that obstruct the visibility of dwelling unit entrances from the street. For purposes of this standard, the term "obstructed visibility" means the entry is not in view from the street along one-half or more of the dwelling unit's frontage.

(B) Landscaping and fencing adjacent to common open space, parking areas, and dwelling unit

entryways shall be limited to a maximum height of three feet.

(C) Windows shall be provided in all habitable rooms, other than bathrooms, that face common open space, parking areas, and pedestrian paths.

(D) Lighting shall be provided that illuminates all exterior dwelling unit entrances, parking areas, and pedestrian paths within the development.

(E) A completed "Enhanced Safety Assessment Report for Multi-Family Construction" shall be submitted. Compliance with the provisions of the assessment is advisable but not mandatory.

(Prior Code, § 702.025; Ord. No. 31-13)

Sec. 702.030. Parking, site access, and circulation.

(a) *Parking, site access, and circulation design goals and objectives.*

(1) *Parking, site access, and circulation goals.*

(A) Ensure safe and efficient site access, pedestrian and vehicle circulation, and parking in multiple family developments;

(B) Promote circulation and access for all modes of transportation;

(C) Encourage aesthetic and functional site design with consideration for natural contours and topography as it relates to parking and site access in multiple family developments; and

(D) Encourage pedestrian and vehicle circulation linkages which will integrate amenities within multiple family developments and with the surrounding area.

(2) *Parking, site access, and circulation objectives.*

(A) Provide transportation connections to surrounding areas;

(B) Promote accessibility to and within the site;

(C) Integrate the design of parking areas and pedestrian pathways with natural contours and topography;

(D) Minimize views of parking areas from public rights-of-way;

(E) Provide clear and identifiable connections to and between buildings;

(F) Minimize vehicle, pedestrian, and bicycle circulation conflicts;

(G) Provide adequate lighting levels for parking and pedestrian pathways;

(H) Promote the separation of pedestrian, bicycle, and vehicular traffic;

(I) Maximize the convenience of parking for residents;

(J) Provide pedestrian access to common open space;

(K) Locate loading and service areas for ease of use with minimal conflict with on-site parking and circulation activities;

(L) Locate building entrances and exits to provide direct connections between parking areas and the street;

(M) Provide compatibility in design and materials between parking and the dwelling units; and

(N) Minimize the expanse of continuous parking areas.

(b) *General parking and site access.*

(1) *Design review guidelines.*

(A) Parking areas shall be designed to minimize the expanse of continuous parking (see Figure 702-6).

(B) Pedestrian pathways shall be provided that connect to and between buildings, common open space, parking areas, and surrounding uses (see Figure 702-7).

(C) Parking shall be located to maximize the convenience of residents.

(D) Parking areas and circulation systems shall be designed in a manner that considers site topography, natural contours, and any abutting properties zoned Residential Agriculture (RA) or Single Family Residential (RS).

(2) *Design review standards.*

(A) Parking areas greater than 6,700 square feet in area shall be physically and visually separated with landscaped planter bays that are a minimum of 18 feet in width. Individual parking areas may be connected by an aisle or driveway (see Figure 702-6).

(B) Pedestrian pathways shall be provided that connect to and between buildings, common open space, and parking areas (see Figure 702-7).

(C) Pathways connecting to and between buildings, common open space, and parking areas shall be separated from dwelling units by a minimum distance of ten feet. Separation shall be measured from the pathway edge closest to any dwelling unit.

(D) Garages, carports, and parking areas shall be set back a minimum of 20 feet from the public right-of-way.

(E) Where a development site abuts, and is located uphill from, property zoned Residential Agriculture (RA) or Single Family Residential (RS), and the slope of the development site within 40 feet of the abutting RA or RS zoned property is 15 percent or greater, parking areas shall be set back not less than 20 feet from the property line of the abutting RA or RS zoned property. Decorative walls, earthen berms, fencing, landscaping, or any combination thereof shall be provided to prevent glare from headlights onto abutting properties.

(F) The design and materials of garages and carports shall be compatible with the design and materials of the dwelling units.

(G) Areas of slope shall be avoided for placement of parking areas.

(H) Disturbance of environmentally sensitive areas shall be minimized in placement of parking areas.

FIGURE 702-6. CONCEPTUAL PARKING AREA LAYOUT

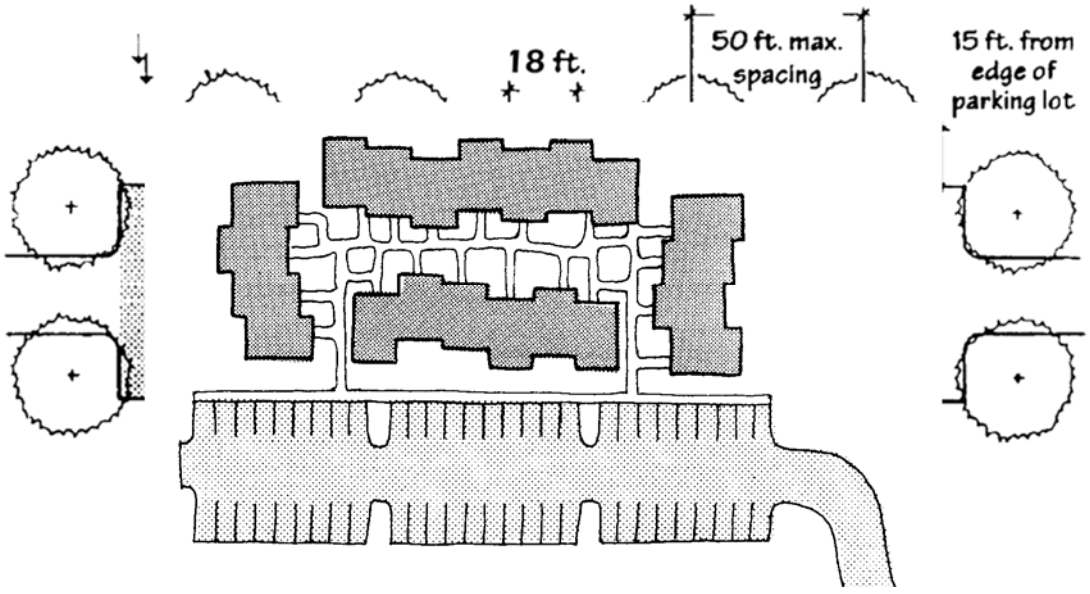
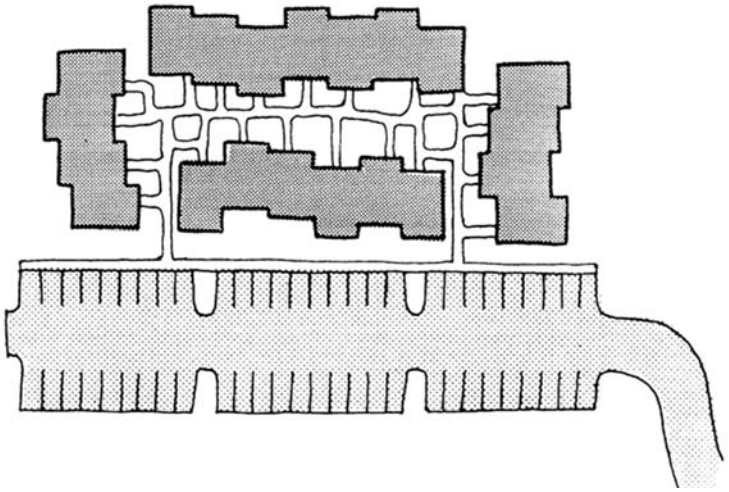


FIGURE 702-7. PEDESTRIAN PATHWAYS



(c) *Site access.*

(1) *Design review guidelines.*

(A) Accessibility to and from the site shall be provided for both automobiles and pedestrians.

(B) Site access shall be provided in a manner that minimizes vehicle and pedestrian conflicts.

(C) Where possible, driveway access shall be provided onto collector or local streets rather than arterial streets.

(D) Where possible, driveway access shall be consolidated with either existing or future driveways serving adjacent developments.

(E) Parking areas shall be located to minimize their visibility from the public right-of-way and abutting properties (see Figure 702-8).

(2) *Design review standards.*

(A) Pedestrian pathways shall be provided that connect the development to the public sidewalks.

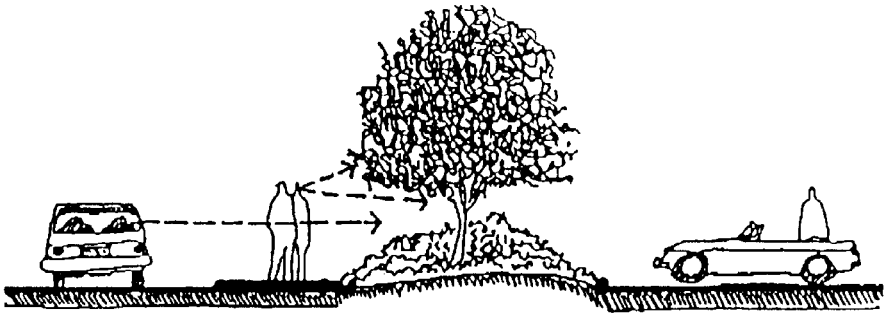
(B) Direct access from the street to individual units, clusters of units, or common interior lobbies shall be provided for residential buildings located within 32 feet of a public street.

(C) Where the development has frontage on more than one street, and such streets have different classifications in the Salem Transportation System Plan, driveway access shall be provided to the street with the lowest classification.

(D) Where possible, driveway access shall be consolidated with either existing or future driveways serving adjacent developments.

(E) Walls, fences, or landscaping shall be provided to buffer parking areas from public streets and abutting properties (see Figure 702-8).

FIGURE 702-8. PARKING AREAS BUFFERED FROM RIGHT-OF-WAY



(Prior Code, § 702.030; Ord. No. 31-13)

Sec. 702.035. Building mass and facade design.

(a) *Building mass and facade design goals and objectives.*

(1) *Building mass and facade design goals.*

(A) Ensure that structures do not present excessive visual mass or bulk to public view or to adjoining properties;

(B) Achieve architecturally defined entryways, and building design that relates to human scale;

(C) Encourage aesthetically pleasing, interesting, and functional architecture and site design, including compatibility between parking facilities and the dwelling units;

(D) Provide architectural design that integrates well with adjoining development; and

(E) Promote interesting and non-monotonous architecture and site design.

(2) *Building mass and facade design objectives.*

(A) Integrate structures on-site with natural topography;

(B) Encourage an appropriate transition between new structures on-site with existing structures on abutting sites;

(C) Promote human scale development;

(D) Preserve exposure to light, air, and visual access;

(E) Create visually interesting buildings by integrating structures with landscaping;

(F) Integrate new structures into the existing neighborhood;

(G) Promote the relationship of structures with streets;

(H) Encourage structure siting which creates useable open spaces;

(I) Encourage the interplay of contrast and compatibility in building siting, including design compatibility between parking facilities and dwelling units;

(J) Break-up building facades through architecturally defined building entryways; and

(K) Design building rooflines which reinforce the residential character of the building and the surrounding neighborhood.

(b) *General siting and building mass.*

(1) *Design review guidelines.*

(A) Buildings shall be sited with sensitivity to topography and natural landform (see Figure 702-9).

(B) The development shall be designed to reinforce human scale.

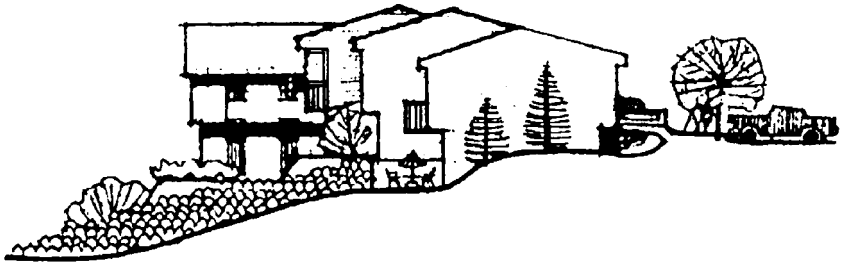
(C) Buildings with long monotonous exterior walls shall be avoided.

(2) *Design review standards.*

(A) Where the development is located on a lot with an average cross slope of 15 percent or more, do not regrade more than 60 percent of the site surface area.

(B) Buildings shall have no dimension greater than 150 feet.

FIGURE 702-9. BUILDINGS SITED SENSITIVELY IN RELATION TO TOPOGRAPHY



(c) *Compatibility.*

(1) *Design review guidelines.*

(A) Contrast and compatibility shall be provided throughout the site through building design, size, and location.

(B) Appropriate transitions shall be provided between new buildings and structures on-site and existing buildings and structures on abutting sites.

(C) Architectural elements and facade materials shall be used to provide continuity throughout the site.

(D) The majority of dwelling units within the development shall be placed as close as possible to the street right-of-way.

(E) Architecturally defined and covered entryways shall be incorporated into the design of buildings.

(2) *Design review standards.*

(A) Except as provided in ~~standard~~ subsection (c)(2)(B) of this ~~paragraph~~ section, where a development site abuts property zoned Residential Agricultural (RA) or Single Family Residential (RS), buildings shall be setback from the abutting RA or RS zoned property as set forth in Table 702-4.

TABLE 702-4. SETBACKS ABUTTING PROPERTY ZONED RA AND RS

Number of Building Stories	Minimum Setback
1	Min. 1 foot for each 1 foot of building height, but in no case less than 14 ft.
2 or more	Min. 1 foot for each 1 foot of building height, but in no case less than 20 ft.

(B) Where a development site abuts, and is located uphill from, property zoned Residential Agricultural (RA) or Single Family Residential (RS), and the slope of the development site within 40 feet of the abutting RA or RS zoned property is 15 percent or greater, buildings shall be setback from the abutting RA or RS zoned property as set forth in Table 702-5.

TABLE 702-5,.SETBACKS ABUTTING PROPERTY ZONED RA AND RS		
Number of Building Stories	Minimum Setback	Limitation & Qualifications
1 to 2	Min. 1 foot for each 1 foot of building height, but in no case less than 20 ft.	
3 or more	Min. 1 foot for each 1 foot of building height, but in no case less than 40 ft.	
	Min. 1 foot for each 1 foot of building height	Applicable when, within 40 feet of the abutting RA or RS zoned property: □ Buildings are designed so that the longest dimension of the building and any private open space areas, such as balconies or patios, do not face the abutting RA or RS zoned property; or □ Buildings are designed to contain no more than 6 dwelling units, the lengths of the buildings facing the abutting RA or RS zone property are no greater than 70 feet, and the buildings are separated by a minimum distance of 1 foot for each 1 foot of building height.

(C) On sites with 75 feet or more of buildable width, a minimum of 50 percent of the buildable width shall be occupied by building placed at the setback line. Accessory structures shall not apply towards meeting the required percentage.

(D) Roof-mounted mechanical equipment, other than vents or ventilators, shall be screened from ground level view. Screening shall be as high as the top of the mechanical equipment, and shall be integrated with exterior building design.

(E) A porch or architecturally defined entry area shall be provided for each ground level dwelling unit. Shared porches or entry areas are permitted, provided the porch or entry area has at least 25 square feet of area for each dwelling unit, with no dimension less than five feet. Porches and entry areas shall be open on at least one side, and may be covered or uncovered. All grade level porches shall include hand-railings, half-walls, or shrubs to define the outside perimeter.

(d) *Building articulation.*

(1) *Design review guidelines.*

(A) The appearance of building bulk shall be minimized by:

(i) Establishing a building offset interval along building facades; and

(ii) Dispersing windows throughout building facades.

(B) Articulation shall be provided at the common entryway to all residential buildings.

(C) Building roofs shall reinforce the residential character of the neighborhood.

(2) *Design review standards.*

(A) Every two attached dwelling units shall be offset from the next dwelling unit by at least four feet in depth (see Figure 702-10).

(B) Within 28 feet of every property line, the building setback for adjacent buildings on the same lot shall vary by a least four feet in depth.

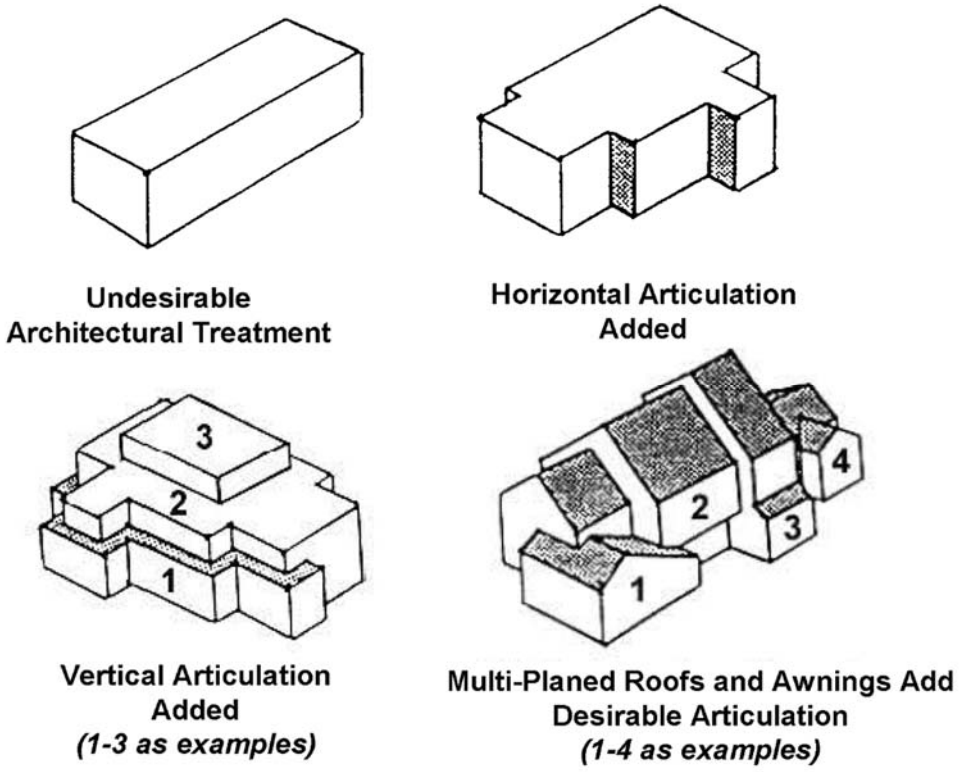
(C) Common entrances shall be provided to not more than four dwelling units.

(D) Individual and common entryways shall be articulated with a differentiated roof, awning, or portico.

(E) Flat roofs, and the roof ridges of sloping roofs, shall not exceed a horizontal length of 100 feet without providing differences in elevation of at least four feet.

(F) Windows shall be provided in all habitable rooms, other than bathrooms, that face required setbacks, common open areas, and parking areas.

FIGURE 702-10. BUILDING OFFSETS AND ARTICULATION



(Prior Code, § 702.035; Ord. No. 31-13)

Sec. 702.040. Recycling.

(a) *On-site design and location of facilities.*

(1) *Design review guidelines.*

(A) Facilities shall be provided to allow recycling opportunities for tenants that are as conveniently located as the trash receptacles, and that are in compliance with any applicable federal, state, or local laws.

(B) The design and materials of recycling areas shall be similar to the design and materials of the buildings within the development.

(C) Recycling areas shall be located to provide adequate access for franchised haulers, and shall have containers sufficient to allow collection of all recyclables collected by the haulers.

(2) *Design review standards.*

(A) Recycling areas shall be located, designed, and constructed in conformance with any applicable federal, state, or local laws relating to fire, building, access, transportation, circulation, or safety.

(B) Recycling areas shall be protected against environmental conditions, such as rain.

(C) Instructions for using recycling containers and how to prepare and separate all the materials collected by franchised haulers shall be clearly posted in recycling areas.

(D) Recycling areas shall be provided that are sufficient in capacity, number, distribution, and size to serve the tenants of the development.

(E) The design and materials of recycling areas shall be similar to the design and materials of the buildings within the development.

(Prior Code, § 702.040; Ord. No. 31-13)

CHAPTER 703. ~~GENERAL DEVELOPMENT STANDARDS~~ WIRELESS COMMUNICATIONS FACILITIES

Sec. 703.001. Purpose.

The purpose of this chapter is to provide a means whereby wireless communications facilities are located, designed, installed, maintained, and removed in a manner that provides for the effective provision of wireless communications within the City, while protecting and promoting the health, safety, and welfare of the City and its residents by requiring:

(a) The collocation, to the greatest extent possible, of new wireless communications facilities on existing facilities in order to minimize the number of support towers and related equipment;

(b) The careful consideration of the topography, natural features, and historical significance in potential wireless communications facility sites;

(c) The encouragement of the use of existing structures, including, but not limited to, freestanding structures such as light or utility poles and water towers, instead of constructing new support towers;

(d) The encouragement of the location of new support towers and related equipment in nonresidential zones;

(e) The limiting of new structures and the regulation of enlargement or expansion of existing structures in rights-of-way for the purpose of providing wireless communications facilities;

(f) The provision of wireless communication services through facilities with minimal visual impact.

(Prior Code, § 703.001; Ord. No. 24-13)

Sec. 703.005. Definitions.

~~Unless the context specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Amateur radio*~~:~~ means the licensed and private use of designated radio bands, for purposes of private recreation, noncommercial exchange of messages, experimentation, self-training, and emergency communication pursuant to an amateur operator license granted from the Federal Communications Commission. Amateur radio is also commonly referred to as "ham radio."

~~(b)~~ *Antenna*~~:~~ means any pole, panel rod, reflection disc, or similar device used for the transmission or reception of radio frequency signals, including, but not limited to, omni-directional antenna (whip), directional antenna (panel), micro cell, and parabolic antenna (dish). The term "antenna" does not include support structures, utility structures, or support towers.

~~(c)~~*Array*~~:~~ means a grouping of two or more antennas on a single support structure, support tower, or utility structure.

~~(d)~~ *Auxiliary support equipment*~~:~~ means all equipment necessary to provide wireless communications signals and data, including, but not limited to, electronic processing devices, air conditioning units, and emergency generators. The term "auxiliary support equipment" also includes the shelter, cabinets, and other structural facilities used to house and shelter necessary equipment. The term "auxiliary support equipment" does not include antennas, support towers, utility structures, support structures, or external cables and wires.

~~(e)~~*Base station*~~:~~ means radio transceivers, antennas, coaxial cable, a regular and backup power supply, and other associated electronics. A base station includes a structure that currently supports or houses an antenna, transceiver, or other associated equipment that constitutes part of a base station and encompasses such equipment in any technological configuration, including distributed antennas systems and small cells.

~~(f)~~*Capacity*~~:~~ means the ability of the wireless communications network to process existing wireless service demands.

~~(g)~~ ~~*Collocation*~~: means the mounting or installation of an antenna on an existing support structure, utility structure, or support tower for the purpose of transmitting and/or receiving radio frequency signals for communications purposes.

~~(h)~~ ~~*Existing facility*~~: means a wireless communication facility that was lawfully in place at the time a complete application is submitted.

~~(i)~~ *Guy pole*~~:~~ means a pole that is used primarily to structurally support a utility pole, and has no energized conductors or telephone wires or wireless communications facilities attached.

~~(j)~~ *High voltage transmission lines*~~:~~ means either power lines with capacity for transmitting electricity of 57,000 volts or greater, or a skipped pole between high voltage transmission power lines.

~~(k)~~ ~~*Lattice tower*~~: means a support tower which consists of a network of crossed metal braces, forming a tower which is usually triangular or square in cross-section.

~~(l)~~ *Monopole*~~:~~ means a support tower which consists of a single pole sunk into the ground and/or attached to a foundation.

~~(m)~~ ~~*Original structure*~~: means a lawfully placed utility structure located in the right-of-way as of the effective date of the right-of-way use agreement between the owner and the City.

~~(n)~~ ~~*Owner*~~: means the person or entity that owns, operates, or manages an existing wireless communications facility or proposed wireless communications facility, or that person's or entity's agent.

~~(o)~~ ~~*Replacement structure*~~: means a utility structure that replaces a lawfully existing utility structure or original structure to accommodate wireless communications facilities and does not result in an increase in the total number of utility, guy, or support poles in the rights-of-way or on private property.

~~(p)~~ ~~*Residential building*~~: means a building used for household living or group living, regardless of zone. For the purposes of this definition:

~~(1)~~ (a) The term "residential building" does not include a mixed use building;

~~(2)~~ (b) The term "household living" means the residential occupancy of an owner-occupied or rented dwelling unit on a wholly or primarily non-transient long-term basis, typically more than 28 days, by a family;

~~(3)~~ (c) The term "group living" means the residential occupancy of a structure on a wholly or primarily non-transient long-term basis, typically more than 28 days, by a group of people not meeting the characteristics of household living either because the structure does not provide self-contained dwelling units or because the dwelling is occupied by a group of people who do not meet the definition of family, or both. Group living facilities generally include common facilities that are shared by residents, including, but not limited to, facilities for dining, social and recreational activities, and laundry.

~~(q)~~ ~~*Right-of-way*~~: means the space upon, above, below, in, along, across, over, or under public streets, roads, highways, lanes, courts, ways, alleys, boulevards, bridges, trails, paths, sidewalks, bicycle lanes, and all other public ways or areas, including the subsurface under and air space over these areas, but does not include parks, parkland, or city property not generally open to the public for travel. This definition applies only to the extent of the City's right, title, and interest in the property and its authority to grant a license, permit, or other permission to use and occupy the property.

~~(r)~~ *Screening*~~:~~ means to obscure effectively the view of the base of a wireless communications facility and its auxiliary support equipment.

~~(s)~~ *Siting*~~:~~ means the location, construction, collocation, modification, or installation of a wireless communications facility.

~~(t)~~ *Skipped pole* means:

~~(1)~~ (a) A utility structure that lies between and is shorter than the two immediately adjacent utility structures; or

~~(2)~~ (b) Where runs of taller poles (typically high voltage transmission) and shorter poles (typically low voltage distribution or communication) are located on the same side of the street, a shorter pole situated adjacent to and between two taller poles in the same run.

~~(u)~~ *Substantially change the physical dimensions* means:

~~(1)~~ (a) The mounting of a proposed antenna on a support tower would increase the existing height of the support tower by more than ten percent, or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater, except that the mounting of the proposed antenna may exceed the size limits set forth in this ~~paragraph~~ subsection if necessary to avoid interference with existing antennas; or

~~(2)~~ (b) The mounting of a proposed antenna involving the installation of more than the standard number of new equipment cabinets for the technology involved, not to exceed four, or more than one new equipment shelter; or

~~(3)~~ (c) The mounting of a proposed antenna involving the addition of an appurtenance to the body of the support tower that would protrude from the edge of the support tower more than 20 feet, or more than the width of the support tower structure at the level of the appurtenance, whichever is greater, except that the mounting of the proposed antenna may exceed the size limits set forth in this ~~paragraph~~ subsection if necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable; or

~~(4)~~ (d) The mounting of the proposed antenna involving excavation outside the current support tower site, defined as the current boundaries of the leased or owned property surrounding the support tower and any access or utility easements currently related to the site.

~~(v)~~ *Support structure~~:~~* means an existing building or structure, other than single family dwellings and duplexes and support towers, to which an antenna is or will be attached, including, but not limited to, buildings, steeples, water towers, and outdoor advertising signs.

~~(w)~~ *Support tower~~:~~* means a freestanding structure designed and constructed exclusively to support a wireless communications facility or an antenna or antenna array, including, but not limited to, monopoles, lattice towers, guyed towers, and self-supporting towers.

~~(x)~~ *Temporary wireless communications facility~~:~~* means any wireless communications facility that is to be in use for not more than 90 days and is not deployed in a permanent manner.

~~(y)~~ *Utility structure~~:~~* means any utility pole, guy or support pole, utility pole extension, light standard, light pole or other similar pole that is suitable for the installation of wireless communications facilities.

~~(z)~~*Wireless communications~~:~~* means any personal wireless services, as defined by the Federal Telecommunications Act of 1996 as amended, that currently exist or that may be developed in the future, including, but not limited to, cellular, personal communications services, specialized mobile radio, enhanced specialized mobile radio, paging, similar Federal Communications Commission-licensed commercial wireless telecommunications services, but excluding wireless telecommunications services used exclusively for public health or safety purposes and wireless communications services used exclusively by gas and electric utilities and cooperative utilities for internal communications of an operational nature.

~~(aa)~~ *Wireless communications facility~~:~~* means any un-staffed facility for the transmission and/or reception of radio frequency signals for commercial wireless communications purposes, including, but not limited to, auxiliary support equipment; support towers or support structures, or utility structures used to achieve the necessary elevation for the antenna; transmission and reception cabling and devices; and all antennas or arrays; but excluding wireless telecommunications services used exclusively for public health or safety purposes and wireless communications services used exclusively by gas and electric utilities and cooperative utilities for internal communications of an operational nature.

(Prior Code, § 703.005; Ord. No. 24-13)

Sec. 703.010. General rule; collocation and siting priority.

(a) *Siting permit required.*

(1) Except as provided in ~~paragraph~~ subsection (a)(2) of this ~~sub~~section, no wireless communications facility may be sited in the City without a siting permit having first been obtained.

(2) Exemptions. A siting permit is not required for the following:

(A) Siting of dish antennas solely for the benefit of persons residing on a property.

(B) Ham radios and associated equipment.

(C) Ordinary maintenance or repair of a wireless communications facility.

(D) Modification of an existing support tower or base station for the collocation of or attachment of new transmission equipment or removal or replacement of existing transmission equipment, pursuant to 47 USC ~~§~~ 1455, and notwithstanding any provision of this chapter to the contrary, provided that such modification does not substantially change the physical dimensions of such support tower or base station from the dimensions approved as part of the original decision or building permit for the support tower or base station, that the applicant requesting a modification or expansion of a support tower or base station establishes by substantial evidence that the requested separation between antennas is the minimum necessary to avoid interference, and, to the extent feasible, that the additional equipment or modified equipment shall maintain the appearance and design of the original facility, including, but not limited to, color, screening, landscaping, stealth or camouflage design, mounting configuration, and architectural treatment. However, any modification to a support tower or base station which substantially changes the physical dimensions of either the support tower or base station, and any other modification to a wireless communications facility that does not qualify as a support tower or base station, shall be subject to the siting permits and authorizations as required by this chapter.

(E) Siting of temporary wireless communications facilities that are used by a public agency for emergency communications, emergency preparedness, or other public health or safety purposes.

(F) Replacement of an existing support tower with a tower that does not substantially change the physical dimensions of the existing support tower.

(b) *Collocation required.* All wireless communications facilities located in the right-of-way shall be collocated or attached to replacement utility structures. All wireless communications facilities located outside of a right-of-way shall be collocated, unless the collocation would interfere with other wireless communications facilities located on the same structure or jeopardize the physical integrity of the structure upon which collocation will be made, consent cannot be obtained for the collocation on a structure, or the available structures do not provide sufficient height to obtain coverage or capacity objectives.

(c) *Siting priority.* Wireless communications facilities shall be sited according to the following priority, by descending order of preference:

(1) First priority: collocation or attachment of an antenna or antenna array on a support tower, support structure, or utility structure;

(2) Second priority: replacement of a utility structure for the purpose of attachment of an antenna or antenna array;

(3) Third priority: substantial change in the physical dimensions of a support tower or replacement with a support tower that represents a substantial change in the physical dimensions of the original support tower;

(4) Fourth priority: construction of a new support tower.

(Prior Code, § 703.010; Ord. No. 24-13)

Sec. 703.020. Wireless communications facility siting permits.

(a) *Applicability.* This section provides the exclusive means of review for applications to site wireless communications facilities.

(b) *Classes.* There are three classes of wireless communications facilities siting permits.

(1) A Class 1 permit is a permit for a first priority siting.

(2) A Class 2 permit is a permit for a second priority siting.

(3) A Class 3 permit is a permit for a third priority siting or fourth priority siting.

(c) *Procedure type.*

(1) *Class 1 permit.* Review of an application for a Class 1 permit is a Type I procedure under SRC chapter 300.

(2) *Class 2 permit.* Review of an application for a Class 2 permit is a Type II procedure under SRC chapter 300.

(3) *Class 3 permit.* Review of an application for a Class 3 permit is a Type III procedure under SRC chapter 300.

(d) *Submittal requirements.*

(1) *All applications.* In addition to the submittal requirements under SRC chapter 300, an application for a Class 1, Class 2, or Class 3 permit shall include:

(A) The location of the siting, according to the siting priorities set forth in 703.010(c), and, if the priority is other than the first priority, documentation establishing that placement at a higher-priority site is not feasible.

(B) A site plan that includes:

(i) Description of the proposed wireless communications facility's design and dimensions.

(ii) Elevations showing all components of the wireless communications facility, and its connections to utilities.

(C) Documentation demonstrating compliance with non-ionizing electromagnetic radiation emissions standards established by the Federal Communications Commission.

(D) Documentation showing that the auxiliary support equipment will not produce sound levels in excess of standards contained in SRC chapter 93, or designs showing how the sound will be effectively muffled to meet those standards by means of baffling, barriers, or other suitable means.

(E) Documentation that the proposed facility has been submitted to the State Historic Preservation Office for review, if applicable, or a statement explaining why the site is not subject to review by the State Historic Preservation Office.

(2) *Class 1 applications.* In addition to the submittal requirements under ~~paragraph~~ subsection (d)(1) of this ~~sub~~section, application for a Class 1 permit shall include:

(A) An engineer's certification that the support structure, utility structure, or support tower will safely handle the load created by the attachment or collocation and comply with American National Standards Institute (ANSI) and other industry safety, structural codes and standards.

(B) If the utility structure is on a local street, color radio frequency contour maps clearly showing the calculated coverage using the proposed antennas at the applicant's target signal level and the calculated coverage areas for all existing adjacent wireless communications facility sites of the owner to support the site selected for the proposed facility considering the siting priority established by SRC 703.010(c). If collocation or attachment on other utility structures was ruled out for non-radio frequency coverage reasons, the owner shall provide a statement identifying and justifying those reasons.

(3) *Class 2 applications.* In addition to the submittal requirements under ~~paragraph~~ subsection (d)(1) of this ~~sub~~section, application for a Class 2 permit shall include:

(A) An engineer's certification that the replacement utility structure will safely handle the load created by the proposed antennas and comply with ANSI and other industry safety, structural codes and standards.

(B) Documentation that the replacement utility structure is at least as wide as that required by any applicable safety standards adopted by the Oregon Public Utility Commission or the minimum necessary to accommodate attachment on the proposed replacement structure.

(C) If the replacement utility structure is on a local street, color radio frequency contour maps clearly showing the calculated coverage using the proposed antennas at the applicant's target signal level and the calculated coverage areas for all existing adjacent wireless communications facility sites of the owner to support the site selected for the proposed facility considering the siting priority established by SRC 703.010(c). If collocation or attachment on other utility structures was ruled out for non-radio frequency coverage reasons, the owner shall provide a statement identifying and justifying those reasons.

(D) Coverage maps or capacity documentation showing any gap in the provider's service and minimum height or configuration of the facility needed to fill the gap.

(E) Color simulations of the wireless communications facility after construction.

(4) *Class 3 applications.* In addition to the submittal requirements under ~~paragraph~~ subsection (d)(1) of this ~~sub~~section, application for a Class 3 permit shall include:

(A) An engineer's certification that the support tower will safely handle the load created by the proposed antennas and any future attached or collocated communications facilities and will comply with ANSI and other industry safety, structural codes and standards.

(B) For new support towers, documentation from a radio frequency (RF) engineer or a licensed civil engineer that the necessary service cannot be provided by collocation on, or modification to, an existing support tower or support structure or utility structure, or by attachment on a replacement utility structure for one or more of the following reasons:

(i) No existing support towers or support structures or utility structures are located within the geographic area where service will be provided;

(ii) Existing support towers or support structures or utility structures or replacement utility structures would not be of sufficient height to provide the identified necessary service within the geographic area;

(iii) Existing support towers or support structures or utility structures do not have sufficient structural strength to support the proposed antenna or antennas and related equipment and such support towers or support structures or utility structures cannot reasonably be improved or replaced to support the proposed antenna or antennas and related equipment;

(iv) The proposed antenna or antennas would electromagnetically interfere with an antenna on an existing support tower or support structure or utility structure or a replacement utility structure and it is not feasible to effectively address such interference;

(v) Other limiting engineering factors render existing support towers and support structures and utility structures and replacement utility structures not feasible.

(C) An alternatives analysis for new support towers demonstrating compliance with the support tower siting requirements of SRC 703.030(c).

(D) The number and type of antennas that the support tower is designed to accommodate.

(E) A signed statement of compliance from the owner of the wireless communications facility that the owner will allow timely collocation by other users, provided all safety, structural, technological, and monetary requirements are met.

(F) A visual study containing, at a minimum, color simulations showing the appearance of the proposed support tower, antennas, and auxiliary equipment from at least five view points within a one-mile radius. The view points shall be chosen by the owner, but shall include representative views from residential buildings, historic resources, or historic districts located within 250 feet of the proposed site. If the support tower must comply with the design standards in SRC 703.070(e), the graphic

simulation shall include the proposed design.

(G) Coverage maps or capacity documentation showing any gap in the provider's service and minimum height or configuration of the facility needed to fill the gap.

(e) *Criteria.* A wireless communications facility siting permit shall be granted only if each of the following criteria is met:

(1) *For Class 1 applications.*

(A) The proposed collocation or attachment of an antenna or antenna array meets the standards in this chapter.

(B) For collocation or attachment of an antenna or antenna array in the right-of-way, the proposed wireless communications facility cannot be located outside the right-of-way because there are no existing utility structures, support structures, or support towers located outside the right-of-way available to meet the service requirements of the wireless provider.

(2) *For Class 2 applications.*

(A) The proposed utility structure meets the standards in this chapter.

(B) For replacement of a utility structure outside the right-of-way, the proposed wireless communications facility cannot practicably be located on an existing or modified structure outside the right-of-way.

(C) For replacement of a utility structure outside the right-of-way, the approval will not cause an increase in the number of utility structures on the property or cause an enlargement or expansion of an existing utility structure on the property.

(D) For replacement of a utility structure in the right-of-way, the proposed wireless communications facility cannot practicably be located on an existing structure inside or outside the right-of-way or on a modified or replacement structure outside the right-of-way.

(E) For replacement of a utility structure in the right-of-way, the approval will not cause an increase in the number of utility structures in the right-of-way or cause an enlargement or expansion of an existing utility structure in the right-of-way.

(3) *For Class 3 applications.*

(A) The support tower conforms to the standards in this chapter, and the reasonably likely adverse impacts of the use on the immediate neighborhood can be minimized through the imposition of conditions relating to the location, size, design, and operating characteristics of the wireless communications facility.

(B) The support tower will not be located in the right-of-way.

(C) If the proposal is to construct a new support tower:

(i) Collocation on existing wireless communications facilities within the cell service area of the proposed site is not feasible.

(ii) Proposed location for the tower is the least intrusive means of filling a significant wireless communications service gap in coverage and/or capacity, including in-building coverage; and

(iii) Prohibiting a new tower would prohibit or have the effect of prohibiting the provision of wireless communications services.

(Prior Code, § 703.020; Ord. No. 24-13)

Sec. 703.030. Siting standards.

(a) *Class 1.* The attachment or collocation on support towers, utility structures and support structures shall comply with the following siting standards:

(1) *Outside right-of-way.*

(A) The antenna will not be located in the public right-of-way and will not require the erection or placement of a new support tower, utility structure, or support structure.

(2) *Inside right-of-way.*

(A) All wireless communications facilities located in the right-of-way shall be collocated or attached to a replacement utility structure.

(B) Wireless communications facilities proposed to be sited in the right-of-way shall be sited according to the following priorities, in descending order of preference. If the priority is not followed, the owner must demonstrate why a higher priority is not available for use. For purposes of this ~~subparagraph~~ subsection, streets shall have the classification set forth in the Salem Transportation System Plan.

(i) First priority: parkway or freeway;

(ii) Second priority: major arterials;

(iii) Third priority: minor arterials;

(iv) Fourth priority: collectors;

(v) Fifth priority: local streets.

(b) *Class 2.* The replacement of a utility structure shall comply with the following siting standards:

(1) *Inside right-of-way.*

(A) All wireless communications facilities located in the right-of-way shall be collocated or attached to a replacement utility structure.

(B) Wireless communications facilities proposed to be sited in the right-of-way shall be sited according to the following priorities, in descending order of preference. If the priority is not followed, the owner must demonstrate why a higher priority is not available for use. For purposes of this ~~subparagraph~~ subsection, streets shall have the classification set forth in the Salem Transportation System Plan.

(i) First priority: parkway or freeway;

(ii) Second priority: major arterials;

(iii) Third priority: minor arterials;

(iv) Fourth priority: collectors;

(v) Fifth priority: local streets.

(c) *Class 3.* The construction of a new support tower, replacement of an existing support tower, or substantial increase in the size of an existing support tower shall comply with the following siting standards:

(1) Residential, mixed-use, and public zones; and overlay zones. Support towers may not be sited in residential zones, public zones, mixed-use zones, or in an overlay zone unless the siting is the least intrusive means of filling a significant wireless communications service gap in coverage and/or capacity and prohibiting the siting would effectively prohibit the provision of wireless communications services. If the siting meets these criteria, the minimum height and/or configuration required to provide service to fill the significant wireless communications service gap in coverage and/or capacity shall be the maximum height permitted for the new or substantially changed support tower and future attached or collocated facilities on the proposed tower.

(2) New support towers may not be sited within the CB zone; in a historic district, or on property that has been designated as a historic resource under federal, state, or local law; within 300 feet of public right-of-way in the Portland/Fairgrounds Road Overlay Zone; or within 300 feet of Commercial Street SE right-of-way in the South Gateway Overlay Zone.

(3) The location of the support tower minimizes visual impacts to residential zones to the maximum extent feasible, through the effective use of setbacks, height, bulk, and landscaping or other screening

techniques.

(4) The support tower is sited in a way that minimizes the visual impact by taking advantage of existing buildings, topography, or other existing features.

(5) No new support tower shall be constructed, unless the owner submits the required statement and documentation from a radio frequency (RF) engineer or licensed civil engineer to demonstrate that the necessary service cannot be provided by collocation on, or modification to, an existing support tower or support structure or utility structure or by attachment on a replacement utility structure.

(Prior Code, § 703.030; Ord. No. 24-13)

Sec. 703.040. Antenna development standards.

(a) *Antennas on support towers.* Antennas attached to a support tower shall comply with the following development standards:

(1) *Height.* Antennas attached to a support tower shall be no higher than 15 feet above the top of the support tower.

(2) *Surface and coloration.* Antennas attached to a support tower shall be made of non-reflective material and painted to match the support tower or existing antennas, whichever results in the new antennas being less visible.

(3) *Mounting.* Antennas attached to a support tower shall be flush-mounted or mounted using similar techniques that minimize visual impact to the greatest extent practicable.

(b) *Antennas on existing buildings.*

(1) Antennas, other than whip antennas, located on the roof of an existing building shall comply with the following development standards:

(A) *Height.*

(i) If the building is located in a residential zone or mixed-use zone, the antenna shall extend no higher than ten feet above the point of attachment to the building; or

(ii) If the antenna is located in any zone other than a residential zone or mixed-use zone, the antenna shall extend no higher than 30 feet above the point of attachment to the building.

(B) *Screening.* Antennas shall be screened from the right-of-way and adjacent properties by placement behind a parapet or other architectural feature, including, but not limited to, dormers, chimneys, clocks, or bell towers, or shall be made of non-reflective material and painted to match the building or existing antennas, whichever results in the new antennas being less visible.

(2) Whip antennas located on the roof of a building shall comply with the following development standards:

(A) *Height.* Whip antennas shall extend no higher than 15 feet above the building.

(B) *Surface and coloration.* Whip antennas shall be made of non-reflective material and designed to match any existing whip antennas on the building.

(3) Antennas attached to the side of a building or the edge of the roof of a building shall comply with the following development standards:

(A) *Height.* Antennas shall extend no higher than ten feet above the point of attachment to the building.

(B) *Screening, surface, and coloration.*

(i) If the building is located in a residential zone, the antenna shall be screened from the right-of-way and adjacent properties by incorporating into the antenna design the type and color of the building materials of the wall or roof on which the antennas are proposed to be attached; or

(ii) If the building is located in any zone other than a residential zone, the antenna shall be either:

(aa) Flush-mounted and painted the same color as the exterior of the building; or

(bb) Painted the same color as the exterior of the building and screened from the right-of-way and adjacent properties by incorporating into the antenna design the type and color of the building materials of the wall or roof edge on which the antennas are proposed to be attached.

(c) *Antennas on support structures other than existing buildings.* Antennas, other than whip antennas, attached to support structures other than existing buildings shall comply with the following development standards:

(1) *Height.* Antennas attached to a support structure shall extend no higher than 15 feet above the top of the support structure.

(2) *Surface and coloration.* Antennas attached to a support structure shall be made of non-reflective material and painted to match the support structure or existing antennas, whichever results in the new antennas being less visible.

(3) *Mounting.* Antennas attached to a support structure shall be flush-mounted or mounted using similar techniques that minimize visual impact to the greatest extent practicable.

(d) *Antennas on utility structures.* Antennas attached to utility structures shall comply with the following development standards:

(1) *Physical integrity.* The antennas shall not jeopardize the utility structure's physical integrity.

(2) *Guy poles.* Antennas shall not be located on guy poles.

(3) *Height.*

(A) Utility structures outside the right-of-way. Antennas attached to a utility structure outside the right-of-way shall be no higher than 15 feet above the top of the utility structure.

(B) Utility structures in the right-of-way.

(i) The combined height of an antenna and antenna mounting device on an original utility structure that carries high voltage transmission lines shall not project more than:

(aa) 23 feet above the top of a utility structure located on a parkway, freeway, or major arterial;

(bb) 18 feet above the top of a utility structure on a minor arterial; or

(cc) 15 feet above the top of a utility structure located on a collector street, or local street.

(ii) The combined height of an antenna and antenna mounting device on an original utility structure that does not carry high voltage transmission lines shall not project more than:

(aa) 15 feet above the top of a utility structure located on a parkway, freeway, or major arterial;

(bb) Ten feet above the top of a utility structure on a minor arterial; or

(cc) Five feet above a utility structure located on a collector street or local street.

(4) *Mounting.* Antennas and antenna mounting devices placed below the top of the utility structure shall be mounted in one of the following configurations:

(A) Flush with the utility structure; or

(B) On extension arms that are no greater than three feet in length.

(5) *Surface and coloration.* Antennas must be painted, coated, or given a surface application that is similar to the color and surface texture of the utility structure so as to minimize visual impact as much as reasonably possible.

(6) *Lighting.* Unless required by the FAA or the Oregon Aeronautics Division, antennas shall not be lighted.

(Prior Code, § 703.040; Ord. No. 24-13)

Sec. 703.050. Auxiliary support equipment development standards.

(a) *Screening.*

(1) *Equipment associated with support towers.* Above ground auxiliary support equipment associated with a support tower shall be located inside the six-foot-high sight-obscuring fence or wall that complies with SRC 703.070(c).

(2) *Equipment associated with antennas on existing buildings.* Auxiliary support equipment shall be located within or on top of the building or screened from the right-of-way and adjacent properties to the greatest extent practicable. Examples: within an underground vault, behind landscaping or a sight-obscuring fence, within an architectural element, or concealed to resemble a natural object such as a boulder.

(3) *Equipment associated with antennas on support structures other than existing buildings.* Any auxiliary support equipment on support structures other than existing buildings must be screened from the right-of-way and adjacent properties and located within the support structure's footprint to the greatest extent practicable. Examples: placing the equipment within the interior of an adjacent building or structure, within an underground vault, behind landscaping or a sight-obscuring fence, or within an architectural element, or concealed to resemble a natural object such as a boulder.

(4) *Equipment associated with antennas on utility structures.*

(A) *Equipment installed in right-of-way.* Any auxiliary support equipment associated with one or more antennas on a utility structure and not installed on the utility structure shall be installed within an underground vault or in not more than one above ground cabinet with a combined height plus width plus depth no greater than 120 ~~lineal~~ linear inches.

(B) *Equipment installed outside right-of-way.* Any auxiliary support equipment installed outside the right-of-way shall be screened from the right-of-way and adjacent properties. Examples: placing the equipment within the interior of an adjacent building or structure, within an underground vault, behind landscaping or a sight-obscuring fence, or within an architectural element, or concealed to resemble a natural object such as a boulder.

(C) *Equipment attached to a utility structure.* Equipment, other than optical fibers, wires or cables, attached to a utility structure shall:

(i) Project no more than 18 inches from the surface of the utility structure;

(ii) Be less than or equal to 24 inches in height;

(iii) Be mounted a minimum of 15 feet above ground level on a utility structure located in the right-of-way between the sidewalk and the street improvement or a minimum of ten feet above ground level on a utility structure located in the right-of-way between the sidewalk and the property line abutting the right-of-way or a minimum of ten feet above ground level on a utility structure located outside the right-of-way.

(b) *Setbacks.* Auxiliary support equipment installed above ground and outside the right-of-way shall be set back from all property lines according to the applicable standards in the underlying zone.

(c) *Vision clearance.* Auxiliary support equipment installed above ground shall meet the vision clearance area requirements of SRC 76.170.

(d) *External cables and wires.* All external cables and wires for auxiliary support equipment shall be placed in conduit or painted to match the tower, building, support structure, or utility structure, as applicable.

(e) *Coloration.*

(1) Equipment associated with support towers and support structures. All auxiliary support equipment shall be non-reflective and shall be painted natural earth or leaf tones or otherwise colored or surfaced so as to blend with the surrounding environment.

(2) Equipment associated with utility structures. Equipment installed on a utility structure shall be non-reflective and painted, coated or given a surface application that is identical to the color and surface texture of the utility structure. Other equipment shall be non-reflective and painted natural earth or leaf tones or otherwise colored or surfaced so as to blend with the surrounding environment.

(f) *Lighting.* Motion detecting security lighting is allowed for auxiliary support equipment, but shall be the minimum necessary to secure the auxiliary support equipment, shall not illuminate adjacent properties in excess of 0.4 footcandles measured directly beneath the security lighting, at ground level, and shall be shielded to prevent direct light from falling on adjacent properties.

(g) *Undergrounding required.* Auxiliary support equipment installed in the right-of-way in a historic district or in the right-of-way adjacent to a historic district or historic resource or in the right-of-way where all other utilities are required to be placed underground shall be placed underground.

(Prior Code, § 703.050; Ord. No. 24-13)

Sec. 703.060. Replacement utility structure development standards.

(a) *Height.*

(1) *Outside right-of-way.*

(A) Outside the right-of-way, an existing utility structure may be replaced with a replacement structure that is taller than the existing utility structure, provided that the combined height of a replacement structure, antenna mounting device, and antenna~~e~~ does not exceed the maximum height for a structure in the zone.

(B) Skipped poles. Outside the right-of-way, a skipped pole may be replaced with a pole of the same height as the adjacent taller poles, provided that the combined height of a replacement structure, antenna mounting device, and antenna~~e~~ does not exceed the maximum height for a structure in the zone.

(2) *Inside right-of-way.*

(A) Inside the right-of-way, an original utility structure may be replaced with a replacement utility structure that is taller than the original structure, provided that the combined height of a replacement structure, antenna mounting device, and antenna~~e~~ is no greater than:

(i) 78 feet for a replacement structure located on a parkway or freeway;

(ii) 73 feet for a replacement structure on a major arterial;

(iii) 63 feet for a replacement structure on a minor arterial; or

(iv) 53 feet for a replacement structure located on a collector street or local street.

(B) Skipped poles. Inside the right-of-way, a skipped pole may be replaced with a pole of the same height as the adjacent taller poles, provided that the combined height of the pole, antenna mounting device, and antenna~~e~~ does not exceed the height limitations imposed pursuant to ~~subparagraph~~ subsection (a)(2)(A) of this ~~paragraph~~ section. Example: If a 45-foot pole is situated adjacent and between two 65-foot poles on the same side of a major arterial street, the 45-foot pole may be replaced with a pole 65 feet tall, provided that the combined height of the pole, antenna mounting device, and antenna~~e~~ is no greater than 73 feet. If the 45-foot pole is on the opposite side of the street from the taller poles, it may not be replaced as if it were 65 feet tall and may be replaced only up to a height of 50 feet.

(b) *Width.*

(1) A replacement utility structure that is required to provide structural capacity to support an antenna or auxiliary support equipment shall be at least as wide as the engineering minimum required to provide the required support, and to meet safety standards promulgated by the Oregon Public Utility Commission.

(c) *Surface and coloration.* A replacement structure shall be painted, coated, or given a surface application that is similar to the color and surface texture of the existing utility structure or original structure.

(d) *External cables and wires.* All external cables and wires shall be placed in conduit or painted or colored to match the replacement structure.

(e) *Lighting.* Unless the existing utility structure or original structure was lighted, a replacement structure shall not be lighted.

(Prior Code, § 703.060; Ord. No. 24-13)

Sec. 703.070. Support tower development standards.

The construction of a new support tower, or the replacement or substantial increase in the size of an existing support tower, shall comply with the following development standards:

(a) *Height.*

(1) Except as provided in ~~paragraph~~ subsection (a)(2) of this ~~sub~~section, support towers shall comply with the height limitations in Table 703-1.

TABLE 703-1. MAXIMUM SUPPORT TOWER HEIGHT BY ZONE

Zone	Maximum Height
EFU	35 ft.
RA	50 ft.
RS	50 ft.
RD	50 ft.
RMI	70 ft.
RMII	70 ft.
RH	70 ft.
FMU	70 ft.
SWMU	70 ft.
NCMU	35 ft.
CN	35 ft.
CO	70 ft.
CR	100 ft.
CG	100 ft.
CB	Not applicable*
IC	120 ft.
IBC	120 ft.
IP	120 ft.
EC	120 ft.
IG	120 ft.
II	120 ft.
PA	70 ft.
PC	35 ft.
PE	70 ft.
PH	70 ft.
PS	70 ft.

PM	70 ft.
* New support towers are not allowed in the CB zone pursuant to 703.030(c)(2).	

(2) A support tower located 300 feet or less from EFU, RA, RS, RD, RMI, or CO zones shall be no greater in height than the lowest maximum allowed height in any of those applicable zones.

(b) *Setbacks.* The base of a support tower shall be set back as follows:

(1) In all industrial zones and the IC, CN, CR, CG, or EC zones, the base of the support tower shall be set back a minimum of 15 feet from all property lines and a minimum of 100 feet from all property zoned EFU, RA, RS, RD, RH, RMI, RMII, or CO.

(2) In all zones other than the industrial zones, residential zones, and the IC, CN, CR, CG, or EC zones, the base of the support tower shall be set back a minimum of 30 feet from all property lines and a minimum of 100 feet from all property zoned EFU, RA, RS, RD, RH, RMI, RMII, or CO.

(3) In all residential zones, the base of the support tower shall be set back a minimum of 100 feet from all property zoned EFU, RA, RS, RD, RH, RMI, RMII, or CO, and 30 feet from all other property.

(4) In all zones, the six-foot-high sight-obscuring perimeter fence required under 703.070(c) shall be set back a minimum of ten feet from all property lines.

(c) *Screening.* Support towers shall be surrounded by a six foot high sight-obscuring fence or wall with a minimum ten foot wide landscaped area along the outside perimeter except as required to access the facility. The landscaped area shall be planted with one plant unit per 20 square feet of yard area. The landscaping shall conform to the following requirements of SRC 807:

~~(9)~~ (1) SRC 807.015(b) (Plant Materials and Corresponding Plant Unit Values)~~.~~;

~~(7)~~ (2) SRC 807.015(c) (Preservation of Existing Trees and Vegetation);

~~(8)~~ (3) SRC 807.015(d) (Tree Replanting Requirements); ~~and~~

~~(1)~~ (4) SRC 807.020 (Landscape Plan);

~~(2)~~ (5) SRC 807.025 (Plant Material Standards);

~~(3)~~ (6) SRC 807.035 (Installation);

~~(6)~~ (7) SRC 807.040 (Irrigation);

~~(4)~~ (8) SRC 807.045 (Maintenance); and

~~(5)~~ (9) SRC 807.050 (Compliance/Performance Assurance)~~;~~.

(d) *Surface and coloration.* Support towers shall be non-reflective, and shall be painted natural earth or leaf tones or otherwise colored or surfaced so as to blend with the surrounding environment.

(e) *Design standards.* The following additional design standards shall apply to support towers in all residential zones, mixed-use zones, CO zones, or PC zones; and to support towers located within 300 feet of all residential zones, mixed-use zones, CO zones or PC zones:

(1) The support tower shall be designed to resemble an object that would commonly be found in the area and that would be permitted in the zone, including, but not limited to, a tree that is a native conifer species, a flag or light pole, a clock or bell tower, or a silo.

(2) The object chosen shall be appropriate to the context of surrounding environment, both natural and man-made.

(3) The physical dimensions of the support tower shall have proportions that are similar in scale to the natural or manmade object.

(4) To the greatest extent possible, the antennas shall not be easily recognized.

(f) *External cables and wires.* All external cables and wires shall be placed in conduit or painted to match the support tower.

(g) *Lighting.* Unless required by the FAA or the Oregon Aeronautics Division, support towers shall not be lighted.

(h) *Collocation.*

(1) Support towers 100 feet in height or higher shall be designed to provide for attachment or collocation of at least two future antenna systems, in a manner that will accommodate the additional antenna systems without a need to increase the height or base diameter of the support tower.

(2) Support towers between 50 feet and 100 feet in height shall be designed to provide for attachment or collocation of at least one future antenna system, in a manner that will accommodate the additional antenna system without a need to increase the height or base diameter of the support tower.

(i) *Access.*

(1) Where a support tower is adjacent to a local street and a collector or arterial street, access to the support tower shall be from the local street, subject to all applicable access standards.

(2) Access to the support tower shall be oriented away from existing dwellings, and any property zoned residential or mixed use.

(Prior Code, § 703.070; Ord. No. 24-13; Ord. No. 31-13)

Sec. 703.080. Conditions.

Every wireless communications facility siting permit shall be subject to the following conditions:

(a) An obsolete wireless communications facility shall be removed by the owner within six months of the date the facility ceases to be operational.

(b) All wireless communications facilities shall be operated and maintained in compliance with all radio frequency emission standards specified by the Federal Communications Commission.

(c) All wireless communications facilities shall be installed and maintained in accordance with applicable federal, state, and local laws.

(d) All wireless communications facilities shall allow for the attachment or collocation of additional facilities to the greatest extent possible, unless such attachment or collocation interferes with the owner's wireless communications facilities, jeopardizes the physical integrity of a structure with which a wireless communications facility is associated, or the owner refuses to consent to the attachment or collocation of additional wireless communications facilities.

(e) Vegetation that is either removed or destroyed as a result of construction shall be replanted with appropriate plant materials ~~as prescribed in SRC 132.200~~.

(f) Prior to making any opening or cut in any right-of-way, an owner shall obtain approval from the City Engineer.

(g) After construction, maintenance or repair of any wireless communications facility, an owner shall leave any right-of-way disturbed by such activity in as good or better condition than it was before the commencement of such work. The owner shall promptly complete restoration work and promptly repair any damage caused by such work at its sole cost and expense. When any opening or cut is made by the owner in the pavement of the right-of-way, the owner must promptly refill the opening or cut, and restore the surface to a condition satisfactory to the City Engineer, in accordance with public works construction standards.

(h) Prior to performing any excavation in the right-of-way to underground any auxiliary support equipment, all necessary city permits shall be obtained and all appropriate notice given to any franchisees, licensees and grantees, other city departments, and other governmental units that own or maintain facilities which may be affected by the excavation.

(i) All undergrounding and excavation work must comply with the Oregon Utility Notification Law, ORS 757.542—757.562 and 757.993, and all rules and regulations promulgated thereunder.

(j) All excavations made by an owner in the right-of-way shall be properly safeguarded for the prevention of accidents and must be done in compliance with all applicable federal, state, and local laws and regulations.

(k) Except for short or temporary durations during testing or during operation in emergency situations, noise generating equipment associated with wireless communications facilities shall not produce sound levels in excess of standards established in SRC chapter 93.

(Prior Code, § 703.080; Ord. No. 24-13)

Sec. 703.090. Wireless communications facilities adjustment.

(a) *Applicability.* Except as otherwise provided in this chapter, no wireless communications facility shall be used or developed contrary to any applicable development standard unless an adjustment has been granted pursuant to this chapter. These provisions apply exclusively to wireless communications facilities, and are in lieu of the generally applicable adjustment provisions under SRC 250.

(b) *Procedure type.* A wireless communications facility adjustment is a Type II procedure under SRC chapter 300.

(c) *Submittal requirements.* In addition to the submittal requirements for a Type II application under SRC chapter 300, an application for a wireless communications facility adjustment shall include:

(1) A written statement demonstrating how the adjustment would meet the criteria.

(2) A site plan that includes:

(A) Description of the proposed siting's design and dimensions, as it would appear with and without the adjustment.

(B) Elevations showing all components of the wireless communications facility, and its connection to utilities, as it would appear with and without the adjustment.

(C) Color simulations of the wireless communications facility after construction demonstrating compatibility with the vicinity, as it would appear with and without the adjustment.

(d) *Criteria.* An application for a wireless communications facility adjustment shall be granted if the following criteria are met:

(1) The adjustment is consistent with the purpose of the development standard for which the adjustment is sought.

(2) Based on a visual analysis, the design minimizes the visual impacts to residential zones through mitigating measures, including, but not limited to, building heights, bulk, color, and landscaping.

(3) The owner demonstrates the existence of either of the following:

(A) *Gap in service.*

(i) A gap in the coverage or capacity of the service network exists such that users are regularly unable to connect to the service network, or are regularly unable to maintain a connection, or are unable to achieve reliable wireless coverage within a building;

(ii) The gap can only be filled through an adjustment in one or more of the standards in this chapter; and

(iii) The adjustment is narrowly tailored to fill the service gap such that the wireless communications facility conforms to this chapter's standards to the greatest extent possible.

(B) *Minimization of impacts.* The adjustment would minimize or eliminate negative impacts to surrounding properties and their uses, through a utilization of existing site characteristics, including, but not limited to, the site's size, shape, location, topography, improvements, and natural features. Negative impacts are minimized or eliminated if there is:

(i) A decrease in negative visual impacts, including, but not limited to, visual clutter;

(ii) Better preservation of views or view corridors;

(iii) A decrease in negative impacts on property values; or

(iv) A decrease in any other identifiable negative impacts to the surrounding area's primary uses.

(Prior Code, § 703.090; Ord. No. 24-13)

Sec. 703.100. Special provisions.

(a) *Temporary facilities.* In order to facilitate continuity of services during maintenance or repair of existing facilities or prior to completion of construction of a new facility, temporary wireless communications facilities are allowed through administrative review. Temporary facilities authorized under this subsection may not be used in excess of 90 days, may not have a permanent foundation and shall be removed within 30 days after the permanent facility is completed. A permit for a temporary facility under this subsection may not be renewed or extended, nor may a new permit be issued for the same facility within the succeeding six months after the expiration of the initial permit.

(b) *Third-party review and associated fees.*

(1) The City shall obtain the services of a third party consultant to review and evaluate evidence offered as part of an application submitted under this chapter for the following applications:

(A) A new support tower in or within 300 feet of a residential zone,

(B) An adjustment to exceed the maximum height of a support tower in or within 300 feet of a residential zone, or

(C) An adjustment to reduce the minimum setback of a support tower from a property zoned residential.

(2) The City may, but is not required to, obtain the services of a third party consultant to review and evaluate evidence offered as part of an application submitted under this chapter for an adjustment or for a new support tower in or within 300 feet of a public zone, mixed-use zone, or overlay zone.

(3) Notwithstanding any other provisions of the Salem Revised Code, the ~~City~~ Council may establish fees in amounts sufficient to recover all of the City's costs in retaining consultants to perform third-party review under this section.

(c) *Issuance of building permit.* No building permit shall be issued for the construction of a wireless communications facility until the application for the specific type of siting has been approved, including any local appeal.

(d) *Other provision.* Nothing in this chapter shall be deemed to prohibit a public utility from installing or constructing a new utility structure, or enlarging, expanding, or reconstructing an existing utility structure in the public right-of-way, if the installation, construction, enlargement, expansion, or reconstruction of the utility structure would otherwise be permitted under law and the utility can demonstrate that the need for the new utility structure is not related to or created by a wireless communications facility.

(e) *Removal for discontinuance of service.* Any wireless communications facility that has not provided service for six months is deemed a nuisance and is subject to abatement as provided in SRC chapter 50. Any obsolete freestanding or attached wireless communications facility shall be removed by the facility owner within six months of the date it ceases to be operational or if it falls into disrepair.

(f) *Relocation.*

(1) The City has the right to require changes in the location of wireless communications facilities in rights-of-way when the public convenience requires such change, and the expense thereof shall be paid solely by the owner.

(2) Prior to requiring relocation, the City will provide the owner with notice substantially similar to that given to franchisees, licensees, or grantees.

(3) Should an owner fail to remove or relocate the wireless communications facility by the date stated in the

notice, the City may cause removal or relocation of the wireless communications facility, and the expense thereof shall be paid by the owner, including all expenses incurred by the City due to the owner's failure to remove or relocate the wireless communications facility.

(4) If an owner must relocate its wireless communications facility in rights-of-way as the result of a request by the City, the City will make a reasonable effort to provide the owner with an alternate location for the relocated facility.

(g) *Measurements.* Unless otherwise specified in this chapter, all references to the existing or allowed height of a structure in this chapter are measured from the original grade at the base of the wireless communications facility to the highest point on the wireless communications facility, including all antennas and excluding any lightning rods.

(Prior Code, § 703.100; Ord. No. 24-13)

CHAPTERS 704—799. RESERVED

CHAPTER 800. GENERAL DEVELOPMENT STANDARDS

Sec. 800.001. Purpose.

The purpose of this chapter is to establish certain standards that apply generally to development throughout the City, regardless of zone.

(Prior Code, § 800.001; Ord. No. 31-13)

Sec. 800.005. Applicability.

The standards set forth in this chapter apply to all development in every zone unless otherwise exempted by the UDC. In the event of a conflict between the standards set forth in this chapter and any other provision of the UDC, the more restrictive provision shall apply.

(Prior Code, § 800.005; Ord. No. 31-13)

Sec. 800.010. Definitions.

Unless the context otherwise specifically requires, as used in this chapter, the terms identified in this section shall have the following meanings. Where a term used under SRC 800.055 (Solid Waste Service Areas) is not defined in this section, the definitions under SRC chapters 47 (Solid Waste Management) and ~~SRC chapter~~ 50 (Property Maintenance) shall apply.

~~(a)~~*Compactor*~~:~~ means any self-contained, power-driven, mechanical equipment designed for the containment and compaction of solid waste or recyclable materials.

~~(b)~~ *Drop box*~~:~~ means a single container designed for the storage and collection of large volumes of solid waste or recyclable materials, which is usually ten cubic yards or larger in size, and requires a special vehicle for pick up.

~~(c)~~*Enclosure*~~:~~ means a structure built consistent with the State of Oregon Structural Specialty Code designed to provide screening for permanent compactors, receptacles, drop boxes, or any other solid waste, recycling, and compostable containment facilities.

~~(d)~~ *Receptacle*~~:~~ means any vessel approved by the Director and used for the storage of solid waste, recycling, and compostable material, excluding drop boxes and compactors.

~~(e)~~*Solid waste service area*~~:~~ means an area designed and established for the purpose of satisfying the local collection franchise service requirements for servicing receptacles, drop boxes, and compactors singularly or collectively.

(Prior Code, § 800.010; Ord. No. 31-13)

Sec. 800.015. Lot standards, generally.

(a) *Buildings to be on a lot.* Every building or structure shall be entirely located on a lot. Where two or more lots are under single ownership to accommodate a single development, the entire combined area shall be considered as a single lot for purposes of the UDC. Buildings that are attached at a common property line, but which otherwise meet all requirements of SRC chapter 56 as separate buildings shall be considered as separate buildings for purposes of this subsection.

(b) *Side lot lines.* As far as is practicable, side lot lines shall run at right angles to the street upon which the lot faces, except that on curved streets they shall be radial to the curve.

(Prior Code, § 800.015; Ord. No. 31-13)

Sec. 800.020. Designation of lot lines.

(a) *Front lot line.* The front lot line shall be designated as set forth in this subsection (see Figure 800-1).

(1) *Interior lot.* For an interior lot, the front lot line shall be the property line abutting the street.

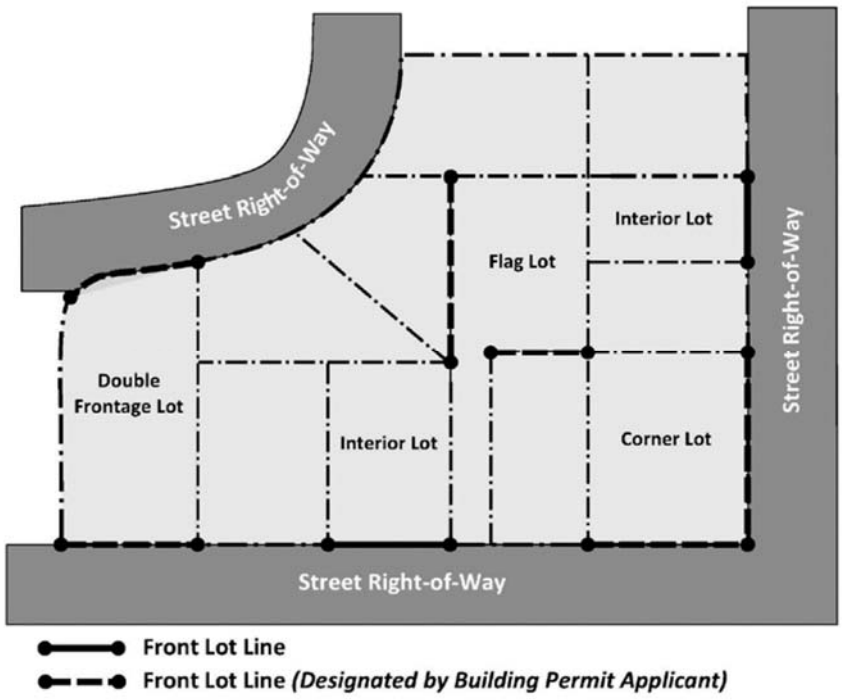
(2) *Corner lot.* For a corner lot, the front lot line shall be the property line abutting a street designated by the building permit applicant; provided, however, that lot dimension standards are met.

(3) *Double frontage lot.* For a double frontage lot, the front lot line shall be the property line abutting a street designated by the building permit applicant; provided, however, that lot dimension requirements are met.

(4) *Flag lot.* For a flag lot, the front lot line shall be the outside property line that is an extension of the flag lot accessway or the property line separating the flag portion of the lot from the lot between it and the street from which access is provided to the flag lot, unless the Planning Administrator otherwise directs, in which case the front lot line shall be set forth in the conditions of approval for the tentative plan of the plat, which shall be recorded on deeds conveying lots.

(5) *Other lots.* In the case of any lot not covered by ~~paragraphs~~ subsections (a)(1) through (4) of this ~~sub~~section, the front lot line shall be the property line that the architecturally designed front of the building faces.

FIGURE 800-1. DESIGNATION OF FRONT LOT LINE



(b) *Rear lot line.* The rear lot line shall be designated as set forth in this subsection (see Figure 800-2).

(1) *Generally.* For all lots, except those identified in ~~paragraph~~ subsection (b)(2) of this ~~sub~~section, the rear lot line shall be the property line that is opposite and most parallel to, and located the greatest distance from, the front lot line.

(2) *Trapezoidal, triangular, diamond, or other shaped lots.* For trapezoidal, triangular, diamond, or other shaped lots with a distance between the side lot lines at the rear of the lot of less than ten feet, the rear lot line for purposes of determining required setbacks shall be a line ten feet in width drawn between the side lot lines and located parallel to and at the maximum distance from the front lot line (see Figure 800-3).

FIGURE 800-2. DESIGNATION OF REAR LOT LINE

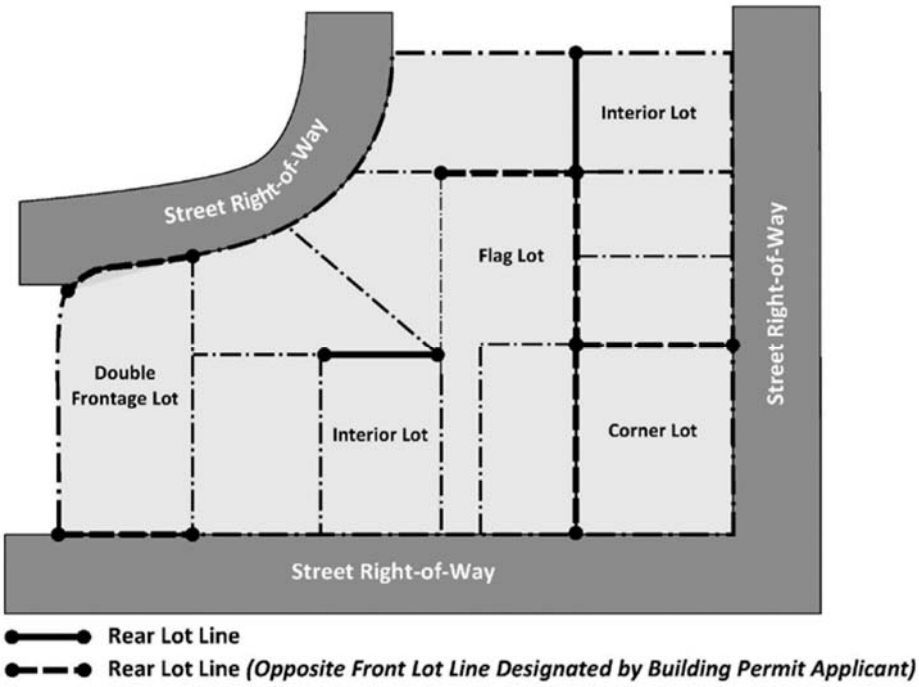
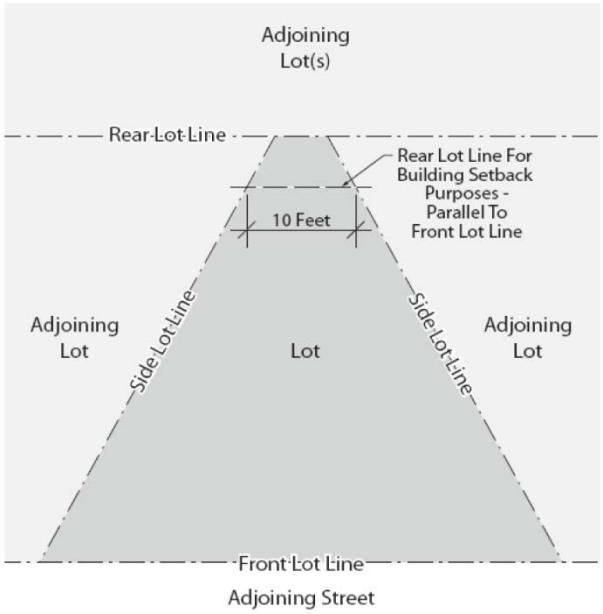


FIGURE 800-3. REAR LOT LINE FOR TRAPEZOIDAL, TRIANGULAR, DIAMOND, OR OTHER SHAPED LOTS



(c) *Side lot line.* A side lot line is any lot line which is not a front or rear lot line.

(Prior Code, § 800.020; Ord. No. 31-13)

Sec. 800.025. Flag lots.

Flag lots are allowed subject to the standards set forth in this section.

(a) *Lot area.* The lot area of a flag lot shall conform to the lot area standards of the UDC. Lot area shall be calculated exclusive of the flag lot accessway.

(b) *Lot dimensions.* The lot dimensions of a flag lot shall conform to the lot dimension standards of the UDC. Lot dimensions shall be calculated exclusive of the flag lot accessway.

(c) *Flag lot accessways.* Flag lot accessways shall be developed and maintained in conformance with the standards set forth in Table 800-1 and this subsection.

TABLE 800. FLAG LOT ACCESSWAY STANDARDS

Number of Lots Served by Accessway	Maximum Length	Total Width	Paved Width
1—2 lots (residential zoned property)	150 ft.(1)	Min. 20 ft.	Min. 15 ft.
3—4 lots (residential zoned property)	400 ft.(1)	Min. 25 ft.	Min. 20 ft.
1—4 lots (nonresidential zoned property)	400 ft.(1)	Min. 25 ft.	Min. 20 ft.
Limitations and Qualifications (1) Maximum flag lot accessway length shall not apply where geographic features make it impractical, and when approved by the Planning Administrator following review and recommendation by the Fire Marshal.			

(1) *Maximum number of lots served by flag lot accessway.* A maximum of four lots may be served by a flag lot accessway.

(2) *Flag lot accessway grade.* Flag lot accessway grade shall conform to the Salem Fire Prevention Code.

(3) *Fire Department access and flag lot accessway turnarounds.*

(A) Unobstructed fire apparatus access shall be provided to within 150 feet of any facility, building, or portion of a building, unless the building is equipped with an approved automatic fire sprinkler system or where geographic features make it impractical and an alternative means of fire protection is provided and approved by the Fire Marshal.

(B) Flag lot accessways greater than 150 feet in length shall include a turnaround meeting Salem Fire Prevention Code standards, unless the buildings served by the flag lot accessway are equipped with approved automatic fire sprinkler systems or where geographic features make it impractical and an alternative means of fire protection is provided and approved by the Fire Marshal.

(d) *Parking prohibited on flag lot accessways.* Parking shall be prohibited on flag lot accessways. No parking signs shall be posted and maintained on both sides of the accessway. The signs shall read "NO PARKING"; provided, however, where parking is prohibited because of a fire lane, the signs shall read "NO PARKING - FIRE LANE" and shall be installed in accordance with Salem Fire Prevention Code standards.

(e) *Maximum percentage of flags lots within a subdivision.* Within a subdivision, up to 15 percent of the lots may be flag lots.

(Prior Code, § 800.025; Ord. No. 31-13)

Sec. 800.030. Hillside lots.

Hillside lots may, at the option of the developer or owner, meet the standards set forth in this section, in lieu of the standards applicable in the zone.

(a) *Topographic survey required.* An application to develop a lot pursuant to the standards set forth in this section shall include a topographical survey. The survey shall show the topography of the site at two-foot intervals.

(b) *Grade.* Natural grade shall be retained on at least 40 percent of the total lot area. Landscaping that does not involve substantial movement of earth shall not be deemed a change to the natural grade. As used in this subsection, the term "natural grade" means both the slope and the elevation of the land in its natural state.

(c) *Cut and fill slopes.*

(1) A fill slope shall begin no closer than two feet from the edge of the curb.

(2) Cut and fill slopes shall not exceed a slope of 1 to 2; provided, however, the Director may approve slopes not exceeding 1 to 1 upon certification by a qualified engineer or geologist that the slope will remain stable under foreseeable conditions.

(3) Cut and fill shall comply with SRC chapter 65. If there is a conflict between SRC chapter 65 and this subsection, the more restrictive regulation shall apply.

(d) *Retaining walls.* Retaining walls shall not exceed a maximum height of six feet.

(e) *Setbacks.*

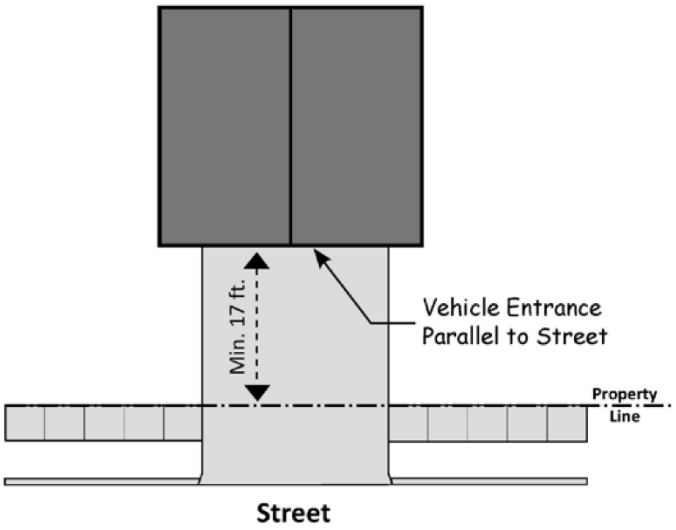
(1) *Abutting street.*

(A) *Buildings and structures, other than garages and carports.* All buildings and structures, other than garages and carports, shall have a minimum setback of seven feet from the street.

(B) *Garages and carports.*

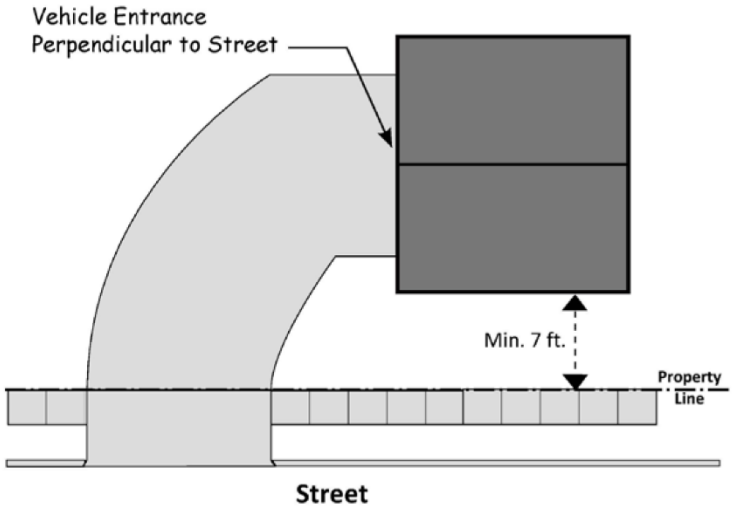
(i) *Vehicle entrance parallel to street.* Where a garage or carport is located on a hillside lot with an average cross slope of 20 percent or more, and the vehicle entrance to the garage or carport is parallel to the street, the garage or carport shall have a minimum setback of 17 feet from the street.

FIGURE 800-4. GARAGE/CARPORT SETBACK – VEHICLE ENTRANCE PARALLEL TO STREET



(ii) *Vehicle entrance perpendicular to street.* Where a garage or carport is located on a hillside lot with an average cross slope of 20 percent or more, and the vehicle entrance to the garage or carport is perpendicular to the street, the garage or carport shall have a minimum setback of seven feet from the street.

FIGURE 800-5. GARAGE/CARPORT SETBACK – VEHICLE ENTRANCE PERPENDICULAR TO STREET



(C) *Vision clearance.* Notwithstanding ~~subparagraphs~~ subsections (e)(1)(A) and (B) of this ~~paragraph~~ section, minimum vision clearance requirements shall be maintained.

(f) *Trees.* Building pads and driveways should be sited so as to preserve trees having a dbh of ten inches or greater.

(Prior Code, § 800.030; Ord. No. 31-13)

Sec. 800.035. Setbacks.

(a) *Setbacks to be unobstructed.* Except as otherwise provided under subsection (b) of this section, required setbacks shall be unobstructed.

(b) *Permitted projections into required setbacks.* Permitted projections into required setbacks are set forth in Table 800-2.

TABLE 800-2. PERMITTED PROJECTIONS INTO REQUIRED SETBACKS

Type of Projection	Maximum Projection		
	Front Abutting Street; Side Abutting Street; Interior Front	Interior Side	Rear Abutting Street; Interior Rear(1)
Planter boxes; window bays; greenhouse windows; chimneys; flues; belt courses; leaders; sills; pilasters;	24 in.	24 in.	24 in.

TABLE 800-2. PERMITTED PROJECTIONS INTO REQUIRED SETBACKS			
Type of Projection	Maximum Projection		
	Front Abutting Street; Side Abutting Street; Interior Front	Interior Side	Rear Abutting Street; Interior Rear(1)
lintels; solar collectors; and ornamental features			
Cornices; eaves; gutters; and steps	24 in.	One-third the width of the interior side setback or 3 ft., whichever is less.	24 in.
Fire escapes	Not allowed	One-third the width of the interior side setback or 3 ft., whichever is less.	5 ft., provided in no case shall such projection come closer than 6 ft. to any property line.
Wheelchair ramps	Not limited, provided: (1) The floor area does not exceed 4 ft. above grade; and (2) In no case shall the wheelchair ramp come closer than 10 ft. to the property line.	Not limited, provided the floor area does not exceed 3 ft. above grade.	Not limited, provided the floor area does not exceed 4 ft. above grade.
Porches and decks—covered, but unenclosed	Not limited, provided: (1) The structure covering the porch or deck does not exceed 15 ft. above grade; (2) The floor area of the porch or deck does not exceed 4 ft. above grade; and (3) In no case shall the covered porch or deck come closer than 10 ft. to the property line.	Not allowed	Not limited, provided: (1) The structure covering the porch or deck does not exceed 15 ft. above grade; (2) The floor area of the porch or deck does not exceed 4 ft. above grade; and (3) In no case shall the covered porch or deck come closer than 8 ft. to the rear property line.
Porches and decks—uncovered	Not limited, provided: (1) The floor area of the porch or deck does not exceed 3 ft. above grade; (2) No railing or perimeter seating on the porch or deck exceeds 44 inches in height above the floor of	Not limited, provided the floor area of the porch or deck does not exceed 3 ft. above grade.	Not limited, provided the floor area of the porch or deck does not exceed 4 ft. above grade. 5 ft., when the floor area of the porch or deck exceeds 4 ft. above grade; provided, however, in no case shall

TABLE 800-2. PERMITTED PROJECTIONS INTO REQUIRED SETBACKS			
Type of Projection	Maximum Projection		
	Front Abutting Street; Side Abutting Street; Interior Front	Interior Side	Rear Abutting Street; Interior Rear(1)
	the porch or deck at any point; and (3) A landscaped area 4 ft. in depth is maintained between the property line and the porch or deck.		the porch or deck come closer than 6 ft. to any property line.
Patios—covered, but enclosed	Not limited, provided: (1) The structure covering the patio does not exceed 15 ft. above grade; (2) The floor area of the patio does not exceed 4 ft. above grade; and (3) In no case shall the covered patio come closer than 10 ft. to the property line.	Not allowed	Not limited, provided: (1) The structure covering the patio does not exceed 15 ft. above grade; (2) The floor area of the patio does not exceed 4 ft. above grade; and (3) In no case shall the covered patio come closer than 8 ft. to the rear property line.
Patios—uncovered	Not limited, provided: (1) The floor area of the patio does not exceed 3 ft. above grade; and (2) A landscaped area 4 ft. in depth is maintained between the property line and the patio.	Not limited, provided the floor area of the patio does not exceed 3 ft. above grade.	Not limited, provided the floor area of the patio does not exceed 4 ft. above grade.
Balconies; outside stairways; and other unenclosed, unroofed projections	Not allowed	Not allowed	5 ft., provided in no case shall such projection come closer than 6 ft. to any property line.
Limitations and Qualifications (1) No permitted projection into a rear setback shall extend to within 10 ft. of the centerline of an alley, or to within 6 ft. of an accessory structure.			

(Prior Code, § 800.035; Ord. No. 31-13)

Sec. 800.040. Special setbacks.

(a) *Generally.* To afford better light, air, and vision on public streets and to permit the eventual widening of streets without creating nonconforming structures, special setbacks are hereby established. No structures or paving, other than those identified under subsection (d) of this section, shall be placed within a special setback.

(b) *Setback distance required; how measured.* The special setback shall equal one-half of the right-of-way width specified in the Salem Transportation System Plan for the street's applicable classification. Special setbacks shall be measured at right angles to the centerline of the street, or, where there is no street, from the centerline of

the right-of-way. Where the centerline is not designated, the ~~Public Works~~ Director shall designate the location of the centerline.

(c) *Relationship to other required setbacks.* The special setback shall apply in addition to other setbacks required under the UDC. Setbacks required elsewhere under the UDC shall be measured from the special setback line.

(d) *Permitted structures and paving within special setbacks.* The following structures and paving are permitted within a special setback with a removal agreement as set forth in subsection (e) of this section:

(1) Transit stop shelters.

(2) Signs and their supporting members.

(3) Fences.

(4) Off-street parking, other than minimum required off-street parking, provided such parking is developed in conformance with the setback and landscaping requirements set forth in SRC chapter 806.

(e) *Removal agreement.* Where structures or paving, as permitted under subsection (d) of this section, are proposed to be placed within a special setback, a removal agreement shall be required as provided in this subsection.

(1) The removal agreement shall be entered into by:

(A) The owner of the property and the local transit operator, for transit stop shelters located within a special setback. The local transit operator shall have the obligation to remove the shelter when required.

(B) The owner of the property and/or owner of the sign, for signs and their supporting members located within a special setback.

(C) The owner of the property, for fences and off-street parking, other than minimum required off-street parking, located within a special setback.

(2) The removal agreement shall be in a form approved by the City Attorney and shall provide that:

(A) Within six months after notice by the City, any structure, paving, or portion thereof that extends into the special setback shall be completely removed at no expense to the City;

(B) Where off-street parking set forth in subsection (d) of this section is removed, any remaining portion of the parking area located outside of the special setback shall be brought into conformance with the setback and landscaping requirements set forth in SRC chapter 806 at no expense to the City;

(C) If the owner or transit operator fails or refuses to make the removal, or fails or refuses to make required improvements to any remaining portion of the parking area located outside of the special setback, the City may cause the removal, or the required parking area improvement, to be made, and the costs incurred shall:

(i) Be a lien against the property if the removal agreement was entered into by the owner of the property, which may be foreclosed in the manner provided by law;

(ii) Be the obligation of the transit operator if the removal agreement was entered by the owner and the local transit operator, and that, in the event an action must be brought to enforce the obligation, that the City shall be entitled to its attorney's fees and costs incurred in enforcing the obligation.

(D) The property owner, sign owner, or transit operator shall not be entitled to damages or compensation as the result of City's exercise of its rights under the removal agreement; provided, however, the property owner shall retain his or her right to just compensation for the unimproved value of any land taken for the widening of the street.

(3) The removal agreement shall be recorded with the county in which the property is located. Notice to remove any structure, paving, or portion thereof shall not be given until the City or the State ~~of Oregon~~ proceeds with a project to widen the street in front of the property.

(Prior Code, § 800.040; Ord. No. 31-13)

Sec. 800.045. Height.

(a) *Generally.* Unless otherwise provided under the UDC, standards relating to height shall apply to all buildings and structures. Height shall be measured as set forth in SRC chapter 112.

(b) *Height exceptions.* Except as otherwise provided in this subsection, the following height exceptions are permitted under the UDC:

(1) Towers, steeples, chimneys, wind-driven electrical generating equipment, flag poles, and monuments may project above the maximum height limits set forth in the UDC, provided:

(A) They do not exceed 185 feet in height;

(B) They do not contain any habitable space;

(C) The horizontal section of the structure does not exceed 625 square feet at the top of the main building or structure; and

(D) The sum of the horizontal section of all such projections measured at the maximum height limit applicable to the building or structure on which they are located does not exceed 20 percent of the horizontal area of the roof of the building or structure on which they are located.

(2) Radio, television, and microwave antennas, and structures used exclusively for their support, are exempt from all height limitations.

(3) Mechanical equipment necessary for the operation or maintenance of a building or structure, including, but not limited to, ventilators, plumbing and vent stacks, cooling towers, water tanks, panels or collectors for solar energy, and window washing equipment, together with enclosures for any such equipment, may project above the maximum height limits set forth in the UDC, provided:

(A) They do not project more than 15 feet above the roof;

(B) They do not contain any habitable space;

(C) The sum of the horizontal section of all such projections measured at the maximum height limit applicable to the building or structure on which they are located does not exceed 60 percent of the horizontal area of the roof of the building or structure on which they are located;

(4) Relationship to FAA Part 77 Surfaces. Notwithstanding ~~paragraphs~~ subsections (b)(1) through (3) of this ~~sub~~section, nothing in this subsection shall authorize the projection of a building or structure into an FAA Part 77 surface established under SRC chapter 602.

(c) *Height of structures within 165 feet of capitol mall district.* Except as provided under subsection (b) of this section, no portion of a building or structure located outside of, but within 165 feet of, the external boundary of the Capitol Mall (PM) Zone shall exceed a height of 70 feet.

(Prior Code, § 800.045; Ord. No. 31-13)

Sec. 800.050. Fences, walls, hedges, gates, and retaining walls.

Unless otherwise provided under the UDC, the standards set forth in this section shall apply to fences, walls, hedges, gates, and retaining walls in all zones. Where screening is required under the UDC in the form of a fence, wall, or hedge, it shall meet the standards set forth in SRC chapter 807, in addition to the standards set forth in this section. For purposes of this section, the term "front yard" means that portion of a lot located between the front property line and a line parallel to the front property line extended from the wall of the main building lying at the greatest distance from the front property line.

(a) *Location, height, and density.* Fences, walls, hedges, gates, and retaining walls shall comply with the location, height, and density standards set forth in this subsection.

(1) *Fences and walls.*

(A) Residential zones and property used for uses falling under household living in other zones. Fences and walls within residential zones, or on property used for uses falling under

household living in other zones, shall not exceed a maximum height of eight feet; provided, however:

(i) *Front yard abutting street.* Fences and walls within a front yard abutting a street shall not exceed a maximum height of four feet when located within 20 feet of the property line abutting the street; provided, however, within ten feet of the property line abutting the street any portion of the fence or wall above 30 inches in height shall be less than 25 percent opaque when viewed at any angle at a point 25 feet away from the fence or wall.

(ii) *Side and rear yards abutting street.* Fences and walls within a side or rear yard abutting a street shall not exceed a maximum height of six feet when located within ten feet of a property line abutting a street.

(B) Nonresidential zones. Except for fences and walls on property used for uses falling under household living, fences and walls within nonresidential zones shall not exceed a maximum height of 12 feet; provided, however:

(i) Front, side, and rear yards abutting street. Fences and walls within a front, side, or rear yard abutting a street shall not exceed a maximum height of eight feet when located within ten feet of a property line abutting a street; provided, however, any portion of the fence or wall above 30 inches in height shall be less than 25 percent opaque when viewed at any angle at a point 25 feet away from the fence or wall.

(2) *Hedges.* There is no maximum height limitation for hedges; provided, however, where a hedge is located within ten feet of a property line abutting a street, any portion of the hedge more than 30 inches in height shall be less than 25 percent opaque when viewed at any angle at a point 25 feet away from the hedge.

(3) *Gates.* Where a gate is part of a fence, wall, or hedge it shall conform to the height limitations applicable to fences and walls set forth under SRC 800.050(a)(1). Gates shall not swing open onto a public right-of-way or vehicle or pedestrian easement.

(4) *Retaining walls.* Retaining walls shall not exceed a maximum height of four feet when located at the property line abutting a street. Retaining walls not located at the property line abutting a street may exceed four feet in height.

(b) *Vision clearance.* Notwithstanding any other provision of this section, fence, walls, hedges, gates, and retaining walls shall conform to the vision clearance requirements of SRC chapter 805.

(c) *Material.*

(1) *Fences.* Fences shall be constructed of materials specifically designed and manufactured for fencing purposes, including, but not limited to, wooden pickets, vinyl, wrought iron, and chainlink fencing, with or without plastic or wood slats. Materials not specifically designed as fencing material, including, but not limited to, corrugated cardboard, corrugated metal, plywood, wooden pallets, garage doors, concrete rubble, and other junked material, are prohibited. Chicken wire may be used within the Residential Agriculture (RA) Zone if used to raise livestock. Fencing for raising livestock in other zones may be replaced if the use was an allowed use on the property prior to December 31, 2002. Fencing used for the establishment and protection of vegetation is permitted for a period not to exceed six months.

(2) *Walls.* Walls shall be constructed of materials specifically designed and manufactured for use as walls, including, but not limited to, masonry, rock, concrete, concrete block, or other similar material.

(d) *Hazardous materials.* Fences and walls shall not be constructed of or contain any material which will do bodily harm, such as electric or barbed wire, upturned barbed selvage, broken glass, spikes, or any other hazardous or dangerous material, except as follows:

(1) *Concertina wire.* Concertina wire is permitted around state and county correctional facilities and secure mental health facilities.

(2) *Barbed wire and upturned barbed selvage.*

(A) *Location.* Barbed wire and upturned barbed selvage is permitted within the following locations:

(i) Any zone where the fence will be used to enclose livestock; and

(ii) The Retail Commercial (CR) and General Commercial (CG) Zones, and any industrial or public zone.

(B) *Standards.* Where allowed as set forth this ~~paragraph~~ subsection, barbed wire or upturned barbed selvage shall comply with the following additional standards:

(i) *Enclosure of livestock.* Fences with barbed wire or upturned barbed selvage enclosing livestock shall be clearly posted with warning signs notifying persons of a dangerous fence. The signs shall be posted at an interval of not less than 15 feet.

(ii) *CR and CG zones; industrial and public zones.* Fences with barbed wire or upturned barbed selvage located within a Retail Commercial (CR) or General Commercial (CG) Zone, or within an industrial or public zone, shall comply with the following:

(aa) The barbed wire or upturned barbed selvage shall be located more than six feet above grade;

(bb) The barbed wire or upturned barbed selvage shall be setback a minimum of one foot from the public right-of-way, when designed to slant towards the public right-of-way;

(cc) The barbed wire or upturned barbed selvage shall not extend over a street or alley; and

(dd) The fence shall be clearly posted with warning signs notifying persons of a dangerous fence. The signs shall be posted at an interval of not less than 15 feet.

(3) *Electric fencing.*

(A) *Location.* Electric fencing is permitted within the following locations:

(i) Any zone where the fence will be used to enclose livestock; and

(ii) Around outdoor storage areas, including vehicle storage areas, for any nonresidential use within any industrial zone.

(B) *Standards.* Where allowed as set forth in this ~~paragraph~~ subsection, electric fencing shall comply with the following additional standards:

(i) *Enclosure of livestock.* Electric fencing enclosing livestock shall be clearly posted with warning signs notifying persons of a dangerous fence. The signs shall be posted at an interval of not less than 15 feet.

(ii) *Outdoor storage areas for nonresidential uses within industrial zones.* Electric fencing around outdoor storage areas, including vehicle storage areas, for any nonresidential use with any industrial zone shall comply with the following:

(aa) The fence shall not exceed ten feet in height and shall be completely surrounded by a non-electric fence or wall a minimum of six feet in height.

(bb) A minimum one-foot separation shall be maintained between the electric fence and the surrounding non-electric fence or wall.

(cc) An electrical permit and inspection shall be obtained prior to installation.

(dd) The electric fence shall be listed by a testing laboratory approved by the State ~~of Oregon~~, and shall be installed and used in accordance with the testing laboratory listing.

(ee) The fence shall be clearly posted with warning signs in English and Spanish notifying persons of a dangerous fence. The signs shall include the statement, "DANGER – ELECTRIC FENCE," or an equivalent, together with a pictorial warning. The signs shall be posted at an interval of not more than 60 feet.

(ff) Emergency access. Fire department access shall be provided in accordance with the Salem Fire Prevention Code. An approved method to manually disconnect electrical power to all portions of the fence and gates shall be provided at an exterior location. The method and location of the electrical disconnect shall be approved by the Salem Fire Code Official.

(e) *Maintenance.* Fences and walls shall be structurally maintained in safe condition. Wooden materials shall be protected from rot, decay, and insect infestation, and replaced as necessary. Failure to maintain an electric fence in conformance with the standards set forth in this section shall result in the fence being declared a public nuisance subject to abatement under SRC chapter 50.

(Prior Code, § 800.050; Ord. No. 31-13)

Sec. 800.055. Solid waste service areas.

Solid waste service areas shall provide for the safe and convenient collection of solid waste and recyclable and compostable materials by the local solid waste collection franchisee.

(a) *Applicability.* Solid waste service area design standards shall apply to:

(1) All new solid waste, recycling, and compostable service areas, where use of a solid waste, recycling, and compostable receptacle of one cubic yard or larger is proposed; and

(2) Any change to an existing solid waste service area for receptacles of one cubic yard or larger that requires a building permit.

(b) *Solid waste receptacle placement standards.* All solid waste receptacles shall be placed at grade on a concrete pad that is a minimum of four inches thick, or on an asphalt pad that is a minimum of six inches thick. The pad shall have a slope of no more than a three percent and shall be designed to discharge stormwater runoff consistent with the overall stormwater management plan for the site approved by the ~~Public Works~~ Director.

(1) *Pad area.* In determining the total concrete pad area for any solid waste service area:

(A) The pad area shall extend a minimum of one foot beyond the sides and rear of the receptacle; and

(B) The pad area shall extend a minimum three feet beyond the front of the receptacle.

(C) In situations where receptacles face each other, a minimum four feet of pad area shall be required between the fronts of the facing receptacles.

(2) *Minimum separation.*

(A) A minimum separation of 1.5 feet shall be provided between the receptacle and the side wall of the enclosure.

(B) A minimum separation of five feet shall be provided between the receptacle and any combustible walls, combustible roof eave lines, or building or structure openings.

(3) *Vertical clearance.*

(A) Receptacles two cubic yards or less in size shall be provided with a minimum of eight feet of unobstructed overhead or vertical clearance for servicing.

(B) Receptacles greater than two cubic yards in size shall be provided with a minimum of 14 feet of unobstructed overhead or vertical clearance for servicing.

(c) *Permanent drop box and compactor placement standards.*

(1) All permanent drop boxes shall be placed on a concrete pad that is a minimum of six inches thick.

The pad shall have a slope of no more than one percent and shall be designed to discharge stormwater runoff consistent with the overall stormwater management plan for the site approved by the ~~Public Works~~ Director.

(2) All permanent compactors shall be placed on a concrete pad that is structurally engineered or in compliance with the manufacturer specifications. The pad shall have a slope of no more than three percent and shall be designed to discharge stormwater runoff consistent with the overall stormwater management plan for the site approved by the ~~Public Works~~ Director.

(3) Pad area. The pad area shall be a minimum of 12 feet in width. The pad area shall extend a minimum of five feet beyond the rear of the permanent drop box or compactor.

(4) Minimum separation. A minimum separation of five feet shall be provided between the permanent drop box or compactor and any combustible walls, combustible roof eave lines, or building or structure openings.

(d) *Solid waste service area screening standards.*

(1) Solid waste, recycling, and compostable service areas shall be screened from all streets abutting the property and from all abutting residentially zoned property by a minimum six-foot-tall sight-obscuring fence or wall; provided, however, where receptacles, drop boxes, and compactors are located within an enclosure, screening is not required. For the purpose of this standard, abutting property shall also include any residentially zoned property located across an alley from the property.

(2) Existing screening at the property line shall satisfy screening requirements if it includes a six-foot-tall sight-obscuring fence or wall.

(e) *Solid waste service area enclosure standards.* When enclosures are used for required screening or aesthetics, such enclosures shall conform to the following standards:

(1) *Front opening of enclosure.* The front opening of the enclosure shall be unobstructed and shall be a minimum of 12 feet in width.

(2) *Measures to prevent damage to enclosure.*

(A) Enclosures constructed of wood or chainlink fencing material shall contain a minimum four-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the enclosure to prevent damage from receptacle impacts.

(B) Enclosures constructed of concrete, brick, masonry block, or similar types of material shall contain a minimum four-inch nominal high bumper curb at ground level located 12 inches inside the perimeter of the outside walls of the enclosure, or a fixed bumper rail to prevent damage from receptacle impacts.

(C) The requirements under ~~subparagraphs~~ subsections (e)(2)(A) and (B) of this ~~paragraph~~ section shall not apply if the enclosure is designed to be separated:

(i) A minimum distance of two feet from the sides of the container or receptacles; and

(ii) A minimum of three feet from the rear of the container or receptacles.

~~(4)~~ (3) *Enclosure gates.* Any gate across the front opening of an enclosure shall swing freely without obstructions. For any opening that is less than 15 feet in width, the gates shall open a minimum of 120 degrees. For any opening that is 15 feet or greater in width, the gates shall open a minimum of 90 degrees. All gates shall have restrainers in the open and closed positions.

~~(5)~~ (4) *Prohibited enclosures.* Receptacles shall not be stored in buildings or entirely enclosed structures unless the receptacles are:

(A) Stored in areas protected by an automatic sprinkler system approved by the City Fire Marshal; or

(B) Stored in a building or structure of a fire resistive Type I or Type IIA construction that is

located not less than ten feet from other buildings and used exclusively for solid waste receptacle storage.

(f) *Solid waste service area vehicle access.*

(1) Vehicle operation area.

(A) A vehicle operation area shall be provided for solid waste collection service vehicles that is free of obstructions and no less than 45 feet in length and 12 feet in width. Vehicle operation areas shall be made available in front of every receptacle, or, in the case of multiple receptacles within an enclosure, in front of every enclosure opening.

(B) For solid waste service areas having receptacles of two cubic yards or less, the vehicle operation area may be located:

(i) Directly in front of the permanent location of the receptacle; or

(ii) In a location where the receptacle can be safely maneuvered manually not more than 45 feet into a position at one end of the vehicle operation area for receptacle servicing.

(C) The vehicle operation area may be coincident with a parking lot drive aisle or driveway, provided that such area is kept free of parked vehicles and other obstructions at all times except for the normal ingress and egress of vehicles.

(D) In the event that access to the vehicle operation area is not a direct approach into position for operation of the service vehicle, a turnaround, designed and constructed pursuant to the Public Works Design Standards, shall be required to allow safe and convenient access for collection service.

(2) Vehicle operation areas shall be designed so that waste collection service vehicles are not required to back onto a public street or leave the premises.

(3) Vehicle operation areas shall be paved with asphalt, concrete, or other hard surfacing approved by the ~~Public Works~~ Director, and shall be adequately designed, graded, and drained to the approval of the ~~Public Works~~ Director.

(4) Signs. "No Parking" signs shall be placed in a prominent location on the enclosure, or painted on the pavement in front of the enclosure or receptacle, to ensure unobstructed and safe access for the servicing of receptacles.

(g) *Notice to solid waste collection franchisee.* Upon receipt of an application to vary or adjust the standards set forth in this section, notification and opportunity to comment shall be provided to the applicable solid waste collection franchisee. Notice required under this subsection shall be in addition to the notification required for a variance or adjustment under SRC chapter 300.

(Prior Code, § 800.055; Ord. No. 31-13)

Sec. 800.060. Exterior lighting.

(a) Exterior lighting shall not shine or reflect onto adjacent properties, or cast glare onto the public right-of-way.

(b) Exterior light fixtures shall be located and designed so that the light source, when viewed at a height of five feet above the ground at a distance of five feet outside the boundary of the lot, shall be either:

(1) Completely shielded from direct view; or

(2) No greater than five foot-candles in illumination.

(Prior Code, § 800.060; Ord. No. 31-13)

CHAPTER 801. RESERVED

CHAPTER 802. PUBLIC IMPROVEMENTS

Sec. 802.001. Purpose.

The purpose of this chapter is to establish the means and standards whereby public improvements are provided for development within the City.

(Prior Code, § 802.001; Ord. No. 31-13)

Sec. 802.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*City utilities*~~:~~ means public improvements providing water, wastewater, and stormwater facilities.

~~(b)~~ *Public improvements*~~:~~ means infrastructure necessary to provide city utilities to customers.

~~(c)~~*Public utilities*~~:~~ means privately owned improvements providing the following services: natural gas; electricity; telephone, internet, and other electronic data or communication services; and cable television.

~~(d)~~ *Public Works Design Standards*~~:~~ means the design standards and specifications adopted pursuant to SRC 802.010.

~~(e)~~*Utility* or *utilities*~~:~~ means water; wastewater; stormwater facilities; natural gas; electricity; telephone, internet, and other electronic data or communication services; and cable television.

~~(f)~~*Watercourse*~~:~~ means the route, up to and including the top of bank, formed by natural processes or constructed by humans, generally consisting of a channel with a bed, banks, or sides, in which water flows. By way of illustration, but not of limitation, as used in this chapter, watercourse includes perennial and intermittent streams and creeks, swales, drainage ditches, and culverts. As used in this chapter, watercourse does not include the Willamette River.

(Prior Code, § 802.005; Ord. No. 31-13)

Sec. 802.010. Design standards and specifications.

The ~~Public Works~~ Director shall prepare and adopt by administrative rule design standards and specifications consistent with sound engineering principles for the construction, reconstruction, or repair of public improvements within areas under the City's jurisdiction. The design standards and specifications shall be kept on file in the office of the ~~Public Works~~ Director. All public improvements shall conform to the adopted design standards and specifications, and with any other adopted plans and policies adopted by the City.

(Prior Code, § 802.010; Ord. No. 31-13)

Sec. 802.015. Development to be served by city utilities.

Except as provided under SRC 802.035 and ~~SRC~~ 802.040, all development shall be served by city utilities designed and constructed according to all applicable provisions of the Salem Revised Code and the Public Works Design Standards.

(Prior Code, § 802.015; Ord. No. 31-13)

Sec. 802.020. Easements.

Subject to any constitutional limitations, the conveyance or dedication of easements for city utilities may be required as conditions of development approval. Easements may be required that are necessary for the development of adjacent properties. Easements shall, where possible, be centered on, or abut property lines, and shall be not less than ten feet in width. No building, structure, tree, or other obstruction other than landscaping shall be located within an easement required by this section.

(Prior Code, § 802.020; Ord. No. 31-13)

Sec. 802.025. Utilities to be placed underground.

(a) Except as otherwise provided in this section, all utility service shall be provided by underground facilities.

(b) In industrial and employment and commercial zones, electrical service may be provided by overhead wires where underground utility service is unavailable.

(c) Stormwater management shall be provided by above ground and below ground facilities.

(Prior Code, § 802.025; Ord. No. 31-13)

Sec. 802.030. Watercourses.

(a) Any modification to a watercourse shall conform to SRC chapter 601 and the Public Works Design Standards.

(b) Public improvement and maintenance easements for watercourses may be required. The easements shall, at a minimum, extend 15 feet in each direction from the waterway centerline, ten feet from the top of a recognizable bank, or a sufficient width to pass ten-year flood flows or to accommodate the 100-year floodway on a FEMA regulated stream, whichever is greater. Such easements shall be of a width sufficient to allow both initial improvements and future maintenance and operations. Larger widths may be required.

(Prior Code, § 802.030; Ord. No. 31-13)

Sec. 802.035. Partitions in areas unserved by city wastewater system.

A partition located more than 300 feet from an available sewer may be approved if the applicable requirements for partitions located more than 300 feet from an available sewer contained within SRC chapter 205 are met.

(Prior Code, § 802.035; Ord. No. 31-13)

Sec. 802.040. Private stormwater, wastewater, and water systems.

A private stormwater, wastewater, or water system may be approved by the Director if each of the following conditions are met:

(a) City utilities necessary to serve adjacent properties and to provide needed links in the overall collection and distribution system are provided.

(b) If the system is a water system:

(1) The water system conforms to the water distribution standards of the City;

(2) Except as authorized by state law, water from the system is not submetered or resold to other parties;

(3) Each building under separate ownership has a separate water meter; and

(4) The properties served are located within a commercial or an industrial and employment zone.

(c) If the system serves multiple properties under separate ownership:

(1) If the system is a wastewater system, the properties served are located within a commercial or an industrial and employment zone, and each building under separate ownership must have a separate wastewater monitoring manhole. Exceptions to the requirement for monitoring manholes may be granted by the Director if the owner of the system shows that no proposed use has any likelihood of discharging hazardous or illegal materials into the City's wastewater system.

(2) An agreement is executed by the utility owner and the owner of the property served by the system. The agreement shall be recorded in the deed records of the applicable county and provide that:

(A) The system serving the property is private;

(B) The City has no responsibility to maintain the system;

(C) The system will not be accepted by the City unless the system was constructed in a manner that conforms to the Public Works Design Standards;

(D) A perpetual right of access to read and maintain the meters and inspect the system is granted

to the City; and

(E) Persons served by the system assume responsibility for any repairs required for the City.

(Prior Code, § 802.040; Ord. No. 31-13)

CHAPTER 803. STREETS AND RIGHT-OF-WAY IMPROVEMENTS

Sec. 803.001. Purpose.

The purpose of this chapter is to establish standards for streets and other improvements within public right-of-way in the City.

(Prior Code, § 803.001; Ord. No. 31-13)

Sec. 803.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Block*~~:~~ means the properties abutting one side of a street:

~~(1)~~ (a) Between two cross streets;

~~(2)~~ (b) Between the city limits and the nearest cross street;

~~(3)~~ (c) When there is only one cross street:

~~(A)~~ (1) Between a cross street and the dead end of a street;

~~(B)~~ (2) Between a cross street and a line projected from the centerline of an intersecting street, such as a "T" intersection;

~~(4)~~ (d) When there are no cross streets, then the block shall be between the points 600 feet from the mid-point of the front property line for the property under consideration and along the street.

~~(b)~~ *Boundary street*~~:~~ means an existing street that abuts a unit of land.

~~(c)~~*Complex*~~:~~ means a group of structures or other development that is functionally or conceptually integrated, regardless of the ownership of the development or underlying land.

~~(d)~~ *Half-street improvement*~~:~~ means a 50 percent portion of the ultimate width of a street.

~~(e)~~*Public accessway*~~:~~ means a walkway that provides pedestrian and bicycle passage either between two or more streets or from a street to a building or other destination, such as a park or transit stop.

~~(f)~~*Reasonably direct*~~:~~ means either a route that does not deviate unnecessarily from a straight line, or a route that does not require a significant amount of out-of-direction travel by likely users.

~~(g)~~ *Reserve block*~~:~~ means a strip of land across the end of a street or alley at the boundary of a subdivision or partition, and dividing it from adjacent property, that is reserved to extend or widen the street in the future or to prohibit access to the street or alley from adjacent property. Reserve blocks are usually one foot in width and either deeded or dedicated to the City.

~~(h)~~ *Safe and convenient bicycle and pedestrian routes*~~:~~ means facilities and improvements which:

~~(1)~~ (a) Are reasonably free from hazards, particularly types or levels of automobile traffic which would interfere with or discourage pedestrian or bicycle travel for short trips;

~~(2)~~ (b) Provide a reasonably direct route of travel between destinations such as between a transit stop and a store; and

~~(3)~~ (c) Meet travel needs of bicyclists and pedestrians considering destination and length of trip; and considering that the optimum trip length of pedestrians is generally one-fourth to one-half mile.

~~(i)~~*Three quarter street improvement*~~:~~ means a half-street improvement on the side abutting the development, plus a minimum 12-foot wide travel lane with shoulders and drainage ditches where needed on the opposite side.

~~(j)~~*Underimproved street*~~:~~ means any public street, road, or right-of-way which lacks any of the following:

~~(1)~~ (a) Paving;

~~(2)~~ (b) Curbing;

~~(3)~~ (c) Bike lanes (where required);

~~(4)~~ (d) Sidewalks;

~~(5)~~ (e) Street lighting;

~~(6)~~ (f) Stormwater facilities; or

~~(7)~~ (g) Adequate right-of-way geometry or paving width, grade, or structural sections required under the Public Works Design Standards.

~~(k)~~ *Walkway*~~:~~ means a right-of-way or easement designated for the use of non-motorized vehicles and pedestrians.

(Prior Code, § 803.005; Ord. No. 31-13)

Sec. 803.010. Streets, generally.

Except as otherwise provided in this chapter, all streets shall be improved to include the following: adequate right-of-way, paving, curbing, bike lanes (where required), sidewalks, street lighting, stormwater facilities; utility easements, turnarounds, construction strips, landscape strips, parking lanes, adequate right-of-way geometry, paving width, grade, structural sections and monumentation, that conforms to the Public Works Design Standards.

(Prior Code, § 803.010; Ord. No. 31-13)

Sec. 803.015. Traffic impact analysis.

(a) *Purpose.* The purpose of a traffic impact analysis is to ensure that development generating a significant amount of traffic provides the facilities necessary to accommodate the traffic impacts of the proposed development.

(b) *Applicability.* An applicant shall provide a traffic impact analysis if one of the following conditions exists:

(1) The development will generate 200 or more daily vehicle trips onto a local street or alley, or 1,000 daily vehicle trips onto a collector, minor arterial, major arterial, or parkway. Trips shall be calculated using the adopted Institute of Transportation Engineer's Trip Generation Manual. In developments involving a land division, the trips shall be calculated based on the proposed development that will occur on all lots that will be created by the land division.

(2) The increased traffic resulting from the development will contribute to documented traffic problems, based on current accident rates, traffic volumes or speeds, and identified locations where pedestrian and/or bicyclist safety is a concern.

(3) The City has performed or reviewed traffic engineering analyses that indicate approval of the development will result in levels of service of the street system that do not meet adopted level of service standards.

(c) *Improvements may be required.* On-site and off-site public or private improvements necessary to address the impacts identified in the traffic impact analysis may be required as conditions of development approval. Improvements include, but are not limited to, street and intersection improvements, sidewalks, bike lanes, traffic control signs and signals, parking regulation, access controls, driveway approach location and design, and street lighting.

(d) *Exception.* An exception to the requirement for a traffic impact analysis may be granted for development that generates more than the trips specified in subsection (b)(1) of this section if the Director determines the traffic impact analysis is not necessary to satisfy the purposes set forth in subsection (a) of this section.

(Prior Code, § 803.015; Ord. No. 31-13)

Sec. 803.020. Public and private streets.

(a) *Public streets.* Except as provided in subsection (b) of this section, all streets shall be public streets.

(b) *Private streets.*

(1) Internal streets in subdivisions, partitions, and planned unit developments may be either public or privately owned; provided that the internal streets may be required to be public, given the connectivity, size, configuration, location, and number of lots or dwelling units, and the nature and location of public and common facilities and proposed uses.

(2) Private streets shall conform to this chapter and the Public Works Design Standards, unless otherwise required by state law.

(3) Any subdivision, partition, or planned unit development that includes private streets shall have recorded covenants, conditions, and restrictions which provide that all common property owners shall be members of a property owners' association. The covenants, conditions, and restrictions shall, at a minimum, require that the association be responsible for the perpetual maintenance and operation of all private streets and related facilities in the development, including, but not limited to, parking areas, private streets, privately owned pedestrian/bikeways, and landscape strips. Such association shall have the power to levy and assess against privately owned property in the development all necessary costs for maintenance and operation of the private streets and related facilities.

(Prior Code, § 803.020; Ord. No. 31-13)

Sec. 803.025. Right-of-way and pavement widths.

(a) Except as otherwise provided in this chapter, right-of-way width for streets and alleys shall conform to the standards set forth in Table 803-1.

TABLE 803-1. RIGHT-OF-WAY WIDTH

Right-of-Way	Width	Limitations & Qualifications
Parkway	Min. 120 ft.	Applicable for up to 4 motor vehicle travel lanes.
	Min. 144 ft.	Applicable for greater than 4 motor vehicle travel lanes.
Major arterial	Min. 96 ft.	
Minor arterial	Min. 72 ft.	
Collector	Min. 60 ft.	
Local street	Min. 60 ft.	
Cul-de-sac	Min. 50 ft.	Applicable to the stem of the cul-de-sac.
	Min. 45 ft. radius	Applicable to the turnaround of the cul-de-sac.
Alley	Min. 10 ft.	
	Max. 20 ft.	

(b) Except as otherwise provided in this chapter, streets shall have an improved curb-to-curb pavement width as set forth in Table 803-2.

TABLE 803-2. PAVEMENT WIDTH

Street Type	Width	Limitations & Qualifications
Parkway	Min. 80 ft.	

TABLE 803-2. PAVEMENT WIDTH		
Street Type	Width	Limitations & Qualifications
Major arterial	Min. 68 ft.	
Minor arterial	Min. 46 ft.	
Collector	Min. 34 ft.	Applicable to Type A collector.
	Min. 40 ft.	Applicable to Type B collector.
	Min. 34 ft.	Applicable to Type C collector.
Local Street	Min. 30 ft.	
Cul-de-sac	Min. 30 ft.	Applicable to the stem of the cul-de-sac.
	Min 38 ft. radius	Applicable to the turnaround of the cul-de-sac.

(c) Additional right-of-way, easements, and improvements may be required to accommodate the design and construction of street improvement projects due to steep slopes, soils, water features, wetlands, transit bus bays, and other physical constraints.

(d) Additional right-of-way and roadway improvements at the intersections of parkways, major arterial, minor arterial, and collector streets, and at intersections and access points for high traffic generators, including, but not limited to, shopping centers, schools, major recreational sites, and office complexes, may be required. The design of all intersections shall conform to the Public Works Design Standards.

(e) When an area within a subdivision is set aside for commercial or industrial uses, or where probable future conditions warrant, dedication and improvement of streets to greater widths than those provided in subsection (a) of this section may be required.

(Prior Code, § 803.025; Ord. No. 31-13)

Sec. 803.030. Street spacing.

(a) Streets shall have a maximum spacing of 600 feet from right-of-way line to right-of way line along one axis, and not less than 120 feet and not more than 400 feet from right-of-way line to right-of-way line along the other axis.

(b) Street spacing may be increased where one or more of the following exist:

(1) Physical conditions preclude streets meeting the spacing requirements. Physical conditions include, but are not limited to, topography or the existence of natural resource areas such as wetlands, ponds, streams, channels, rivers, lakes, or a resource protected by state or federal law.

(2) Buildings or other existing development on adjacent lands, including previously subdivided but vacant lots or parcels, physically preclude streets meeting the spacing requirements, considering the potential for redevelopment.

(3) An existing public street or streets terminating at the boundary of the development site exceed the spacing requirements, or are situated such that the extension of the street or streets into the development site would create a block length exceeding the spacing requirements. In such cases, the block length shall be as close to the spacing requirements as practicable.

(4) Strict application of the spacing requirements would result in a street network that is no more beneficial to vehicular, pedestrian, or bicycle traffic than the proposed street network, and the proposed street network will accommodate necessary emergency access.

(Prior Code, § 803.030; Ord. No. 31-13)

Sec. 803.035. Street standards.

All public and private streets shall be improved as follows:

(a) *Connectivity.* Local streets shall be oriented or connected to existing or planned streets, existing or planned schools, parks, shopping areas, transit stops, and employment centers located within one-half-mile of the development. Local streets shall be extended to adjoining undeveloped properties for eventual connection with the existing street system. Connections to existing or planned streets and adjoining undeveloped properties for eventual connection with the existing street system shall be provided at no greater than 600-foot intervals unless one or more of the following conditions exist:

(1) Physical conditions or the topography, including, but not limited to, freeways, railroads, steep slopes, wetlands, or other bodies of water, make a street or public accessway connection impracticable.

(2) Existing development on adjacent property precludes a current or future connection, considering the potential and likelihood for redevelopment of the adjacent property; or

(3) The streets or public accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, that by their terms would preclude a current or future connection.

(b) *Improvements.* All street improvements, including sub-base, base, pavement, curbs, sidewalks, and surface drainage shall conform to all provisions of the Salem Revised Code and the Public Works Design Standards.

(c) *Alignment and grade.* All streets shall be designed with a vertical alignment that conforms to the Public Works Design Standards. No grade of parkway, major arterial, or minor arterial shall exceed six percent. No grade of a collector street shall exceed eight percent. No grade of a local street shall exceed 12 percent.

(d) *Dead-end streets.* When it appears necessary to provide connectivity into or through an abutting undeveloped area, a dead–end street shall be provided to the boundary of the undeveloped area. The street may be constructed and right-of-way may be dedicated without a turnaround unless the Planning Administrator finds that a turnaround is necessary.

(e) *Reserve blocks.* Reserve blocks controlling access to a street or alley may be required to be dedicated to address one or more of the following:

(1) To prevent access to abutting land at the end of a street in order to assure the proper extension of the street pattern and the orderly development of land lying beyond the street.

(2) To prevent access to the side of a street on the side where additional width is required to meet the right-of-way standards provided in SRC 803.025.

(3) To prevent access to land abutting a street of the development, but not within the development itself.

(4) To prevent access to land unsuitable for development.

(5) To prevent access prior to payment of street improvement assessments or connection charges.

(6) To prevent access to an arterial or collector street.

(f) *Cul-de-sacs.*

(1) Cul-de-sacs shall not exceed 800 feet in length.

(2) No portion of a cul-de-sac shall be more than 400 feet from an intersecting street or cul-de-sac unless physical constraints make it impractical.

(3) Cul-de-sacs shall have a turnaround with a property line radius of not less than that specified in SRC 803.025(a) from the center of the turnaround to the property lines.

(g) *Intersections; property line radius.*

(1) Intersections shall conform to the Public Works Design Standards; provided, however, additional right-of-way and roadway improvements at or adjacent to the intersections of parkways, major

arterials, minor arterials, and collector streets may be required for intersections and access points for high traffic generators, including, but not limited to, shopping centers, schools, major recreational sites, and office complexes.

(2) The property line radius at intersections shall be not less than the curbline radius as set forth in the Public Works Standards.

(h) *Cut and fill slopes.* Fill slopes shall begin no closer than two feet from the rear edge of the sidewalk, or if there is no sidewalk, from to the rear edge of the curb. Cut and fill slopes shall not exceed two horizontal to one vertical, provided that slopes not exceeding one to one may be approved upon certification by a qualified engineer or geologist that the slope will remain stable under foreseeable conditions.

(i) *Slope easements.* Slope easements shall be provided on both sides of the right-of-way where required by Public Works Design Standards.

(j) *Street alignment.* Consistent with good engineering practice, street alignment shall, so far as possible, avoid natural and constructed obstacles, including, but not limited to, mature trees.

(k) *Street trees.* Development adjacent to public streets shall provide street trees that meet the standards and specifications set forth in SRC chapter 86.

(l) *Sidewalks.*

(1) *Sidewalk construction required.* Sidewalks conforming to this chapter, the Public Works Design Standards, the Americans with Disabilities Act, the Salem Transportation System Plan, and SRC chapter 78 shall be constructed as a part of street improvement projects.

(2) *Sidewalk location; width.*

(A) Sidewalks shall be located parallel to and one foot from the adjacent right-of-way; provided, however, on streets having a right-of-way of 50 feet or less, sidewalks shall be located parallel to and abutting the curb.

(B) If topography or other conditions make the construction of a sidewalk impossible or undesirable in a location required by this subsection, a different location may be allowed.

(C) Except as otherwise provided in this ~~paragraph~~ subsection, all sidewalks shall be a minimum of five feet in width.

(D) Sidewalks connecting with the direct access to the primary entrance of a school shall be a minimum of eight feet in width along the right-of-way for a distance of 600 feet from the point of connection.

(E) Sidewalks shall have an unobstructed four-foot wide clearance around street lights, signs, mailboxes, and other streetscape facilities.

(m) *Bicycle facility standards.* Streets identified in the Salem Transportation System Plan Bicycle System Map as requiring a bicycle facility must conform to the designation of the Salem Transportation System Plan and the Public Works Design Standards.

(n) *Utility easements.* Public utility easements may be required for all streets. Unless otherwise specified by the ~~Public Works~~ Director, public utility easements shall be a minimum of ten feet in width on each side of the right-of-way.

(o) *Street lights.* All subdivisions and partitions, and all development on units of land for which site plan review is required, shall include underground electric service, light standards, wiring, and lamps for street lights that conform to the Public Works Design Standards. The developer shall install such facilities. Upon the City's acceptance of improvements, the street lighting system shall become the property of the City.

(p) *Landscape strips.* Landscape strips for signs, street lights, and shade trees shall be provided that conform to the Public Works Design Standards.

(q) *Landscaping.* Property owners shall cover at least 75 percent of the unimproved surface area within the right-of-way abutting the property with perennial living plant material which conforms to all other requirements of the UDC, and which is kept free of noxious vegetation.

(r) *Urban growth area street improvements.* Where a subdivision or partition is located in the Urban Growth Area or the Urban Service Area, and the construction of street improvements by the City has not yet occurred, the street improvements and dedications shall meet the requirements of SRC chapter ~~66~~ 200.

(Prior Code, § 803.035; Ord. No. 31-13)

Sec. 803.040. Boundary streets.

(a) *General.* Except as otherwise provided in this section, dedication of right-of-way for, and construction or improvement of, boundary streets of up to one-half of the right-of-way and improvement width specified in SRC 803.025 shall be required as a condition of approval for the following:

(1) Subdivisions;

(2) Partitions;

(3) Planned unit developments;

(4) Manufactured dwelling parks; and

(5) The construction or enlargement of any building or structure located on property abutting a boundary street and that requires a building permit under SRC chapter 56.

(b) *Three-quarter street improvement.* If construction of a half-street improvement is insufficient to provide for a minimum of one 12-foot-wide travel lane in each direction or proper street grade, dedication of right-of-way for, and construction or improvement of, a three-quarter street improvement may be required.

(c) *Additional right-of-way and improvements.* Dedication and improvement of streets to greater widths than those provided in SRC 803.025 may be required when:

(1) An area within a subdivision is set aside for commercial or industrial uses, or where probable future conditions warrant.

(2) Topographical requirements necessitate either cuts or fills for the proper grading of the streets, additional right-of-way width or slope easements may be required to allow for all cut and fill slopes.

(3) Additional area is required for stormwater facilities located within the right-of-way.

(d) *Exceptions.* Notwithstanding subsections (a) and (b) of this section, the dedication of right-of-way for, and construction or improvement of, boundary streets is not required in the following circumstances:

(1) Improvement of the boundary street abutting the property is a funded project in the Five Year Capital Improvement Program;

(2) The erection or construction of a new building or structure in a complex, if the new building or structure is less than 2,000 square feet. This exception shall be based on the extent of development existing on December 31, 1995;

(3) The enlargement of any building or structure, if the enlargement results in less than a 50 percent increase in gross building area. This exception shall be based on the extent of development existing on December 31, 1995;

(4) The erection, construction, or enlargement of any building or structure to be used entirely for agriculture, the keeping of livestock and other animals, or animal services, as defined in SRC chapter 400, and which involve no retail sales; or

(5) The erection, construction, or enlargement of any building or structure that will generate less than 20 new vehicle trips per day according to the Institute of Transportation Engineers' Trip Generation Manual.

(e) *Improvement.*

(1) All boundary street improvements shall conform to this chapter and the Public Works Design Standards.

(2) The maximum amount of street widening shall not exceed 17 feet on the development side, plus curb, gutters, sidewalks, bike lanes, stormwater facilities, street lights, and signing where appropriate. The minimum requirement for the opposite side of the centerline is a 12-foot-wide paved travel lane. The boundary street improvement shall be provided along the full length of the boundary.

(3) If development is proposed for only a portion of a development site or complex, the boundary street improvement shall be provided as follows:

(A) Where the area of development exceeds 25 percent of the total development site or complex area, the street improvements shall be the greater of either the actual street frontage of the phase being developed, or the percentage of street frontage equal to the percentage of area being developed.

(B) Where the area of development is equal to or less than 25 percent of the total development site or complex area, the street improvement shall be provided in accordance with the following formula:

(i) Frontage of Required Street Improvement = Proposed Area of Development ÷ Area of Undeveloped Site x Total Street Frontage of Entire Development Site or Complex.

(C) As used in this ~~paragraph~~ subsection, the term "area of development" means that area required for structures, setbacks, off-street parking, landscaping, and any special setbacks.

(Prior Code, § 803.040; Ord. No. 31-13)

Sec. 803.045. Monuments.

Proper monuments that conform to the Public Works Design Standards shall be constructed with street improvements.

(Prior Code, § 803.045; Ord. No. 31-13)

Sec. 803.050. Public accessways.

(a) When necessary for public convenience or safety, public accessways may be required to connect to cul-de-sac streets, to pass through oddly shaped or unusually long blocks, to provide for networks of public paths creating access to schools, parks, shopping centers, mass transportation stops, or other community services, or where it appears necessary to continue the public walkway into a future subdivision or abutting property or streets.

(b) Public accessways shall conform to the Public Works Design Standards, and have width and location as reasonably required to facilitate public use and, where possible, accommodate utility easements and facilities. Public accessways shall be dedicated on the plat.

(Prior Code, § 803.050; Ord. No. 31-13)

Sec. 803.055. Traffic control, parking regulation, and street signs and pavement markings.

The developer shall install all required traffic control, parking regulation, street signs, and pavement markings for all paved blocks of streets within a subdivision or partition prior to final acceptance of the public streets by the City, or prior to the issuance of any building permit for construction within the subdivision or partition for private streets. All traffic control, parking regulation, and street signs and pavement markings shall conform to the Public Works Design Standards, and shall be installed at the developer's expense.

(Prior Code, § 803.055; Ord. No. 31-13)

Sec. 803.060. Conveyance by dedication.

All streets within subdivisions or partitions, other than private streets allowed under SRC 803.020, shall be dedicated to the City on the plat.

(Prior Code, § 803.060; Ord. No. 31-13)

Sec. 803.065. Alternative street standards.

(a) The Director may authorize the use of one or more alternative street standards:

(1) Where existing development or physical constraints make compliance with the standards set forth in this chapter impracticable;

(2) Where the development site is served by fully developed streets that met the standards in effect at the time the streets were originally constructed; or

(3) Where topography or other conditions make the construction that conforms to the standards impossible or undesirable.

(b) Authorization of an alternative street standard may require additional or alternative right-of-way width, easements, and improvements to accommodate the design and construction using the alternative standard.

(Prior Code, § 803.065; Ord. No. 31-13)

Sec. 803.070. Deferral of construction of certain improvements.

(a) *Applicant initiated deferral.* An applicant may apply to defer the construction of the following improvements, upon filing an application and paying the application fee:

(1) *Boundary streets.*

(A) Construction of boundary streets may be deferred if:

(i) The development site abuts a boundary street section, and the existing vertical or horizontal alignment for the street section neither meets nor can be constructed within the limits of the development site frontage in a manner that conforms to the Public Works Design Standards for future final street grades and alignment;

(ii) The development site abuts a local street, the development site has less than 150 feet of frontage, and the use will generate 20 or less new vehicle trips per day;

(iii) The development site abuts a local street and there is no improved street section or street improvement deferral for the boundary street within 150 feet of the property corners of the development site; or

(iv) Unusual or special conditions exist that, in the opinion of the ~~Public Works~~ Director, would warrant a deferral of all or a part of the improvement.

(2) *Sidewalks.*

(A) Construction of sidewalks may be deferred if:

(i) For property within all zones other than industrial and employment zones:

(aa) The sidewalk is not on a collector street or arterial street; and

(bb) Less than one-half of the required sidewalks on the side of the block where the sidewalk is to be constructed have already been constructed.

(ii) For property within industrial and employment zones:

(aa) The sidewalk would not be part of a pedestrian route to a school, shopping center, park, church, or other pedestrian traffic generator, or identified in a local safe routes to school plan as a facility in need of improvement; and

(bb) The deferral would not pose a threat to public safety and welfare, based upon review of pedestrian/vehicular traffic on the street, the width and condition of the street, and on-street parking.

(B) Unless otherwise provided in the deferral agreement, when sidewalk construction has been deferred, the property owner shall:

(i) Grade and slope the area to the future sidewalk grade;

(ii) Avoid planting trees in the sidewalk area, or building fences, retaining walls, steps, or other impediments to the future sidewalk; and

(iii) Note on the plans for the development that a deferment has been granted but that sidewalk construction may be ordered by the City at any time.

(b) *City required deferral.* The Director may require deferral of the construction of part or all of one or more

of the improvements identified in subsection (a) of this section at any time. Deferral pursuant to this subsection shall be at no cost to the applicant.

(c) *Deferral agreement.* When a deferral is allowed or required pursuant to this section, the applicant shall enter into a deferral agreement. The deferral agreement shall be in a form approved by the City Attorney, shall be filed in the deed records of the appropriate county, and shall provide that the required improvements will be constructed at such time as the Director determines or at such other time as may be specified by resolution of the ~~City~~ Council.

(d) *Notation on plat.* The deferral of any improvements shall be noted on the final plat.

(Prior Code, § 803.070; Ord. No. 31-13)

CHAPTER 804. DRIVEWAY APPROACHES

Sec. 804.001. Purpose.

The purpose of this chapter is to establish development standards for safe and efficient access to public streets.

(Prior Code, § 804.001; Ord. No. 31-13)

Sec. 804.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Abandoned*~~:~~ means a driveway approach that is no longer used for vehicle access.

~~(b)~~ *Driveway approach*~~:~~ means any access providing direct vehicle ingress and egress over public right-of-way to property.

~~(c)~~*One-way driveway*~~:~~ means a driveway that provides only ingress or only egress.

~~(c)~~*Shared access*~~:~~ means a driveway that jointly serves two or more lots or parcels.

~~(d)~~ *Two-way driveway*~~:~~ means a driveway that provides both ingress and egress.

(Prior Code, § 804.005; Ord. No. 31-13)

Sec. 804.010. Applicability.

This chapter applies to the design, construction, relocation, reconstruction, enlargement, or alteration of any driveway approach.

(Prior Code, § 804.010; Ord. No. 31-13)

Sec. 804.015. Driveway approach permit required.

(a) Except as otherwise provided in this chapter, a driveway approach permit shall be obtained prior to constructing, relocating, reconstructing, enlarging, or altering any driveway approach.

(b) Exceptions. A driveway approach permit is not required for:

(1) The construction, relocation, reconstruction, enlargement, or alteration of any driveway approach that requires a state highway access permit; or

(2) The construction, relocation, reconstruction, enlargement or alteration of any driveway approach that is part of the construction of a publicly or privately engineered public improvement project.

(Prior Code, § 804.015; Ord. No. 31-13)

Sec. 804.020. Class 1. Driveway approach permit.

(a) *Required.* A Class 1 driveway approach permit is required for:

(1) A driveway approach onto a local or collector street providing access to a single family or two family use.

(2) A driveway approach for any land-locked lot or parcel providing access onto a local or collector street, unless the driveway is part of an existing shared access.

(3) A driveway approach providing access to a corner lot that abuts only local or collector streets, where the driveway approach will provide access onto the street with the lower street classification.

(4) Maintenance, repair, or replacement of an existing permitted driveway approach, other than maintenance, repair, or replacement that is part of, or needed for, redevelopment of commercial or industrially zoned property.

(b) *Procedure type.* A Class 1 driveway approach permit is processed as a Type I procedure under SRC chapter 300.

(c) *Submittal requirements.* In lieu of the application submittal requirements under SRC chapter 300, an application for a Class 1 driveway approach permit shall include the following:

(1) A completed application form.

(2) A site plan, of a size and form and in the number of copies meeting the standards established by the Director, containing the following information:

(A) The location and dimensions of the proposed driveway approach;

(B) The relationship to nearest street intersection and adjacent driveway approaches;

(C) The location of all utilities;

(D) The location of any existing or proposed buildings, structures, or vehicular use areas;

(E) The location of any trees and vegetation adjacent to the location of the proposed driveway approach that are required to be protected pursuant to SRC chapter 808; and

(F) The location of any street trees adjacent to the location of the proposed driveway approach.

(3) Identification of the uses or activities served, or proposed to be served, by the driveway approach.

(4) Any other information, as determined by the Director, which may be required to adequately review and analyze the proposed driveway approach for conformance with the applicable criteria.

(d) *Criteria.* A Class 1 driveway approach permit shall be granted if the proposed driveway approach meets the standards of this chapter and the Public Works Design Standards.

(Prior Code, § 804.020; Ord. No. 31-13)

Sec. 804.025. Class 2 driveway approach permit.

(a) *Required.* A Class 2 driveway approach permit is required for:

(1) A driveway approach onto a parkway, major arterial, or minor arterial;

(2) A driveway approach onto a local or collector street providing access to a use other than single family or two family;

(3) A driveway approach providing access to a corner lot that abuts only local or collector streets, where the driveway approach will provide access onto the street with the higher street classification; or

(4) Maintenance, repair, or replacement of an existing permitted driveway approach, which is part of, or needed for, redevelopment of commercial or industrially zoned property.

(b) *Procedure type.* A Class 2 driveway approach permit is processed as a Type II procedure under SRC chapter 300.

(c) *Submittal requirements.* In lieu of the application submittal requirements under SRC chapter 300, an application for a Class 2 driveway approach permit shall include the following:

(1) A completed application form.

(2) A site plan, of a size and form and in the number of copies meeting the standards established by the Director, containing the following information:

(A) The location and dimensions of the proposed driveway approach;

(B) The relationship to nearest street intersection and adjacent driveway approaches;

(C) Topographic conditions;

(D) The location of all utilities;

(E) The location of any existing or proposed buildings, structures, or vehicular use areas;

(F) The location of any trees and vegetation adjacent to the location of the proposed driveway approach

that are required to be protected pursuant to SRC chapter 808; and

(G) The location of any street trees adjacent to the location of the proposed driveway approach.

(3) Identification of the uses or activities served, or proposed to be served, by the driveway approach.

(4) Any other information, as determined by the Director, which may be required to adequately review and analyze the proposed driveway approach for conformance with the applicable criteria.

(d) *Criteria.* A Class 2 driveway approach permit shall be granted if:

(1) The proposed driveway approach meets the standards of this chapter and the Public Works Design Standards;

(2) No site conditions prevent placing the driveway approach in the required location;

(3) The number of driveway approaches onto an arterial are minimized;

(4) The proposed driveway approach, where possible:

(A) Is shared with an adjacent property; or

(B) Takes access from the lowest classification of street abutting the property;

(5) The proposed driveway approach meets vision clearance standards;

(6) The proposed driveway approach does not create traffic hazards and provides for safe turning movements and access;

(7) The proposed driveway approach does not result in significant adverse impacts to the vicinity;

(8) The proposed driveway approach minimizes impact to the functionality of adjacent streets and intersections; and

(9) The proposed driveway approach balances the adverse impacts to residentially zoned property and the functionality of adjacent streets.

(Prior Code, § 804.025; Ord. No. 31-13)

Sec. 804.030. Access onto local and collector streets.

(a) *Number of driveway approaches.* Except as otherwise provided in this chapter, a lot or parcel is entitled to one driveway approach onto a local or collector street. Additional driveway approaches from a single family or two family use onto a local or collector street may be allowed through Class 1 driveway permit approval.

(b) *Permitted access.*

(1) Driveway approaches onto local and collector streets shall only provide access to a permitted parking or vehicular use area, except where the driveway approach will provide access to a site controlled by a franchised utility service provider or a governmental entity.

(2) For a corner lot that abuts only local or collector streets, the driveway approach shall provide access to the street with the lower street classification.

(c) *Spacing.* Driveway approaches providing direct access to a collector street shall be located no less than 200 feet from intersections with major arterials or minor arterials, measured from centerline to centerline.

(d) *Vision clearance.* Driveway approaches onto local and collector streets shall comply with the vision clearance requirements set forth in SRC chapter 805.

(Prior Code, § 804.030; Ord. No. 31-13)

Sec. 804.035. Access onto major and minor arterials.

(a) *Number of driveway approaches.*

(1) Except as otherwise provided in this chapter, a complex shall be entitled to one driveway approach onto a major or minor arterial. Additional driveway approaches for a complex may be allowed where:

(A) A complex has more than 370 feet of frontage abutting a major or minor arterial;

(B) There is a shared access agreement between two or more complexes; or

(C) It is impracticable to serve the complex with only one driveway approach.

(2) No driveway approach is allowed onto a major or minor arterial for development that is not a complex, unless:

(A) The driveway approach provides shared access;

(B) The development does not abut a local or collector street; or

(C) The development cannot be feasibly served by access onto a local or collector street.

(b) *Traffic volume threshold.* No driveway approach onto a major or minor arterial shall be allowed unless the development generates 30 or more vehicle trips per day or the driveway approach provides access to a city park.

(c) *Permitted access.*

(1) Driveway approaches onto major and minor arterials shall only provide access to a permitted parking or vehicular use area, except where the driveway approach will provide access to a site controlled by a franchised utility service provider or a governmental entity.

(2) For a corner lot that abuts a local or collector street, the driveway approach shall provide access to the street with the lower street classification.

(3) No access shall be provided onto a major or minor arterial from a single family or two family use constructed as part of a subdivision or partition.

(4) Only forward in/forward out access shall be allowed onto a major or minor arterial.

(d) *Spacing.* Driveway approaches providing direct access to a major or minor arterial shall be no less than 370 feet from the nearest driveway or street intersection, measured from centerline to centerline.

(e) *Vision clearance.* Driveway approaches onto major and minor arterials shall comply with the vision clearance requirements set forth in SRC chapter 805.

(Prior Code, § 804.035; Ord. No. 31-13)

Sec. 804.040. Access onto parkways.

(a) *Number of driveway approaches.* No driveway approach shall be allowed onto a parkway unless the driveway approach is for a complex that generates 10,000 or more vehicle trips per day, or the driveway approach is a service driveway approach that provides access to a site controlled by a franchised utility service provider or a governmental entity.

(b) *Permitted access.* Driveway approaches onto a parkway shall only provide access to a permitted parking or vehicular use area, except where the driveway approach will provide access to a site controlled by a franchised utility service provider or a governmental entity.

(c) *Spacing.* Driveway approaches onto a parkway shall be no less than one mile from the nearest driveway approach or street intersection, measured from centerline to centerline.

(d) *Vision clearance.* Driveway approaches onto a parkway shall comply with the vision clearance requirements set forth in SRC chapter 805.

(e) *Temporary access.* Temporary direct access from a parkway to a development site may be granted until permanent access that conforms to this chapter can be established.

(f) *No variance or adjustment.* The standards set forth in this section cannot be varied or adjusted.

(Prior Code, § 804.040; Ord. No. 31-13)

Sec. 804.045. Shared access.

(a) Shared access may be required to serve two or more abutting lots or parcels, when necessary to mitigate or eliminate traffic impacts or safety concerns. Shared access may be provided at the request of an applicant; provided, however, that once the applicant's request has been approved, shared access shall not be eliminated without first obtaining a Class 2 driveway permit.

(b) Shared access shall conform to this chapter and the Public Works Design Standards, and shall be provided by permanent irrevocable easements that are recorded in the appropriate county.

(c) Lots and parcels shall be permitted to use temporary direct access onto a street until permanent shared access has been established.

(Prior Code, § 804.045; Ord. No. 31-13)

Sec. 804.050. Driveway approach development standards.

Driveway approaches shall conform to the following development standards:

(a) *Design and construction.* Driveway approaches shall be designed and constructed in conformance with this chapter and the Public Works Design Standards.

(b) *Width.*

(1) *Driveway approach width for single family and two family uses.* Driveway approaches serving single family and two family uses shall conform to the minimum and maximum widths set forth in Table 804-1.

TABLE 804-1. DRIVEWAY APPROACH WIDTH FOR SINGLE FAMILY AND TWO FAMILY USES

Number of Parking Spaces Served	Width	
	Minimum	Maximum
1 space	10 ft.	15 ft.
2 spaces	14 ft.	24 ft.
3 or more spaces	18 ft.	36 ft.

(2) *Driveway approach width for uses other than single family and two family.* Driveway approaches serving uses other than single family and two family shall conform to the minimum and maximum widths set forth in Table 804-2.

TABLE 804-1. DRIVEWAY APPROACH WIDTH FOR USES OTHER THAN SINGLE FAMILY OR TWO FAMILY

Type of Driveway	Width	
	Minimum	Maximum
One-way driveway approach	12 ft.	20 ft.
Two-way driveway approach	22 ft.	40 ft.

(3) *Measurement.* For purposes of this subsection, driveway approach width shall be determined by measurement of the paved surface of the driveway at the property line.

(c) *Marking and signage.* Where required by the Public Works Design Standards, driveway approaches shall be clearly marked or signed and maintained in conformance with the Public Works Design Standards.

(Prior Code, § 804.050; Ord. No. 31-13)

Sec. 804.055. Driveway approach relocation, reconstruction, and maintenance.

(a) *General.* The Director may require the relocation, reconstruction, or maintenance of a driveway approach where:

(1) The driveway approach has become hazardous due to traffic congestion. The determination that a driveway approach is hazardous to the public's use of the right-of-way shall be based on traffic engineering principles and traffic investigations;

(2) The driveway approach is not constructed in conformance with this chapter and the Public Works Design Standards;

(3) The driveway approach is not maintained in a safe manner; or

(4) A public street improvement project is being constructed, and relocation of the driveway approach will more closely conform to the current driveway approach standards.

(b) *Notice.* Notice of driveway approach relocation, reconstruction, or maintenance shall be given, in writing, to the property owner and any affected tenants stating the grounds for the relocation, reconstruction, or maintenance, the date upon which the requirement becomes effective, and the right to appeal.

(c) *Appeals.* Any person entitled to notice under subsection (b) of this section may appeal the decision to the Hearings Officer by following the process set forth in SRC 20J.220. The hearing on the appeal shall follow the contested case procedures set forth in SRC 20J.240 through 20J.430.

(d) *Effect.* If no appeal is filed within the time specified, the affected owner shall have 90 days from the date of the notice to relocate, reconstruct, or maintain the driveway approach in a manner that conforms to this chapter and the Public Works Design Standards.

(e) *Failure to relocate, reconstruct, or maintain driveway approach.* If the owner fails to relocate, reconstruct, or maintain the driveway approach within 90 days, the Director may cause the relocation, reconstruction, or maintenance to be completed and all expenses will be assessed against the property owner.

(Prior Code, § 804.055; Ord. No. 31-13)

Sec. 804.060. Driveway approach closure.

(a) *General.* The Director may require the closure of a driveway approach where:

(1) The driveway approach is not constructed in conformance with this chapter and the Public Works Design Standards;

(2) The driveway approach is not maintained in a safe manner;

(3) A public street improvement project is being constructed, and closure of the driveway approach will more closely conform to the current driveway approach standards;

(4) A new building or driveway is constructed on the property;

(5) A comprehensive plan change or zone change is proposed for the property served by the driveway;

(6) A change of use or activity in an existing building increases the amount of required parking;

(7) The driveway approach has been abandoned; or

(8) There is a demonstrated safety issue.

(b) *Notice.* Notice of driveway approach closure shall be given, in writing, to the property owner and any affected tenants stating the grounds for closure, the date upon which the closure becomes effective, and the right to appeal.

(c) *Appeals.* Any person entitled to notice under subsection (b) of this section may appeal the decision to the Hearings Officer by following the process set forth in SRC 20J.220. The hearing on the appeal shall follow the contested case procedures set forth in SRC 20J.240 through 20J.430.

(d) *Effect.* Closure shall be effective immediately upon the mailing of notice. Unless otherwise provided in the notice, closure terminates all rights to continue the use of the driveway approach for which the notice of closure has been issued.

(e) *Failure to close driveway.* If the owner fails to close the driveway approach to conform to the notice within 90 days, the Director may cause the closure to be completed and all expenses will be assessed against the

property owner.

(Prior Code, § 804.060; Ord. No. 31-13)

CHAPTER 805. VISION CLEARANCE

Sec. 805.001. Purpose.

The purpose of this chapter is to ensure visibility for vehicular, bicycle, and pedestrian traffic at the intersections of streets, alleys, flag lot accessways, and driveways.

(Prior Code, § 805.001; Ord. No. 31-13)

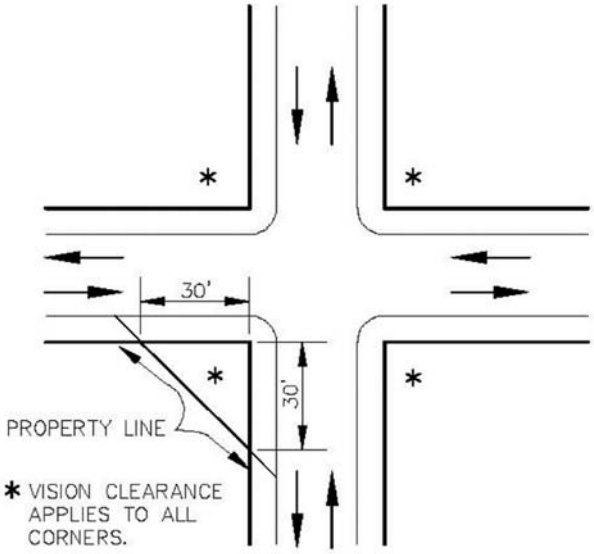
Sec. 805.005. Vision clearance areas.

Vision clearance areas that comply with this section shall be provided at the corners of all intersections; provided, however, vision clearance areas are not required in the Central Business (CB) Zone.

(a) *Street intersections.* Vision clearance areas at street intersections shall comply with the following:

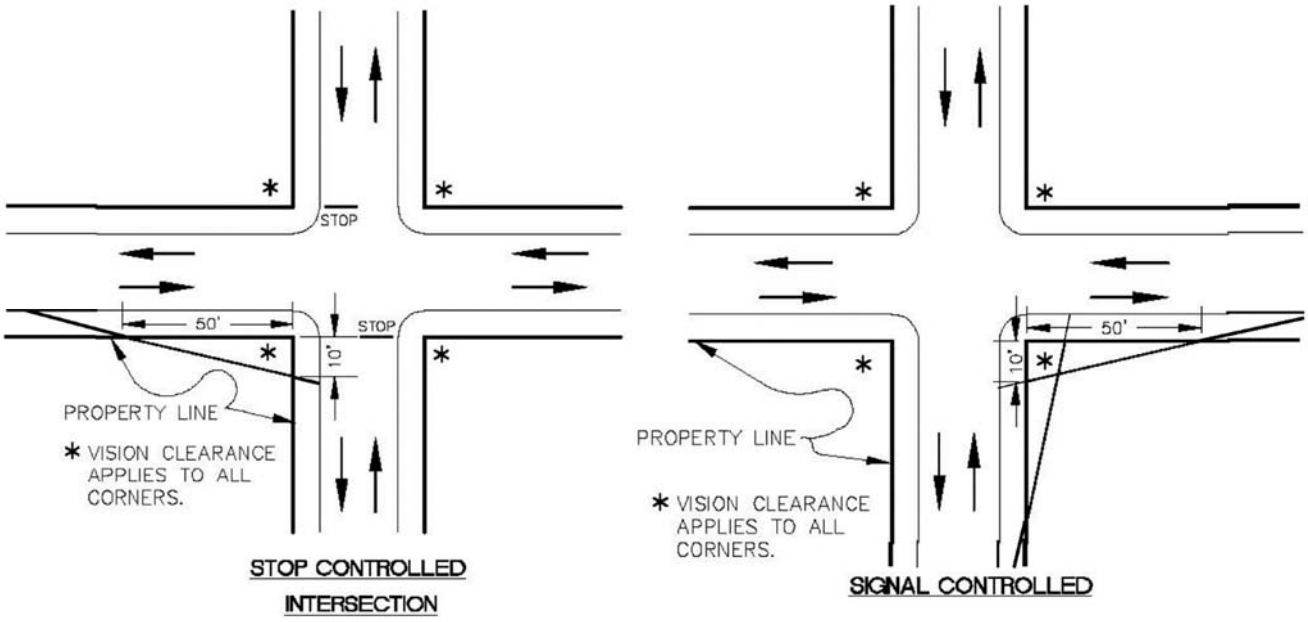
(1) *Uncontrolled intersections.* At uncontrolled intersections, the vision clearance area shall have 30-foot legs along each street (see Figure 805-1).

FIGURE 805-1. UNCONTROLLED INTERSECTIONS



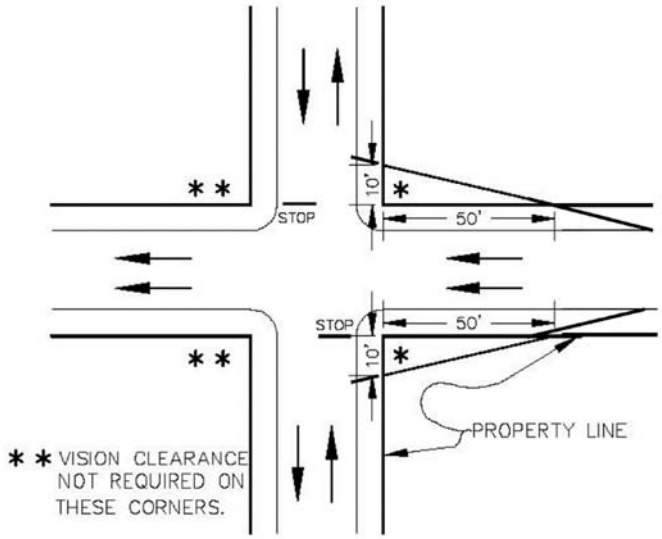
(2) *Controlled intersections.* At controlled intersections, the vision clearance area shall have a ten-foot leg along the controlled street and a 50-foot leg along the uncontrolled street (see Figure 805-2).

FIGURE 805-2. CONTROLLED INTERSECTIONS



(3) *One-way streets.* Notwithstanding ~~paragraphs~~ subsections (a)(1) and (2) of this ~~sub~~section, at an uncontrolled or controlled intersection of a one-way street, no vision clearance area is required on the corners of the intersection located downstream from the flow of traffic (see Figure 805-3).

FIGURE 805-3. ONE-WAY STREETS



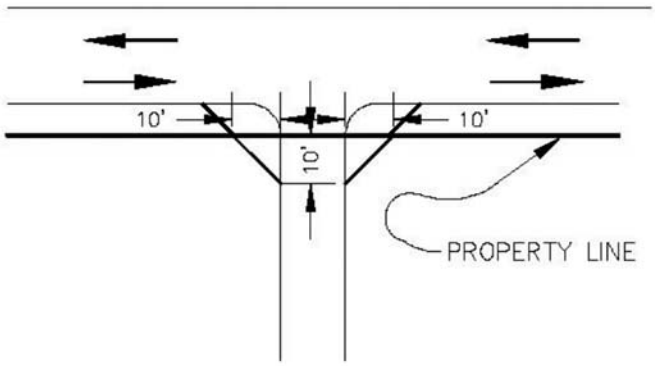
(b) *Intersections with driveways, flag lot accessways, and alleys.* Vision clearance areas at intersections of streets and driveways, streets and flag lot accessways, streets and alleys, and alleys and driveways shall comply with the following:

(1) *Driveways.*

(A) Driveways serving single family and two family uses. Driveways serving single family and

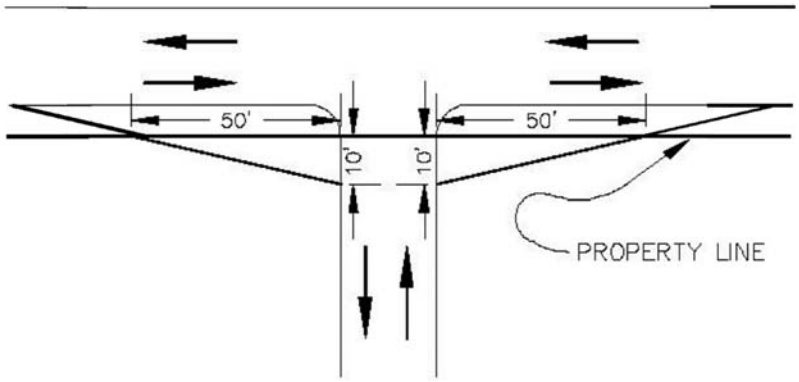
two family uses shall have a vision clearance area on each side of the driveway. The vision clearance area shall have ten-foot legs along each side of the driveway, and ten-foot legs along the intersecting street or alley (see Figure 805-4).

FIGURE 805-4. DRIVEWAYS SERVING SINGLE FAMILY AND TWO FAMILY USES



(B) Driveways serving uses other than single family and two family. Driveways serving uses other than single family and two family shall have a vision clearance area on each side of the driveway. The vision clearance area shall have ten-foot legs along the driveway and 50-foot legs along the intersecting street or alley (see Figure 805-5).

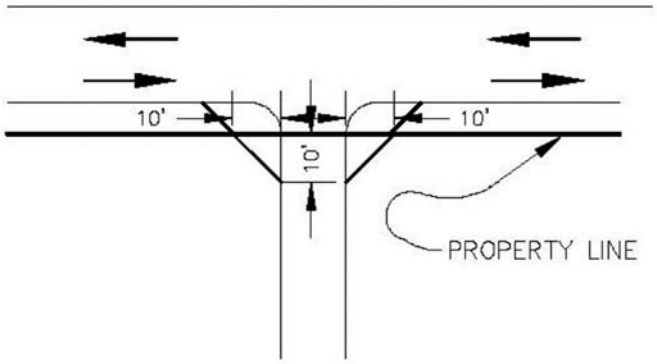
FIGURE 805-5. DRIVEWAYS SERVING USES OTHER THAN SINGLE FAMILY AND TWO FAMILY



(2) *Flag lot accessways.*

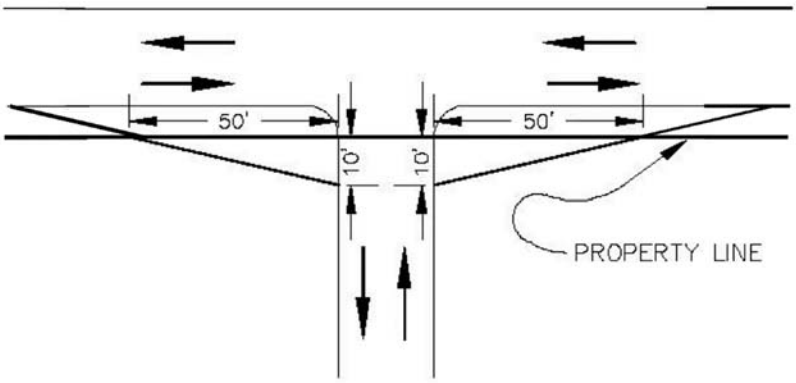
(A) Flag lot accessways serving single family and two family uses. Flag lot accessways serving single family and two family uses shall have a vision clearance area on each side of the flag lot accessway. The vision clearance area shall have ten-foot legs along each side of the flag lot accessway, and ten-foot legs along the intersecting street (see Figure 805-6).

FIGURE 805-6. FLAG LOT ACCESSWAYS SERVING SINGLE FAMILY AND TWO FAMILY USES



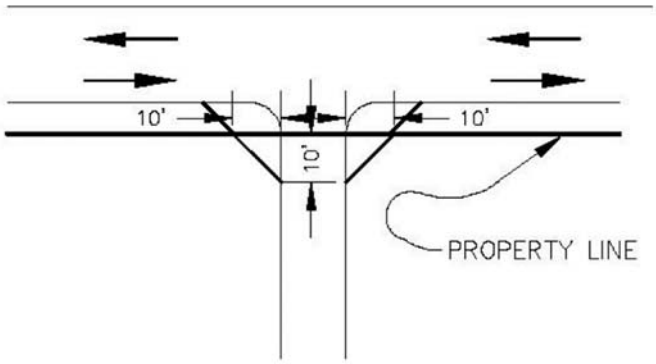
(B) Flag lot accessways serving uses other than single family and two family. Flag lot accessways serving uses other than single family and two family shall have a vision clearance area on each side of the flag lot accessway. The vision clearance area shall have ten-foot legs along the flag lot accessway and 50-foot legs along the intersecting street (see Figure 805-7).

FIGURE 805-7. FLAG LOT ACCESSWAYS SERVING USES OTHER THAN SINGLE FAMILY AND TWO FAMILY



(3) *Alleys.* Alleys shall have a vision clearance area on each side of the alley. The vision clearance area shall have ten-foot legs along the alley and ten-foot legs along the intersecting street (see Figure 805-8).

FIGURE 805-8. ALLEYS



(4) *Measurement.* The legs of a vision clearance area shall be measured along the right-of-way line and along the intersecting driveway, flag lot accessway, or alley.

(Prior Code, § 805.005; Ord. No. 31-13)

Sec. 805.010. Obstructions to vision prohibited.

Except as otherwise provided in this section, vision clearance areas shall be kept free of temporary or permanent obstructions to vision from 30 inches above curb level to 8.5 feet above curb level; provided, however, where there is no curb, the height shall be measured from the street shoulder. As used in this section, temporary or permanent obstruction includes any obstruction located in the right-of-way adjacent to the vision clearance area.

(a) The following obstructions may be placed in a vision clearance area, unless the cumulative impact of the placement results in an obstruction to vision:

(1) A column or post, so long as the column or post does not create a visual obstruction greater than 12 inches side-to-side.

(2) Utility poles and posts, poles, or supporting members of street signs, street lights, and traffic control signs or devices installed by, or at the direction of, the Public Works Department or any other public agency having jurisdiction over the installation.

(3) On-street parking.

(b) Trees. Trees may be planted within a vision clearance area provided they are a species listed on the parks approved street tree list, and they comply with the following:

(1) The planting area is sufficient to support the tree when mature.

(2) The tree will not interfere with overhead utilities.

(3) The tree is a species that can be trimmed/pruned to provide necessary visibility.

(c) Nothing in this chapter shall be deemed to waive or alter any requirements relating to setbacks or landscaping in the UDC. In the event of a conflict between the standards of this chapter and another chapter of the UDC, the standards in this chapter shall control.

(Prior Code, § 805.010; Ord. No. 31-13)

Sec. 805.015. Alternative standards.

Alternative vision clearance standards that satisfy the purpose of this chapter, and that are consistent with recognized traffic engineering standards, may be approved where a vision clearance area conforming to the standards of this chapter cannot be provided because of the physical characteristics of the property or street, including, but not limited to, grade embankments, walls, buildings, structures, or irregular lot shape, or where the

property has historic neighborhood characteristics, including, but not limited to, established plantings or mature trees, or buildings or structures constructed before 1950. Alternative vision clearance standards shall be approved through a Class 2 Adjustment under SRC chapter 250.

(Prior Code, § 805.015; Ord. No. 31-13)

CHAPTER 806. OFF-STREET PARKING, LOADING AND DRIVEWAYS

Sec. 806.001. Purpose.

The purpose of this chapter is to establish standards for off-street parking and vehicle use areas, bicycle parking, loading areas, and driveways.

(Prior Code, § 806.001; Ord. No. 31-13)

Sec. 806.005. Off-street parking; when required.

(a) *General applicability.* Off-street parking shall be provided and maintained as required under this chapter for:

(1) Each proposed new use or activity.

(2) Any change of use or activity, when such change of use or activity results in a parking ratio requiring a greater number of spaces than the previous use or activity.

(3) Any intensification, expansion, or enlargement of a use or activity.

(b) *Applicability to Downtown Parking District.* Within the Downtown Parking District, off-street parking shall only be required and maintained for uses or activities falling under household living.

(c) *Applicability to nonconforming off-street parking areas.*

(1) When off-street parking is required to be added to an existing off-street parking area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.

(2) Notwithstanding subsection (1) of this section, when a property is changed in use to any of the following uses or activities, or any of the following uses or activities are added to a property, any existing deficiency in the number of off-street parking spaces shall not be required to be remedied and only those additional spaces required for the change of use or addition of the new use shall be required:

(A) Accessory dwelling unit.

(Prior Code, § 806.005; Ord. No. 31-13; Ord. No. 5-17, § 36(806.005), 6-12-2017; Ord. No. 10-17, § 27, 7-10-2017)

Sec. 806.010. Proximity of off-street parking to use or activity served.

Required off-street parking shall be located on the same development site as the use or activity it serves or in the following locations:

(a) *Residential zones.* Within residential zones, required off-street parking may be located within 200 feet of the development site containing the use or activity it serves.

(b) *Nonresidential zones.* Within commercial, mixed-use, public, and industrial and employment zones, other than the CB and SWMU zones, required off-street parking may be located within 500 feet of the development site containing the use or activity it serves.

(c) *Central business district zone.* Within the Central Business (CB) Zone:

(1) Off-street parking for customers may be located within 800 feet of the development site containing the use or activity it serves; and

(2) Off-street parking for employees or residents may be located within 2,000 feet of the development site containing the use or activity it serves.

(d) *South waterfront mixed-use zone.* Within the South Waterfront Mixed Use (SWMU) Zone, required off-street parking may be located anywhere within the South Waterfront Mixed Use (SWMU) Zone. Required off-street parking shall not be located in a different zone.

(e) *Broadway/High Street Retail Overlay Zone, Broadway/High Street Housing Overlay Zone and Broadway/High Street Transition Overlay Zone.* Within the Broadway/High Street Retail Overlay Zone, Broadway/High Street Housing Overlay Zone and Broadway/High Street Transition Zone, required off-street parking may be located within 800 feet of the development site containing the use or activity it serves.

(f) *Exception.* Notwithstanding subsections (a) through (d) of this section, where required off-street parking is to be located off-site from the use or activity it serves, it shall only be located in a zone where the use or activity it serves is allowed, or where commercial parking is allowed.

(Prior Code, § 806.010; Ord. No. 31-13)

Sec. 806.015. Amount off-street parking.

(a) *Minimum required off-street parking.* Unless otherwise provided under the UDC, off-street parking shall be provided in amounts not less than those set forth in Table 806-1.

TABLE 806-1. MINIMUM OFF-STREET PARKING

Use	Minimum Number of Spaces Required (1)	Limitations & Qualifications
Household Living		
Single family	2	Applicable to all single family, unless noted below.
	1	Applicable to single family located within the CSDP area.
Two family	2 per dwelling unit	Applicable to all two family, unless noted below.
	1 per dwelling unit	Applicable to two family located within the CSDP area.
	3	Applicable to two family shared dwellings.
Multiple family	2 per dwelling unit	Applicable to multiple family consisting of 3 dwelling units.
	1 per dwelling unit	Applicable to multiple family consisting of 3 dwelling units located within the CSDP area.
	1.5 per dwelling unit	Applicable to multiple family consisting of 4 or more dwelling units.
	1 per dwelling unit	Applicable to multiple family consisting of 4 or more dwelling units located within the CSDP area.
	1 per 4 dwelling units	Applicable to low income elderly housing.
Group Living		
Room and board facilities	1 per guest room or suite	
Residential care	1 per 350 sq. ft.	

TABLE 806-1. MINIMUM OFF-STREET PARKING		
Use	Minimum Number of Spaces Required (1)	Limitations & Qualifications
Nursing care	1 per 3 beds	
Lodging		
Short-term commercial lodging	1 per guest room or suite	
Long-term commercial lodging		
Nonprofit shelters	1 per guest room or suite	Applicable to nonprofit Shelters serving victims of domestic violence
	1 per 350 sq. ft.	Applicable to all other nonprofit shelters
Retail Sales and Service		
Eating and drinking establishments	1 per 250 sq. ft.	
Retail sales	1 per 900 sq. ft.	Applicable to the following retail sales activities: □ Building materials, hardware, nurseries, and lawn and garden supply stores. □ Auto supply stores. □ Furniture and home furnishing stores. □ Household appliance and radio, television, music, and consumer electronics stores.
	1 per 250 sq. ft.	Applicable to all other retail sales.
Personal services	1 per 1,000 sq. ft.	Applicable to laundry, dry cleaning, and garment services.
	1 per 350 sq. ft.	Applicable to all other personal services.
Postal services and retail financial services	1 per 500 sq. ft.	
Shopping center	1 per 250 sq. ft.	
Business and Professional Services		
Office	1 per 350 sq. ft.	
Audio/visual media production		
Laboratory research and testing		

TABLE 806-1. MINIMUM OFF-STREET PARKING		
Use	Minimum Number of Spaces Required (1)	Limitations & Qualifications
Office complex		
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Motor vehicle and manufactured dwelling and trailer sales	1 per 900 sq. ft.	
Motor vehicle services		
Taxicabs and car services		
Heavy vehicle and trailer sales		
Heavy vehicle and trailer service and storage		
Commercial parking	N/A	
Park-and-ride facilities		
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	1 per 5 seats or 10 feet of bench length	Applicable to theaters.
	3 per court, plus additional 1 per 5 seats or 10 feet of bench length	Applicable to tennis, racquetball, and handball courts.
	1 per 300 sq. ft.	Applicable to all commercial entertainment—indoor.
Commercial entertainment—outdoor	3 per court, plus additional 1 per 5 seats or 10 feet of bench length	Applicable to tennis, racquetball, and handball courts.
	4 per tee	Applicable to golf courses.
	1 per 2,000 sq. ft. of gross site area	Applicable to all other commercial entertainment—outdoor.
Major event entertainment	The greater of the following: 1 per 5 seats or 10 feet of bench length; or 1 per 25 sq. ft. of floor area of assembly space.	
Recreational and cultural community services	4 per tee	Applicable to golf courses.
	1 per 350 sq. ft.	Applicable to all other indoor Recreational and cultural community services.
	1 per 2,000 sq. ft. of gross site area	Applicable to all other outdoor Recreational and cultural community services.
Parks and open space	None	

TABLE 806-1. MINIMUM OFF-STREET PARKING			
Use	Minimum Number of Spaces Required (1)		Limitations & Qualifications
Nonprofit membership assembly	1 per 350 sq. ft.		
Religious assembly	1 per 5 seats or 10 feet of bench length within the principle worship area; or 1 per 80 sq. ft. within the principal worship area, when no fixed seating or benches are provided.		
Health Services			
Medical centers/hospitals	1.5 per bed		
Outpatient medical services and laboratories	1 per 350 sq. ft.		
Education Services			
Day care	1	Day Care serving 1 to 12 persons	Parking requirement applies in addition to spaces required for any dwelling.
	2	Day Care serving 13 to 18 persons	
	3	Day Care serving 19 to 26 persons	
	4	Day Care serving 27 or more persons	
Basic education	2 per classroom		Applicable to elementary schools.
	1 per 6 students		Applicable to secondary schools. The number of students shall be calculated based on the total number of students the school is designed to accommodate.
Post-secondary and adult education	1 per 350 sq. ft.		Applicable to vocational and trade schools.
	1 per 4 students		Applicable to all other post-secondary and adult education. The number of students shall be calculated based on the total number of students the school is designed to accommodate.
Civic Services			
Governmental services	1 per 500 sq. ft.		
Social services	1 per 350 sq. ft.		

TABLE 806-1. MINIMUM OFF-STREET PARKING		
Use	Minimum Number of Spaces Required (1)	Limitations & Qualifications
Governmental maintenance services and construction	The greater of the following: 0.75 per employee; or 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.) 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Public Safety		
Emergency services	1 per employee, plus 1 additional space per ambulance	Applicable to ambulance stations.
	1 per 500 sq. ft.	Applicable to all other emergency services.
Detention facilities	1 per 2,000 sq. ft.	
Military installations	1 per 500 sq. ft.	
Funeral and Related Services		
Cemeteries	1 per 350 sq. ft.	
Funeral and cremation services	1 per 5 seats or 10 feet of bench length in the chapel	
Construction Contracting, Repair, Maintenance, and Industrial Services		
Building and grounds services and construction contracting	The greater of the following: 0.75 per employee; or 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.) 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Industrial services		
General repair services	1 per 350 sq. ft.	
Cleaning plants	1 per 1,000 sq. ft.	
Wholesale Sales, Storage, and Distribution		
General wholesaling	1 per 1,500 sq. ft.	
Heavy wholesaling		
Warehousing and distribution	The greater of the following:	

TABLE 806-1. MINIMUM OFF-STREET PARKING		
Use	Minimum Number of Spaces Required (1)	Limitations & Qualifications
Self-service storage	0.75 per employee; or: 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.) 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Manufacturing		
General manufacturing Heavy manufacturing Printing	The greater of the following: 0.75 per employee or: 1 per 5,000, sq. ft. (Less than 50,000 sq. ft.) 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Transportation Facilities		
Aviation facilities Passenger ground transportation facilities;	The greater of the following: 0.75 per employee or: 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.) 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Marine facilities	1 per boat berth or docking space.	Applicable to marinas.
	The greater of the following: 0.75 per employee or: 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.) 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	Applicable to all other marine facilities.
Utilities		
Basic utilities Drinking water treatment facilities	The greater of the following: 0.75 per employee or:	

TABLE 806-1. MINIMUM OFF-STREET PARKING		
Use	Minimum Number of Spaces Required (1)	Limitations & Qualifications
Power generation facilities	1 per 5,000 sq. ft. (Less than 50,000 sq. ft.) 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Data center facilities		
Waste related facilities		
Wireless communication facilities	None	
Fuel dealers	1 per 200 sq. ft.	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	The greater of the following: 0.75 per employee or: 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.) 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Surface mining		
Farming, Forestry, and Animal Services		
Agriculture	5	Applicable when retail sales are involved.
Forestry		
Agriculture and forestry services	The greater of the following: 0.75 per employee or: 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.) 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Keeping of livestock and other animals	1 per 400 sq. ft.	
Animal services	1 per 400 sq. ft.	
Other Uses		
Accessory short-term rentals	None	
Temporary uses	Per SRC chapter 701	
Home occupations	1 per nonresident employee	Parking requirement applies in addition to spaces required for the dwelling unit.

TABLE 806-1. MINIMUM OFF-STREET PARKING		
Use	Minimum Number of Spaces Required (1)	Limitations & Qualifications
Accessory dwelling units	None	
(1) Unless otherwise provided, when required off-street parking is expressed in terms of a number of spaces per a square footage, the square footage shall equal the gross floor area.		

(b) *Compact parking.* Up to 75 percent of the minimum off-street parking spaces required under this chapter may be compact parking spaces.

(c) *Carpool and vanpool parking.* New developments with 60 or more required off-street parking spaces, and falling within the public services and industrial use classifications, and the business and professional services use category, shall designate a minimum of five percent of their total off-street parking spaces for carpool or vanpool parking.

(d) *Maximum off-street parking.* Unless otherwise provided under the UDC, off-street parking shall not exceed the amounts set forth in Table 806-2.

TABLE 806-2. MAXIMUM OFF-STREET PARKING	
Minimum Number of Off-Street Parking Spaces Required (From Table 806-1)	Maximum Number of Off-Street Parking Spaces Allowed
20 spaces or less	2.5 times minimum number of spaces required.
More than 20 spaces	1.75 times minimum number of spaces required.

(e) *Reductions to required off-street parking through alternative modes of transportation.*

(1) *Construction of transit related improvements.* When adjacent to transit service, minimum required off-street parking may be reduced by up to ten percent for redevelopment of an existing off-street parking area for transit-related improvements, including transit stops, pullouts and shelters, park and ride lots, transit-oriented developments, and similar facilities.

(2) *Satisfaction of off-street parking through implementation of a plan for alternative modes of transportation.* Minimum required off-street parking for uses or activities other than household living may be reduced through implementation of a plan providing for the use of alternative modes of transportation to decrease the need for off-street parking. The plan shall be reviewed as a Class 2 Adjustment under SRC chapter 250.

(Prior Code, § 806.015; Ord. No. 31-13; Ord. No. 6-17, § 16, 5-8-2017; Ord. No. 5-17, § 37(806.015), 6-12-2017; Ord. No. 10-17, § 28, 7-10-2017)

Sec. 806.020. Method of providing off-street parking.

(a) *General.* Off-street parking shall be provided through one or more of the following methods:

(1) *Ownership.* Ownership in fee by the owner of the property served by the parking;

(2) *Easement.* A permanent and irrevocable easement appurtenant to the property served by the parking;

(3) *Lease Agreement.* A lease agreement with a minimum term of five years; such agreement may be utilized for:

(A) Uses or activities other than single family and two family in all zones other than the Central

Business (CB) Zone; and

(B) All uses in the Central Business (CB) Zone;

(4) *Lease or rental agreement in parking structure.* A lease or rental agreement in an off-street parking facility established pursuant to ORS 223.805 to 223.845; such agreement may be utilized for:

(A) Uses or activities other than single family and two family in all zones other than the Central Business (CB) Zone; and

(B) All uses in the Central Business (CB) Zone;

(5) *Joint parking agreement.* A joint parking agreement between the owners of two or more uses or activities, buildings or structures, or lots may be approved by the City. Joint use of required off-street parking spaces through a joint parking agreement may occur where two or more uses or activities on the same or separate development sites are able to share the same parking spaces because their parking demands occur at different times. Joint parking shall meet the following standards:

(A) Proximity of joint parking to uses or activities served. Joint parking areas shall be located as set forth in SRC 806.010.

(B) Compatible hours of operation. The hours of operation for the uses or activities subject to a joint parking agreement shall not substantially overlap and there shall be no substantial conflict in the principal operating hours.

(b) *Review and filing of agreement.* Prior to execution of any lease, rental, or joint parking agreement set forth in this section, the form of such agreement shall be reviewed by the City Attorney. An executed copy of the approved agreement shall be filed with the Planning Administrator.

(c) *Effect of expiration or termination of agreement.* Upon expiration or termination of any lease, rental, or joint parking agreement set forth in this section, the parking requirements set forth in this chapter shall be fully met within 60 days of the date of such expiration or termination or the use or activity discontinued until the parking requirements are met.

(Prior Code, § 806.020; Ord. No. 31-13)

Sec. 806.025. Off-street parking and vehicle storage area development standards for single family and two family uses or activities.

Unless otherwise provided under the UDC, off-street parking and vehicle storage areas for single family and two family uses or activities shall be developed and maintained as provided in this section.

(a) *Location within yards.*

(1) *Front yard abutting street.* Within a front yard abutting a street, off-street parking and vehicle storage shall be allowed only:

(A) Within a garage or carport; or

(B) On a driveway leading to:

(i) A garage or carport;

(ii) A garage that has been legally converted to another use subsequent to its construction as a garage;

(iii) A screened off-street parking area; or

(iv) A screened vehicle storage area.

(2) *Side and rear yards abutting street.* Within side and rear yards abutting a street, off-street parking and vehicle storage shall be allowed only:

(A) Within a garage or carport;

(B) Within an off-street parking area or vehicle storage area that is screened as set forth in SRC 806.025(f); or

(C) On a driveway leading to:

(i) A garage or carport;

(ii) A garage that has been legally converted to another use subsequent to its construction as a garage;

(iii) A screened off-street parking area; or

(iv) A screened vehicle storage area.

(3) *Interior front, side, and rear yards.* Within interior front, side, and rear yards, off-street parking and vehicle storage shall be allowed only:

(A) Within a garage or carport;

(B) Within an off-street parking area or vehicle storage area that is screened as set forth in SRC 806.025(f); or

(C) On a driveway leading to:

(i) A garage or carport;

(ii) A garage that has been legally converted to another use subsequent to its construction as a garage;

(iii) A screened off-street parking area; or

(iv) A screened vehicle storage area.

(b) *Garage or carport vehicle entrance setback abutting street or flag lot accessway.* The vehicle entrance of a garage or carport facing a street or flag lot accessway shall be setback a minimum of 20 feet.

(c) *Dimensions.* Off-street parking spaces shall conform to the minimum dimensions set forth in Table 806-3.

TABLE 806-3. MINIMUM OFF-STREET PARKING SPACE DIMENSIONS

Type of Space	Width	Depth
Compact	8 ft.	15 ft.
Standard	9 ft.	19 ft.

(d) *Maneuvering.* Where access to off-street parking is taken from an alley, a minimum maneuvering depth of 24 feet shall be provided between the back of the parking space and the opposite side of the alley.

(e) *Surfacing.* Any area that is used for off-street parking shall be paved with a hard surface material meeting the Public Works Design Standards. Vehicle storage areas are not required to be paved.

(f) *Screening.* Off-street parking areas and vehicle storage areas shall be screened as follows:

(1) Off-street parking areas located within a garage or carport or on a driveway are not required to be screened. All other off-street parking areas shall be screened from all public areas, public streets, and abutting residential uses by a minimum six-foot-tall sight-obscuring fence, wall, or hedge.

(2) Vehicle storage areas within an enclosed structure or on a driveway are not required to be screened. All other vehicle storage areas shall be screened from all public areas, public streets, and abutting residential uses by a minimum six-foot-tall sight-obscuring fence, wall, or hedge.

(Prior Code, § 806.025; Ord. No. 31-13; Ord. No. 10-17, § 29, 7-10-2017)

Sec. 806.030. Driveway development standards for single family and two family uses or activities.

Unless otherwise provided under the UDC, driveways for single family and two family uses or activities shall

be developed and maintained as provided in this section.

(a) *Location.* Driveways crossing from the lot line to a permitted off-street parking area by the shortest direct route shall be permitted within yards abutting streets.

(b) *Dimensions.* Driveways shall conform to the minimum dimensions set forth in Table 806-4. The minimum width of a driveway serving more than one parking space must meet the standard set forth in Table 806-4 for only the first 20 feet of depth behind the parking spaces served; beyond 20 feet, the minimum width may be reduced to ten feet.

TABLE 806-4. MINIMUM DRIVEWAY DIMENSIONS

Number of Parking Spaces Served	Width	Depth
1 space	10 ft.	20 ft.
2 spaces	16 ft.	20 ft.
3 or more spaces	22 ft.	20 ft.

(c) *Surfacing.*

(1) All driveways, except those serving developments on parcels within approved partitions located more than 300 feet from an available sewer, shall be paved with a hard surface material meeting the Public Works Design Standards. Driveways serving developments on parcels within approved partitions located more than 300 feet from an available sewer are not required to be paved.

(2) Access to vehicle storage areas shall be paved with a hard surface material meeting the Public Works Design Standards when such access is being utilized for parking.

(Prior Code, § 806.030; Ord. No. 31-13)

Sec. 806.035. Off-street parking and vehicle use area development standards for uses or activities other than single family and two family.

Unless otherwise provided under the UDC, off-street parking and vehicle use areas, other than driveways and loading areas, for uses or activities other than single family and two family shall be developed and maintained as provided in this section.

(a) *General applicability.* The off-street parking and vehicle use area development standards set forth in this section shall apply to:

(1) The development of new off-street parking and vehicle use areas;

(2) The expansion of existing off-street parking and vehicle use areas, where additional paved surface is added;

(3) The alteration of existing off-street parking and vehicle use areas, where the existing paved surface is replaced with a new paved surface; and

(4) The paving of an unpaved area.

(b) *Location.*

(1) *Generally.* Off-street parking and vehicle use areas shall not be located within required setbacks.

(2) *Carpool and vanpool parking.* Carpool and vanpool parking shall be located so it is the closest employee parking to the building entrance normally used by employees; provided, however, it shall not be located closer than any parking designated for disabled parking.

(3) *Underground parking.* Off-street parking may be located underground in all zones, except the RA and RS zones. Such underground parking may be located beneath required setbacks; provided,

however, no portion of the structure enclosing the underground parking shall project into the required setback, and all required setbacks located above the underground parking structure shall be landscaped as otherwise required under the UDC.

(c) *Perimeter setbacks and landscaping.*

(1) *Perimeter setbacks and landscaping, generally.*

(A) *Perimeter setbacks.* Perimeter setbacks, as set forth in this subsection, shall be required for off-street parking and vehicle use areas abutting streets, abutting interior front, side, and rear property lines, and adjacent to buildings and structures. Perimeter setbacks for parking garages are set forth under ~~paragraph~~ subsection (c)(5) of this ~~sub~~section. Perimeter setbacks are not required for:

(i) Off-street parking and vehicle use areas abutting an alley.

(ii) Vehicle storage areas within the IG zone.

(iii) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701, abutting nonresidential zones, uses or activities other than household living, or local streets.

(iv) Gravel off-street parking areas, approved through a conditional use permit, abutting nonresidential zones, uses or activities other than household living, or local streets.

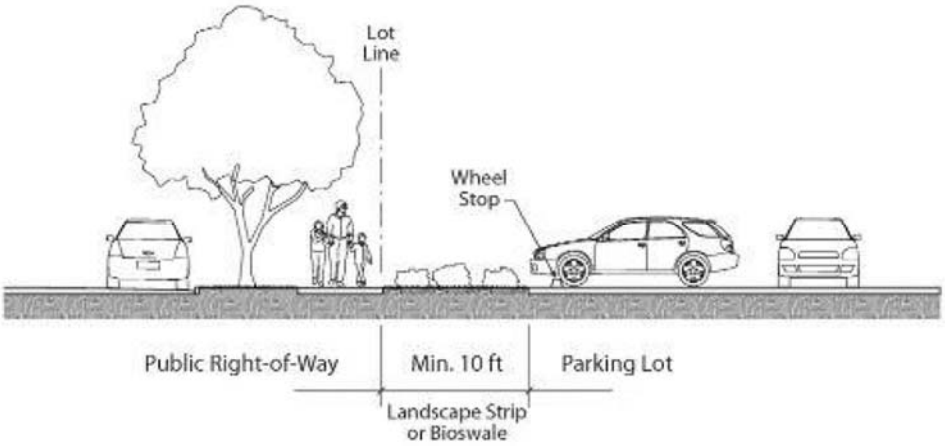
(v) Underground parking.

(B) *Perimeter landscaping.* Required perimeter setbacks for off-street parking and vehicle use areas shall be landscaped as set forth in this subsection.

(2) *Perimeter setbacks and landscaping abutting streets.* Unless a greater setback is required elsewhere within the UDC, off-street parking and vehicle use areas abutting a street shall be setback and landscaped according to one the methods set forth in this ~~paragraph~~ subsection. Street trees located along an arterial street may be counted towards meeting the minimum required number of plant units.

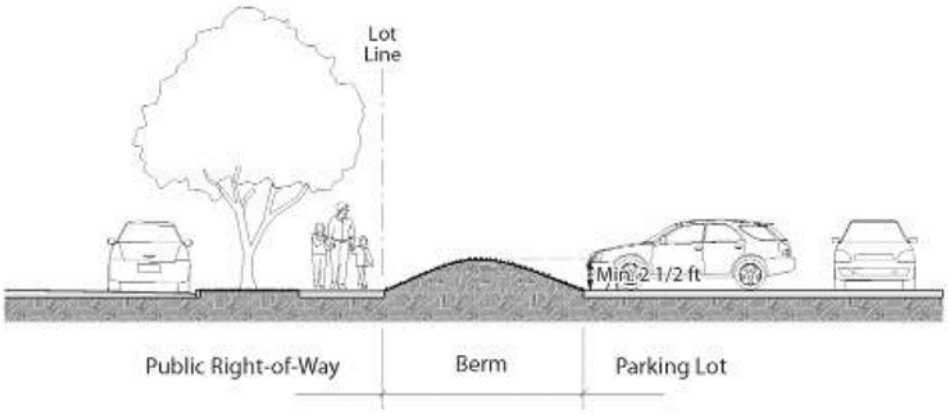
(A) *Method A.* The off-street parking and vehicle use area shall be setback a minimum of ten feet (see Figure 806-1). The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807.

FIGURE 806-1. PERIMETER SETBACKS AND LANDSCAPING ABUTTING STREETS – METHOD A



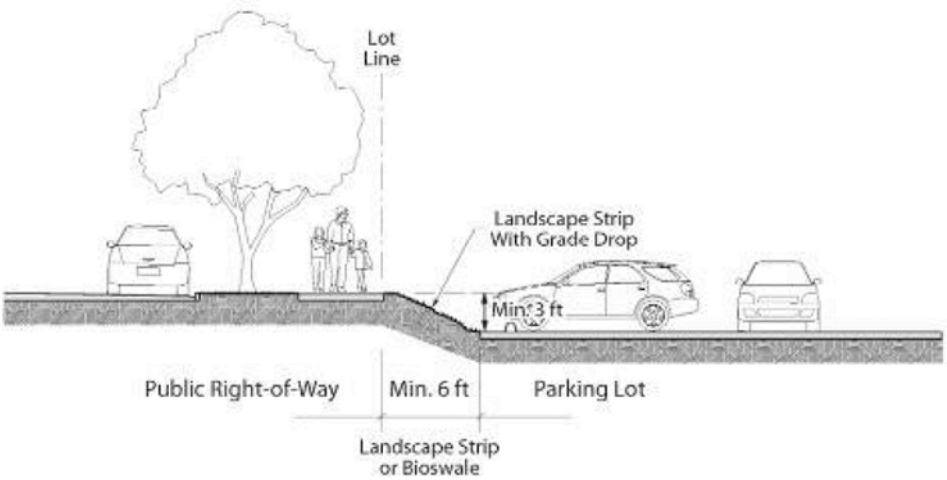
(B) *Method B.* The off-street parking and vehicle use area shall be setback to accommodate a berm, the top of which shall be a minimum of 2.5 feet higher than the elevation of the abutting off-street parking or vehicle use area (see Figure 806-2). The berm shall have a slope no steeper than a 3:1 on all sides, and shall be landscaped according to the Type A standard set forth in SRC chapter 807 with plant materials to prevent erosion. The berm shall not alter natural drainage flows from abutting properties. Any portion of the berm that encroaches into a vision clearance area set forth in SRC chapter 805 shall have a height no greater than the maximum allowed under SRC 805.010.

FIGURE 806-2 PERIMETER SETBACKS AND LANDSCAPING ABUTTING STREETS– METHOD B



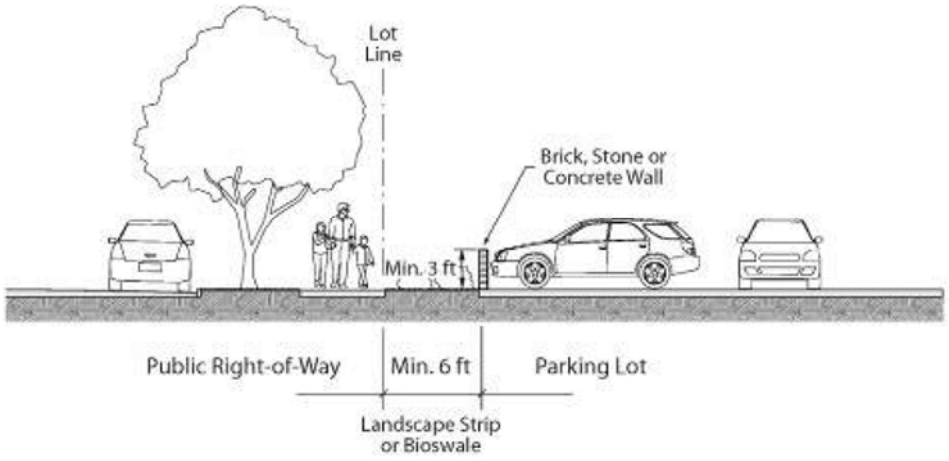
(C) *Method C.* The off-street parking and vehicle use area shall be setback a minimum six feet to accommodate a minimum three-foot drop in grade from the elevation at the right-of-way line to the elevation of the abutting off-street parking or vehicular use area (see Figure 806-3). The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807.

FIGURE 806-3. PERIMETER SETBACKS AND LANDSCAPING ABUTTING STREETS – METHOD C



(D) *Method D.* The off-street parking and vehicle use area shall be setback a minimum six feet in conjunction with a minimum three-foot-tall brick, stone, or finished concrete wall (see Figure 806-4). The wall shall be located adjacent to, but entirely outside, the required setback. The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807. Any portion of the wall that encroaches into a vision clearance area set forth in SRC chapter 805 shall have a height no greater than the maximum allowed under SRC 805.010.

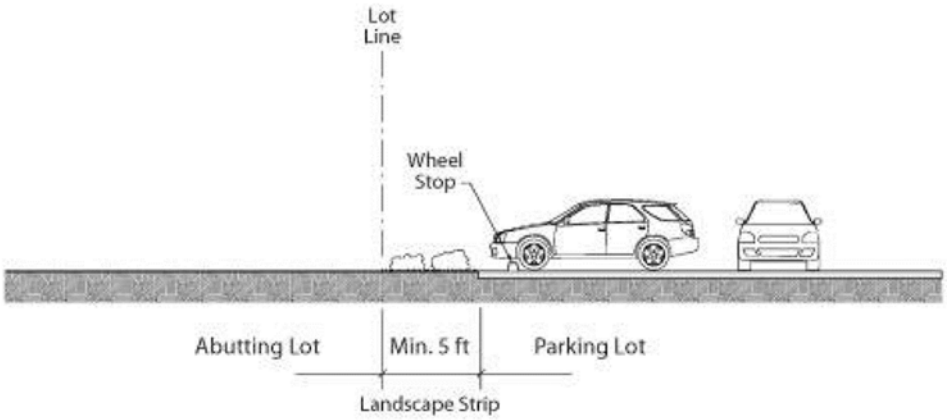
FIGURE 806-4. PERIMETER SETBACKS AND LANDSCAPING ABUTTING STREETS – METHOD D



(E) *Method E.* The off-street parking and vehicle use area shall be setback a minimum of six feet to accommodate green stormwater infrastructure meeting the Public Works Design Standards.

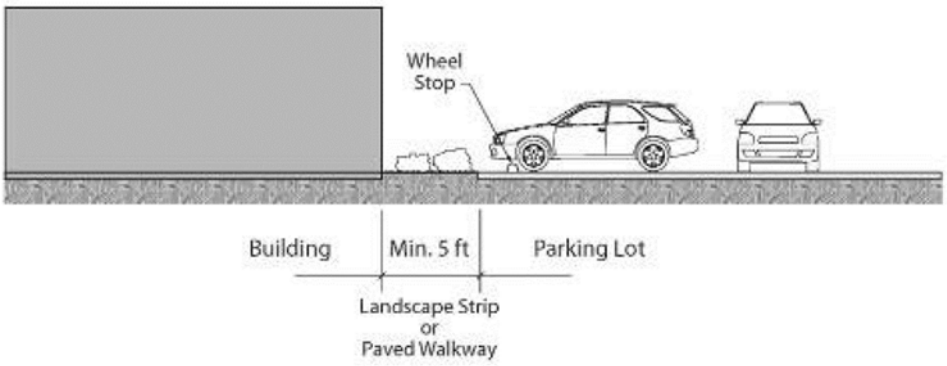
(3) *Perimeter setbacks and landscaping abutting interior front, side, and rear property lines.* Unless a greater setback is required elsewhere within the UDC, off-street parking and vehicle use areas abutting an interior front, side, or rear property line shall be setback a minimum of five feet (see Figure 806-5). The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807.

FIGURE 806-5. LANDSCAPING ADJACENT TO AN ADJACENT LOT



(4) *Setback adjacent to buildings and structures.* Except for drive-through lanes, where an off-street parking or vehicular use area is located adjacent to a building or structure, the off-street parking or vehicular use area shall be setback from the exterior wall of the building or structure by a minimum five-foot-wide landscape strip, planted to the Type A standard set forth in SRC chapter 807, or by a minimum five-foot-wide paved pedestrian walkway (see Figure 806-6). A landscape strip or paved pedestrian walkway is not required for drive-through lanes located adjacent to a building or structure.

FIGURE 806-6. LANDSCAPING ADJACENT TO A BUILDING



(5) *Perimeter setbacks and landscaping for parking garages.* Perimeter setbacks and landscaping as set forth in subsection (c) of this section shall be required for parking garages; provided, however, perimeter setbacks and landscaping are not required for:

(A) Any portion of a parking garage with frontage on a street and containing ground floor uses or activities other than parking.

(B) Any parking garage within an industrial zone, public zone, or commercial zone, other than a CO zone, that abuts an interior front, side, or rear property line where there is no required building setback.

(C) Any parking garage abutting an alley.

(d) *Interior landscaping.*

(1) *Interior landscaping, generally.* Interior landscaping, as set forth in this subsection, shall be

required for off-street parking areas 5,000 square feet or greater in size; provided, however, interior landscaping is not required for:

(A) Vehicle storage areas.

(B) Vehicle display areas.

(C) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701.

(D) Gravel off-street parking areas, approved through a conditional use permit.

(E) Underground parking.

(F) Parking garages.

(2) *Minimum percentage of interior landscaping required.* Interior landscaping shall be provided in amounts not less than those set forth in Table 806-5. For purposes of this ~~paragraph~~ subsection, the total interior area of an off-street parking area is the sum of all areas within the perimeter of the off-street parking area, including parking spaces, aisles, planting islands, corner areas, and curbed areas, but not including interior driveways. Perimeter landscaped setbacks and required landscape strips separating off-street parking areas from buildings and structures shall not count towards satisfying minimum interior landscaping requirements.

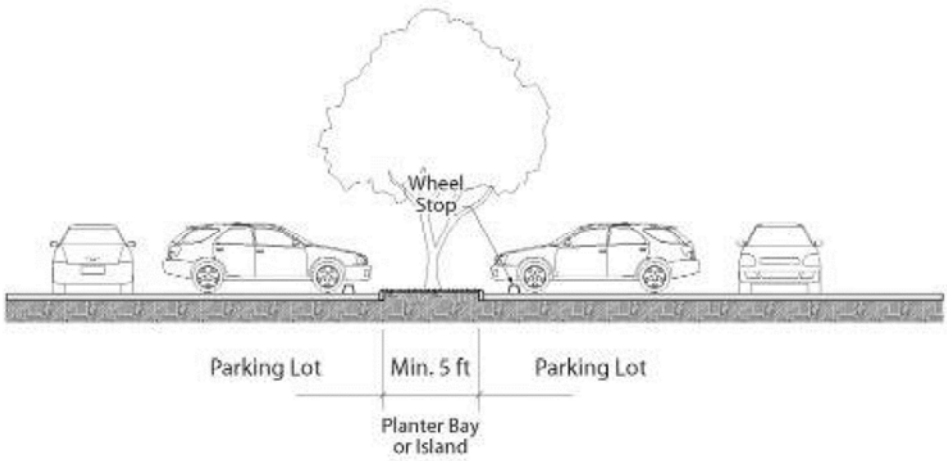
TABLE 806-5. INTERIOR OFF-STREET PARKING AREA LANDSCAPING

Total Interior Area of Off-Street Parking Area	Percentage Required to be Landscaped
Less than 50,000 sq. ft.	Min. 5%
50,000 sq. ft. and greater	Min. 8%

(3) *Trees.* A minimum of one deciduous shade tree shall be planted for every 12 parking spaces within an off-street parking area. Trees may be clustered within landscape islands or planter bays, and shall be distributed throughout the off-street parking area to create a canopy effect and to break up expanses of paving and long rows of parking spaces.

(4) *Landscape islands and planter bays.* Landscape islands and planter bays shall have a minimum planting area of 25 square feet, and shall have a minimum width of five feet (see Figure 806-7).

FIGURE 806-7. INTERIOR LANDSCAPING



(e) *Off-street parking area dimensions.* Off-street parking areas shall conform to the minimum dimensions set forth in Table 806-6; provided, however, minimum off-street parking area dimensions shall not apply to:

(1) Vehicle storage areas.

(2) Vehicle display areas.

TABLE 806-6. MINIMUM OFF-STREET PARKING AREA DIMENSIONS

Parking Angle A (3)	Type of Space	Stall Width B (3)	Stall to Curb C (3)	Aisle Width (1)(2) D (3)	Curb Length E (3)	Front of Stall to Front of Stall F1 (3)	Overlap Front of Stall to Front of Stall F2 (3)
0˚ (Parallel)	Compact	8’0”	8.0	12.0	22.0	28.0	-
	Standard	8’0”	8.0	12.0	22.0	28.0	-
20˚	Compact	8’0”	12.6	11.0	23.4	36.2	28.7
	Standard	8’6” (4)	14.5	11.0	24.9	40.0	32.0
		9’6”	15.5	11.0	27.8	42.0	33.1
		10’0”	15.9	11.0	19.2	42.8	33.4
30˚	Compact	8’0”	14.4	11.0	16.0	39.8	32.9
	Standard	8’6” (4)	16.9	11.0	17.0	44.8	37.4
		9’0”	17.3	11.0	18.0	45.6	37.8
		9’6”	17.8	11.0	19.0	46.6	38.4
		10’0”	18.2	11.0	20.0	47.4	38.7
40˚	Compact	8’0”	15.8	12.0	12.4	43.6	37.5
	Standard	8’6” (4)	18.7	12.0	13.2	49.4	42.9
		9’0”	19.1	12.0	14.0	50.2	43.3
		9’6”	19.5	12.0	14.8	51.0	43.7
		10’0”	19.9	12.0	15.6	51.8	44.1
45˚	Compact	8’0”	16.3	13.5	11.3	46.1	40.5

TABLE 806-6. MINIMUM OFF-STREET PARKING AREA DIMENSIONS							
Parking Angle A (3)	Type of Space	Stall Width B (3)	Stall to Curb C (3)	Aisle Width (1)(2) D (3)	Curb Length E (3)	Front of Stall to Front of Stall F1 (3)	Overlap Front of Stall to Front of Stall F2 (3)
	Standard	8’6” (4)	19.4	13.5	12.0	52.3	46.3
		9’0”	19.8	13.0	12.7	52.6	46.2
		9’6”	20.1	13.0	13.4	53.2	46.5
		10’0”	20.5	13.0	14.1	54.0	46.9
50˚	Compact	8’0”	16.6	15.5	10.4	48.7	43.6
	Standard	8’6” (4)	20.0	15.5	11.1	55.5	50.0
		9’0”	20.4	15.0	11.7	55.8	50.0
		9’6”	20.7	15.0	12.4	56.4	50.3
		10’0”	21.0	15.0	13.1	57.0	50.6
60˚	Compact	8’0”	17.0	18.5	9.2	52.5	48.5
	Standard	8’6” (4)	20.7	18.5	9.8	59.9	55.6
		9’0”	21.0	18.0	10.4	60.0	55.7
		9’6”	21.2	18.0	11.0	60.4	55.6
		10’0”	21.5	18.0	11.5	61.0	56.0
70˚	Compact	8’0”	16.8	19.5	8.5	53.1	50.4
	Standard	8’6” (4)	20.8	19.5	9.0	61.1	58.2
		9’0”	21.0	19.0	9.6	61.0	57.9
		9’6”	21.2	18.5	10.1	60.9	57.7
		10’0”	21.2	18.0	10.6	60.4	57.0
80˚	Compact	8’0”	16.2	22.0	8.1	56.4	55.0
	Standard	9’0”	20.3	24.0	9.1	64.3	62.7
		9’6”	20.4	24.0	9.6	64.4	62.7
		10’0”	20.5	24.0	10.2	65.0	63.3
90˚	Compact	8’0”	15.0	22.0	8.0	54.0	-
		8’6” (5)	15.0	22.0	8.0	54.0	-
	Standard	9’0”	19.0	24.0	9.0	62.0	-
		9’6”	19.0	24.0	9.5	62.0	-
		10’0”	19.0	24.0	10.0	62.0	-

Limitations and Qualifications

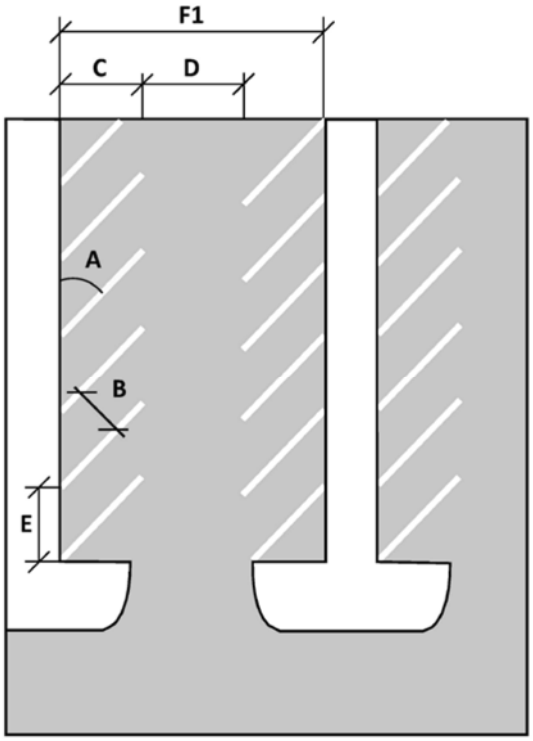
(1) For two-way circulation the width of an aisle shall be a minimum of 22 feet.

(2) The width of an aisle serving both standard and compact parking spaces 80 degrees or more shall be a minimum of 24 feet.

(3) See Figure 806-8 for corresponding off-street parking area layout requirements.

TABLE 806-6. MINIMUM OFF-STREET PARKING AREA DIMENSIONS							
Parking Angle A (3)	Type of Space	Stall Width B (3)	Stall to Curb C (3)	Aisle Width (1)(2) D (3)	Curb Length E (3)	Front of Stall to Front of Stall F1 (3)	Overlap Front of Stall to Front of Stall F2 (3)
(4) Minimum 8'6" standard stall width applies within parking structures of two or more stories. (5) Minimum 8'6" compact stall width applies when the side of the parking space abuts a wall or post.							

FIGURE 806-8. OFF-STREET PARKING AREA LAYOUT REQUIREMENTS



(f) *Grade.* Off-street parking and vehicle use areas shall not exceed a maximum grade of ten percent. Ramps shall not exceed a maximum grade of 15 percent.

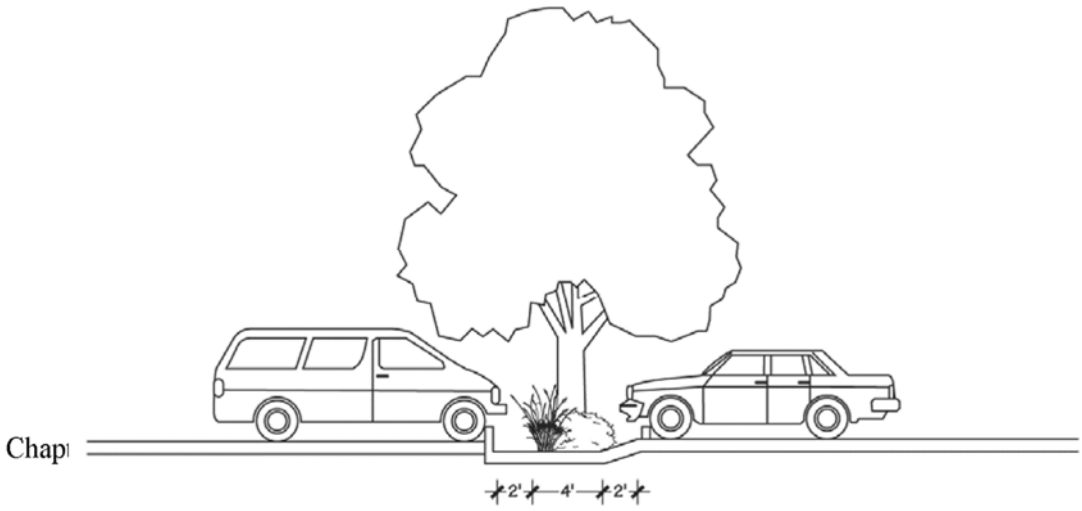
(g) *Surfacing.* Off-street parking and vehicle use areas shall be paved with a hard surface material meeting the Public Works Design Standards; provided, however, up to two feet of the front of a parking space may be landscaped with ground cover plants (see Figure 806-9). Such two-foot landscaped area counts towards meeting interior off-street parking area landscaping requirements, but shall not count towards meeting perimeter setbacks and landscaping requirements. Paving is not required for:

(1) Vehicle storage areas within the IG zone.

(2) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701.

(3) Gravel off-street parking areas, approved through a conditional use permit.

FIGURE 806-9. LANDSCAPED FRONT PORTION OF PARKING STALL



(h) *Drainage.* Off-street parking and vehicle use areas shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the ~~Public Works~~ Director.

(i) *Bumper guards or wheel barriers.* Off-street parking and vehicle use areas shall include bumper guards or wheel barriers so that no portion of a vehicle will overhang or project into required setbacks and landscaped areas, pedestrian accessways, streets or alleys, or abutting property; provided, however, bumper guards or wheel barriers are not required for:

(1) Vehicle storage areas.

(2) Vehicle sales display areas.

(j) *Off-street parking area striping.* Off-street parking areas shall be striped in conformance with the off-street parking area dimension standards set forth in Table 806-6; provided, however, off-street parking area striping shall not be required for:

(1) Vehicle storage areas.

(2) Vehicle sales display areas.

(3) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701.

(4) Gravel off-street parking areas, approved through a conditional use permit.

(k) *Marking and signage.*

(1) *Off-street parking and vehicle use area circulation.* Where directional signs and pavement markings are included within an off-street parking or vehicle use area to control vehicle movement, such signs and marking shall conform to the Manual of Uniform Traffic Control Devices.

(2) *Compact parking.* Compact parking spaces shall be clearly marked indicating the spaces are reserved for compact parking only.

(3) *Carpool and vanpool parking.* Carpool and vanpool parking spaces shall be posted with signs indicating the spaces are reserved for carpool or vanpool use only before 9:00 a.m. on weekdays.

(l) *Lighting.* Lighting for off-street parking and vehicle use areas shall not shine or reflect onto adjacent residentially zoned property, or property used for uses or activities falling under household living, or cast glare onto the street.

(m) *Off-street parking area screening.* Off-street parking areas with more than six spaces shall be screened from abutting residentially zoned property, or property used for uses or activities falling under household living, by a minimum six-foot-tall sight-obscuring fence, wall, or hedge; provided, however, screening is not required for vehicle storage areas within the IG zone.

(Prior Code, § 806.035; Ord. No. 31-13)

Sec. 806.040. Driveway development standards for uses or activities other than single family or two family.

Unless otherwise provided under the UDC, driveways for uses or activities other than single family or two family shall be developed and maintained as provided in this section.

(a) *Access.* Off-street parking and vehicle use areas shall have either separate driveways for ingress and egress, a single driveway for ingress and egress with an adequate turnaround that is always available, or a loop to the single point of access. The driveway approaches to the driveways shall conform to SRC chapter 804.

(b) *Location.* Driveways shall not be located within required setbacks except where:

(1) The driveway provides direct access to the street, alley, or abutting property.

(2) The driveway is a shared driveway located over the common lot line and providing access to two or more uses.

(c) *Setbacks and landscaping.*

(1) *Perimeter setbacks and landscaping, generally.* Perimeter setbacks and landscaping as set forth in this subsection shall be required for driveways abutting streets and abutting interior front, side, and rear property lines; provided, however, perimeter setbacks and landscaping are not required where:

(A) The driveway provides direct access to the street, alley, or abutting property.

(B) The driveway is a shared driveway located over the common lot line and providing access to two or more uses.

(2) *Perimeter setbacks and landscaping abutting streets.* Unless a greater setback is required elsewhere within the UDC, driveways abutting a street shall be setback and landscaped according to the off-street parking and vehicle use area perimeter setbacks and landscaping standards set forth under SRC 806.035(c)(2).

(3) *Perimeter setbacks and landscaping abutting interior front, side, and rear property lines.* Unless a greater setback is required elsewhere within the UDC, driveways abutting an interior front, side, or rear property line shall be setback a minimum of five feet. The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807.

(d) *Dimensions.* Driveways shall conform to the minimum width set forth in Table 806-7.

TABLE 806-7. MINIMUM DRIVEWAY WIDTH

Type of Driveway	Width	Inside Radius of Curves & Corners
One-way driveway	12 ft.	25 ft., measured at curb or pavement edge.
Two-way driveway	22 ft.	25 ft., measured at curb or pavement edge

(e) *Surfacing.* All driveways shall be paved with a hard surface material meeting the Public Works Design Standards.

(f) *Drainage.* Driveways shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the ~~Public Works~~ Director.

(g) *"No Parking" signs.* Driveways shall be posted with one "no parking" sign for every 60 feet of driveway length, but in no event shall less than two signs be posted.

(Prior Code, § 806.040; Ord. No. 31-13)

Sec. 806.045. Bicycle parking; when required.

(a) *General applicability.* Bicycle parking shall be provided as required under this chapter for:

(1) Each proposed new use or activity.

(2) Any change of use or activity, when such change of use or activity results in a bicycle parking ratio requiring a greater number of spaces than the previous use or activity.

(3) Any intensification, expansion, or enlargement of a use or activity.

(b) *Applicability to nonconforming bicycle parking area.* When bicycle parking is required to be added to an existing bicycle parking area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.

(Prior Code, § 806.045; Ord. No. 31-13)

Sec. 806.050. Proximity of bicycle parking to use or activity served.

Bicycle parking shall be located on the same development site as the use or activity it serves.

(Prior Code, § 806.050; Ord. No. 31-13)

Sec. 806.055. Amount of bicycle parking.

Unless otherwise provided under the UDC, bicycle parking shall be provided in amounts not less than those set forth in Table 806-8.

TABLE 806-8. MINIMUM BICYCLE PARKING

Use	Minimum Number of Spaces Required (1)	Limitations & Qualifications
Household Living		
Single family	None	
Two family		
Multiple family	The greater of 4 spaces or 0.1 spaces per dwelling unit.	
Group Living		
Room and board facilities	The greater of 4 spaces or 1 space per 50 rooms.	
Residential care	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Nursing care	1 per 30 beds	

TABLE 806-8. MINIMUM BICYCLE PARKING		
Use	Minimum Number of Spaces Required (1)	Limitations & Qualifications
Lodging		
Short-term commercial lodging	The greater of 4 spaces or 1 space per 50 rooms.	
Long-term commercial lodging		
Nonprofit shelters	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Retail Sales and Service		
Eating and drinking establishments	The greater of 4 spaces or 1 space per 1,000 sq. ft.	
Retail sales	The greater of the following: 4 spaces; or 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Personal services	1 per 10,000 sq. ft.	Applicable to laundry, dry cleaning, and garment services.
	The greater of 4 spaces or 1 space per 3,500 sq. ft.	Applicable to all other personal services.
Postal services and retail financial services	The greater of 4 spaces or 1 space per 3,000 sq. ft.	

TABLE 806-8. MINIMUM BICYCLE PARKING		
Use	Minimum Number of Spaces Required (1)	Limitations & Qualifications
Shopping center	The greater of the following: 4 spaces; or 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Business and Professional Services		
Office Laboratory research and testing Office complex	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Audio/visual media production	The greater of the following: 4 spaces; or 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	Applicable to broadcasting studios.
	The greater of 4 spaces or 1 per 3,500 sq. ft.	Applicable to all other audio/visual media production.
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Motor vehicle and manufactured dwelling and trailer sales Motor vehicle services Taxicabs and car services	1 per 9,000 sq. ft.	

TABLE 806-8. MINIMUM BICYCLE PARKING		
Use	Minimum Number of Spaces Required (1)	Limitations & Qualifications
Heavy vehicle and trailer sales		
Heavy vehicle and trailer service and storage		
Commercial parking	1 per 30 vehicle parking spaces	
Park-and-ride facilities		
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	The greater of 4 spaces or 1 space per 50 seats or 100 feet of bench length	Applicable to theaters.
	The greater of 4 spaces or 1 space per court.	Applicable to tennis, racquetball, and handball courts.
	The greater of 4 spaces or 1 space per 500 sq. ft.	Applicable to all other commercial entertainment—indoor.
Commercial entertainment—outdoor	The greater of 4 spaces or 1 space per court	Applicable to tennis, racquetball, and handball courts.
	4	Applicable to golf courses.
	None	Applicable to drive-in movie theaters.
	The greater of 4 spaces or 1 space per 30 vehicle parking spaces	Applicable to all other commercial entertainment—outdoor.
Major event entertainment	The greater of 4 spaces or 1 space per 50 seats or 100 ft. of bench length	
Recreational and cultural community services	4	Applicable to golf courses.
	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	Applicable to all other indoor recreational and cultural community services.
	The greater of 4 spaces or 1 space per 30 vehicle parking spaces.	Applicable to all other outdoor recreational and cultural community services.

TABLE 806-8. MINIMUM BICYCLE PARKING		
Use	Minimum Number of Spaces Required (1)	Limitations & Qualifications
Parks and open space	The greater of 4 spaces or 1 space per 30 vehicle parking spaces.	
Nonprofit membership assembly	1 per 30 vehicle parking spaces.	
Religious assembly		
Health Services		
Medical centers/hospitals	The greater of 4 spaces or 1 per 30 beds	
Outpatient medical services and laboratories	The greater of 4 spaces or 1 per 3,500 sq. ft.	
Education Services		
day care	4	
Basic education	2 per classroom	Applicable to elementary schools.
	4 per classroom	Applicable to all other basic education.
Post-secondary and adult education	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	Applicable to vocational and trade schools.
	The greater of 4 spaces or 1 per 10,000 sq. ft.	Applicable to all other post-secondary and adult education.
Civic Services		
Governmental services	1 per 5,000 sq. ft.	
Social services	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	

TABLE 806-8. MINIMUM BICYCLE PARKING		
Use	Minimum Number of Spaces Required (1)	Limitations & Qualifications
Governmental maintenance services and construction	4	
Public Safety		
Emergency services	None	Applicable to ambulance stations.
	1 per 5,000 sq. ft.	Applicable to all other emergency services.
Detention facilities	1 per 50 beds.	
Military installations	1 per 5,000 sq. ft.	
Funeral and Related Services		
Cemeteries	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Funeral and cremation services	1 per 50 seats or 100 feet of bench length in the chapel.	
Construction Contracting, Repair, Maintenance, and Industrial Services		
Building and grounds services and construction contracting	4	
General repair services	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Cleaning plants	1 per 10,000 sq. ft.	

TABLE 806-8. MINIMUM BICYCLE PARKING		
Use	Minimum Number of Spaces Required (1)	Limitations & Qualifications
Industrial services	The greater of the following: 4 spaces; or 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Wholesale Sales, Storage, and Distribution		
General wholesaling Heavy wholesaling	1 per 15,000 sq. ft.	
Warehousing and distribution	The greater of the following: 4 spaces; or: 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Self-service storage	None	
Manufacturing		
General manufacturing Heavy manufacturing Printing	The greater of the following: 4 spaces; or: 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Transportation Facilities		
Aviation facilities	The greater of the following: 4 spaces; or:	

TABLE 806-8. MINIMUM BICYCLE PARKING		
Use	Minimum Number of Spaces Required (1)	Limitations & Qualifications
Passenger ground transportation facilities	1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Marine facilities	2	Applicable to marinas.
	The greater of the following: 4 spaces; or: 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	Applicable to all other marine facilities.
Utilities		
Basic utilities Drinking water treatment facilities Power generation facilities Data center facilities Waste related facilities Fuel dealers	The greater of the following: 4 spaces; or: 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Wireless communication facilities	None	
Mining and Natural Resource Extraction		
Petroleum and natural gas production Surface mining	4	
Farming, Forestry, and Animal Services		
Agriculture Forestry	2	Applicable when retail sales are involved.

TABLE 806-8. MINIMUM BICYCLE PARKING		
Use	Minimum Number of Spaces Required (1)	Limitations & Qualifications
Agriculture and forestry services	The greater of the following: 4 spaces; or: 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Keeping of livestock and other animals	2	Applicable when retail sales are involved.
Animal services		
Other Uses		
Accessory short-term rentals	None	
Temporary uses	None	
Home occupations	None	
Accessory dwelling unit	None	
(1) Unless otherwise provided, when required bicycle parking is expressed in terms of a number of spaces per a square footage, the square footage shall equal the gross floor area.		

(Prior Code, § 806.055; Ord. No. 31-13; Ord. No. 5-17, § 38(806.055), 6-12-2017; Ord. No. 10-17, § 30, 7-10-2017)

Sec. 806.060. Bicycle parking development standards.

Unless otherwise provided under the UDC, bicycle parking areas shall be developed and maintained as set forth in this section.

(a) *Location.* Bicycle parking areas shall be located within a convenient distance of, and shall be clearly visible from, the primary building entrance. In no event shall bicycle parking areas be located more than 50 feet from the primary building entrance.

(b) *Access.* Bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance.

(c) *Dimensions.* Bicycle parking spaces shall be a minimum of six feet by two feet, and shall be served by a minimum four-foot-wide access aisle.

(d) *Bicycle racks.* Where bicycle parking is provided in racks, the racks may be floor, wall, or ceiling racks. Bicycle racks shall accommodate the bicyclist's own locking device.

(Prior Code, § 806.060; Ord. No. 31-13)

Sec. 806.065. Off-street loading areas; when required.

(a) *General applicability.* Off-street loading shall be provided and maintained as required under this chapter for:

(1) Each proposed new use or activity.

(2) Any change of use or activity, when such change of use or activity results in a greater number of required off-street loading spaces than the previous use or activity.

(3) Any intensification, expansion, or enlargement of a use or activity.

(b) *Applicability to nonconforming off-street loading area.* When off-street loading is required to be added to an existing off-street loading area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.

(Prior Code, § 806.065; Ord. No. 31-13)

Sec. 806.070. Proximity of off-street loading areas to use or activity served.

Off-street loading shall be located on the same development site as the use or activity it serves.

(Prior Code, § 806.070; Ord. No. 31-13)

Sec. 806.075. Amount of off-street loading.

Unless otherwise provided under the UDC, off-street loading shall be provided in amounts not less than those set forth in Table 806-9.

TABLE 806-9. MINIMUM OFF-STREET LOADING; DIMENSIONS

Use Category/Use	Minimum Number of Spaces Required (1)		Dimensions			Limitations & Qualifications
			Width	Length	Height	
Use: □ Single family □ Two family □ Commercial parking □ Park-and-ride facility □ Parks and open space □ Cemeteries □ Basic utilities □ Wireless communication facilities □ Agriculture □ Forestry □ Temporary uses □ Home occupations □ Accessory dwelling units □ Accessory short-term rentals	None		N/A	N/A	N/A	
Use: □ Multiple family	None	0 to 49 dwelling units	N/A	N/A	N/A	
	1	50 to 99	12 ft.	19 ft.	12 ft.	If a recreational or

TABLE 806-9. MINIMUM OFF-STREET LOADING; DIMENSIONS						
Use Category/Use	Minimum Number of Spaces Required (1)		Dimensions			Limitations & Qualifications
			Width	Length	Height	
		dwelling units				service building is provided, at least 1 of the required loading spaces shall be located in conjunction with the recreational or service building.
	2	100 to 199 dwelling units	12 ft.	19 ft.	12 ft.	
	3	200 or more dwelling units	12 ft.	19 ft.	12 ft.	
Use Category: □ Business and professional services use: □ Outpatient medical services and laboratories □ Governmental services □ Social services □ Keeping of livestock and other animals □ Animal services	None	Less than 5,000 sq. ft.	N/A	N/A	N/A	
□	1	5,000 to 60,000 sq. ft.	12 ft.	19 ft.	12 ft.	
□	2	60,001 to 250,000 sq. ft.	12 ft.	19 ft.	12 ft.	
□	Additional spaces required	Greater than 250,000 sq. ft.	12 ft.	19 ft.	12 ft.	For each additional 100,000 square feet, or any portion thereof, of building area over 250,000 sq. ft., 1 additional loading space is required.
Use Category: □ Group living □ Lodging □ Retail sales and service □ Education services use: □ Commercial	None	Less than 5,000 sq. ft.	N/A	N/A	N/A	

TABLE 806-9. MINIMUM OFF-STREET LOADING; DIMENSIONS						
Use Category/Use	Minimum Number of Spaces Required (1)		Dimensions			Limitations & Qualifications
			Width	Length	Height	
entertainment—indoor □ Commercial entertainment—outdoor □ Major event entertainment □ Recreation and cultural community services □ Nonprofit membership assembly □ Religious assembly □ Medical centers/hospitals □ Emergency services □ Funeral and cremation services □ General repair services □ Agriculture and forestry services						
□	1	5,000 to 60,000 sq. ft.	12 ft.	30 ft.	14 ft.	
□	2	60,001 to 250,000 sq. ft.	12 ft.	30 ft.	14 ft.	
□	Additional Spaces Required	Greater than 250,000 sq. ft.	12 ft.	30 ft.	14 ft.	For each additional 100,000 square feet, or any portion thereof, of building area over 250,000 sq. ft., 1 additional loading space is required.
Use Category: □ Wholesale sales, storage, and distribution □ Manufacturing □ Transportation facilities	None	Less than 5,000 sq. ft.	N/A	N/A	N/A	

TABLE 806-9. MINIMUM OFF-STREET LOADING; DIMENSIONS						
Use Category/Use	Minimum Number of Spaces Required (1)		Dimensions			Limitations & Qualifications
			Width	Length	Height	
□ Mining and natural resource extraction Use: □ Motor vehicle and manufactured dwelling and trailer sales; □ Motor vehicle services □ Taxicabs and car services □ Heavy vehicle and trailer sales □ Heavy vehicle and trailer service and storage □ Governmental maintenance services and construction □ Detention facilities □ Military installations □ Building and grounds services and construction contracting □ Cleaning plants □ Industrial services □ Drinking water treatment □ Power generation facilities □ Data center facilities □ Fuel dealers □ Waste-related facilities						
□	1	5,000 to 100,000 sq. ft.	12 ft.	40 ft.	14 ft.	
□	3	100,001 to 240,000 sq. ft.	12 ft.	40 ft.	14 ft.	
□	5	240,001 to 320,000	12 ft.	40 ft.	14 ft.	

TABLE 806-9. MINIMUM OFF-STREET LOADING; DIMENSIONS						
Use Category/Use	Minimum Number of Spaces Required (1)		Dimensions			Limitations & Qualifications
			Width	Length	Height	
		sq. ft.				
□	6	320,001 to 400,000 sq. ft.	12 ft.	40 ft.	14 ft.	
□	7	400,000 to 490,000 sq. ft.	12 ft.	40 ft.	14 ft.	
□	8	490,001 to 580,000 sq. ft.	12 ft.	40 ft.	14 ft.	
□	9	580,001 to 670,000 sq. ft.	12 ft.	40 ft.	14 ft.	
□	10	670,001 to 760,000 sq.	12 ft.	40 ft.	14 ft.	
□	Additional Spaces Required	Buildings greater than 760,000 sq. ft.	12 ft.	40 ft.	14 ft.	For each additional 100,000 square feet, or any portion thereof, of building area over 760,000 sq. ft., 1 additional loading space is required.
(1) Unless otherwise provided, when required loading is expressed in terms of a number of spaces per a square footage, the square footage shall equal the gross floor area.						

(a) *Off-street parking used for loading.* An off-street parking area meeting the requirements of this chapter may be used in place of a required off-street loading space when the use or activity does not require a delivery vehicle which exceeds a maximum combined vehicle and load rating of 8,000 pounds and the off-street parking area is located within 25 feet of the building or the use or activity that it serves.

(Prior Code, § 806.075; Ord. No. 31-13; Ord. No. 5-17, § 39(806.075), 6-12-2017; Ord. No. 10-17, § 31, 7-10-2017)

Sec. 806.080. Off-street loading development standards.

Unless otherwise provided under the UDC, off-street loading shall be developed and maintained as set forth in this section.

(a) *Location.* Off-street loading areas shall not be located within required setbacks.

(b) *Perimeter setbacks and landscaping.*

(1) *Perimeter setbacks and landscaping abutting streets.* Unless a greater setback is required elsewhere within the UDC, off-street loading areas abutting a street shall be setback and landscaped according to the off-street parking and vehicle use area perimeter setback and landscaping standards set forth under SRC 806.035(c)(2).

(2) *Perimeter setbacks and landscaping abutting interior front, side, and rear property lines.* Unless a greater setback is required elsewhere within the UDC, off-street loading areas abutting an interior front, side, or rear property line shall be setback a minimum of five feet. The setback shall be landscaped according to the Type A landscaping standard of SRC chapter 807.

(c) *Dimensions.* Loading areas shall conform to the minimum dimensions set forth in Table 806-9.

(d) *Maneuvering.* Off-street loading areas shall be of sufficient size, and all curves and corners of sufficient radius, to accommodate the safe operation of a delivery vehicle.

(e) *Surfacing.* All loading areas shall be paved with a hard surface material meeting the Public Works Design Standards; provided, however, paving is not required for:

(1) Temporary and seasonal gravel loading areas, approved pursuant to SRC chapter 701.

(2) Gravel loading areas, approved through a conditional use permit.

(f) *Drainage.* Loading areas shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the ~~Public Works~~ Director.

(g) *Lighting.* Lighting for off-street loading areas shall not shine or reflect onto adjacent residentially zoned property, or property used for uses or activities falling under household living, or cast glare onto the street.

(Prior Code, § 806.080; Ord. No. 31-13)

CHAPTER 807. LANDSCAPING AND SCREENING

Sec. 807.001. Purpose.

The purpose of this chapter is to establish standards for required landscaping and screening under the UDC to improve the appearance and visual character of the community, promote compatibility between land uses, encourage the retention and utilization of existing vegetation, and preserve and enhance the livability of the City.

(Prior Code, § 807.001; Ord. No. 31-13)

Sec. 807.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Caliper*~~:~~ means the diameter of a tree trunk measured one foot above ground level. If a tree is of a multi-trunk variety, the caliper of the tree is the average caliper of all of its trunks.

~~(b)~~ *Ground cover*~~:~~ means living plant species which normally reach a height of less than three feet at maturity, planted in such a manner so as to form a continuous cover over the ground.

~~(c)~~*Landscaped area*~~:~~ means the area of a development site that is required to be landscaped as provided under this chapter.

~~(d)~~ *Landscaping*~~:~~ means a combination of living plants, such as trees, shrubs, vines, ground covers, flowers, and grass; natural features such as streams, wetlands, rocks, stone, bark chips and shavings; and structural features, including, but not limited to, fountains, reflecting pools, outdoor art work, screen walls, fences, arbors, and benches.

~~(e)~~*Mature tree* means:

~~(1)~~ (a) A healthy tree of ten inches dbh or greater;

~~(2)~~ (b) A significant tree, as defined under SRC chapter 808;

~~(3)~~ (c) A heritage tree, as defined under SRC chapter 808; or

~~(4)~~ (d) A grouping of three or more four-inch dbh or greater evergreen or hardwood trees.

~~(f)~~*Ornamental tree*~~:~~ means a relatively low growing deciduous or evergreen tree typically reaching a height of 15 to 20 feet which usually provides color due to its flowers, leaves, or fruit (berries).

~~(g)~~ *Shade tree*~~:~~ means a deciduous tree, or, in rare occasions, an evergreen tree, planted primarily for its high crown of foliage or overhead canopy.

~~(h)~~ *Shrub*~~:~~ means a deciduous or evergreen woody plant, smaller than a tree, which consists of a number of small stems from the ground or small branches near the ground.

(Prior Code, § 807.005; Ord. No. 31-13)

Sec. 807.010. Applicability.

The provisions of this chapter apply to all required landscaping and screening under the UDC.

(Prior Code, § 807.010; Ord. No. 31-13)

Sec. 807.015. Landscaping and screening.

Unless otherwise provided under the UDC, required landscaping and screening shall conform to the standards set forth in this section.

(a) *Landscaping types.* Required landscaping shall be provided according to one of the landscaping types set forth in Table 807-1. Where landscaping is required under the UDC without a reference to a specific

landscaping type, the required landscaping shall meet the Type A standard.

TABLE 807-1. LANDSCAPING TYPES		
Landscaping Type	Required Plant Units (PU)	Required Screening
A	Min. 1 PU per 20 sq. ft. of landscaped area	None
B	Min. 1 PU per 20 sq. ft. of landscaped area	Min. 6-foot-tall fence, wall, or hedge
C	Min. 1 PU per 20 sq. ft. of landscaped area	Min. 6-foot-tall fence or wall
D	Min. 1 PU per 16 sq. ft. of landscaped area	Min. 6-foot-tall sight-obscuring landscaping or wall
E	Min. 1 PU per 16 sq. ft. of landscaped area	Min. 6-foot-tall wall

(b) *Plant materials and corresponding plant unit values.* Plant materials, their corresponding minimum plant unit values, and minimum plant material size at time of planting for landscaping within required landscaped areas are set forth in Table 807-2. A minimum of 40 percent of the required number of plant units shall be a combination of mature trees, shade trees, evergreen/conifer trees, or ornamental trees. Plant materials shall provide for a minimum 75 percent coverage of required landscaped areas within five years.

TABLE 807-2. PLANT MATERIALS AND MINIMUM PLANT UNIT VALUES		
Plant Material	Plant Unit (PU) Value	Size at Planting
1 mature tree	15 PU	
1 shade tree	10 PU	1.5 in. to 2 in. caliper
1 evergreen/conifer tree	5 PU	6 ft. to 8 ft. height
1 ornamental tree	2 PU	1 in. to 1.5 in. caliper
1 large deciduous or evergreen shrub (at maturity: over 4 ft. wide; 4 ft. high)	2 PU	Min. 3 gallon or balled and burlapped
1 small to medium shrub (at maturity: maximum 4 ft. wide; 4 ft. high)	1 PU	Min. 1 gallon
Lawn or other ground cover	1 PU per 50 sq. ft.	

(c) *Preservation of existing trees and vegetation.* The preservation of existing trees and vegetation is encouraged. If preserved, existing trees as defined under SRC chapter 808, existing trees less than ten inches dbh, and existing vegetation may be utilized to satisfy required landscaping if they conform to the minimum plant unit requirements specified in this chapter.

(d) *Tree replanting requirements.* In addition to the landscaping required under this chapter, when existing

trees, as defined under SRC chapter 808, are proposed for removal from within required setbacks or from a development site, replanting shall be required as provided in this subsection.

(1) *Removal of trees within required setbacks.* When an existing tree or trees, as defined under SRC chapter 808, within a required setback are proposed for removal, two new trees shall be planted for each tree removed. Replanted trees shall be of either a shade or evergreen variety with a minimum 1.5 inch caliper.

(2) *Removal of trees from development site.* When more than 75 percent of the existing trees, as defined under SRC chapter 808, on a development site are proposed for removal, two new trees shall be planted for each tree removed in excess of 75 percent. Replanted trees shall be of either a shade or evergreen variety with a minimum 1.5 inch caliper. For purposes of this section, existing trees within vision clearance areas, or within areas to be cleared for required roads, utilities, sidewalks, trails, or stormwater facilities, shall not be counted in the total percentage of trees removed from the development site.

(e) *Screening standards.* Unless otherwise provided under the UDC, where screening is required in the form of a fence, wall, or landscaping, it shall conform to the following standards:

(1) *Height.* Fences and walls shall be a minimum of six feet in height. Landscaping shall be of a species that will attain a height of at least six feet within three years after planting.

(2) *Opacity.* Screening shall be sight-obscuring. Fences, walls, and landscaping shall be at least 75 percent opaque when viewed from any angle at a point 25 feet away from the fence, wall, or landscaping. Landscaping shall be of an evergreen species that will attain required opacity within three years after planting.

(3) *Maintenance.* Fences and walls shall be maintained in safe condition, and shall be maintained as opaque. Landscaping shall be replaced within six months after dying or becoming diseased to the point that required opacity can no longer be maintained.

(f) *Berm.* Unless otherwise provided under the UDC, where screening is required in the form a berm, the berm shall be an earthen mound no less than three feet in height above the existing grade, and shall be constructed with a slope no steeper than 3:1 on all sides. The berm shall be planted with plant materials to prevent erosion. The berm shall not alter natural drainage flows from abutting properties.

(g) *Street trees.* Development adjacent to public streets shall provide street trees that meet the standards and specifications set forth in SRC chapter 86.

(Prior Code, § 807.015; Ord. No. 31-13)

Sec. 807.020. Landscaping plan.

(a) All building permit applications for development subject to the landscaping requirements of this chapter shall include a landscaping plan.

(b) Landscaping plans shall be of a size and form established by the Planning Administrator, and shall include the following:

(1) Scale and north arrow.

(2) Lot dimensions and footprint of structure(s).

(3) A legend indicating the linear footage of perimeter setbacks abutting a street or right-of-way; the linear footage of perimeter setbacks not abutting a street or right-of-way; total building square footage; total square footage of the interior area of the off-street parking area, calculated per SRC 806.035(d)(2); and total number of parking spaces.

(4) The location and size of plant materials, identified by common and botanical names, and their expected coverage within five years.

(5) The type and location of landscaping features other than plant materials, including, but not limited to, wetlands, creeks, ponds, sculpture, and benches.

(6) Fence or wall materials, when screening is required under the UDC.

(7) Abutting land uses.

(8) The type, size, and location of:

(A) Existing trees, as defined under SRC chapter 808, existing trees less than ten inches dbh, and vegetation that will be retained to satisfy landscaping requirements of this chapter.

(B) Existing trees, as defined under SRC chapter 808, proposed for removal.

(9) Notwithstanding ~~paragraph~~ subsection (b)(8) of this ~~sub~~section, where the development site is heavily wooded, only those trees that will be affected by the proposed development need to be sited accurately. The remaining trees may be shown on the plan in the general area of their distribution.

(10) An irrigation plan identifying the materials, size, and location of all components of the irrigation system.

(11) A two-year plant establishment schedule for:

(A) Landscaped areas where a permanent underground or drip irrigation system is not required because of the use of drought resistant vegetation; or

(B) New vegetation located within stormwater facilities.

(Prior Code, § 807.020; Ord. No. 31-13)

Sec. 807.025. Plant material standards.

All plant materials shall be, upon installation, vigorous and well-branched, with healthy and well-furnished root systems free of disease, insects, pests, and injuries.

(Prior Code, § 807.025; Ord. No. 31-13)

Sec. 807.030. Tree protection measures during construction.

Trees used to meet the landscaping requirements set forth in this chapter shall be protected during construction as provided under SRC chapter 808.

(Prior Code, § 807.030; Ord. No. 31-13)

Sec. 807.035. Installation.

(a) Landscaping shall be installed at the time of construction, unless seasonal conditions or temporary site conditions make installation impractical; in which case, an acceptable performance guarantee to ensure installation of the landscaping shall be provided as set forth in SRC 807.050.

(b) Landscaping shall be installed in a manner that conforms to the standards of the American Association of Nurserymen, Inc.

(Prior Code, § 807.035; Ord. No. 31-13)

Sec. 807.040. Irrigation.

(a) A permanent underground or drip irrigation system with an approved backflow prevention device shall be provided for all landscaped areas required under the UDC; provided, however, a permanent underground or drip irrigation system is not required for:

(1) Existing healthy vegetation that has been established for at least two years and that is being preserved to meet the landscaping requirements under this chapter;

(2) New vegetation that is drought resistant, in which case a two-year plant establishment schedule shall be provided with the landscaping plan describing the amount of water to be applied over a two-year time period and how that water will be distributed to the plant material; and

(3) New vegetation located within stormwater facilities as required by the Public Works Design Standards, in which case a two-year plant establishment schedule shall be provided with the landscaping plan describing the amount of water to be applied over a two-year time period and how that water will be distributed to the plant material.

(b) Wherever feasible, sprinkler heads irrigating lawns or other high-water-demand landscape areas shall be circuited so that they are on a separate zone or zones from those irrigating trees, shrubbery, or other reduced-water-requirement areas.

(Prior Code, § 807.040; Ord. No. 31-13)

Sec. 807.045. Maintenance.

(a) The owner and tenant shall be jointly and severally responsible for maintaining all landscaping material in good condition so as to present a healthy, neat, and orderly appearance.

(b) Unhealthy or dead plant materials shall be replaced in conformance with the approved landscape plan.

(Prior Code, § 807.045; Ord. No. 31-13)

Sec. 807.050. Compliance/performance assurance.

(a) Planting and installation of all required landscaping shall be inspected and approved prior to the issuance of a certificate of occupancy; provided, however, a certificate of occupancy may be issued prior to the complete installation of all required landscaping if a performance guarantee equal to 100 percent of the cost of plant materials and labor, as determined by the Planning Administrator, is filed with the City assuring such installation within 12 months after the certificate of occupancy is issued.

(b) A performance guarantee shall consist of a surety bond, cash, certified check, time certificate of deposit, an irrevocable letter of credit, or assignment of savings account in a form approved by the City Attorney and recorded in the deed records of the appropriate county.

(c) If the installation of the required landscaping is not completed within the specified period, the performance guarantee may be used by the City to complete the installation. Upon completion of the installation, any portion of the remaining security deposited with the City shall be returned. The final landscape inspection shall be made prior to any security being returned. Any portions of the plan not installed, not properly installed, or not properly maintained shall cause the inspection to be postponed until the project is completed or cause the security to be used by the City to complete the project.

(Prior Code, § 807.050; Ord. No. 31-13)

Sec. 807.055. Administrative relief.

Unless otherwise provided under the UDC, when special circumstances or exceptional site characteristics are applicable to a property, the landscaping requirements of this chapter may be modified through a Class 3 site plan review, pursuant to SRC chapter 220, upon finding that one of the following criteria is met:

(a) The proposed landscaping meets the intent of providing a buffer between adjacent uses of differing character;

(b) The proposed landscaping incorporates the increased retention of mature tree(s);

(c) The proposed landscaping provides protection for wildlife habitat and existing native vegetation and plant materials maintained in a natural state; or

(d) The proposed landscaping incorporates elements to maintain solar access or provides for wind protection.

(Prior Code, § 807.055)

CHAPTER 808. PRESERVATION OF TREES AND VEGETATION

Sec. 808.001. Purpose.

The purpose of this chapter is to provide for the protection of heritage trees, significant trees, and trees and native vegetation in riparian corridors, as natural resources for the City, and to increase tree canopy over time by requiring tree preservation and planting of trees in all areas of the City.

(Prior Code, § 808.001; Ord. No. 31-13)

Sec. 808.005. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Arborist*~~:~~ means a person who has met the criteria for certification from the International Society of Arboriculture, the American Society of Consulting Arborists, or similar professional organization, and maintains accreditation.

~~(b)~~ *Caliper*~~:~~ means the diameter of a tree trunk measured at six inches above ground level for trunks up to and including four-inch caliper size and at 12 inches above ground level for larger sizes, when measuring nursery stock.

~~(c)~~*Development*~~:~~ means to construct or structurally alter a structure or to make alterations or improvements to land for the purpose of enhancing its economic value or productivity.

~~(d)~~ *Development proposal*~~:~~ means any land division, mobile home park permit, conditional use, variance, greenway permit, planned unit development, or site plan review.

~~(e)~~*Grove*~~:~~ means a group of trees providing at least one-half acre of canopy.

~~(f)~~*Hazardous tree*~~:~~ means a tree that is cracked, split, leaning, has a dead top or a large dead limb high in the crown, or is otherwise physically damaged, to the degree that it is likely to fall and injure persons or property. Hazardous trees include diseased trees, meaning those trees with a disease of a nature that, without reasonable treatment or pruning, is likely to spread to adjacent trees and cause such adjacent trees to become diseased or hazardous trees.

~~(g)~~ *Heritage tree*~~:~~ means a tree designated as a heritage tree pursuant to SRC 808.010(a).

~~(h)~~ *Invasive non-native vegetation*~~:~~ means plant species that are not indigenous to Oregon and which, due to aggressive growth patterns and lack of natural enemies spread rapidly into native plant communities, and which are designated as invasive, non-native vegetation in the tree and vegetation technical manual.

~~(i)~~*Preserved*~~:~~ means the tree appears to be healthy and shows no signs of significant damage due to construction.

~~(j)~~*Restoration*~~:~~ means the return of a stream, wetland, or riparian corridor to a state consistent with habitat that is needed to support a healthy ecosystem.

~~(k)~~ *Significant tree*~~:~~ means rare, threatened, or endangered trees of any size, as defined or designated under state or federal law and included in the tree and vegetation technical manual, and Oregon white oaks (Quercus garryana) with a dbh of 24 inches or greater.

~~(l)~~*Suitable for preservation*~~:~~ means the health of the tree is such that it is likely to survive the process of development and construction in good condition and health.

~~(m)~~ *Top of bank*~~:~~ means the elevation at which water overflows the natural banks and begins to inundate the upland.

~~(n)~~ *Tree*~~:~~ means any living, woody plant, that grows to 15 feet or more in height, typically with one main stem called a trunk, which is ten inches or more dbh, and possesses an upright arrangement of branches and

leaves. The term "tree" also means any tree planted under SRC 808.035, regardless of dbh. For the purposes of this chapter, in a riparian corridor, the term "tree" includes a dead or dying tree that does not qualify as a hazardous tree.

~~(o)~~ *Tree and Vegetation Technical Manual*~~:~~ means that document adopted by the ~~City~~ Council which contains administrative regulations to implement the provisions of this chapter, including, but not limited to, lists of invasive non-native vegetation and nuisance vegetation, native vegetation which may be planted to fulfill the requirements of this chapter, identification of waterways, and planting techniques.

~~(p)~~ *Tree removal*~~:~~ means to cut down a tree or remove 30 percent or more of the crown, trunk, or root system of a tree; or to damage a tree so as to cause the tree to decline or die. The term "removal" includes, but is not limited to, topping, damage inflicted upon a root system by application of toxic substances, operation of equipment and vehicles, storage of materials, change of natural grade due to unapproved excavation or filling, or unapproved alteration of natural physical conditions. The term "removal" does not include normal trimming or pruning of trees.

~~(q)~~ *Waterway*~~:~~ means any river, perennial stream, or creek within the City as designated by the Director.

~~(r)~~ *Water-dependent activity*~~:~~ means an activity which can be carried out only on, in, or adjacent to a waterway because the activity requires access to the waterway for water-borne transportation, recreation, energy production, or source of water.

(Prior Code, § 808.005; Ord. No. 31-13)

Sec. 808.010. Heritage trees.

(a) *Designation of heritage trees.* The ~~City~~ Council may, by resolution, designate a heritage tree upon nomination by the property owner, in recognition of the tree's location, size, or age; botanical interest; or historic or cultural significance.

(b) *Protection of heritage trees.* No person shall remove a heritage tree unless the tree has been determined to be a hazardous tree by a certified arborist, and such determination is verified by the Planning Administrator.

(c) *Rescinding heritage tree designation.* The ~~City~~ Council shall rescind a heritage tree designation if the tree has been removed pursuant to subsection (b) of this section.

(Prior Code, § 808.010; Ord. No. 31-13)

Sec. 808.015. Significant trees.

No person shall remove a significant tree, unless the removal is undertaken pursuant to a tree and vegetation removal permit issued under SRC 808.030, undertaken pursuant to a tree conservation plan approved under SRC 808.035, or undertaken pursuant to a tree variance granted under SRC 808.045.

(Prior Code, § 808.015; Ord. No. 31-13)

Sec. 808.020. Trees and native vegetation in riparian corridors.

No person shall remove a tree in a riparian corridor or native vegetation in a riparian corridor, unless the removal is undertaken pursuant to a tree and vegetation removal permit issued under SRC 808.030, undertaken pursuant to a tree conservation plan approved under SRC 808.035, or undertaken pursuant to a tree variance granted under SRC 808.045. Roots, trunks, and branches of trees removed in riparian corridors shall remain within the riparian corridor, unless determined to be a potential hazard or impediment to stream flow by the ~~Public Works~~ Director.

(Prior Code, § 808.020; Ord. No. 31-13)

Sec. 808.025. Trees on lots or parcels 20,000 square feet or greater.

No person shall, prior to site plan review or building permit approval, remove a tree on a lot or parcel that is 20,000 square feet or greater, or on contiguous lots or parcels under the same ownership that total 20,000 square feet or greater, unless the removal is undertaken pursuant to a tree and vegetation removal permit issued under SRC 808.030, undertaken pursuant to a tree conservation plan approved under SRC 808.035, or undertaken pursuant to a tree variance granted under SRC 808.045. Nothing in this section shall be construed to require the retention of

trees, other than heritage trees, significant trees, and trees and vegetation in riparian corridors, beyond the date of site plan review or building permit approval, if the proposed development is other than single family residential or two family residential.

(Prior Code, § 808.025; Ord. No. 31-13)

Sec. 808.030. Tree and vegetation removal permits.

(a) *Applicability.*

(1) Except as provided in ~~paragraph~~ subsection (a)(2) of this ~~sub~~section, no trees or native vegetation protected under SRC 808.015, SRC 808.020, or SRC 808.025 shall be removed unless a tree and vegetation removal permit has been issued pursuant to this section.

(2) Exceptions. A tree and vegetation removal permit is not required for the removal of trees or native vegetation protected under SRC 808.015 SRC 808.020, or SRC 808.025 when the removal is:

(A) Necessary for maintenance of a vision clearance area, as required in SRC chapter 805;

(B) Required by the City or a public utility for the installation, maintenance, or repair of roads or utilities, including water lines, sewer lines, gas lines, electric lines, and telecommunications lines. This exception does not apply to new development or construction in a riparian corridor;

(C) Necessary for continued maintenance of existing landscaping. For the purposes of this exception, the term "existing landscaping" means an area within a riparian corridor which was adorned or improved through the planting of flowers and trees, contouring the land, or other similar activity prior to June 21, 2000;

(D) Necessary for the installation, maintenance, or repair of public irrigation systems, stormwater detention areas, pumping stations, erosion control and soil stabilization features, and pollution reduction facilities. Maintenance includes the cleaning of existing drainage facilities and trash removal;

(E) Removal of invasive non-native or nuisance vegetation in riparian corridors;

(F) Necessary for public trail or public park development and maintenance;

(G) Necessary to conduct flood mitigation;

(H) Necessary to effect emergency actions which must be undertaken immediately, or for which there is insufficient time for full compliance with this chapter, when it is necessary to prevent an imminent threat to public health or safety, prevent imminent danger to public or private property, or prevent an imminent threat of serious environmental degradation. Trees subject to emergency removal must present an immediate danger of collapse. For purposes of this subsection, the term "immediate danger of collapse" means that the tree is already leaning, with the surrounding soil heaving, and there is a significant likelihood that the tree will topple or otherwise fall and cause damage. The person undertaking emergency action shall notify the Planning Administrator within one working day following the commencement of the emergency activity. If the Planning Administrator determines that the action or part of the action taken is beyond the scope of allowed emergency action, enforcement action may be taken;

(I) A commercial timber harvest conducted in accordance with the Oregon Forest Practices Act, ORS 527.610-527.992, on property enrolled in a forest property tax assessment program, and which is not being converted to a non-forestland use. Properties from which trees have been harvested under the Oregon Forest Practices Act may not be partitioned, subdivided, developed as a planned unit development, or developed for commercial uses or activities for a period of five years following the completion of the timber harvest;

(J) Associated with mining operations conducted in accordance with an existing operating permit approved by the Oregon Department of Geology and Mineral Industries under Oregon Mining Claim law, ORS 517.750-517.955;

(K) Removal of Oregon white oaks (Quercus garryana) on undeveloped lots or parcels of record as of

August 9, 2005, that are less than 20,000 square feet. For the purposes of this section, the term "undeveloped" means that no single family dwelling unit or duplex dwelling unit has been constructed on the lot or parcel as of August 9, 2005;

(L) Removal of Oregon white oaks (Quercus garryana) where the removal is necessary in connection with construction of a commercial or industrial facility;

(M) Necessary as part of a restoration activity within a riparian corridor undertaken pursuant to an equivalent permit issued by the Oregon Division of State Lands and/or the United States Corps of Engineers; provided, however, that the permittee must provide, prior to the removal, a copy of the permit and all required monitoring reports to the Planning Administrator;

(N) Removal of trees on a lot or parcel 20,000 square feet or greater, or on contiguous lots or parcels under the same ownership that total 20,000 square feet or greater, and the removal does not result in:

(i) Removal of more than five trees or 15 percent of the trees, whichever is greater, within a single calendar year;

(ii) Removal of more than 50 percent of the trees within any five consecutive calendar years; and

(iii) Removal of heritage trees, significant trees, and trees in riparian corridors;

(O) Undertaken pursuant to a tree conservation plan, required in conjunction with any development proposal for the creation of lots or parcels to be used for single family or two family uses or activities, approved under SRC 808.035;

(P) Undertaken pursuant to a tree conservation plan adjustment granted under SRC 808.040; or

(Q) Undertaken pursuant to a tree variance granted under SRC 808.045.

(b) *Procedure type.* A tree and vegetation removal permit is processed as a Type I procedure under SRC chapter 300.

(c) *Submittal requirements.* In addition to the submittal requirements for a Type I application under SRC chapter 300, an application for a tree and vegetation removal permit shall include the following:

(1) A site 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) Site topography shown at two-foot contour intervals;

(C) The location of any existing structures on the site;

(D) The type, size, and location of trees and native vegetation to be preserved or removed;

(E) The locations and descriptions of staking or other protective devices to be installed for trees and native vegetation to be preserved; and

(F) The site plan may contain a grid or clear delineation of phases that depict separate areas where the work is to be performed.

(2) In addition to the information required by ~~paragraph~~ subsection (c)(1) of this ~~sub~~section, an application for tree or native vegetation removal connected with restoration activity in a riparian corridor shall include:

(A) A delineation of the boundaries of the riparian corridor on the site plan;

(B) A conceptual tree and vegetation planting or replanting plan;

(C) A completed wetland delineation or determination, if applicable;

(D) A grading plan, if grading is planned or anticipated;

(E) A verification from the Department of Public Works that erosion control measures will be initiated, if required; and

(F) A monitoring and maintenance plan, if required by Oregon Division of State Lands or the United States Corps of Engineers.

(3) Waiver of submittal requirements for certain restoration activities in riparian corridors. The Planning Administrator may waive the requirement to submit all or part of the information required by ~~paragraphs~~ subsections (c)(1) and (2) of this ~~sub~~section for a restoration activity in a riparian corridor that affects less than one-quarter acre and does not require a permit from the Oregon Division of State Lands or United States Corps of Engineers.

(d) *Approval criteria.* An application for a tree and vegetation removal permit shall be granted if one or more of the following criteria are met:

(1) *Hazardous tree.* The condition or location of the tree presents a hazard or danger to persons or property; and the hazard or danger cannot reasonably be alleviated by treatment or pruning, or the tree has a disease of a nature that even with reasonable treatment or pruning is likely to spread to adjacent trees and cause such trees to become hazardous trees.

(2) *Repair, alteration, or replacement of existing structures.* The tree or native vegetation removal is reasonably necessary to effect the otherwise lawful repair, alteration, or replacement of structures existing as of June 21, 2000, the footprint of the repaired, altered, or replacement structure is not enlarged, and no additional riparian corridor area is disturbed beyond that essential to the repair, alteration, or replacement of the existing structure.

(3) *Water-dependent activities.* The tree or native vegetation removal is necessary for the development of a water-dependent activity, and no additional riparian corridor area will be disturbed beyond that essential to the development of the water-dependent activity.

(4) *Restoration activity within riparian corridor.* The tree or native vegetation removal is required for a restoration activity within a riparian corridor designed to improve the habitat, hydrology, or water quality function of the riparian corridor, and:

(A) The short-term impacts of the restoration activity will be minimized;

(B) Effective erosion control measures will be implemented;

(C) All necessary permits have been applied for or obtained; and

(D) No trees or native vegetation will be removed unless the removal is justified for the long term benefit of the environment and is in keeping with acceptable riparian restoration guidance.

(e) *Conditions of approval.*

(1) Conditions may be imposed on the approval of a tree and vegetation removal permit to ensure compliance with the approval criteria.

(2) In addition to the conditions imposed under ~~paragraph~~ subsection (e)(1) of this ~~sub~~section, tree and vegetation removal permits for the removal of trees or native vegetation in connection with a restoration activity within a riparian corridor shall include the following condition:

(A) Trees and native vegetation removed shall be replaced in compliance with the tree and native vegetation replacement standards set forth in SRC 808.055.

(Prior Code, § 808.030; Ord. No. 31-13)

Sec. 808.035. Tree conservation plans.

(a) *Applicability.* A tree conservation plan is required in conjunction with any development proposal for the creation of lots or parcels to be used for single family or two family uses, if the development proposal will result in the removal of trees.

(b) *Procedure type.* A tree conservation plan is processed as a Type I procedure under SRC chapter 300.

(c) *Submittal requirements.* In addition to the submittal requirements for a Type I application under SRC chapter 300, an application for a tree conservation plan shall include the following:

(1) A site 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) Proposed lot or parcel lines;

(C) Site topography shown at two-foot contour intervals;

(D) Identification of slopes greater than 25 percent;

(E) The location of any existing structures on the site;

(F) Identification of the type, size, and location of all existing trees on the property;

(G) Identification of those trees proposed for preservation and those designated for removal;

(H) The location of all utilities and other improvements;

(I) Required setbacks for the proposed lots or parcels;

(J) The locations and descriptions of staking or other protective devices to be used during construction; and

(K) The site plan may contain a grid or clear delineation of phases that depict separate areas in which work is to be performed and identification of those trees proposed for preservation and those designated for removal with each phase.

(2) In addition to the information required by ~~paragraph~~ subsection (c)(1) of this ~~sub~~section, when a riparian corridor is located on the property, the tree conservation plan shall include:

(A) A delineation of the boundaries of the riparian corridor on the site plan;

(B) A description of the vegetation within the riparian corridor;

(C) A tree and native vegetation replanting plan, in compliance with the standards set forth in SRC 808.055, if trees and native vegetation within the riparian corridor are proposed for removal.

(d) *Approval criteria.* An application for a tree conservation plan shall be granted if the following criteria are met:

(1) No heritage trees are designated for removal;

(2) No significant trees are designated for removal, unless there no reasonable design alternatives that would enable preservation of such trees;

(3) No trees or native vegetation in a riparian corridor are designated for removal, unless there are no reasonable design alternatives that would enable preservation of such trees or native vegetation;

(4) Not less than 25 percent of all trees located on the property are designated for preservation; provided, however, if less than 25 percent of all trees located on the property are designated for preservation, only those trees reasonably necessary to accommodate the proposed development shall be designated for removal.

(e) *Conditions of approval.*

(1) Conditions may be imposed on the approval of a tree conservation plan to ensure compliance with the approval criteria.

(2) In addition to any conditions imposed under ~~paragraph~~ subsection (e)(1) of this ~~sub~~section, every tree conservation plan shall include the following conditions:

(A) All trees and native vegetation designated for preservation under the tree conservation plan shall be marked and protected during construction. Any heritage tree or significant tree shall require that at least 70 percent of a circular area beneath the tree measuring one foot in radius for every one inch of dbh be protected by an above ground silt fence, or its equivalent. Protection measures shall continue until the issuance of a notice of final completion for the single family dwelling or two family dwelling.

(B) Each lot or parcel within the development proposal shall comply with the tree planting requirements set forth in SRC 808.050.

(f) *Expiration.* A tree conservation plan shall remain valid as long as the development proposal the tree conservation plan is issued in connection with remains valid.

(Prior Code, § 808.035; Ord. No. 31-13)

Sec. 808.040. Tree conservation plan adjustments.

(a) *Applicability.*

(1) Except as provided under ~~paragraph~~ subsection (a)(2) of this ~~sub~~section, no tree or native vegetation designated for preservation in a tree conservation plan shall be removed unless a tree conservation plan adjustment has been approved pursuant to this section.

(2) Exceptions. A tree conservation plan adjustment is not required for:

(A) A tree that has been removed due to natural causes; provided, however, that evidence must be provided to the Planning Administrator demonstrating the removal was due to natural causes.

(B) Removal of a hazardous tree, subject to a tree and vegetation removal permit issued under SRC 808.030.

(C) Removal necessary to effect emergency actions excepted under SRC 808.030(a)(2)(H).

(b) *Procedure type.* A tree conservation plan adjustment is processed as a Type I procedure under SRC chapter 300.

(c) *Submittal requirements.* In addition to the submittal requirements for a Type I application under SRC chapter 300, an application for a tree conservation plan adjustment shall include the following:

(1) A site 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; and

(B) Identification of the type, size, and location of those trees proposed for removal under the tree conservation plan adjustment.

(2) In addition to the information required by ~~paragraph~~ subsection (c)(1) of this ~~sub~~section, when a riparian corridor is located on the property, an application for a tree conservation plan adjustment shall include:

(A) A delineation of the boundaries of the riparian corridor on the site plan; and

(B) Identification of the type and location of any native vegetation within the riparian corridor proposed for removal under the tree conservation plan adjustment.

(d) *Approval criteria.* A tree conservation plan adjustment shall be approved if the following criteria are met:

(1) There are special conditions that could not have been anticipated at the time the tree conservation plan was submitted that create unreasonable hardships or practical difficulties which can be most effectively relieved by an adjustment to the tree conservation plan.

(2) When the tree conservation plan adjustment proposes the removal of a significant tree, there are no reasonable design alternatives that would enable preservation of the tree.

(3) When the tree conservation plan adjustment proposes the removal of a tree or native vegetation within a riparian corridor, there are no reasonable design alternatives that would enable preservation of the tree or native vegetation.

(4) When the tree conservation plan adjustment proposes to reduce the number of trees preserved in the original tree conservation plan below 25 percent, only those trees reasonably necessary to accommodate the proposed development are designated for removal.

(e) *Conditions of approval.* Conditions may be imposed on the approval of a tree conservation plan

adjustment to ensure compliance with the approval criteria and to fulfill the intent of the original tree conservation plan, including requiring additional plantings on or off site.

(Prior Code, § 808.040; Ord. No. 31-13)

Sec. 808.045. Tree variances.

(a) *Applicability.* Tree variances may be granted to allow deviation from the requirements of this chapter where the deviation is reasonably necessary to permit the otherwise lawful development of a property.

(b) *Procedure type.* A tree variance is processed as a Type II procedure under SRC chapter 300.

(c) *Submittal requirements.* In addition to the submittal requirements for a Type II application under SRC chapter 300, an application for a tree variance shall include the following:

(1) A site 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 any existing structures on the site;

(C) Identification of the type, size, and location of all existing trees on the property;

(D) Identification of those trees proposed for preservation and those designated for removal; and

(E) The location of roads, bridges, utilities, and other improvements;

(2) In addition to the information required by ~~paragraph~~ subsection (c)(1) of this ~~sub~~section, when a riparian corridor is located on the property, an application for a tree variance shall include:

(A) A delineation of the boundaries of the riparian corridor on the site plan;

(B) Identification of the type and location of any native vegetation within the riparian corridor proposed for removal.

(d) *Approval criteria.* A tree variance shall be granted if either of the following criteria is met:

(1) *Hardship.*

(A) There are special conditions that apply to the property which create unreasonable hardships or practical difficulties which can be most effectively relieved by a variance; and

(B) The proposed variance is the minimum necessary to allow the otherwise lawful proposed development or activity; or

(2) *Economical use.*

(A) Without the variance, the applicant would suffer a reduction in the fair market value of the applicant's property, or otherwise suffer an unconstitutional taking of the applicant's property;

(B) The proposed variance is the minimum necessary to prevent a reduction in the fair market value of the applicant's property or otherwise avoid a taking of property; and

(C) The proposed variance is consistent with all other applicable local, state, and federal laws.

(e) *Conditions of approval.*

(1) Conditions may be imposed on the approval of a tree variance to ensure compliance with the approval criteria and to limit any adverse impacts that may result from granting the tree variance.

(2) In addition to any condition imposed under ~~paragraph~~ subsection (e)(1) of this ~~sub~~section, where a variance is proposed to the requirements for the preservation of trees and native vegetation in riparian corridors, the approval shall include the following conditions:

(A) Altered riparian corridor areas that can be reasonably restored, shall be restored; and

(B) In no case shall alterations to the riparian corridor:

(i) Occupy more than 50 percent of the width of the riparian corridor measured from the upland

edge of the corridor; or

(ii) Result in less than 15 feet of vegetated corridor on each side of the waterway.

(Prior Code, § 808.045; Ord. No. 31-13)

Sec. 808.050. Tree planting requirements.

(a) Within development proposals for the creation of lots or parcels to be used for single family or two family uses, each lot or parcel shall contain, at a minimum, the number of trees set forth in Table 808-1.

(b) If there are insufficient existing trees on a lot or parcel to satisfy the number of trees required under Table 808-1, additional trees sufficient to meet the requirement shall be planted. The additional trees shall be a minimum 1.5-inch caliper.

TABLE 808-1. TREE PLANTING REQUIREMENTS

Lot or Parcel Size	Minimum Trees Required
6,000 ft.^{2} or less	2
6,001 ft.^{2} to 7,000 ft.^{2}	3
7,001 ft.^{2} to 8,000 ft.^{2}	4
8,001 ft.^{2} to 9,000 ft.^{2}	5
Greater than 9,000 ft.^{2}	6

(Prior Code, § 808.050; Ord. No. 31-13)

Sec. 808.055. Tree and native vegetation replacement standards within riparian corridors.

Where replacement of trees and native vegetation within a riparian corridor is required by this chapter, the replacement shall comply with the following:

(a) Trees and native vegetation removed shall be replaced at an area replacement ratio of one-to-one. If there is inadequate space for replanting at or near the location where the tree or native vegetation was removed, replanting may occur elsewhere within the riparian corridor on the property.

(b) Replacement trees shall have a minimum 1.5-inch caliper and shall be of species authorized in the Tree and Vegetation Technical Manual.

(c) Replacement vegetation shall be of sizes and species authorized in the Tree and Vegetation Technical Manual.

(Prior Code, § 808.055; Ord. No. 31-13)

Sec. 808.060. Tree canopy preservation fund.

(a) Funds collected from any grants and donations for the planting, maintenance, and preservation of trees shall go into a tree canopy preservation fund, 95 percent of which funds shall be designated for the acquisition, maintenance, and preservation of groves of trees within the City or the Salem-Keizer Urban Growth boundary. The remaining five percent shall be used to promote the planting of new trees as follows, at the discretion of the Director:

(1) In a public or private park, school yard, riparian corridor, or nature area;

(2) In public rights-of-way, except in storm or sewer easements; or

(3) In the form of a donation to nonprofit organizations for the purposes of planting trees within the City or the Salem-Keizer Urban Growth boundary.

(b) The City shall conduct a tree canopy study every census year, using the most economically feasible method, for the purposes of measuring the effectiveness of this chapter and other development-related ordinances

in preserving and improving the amount of tree canopy area within the City or the Salem-Keizer Urban Growth boundary.

(Prior Code, § 808.060; Ord. No. 31-13)

Sec. 808.065. Enforcement.

In any action brought under SRC 110.110 to enforce this chapter, the following shall apply:

(a) *Stop work order.* If the applicant's site plan contains a grid or phases that designate areas in which work is to be performed, only that grid area or phase in which any violation occurred shall be affected by any stop work order.

(b) *Permit revocation.* In addition to the grounds set forth under SRC 110.110, a permit may be revoked if the work is a hazard to property or public safety; is adversely affecting or about to adversely affect adjacent property or rights-of-way, a drainage way, waterway, riparian corridors, significant wetlands or storm water facility; or is otherwise adversely affecting the public health, safety, or welfare.

(c) *Restoration.* Persons violating this chapter, or any permit issued hereunder, shall be responsible for restoring damaged areas in conformance with a plan approved by the Planning Administrator which provides for repair of any environmental or property damage and restoration of the site. The plan shall result in conditions upon the site which, to the greatest extent practical, equal the conditions that would have existed had the violation not occurred, as verified by a qualified professional. Costs of restoration shall be not less than those determined equal to the monetary value of the regulated trees and/or native vegetation removed in violation of this chapter, or permit issued hereunder, as set forth in an appraisal acceptable to the Planning Administrator, based upon the latest edition of "Guide for Plant Appraisals" (International Society of Arboriculture, Council of Tree and Landscape Appraisers).

(d) *Prohibition of further approvals.* The City shall not issue a notice of final completion for property on which a violation of this chapter has occurred or is occurring, until the violation has been cured by restoration or other means acceptable to the Planning Administrator and any penalty imposed for the violation is paid.

(e) *Injunctive relief.* The City may seek injunctive relief against any person who has willfully engaged in a violation of SRC 808.035 or SRC 808.040, such relief to be in effect for a period not to exceed five years.

(Prior Code, § 808.065; Ord. No. 31-13)

CHAPTER 809. WETLANDS

Sec. 809.001. Purpose.

The purpose of this chapter is to identify those wetlands located within the City ~~of Salem~~ which are significant and non-significant, and to establish the foundation for a wetlands protection program that will provide for the long-term protection of wetlands within the City ~~of Salem~~.

(Prior Code, § 809.001; Ord. No. 31-13)

Sec. 809.005. Definitions.

~~Unless the context otherwise specially requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Best available information*~~:~~ means information used in making the classification of a wetland as locally significant, including, but not limited to, the Salem-Keizer Local Wetland Inventory, aerial photos taken in 2000; Oregon Natural Heritage Program data; Department of Environmental Quality data for streams listed under the Clean Water Act (CWA, 33 USC 1250 et seq., at 1313 (d)), section 303(d); Geographic Information System (GIS) data from the City ~~of Salem~~, including, but not limited to, location of city parks, local waterways, tax lot data and property ownership, fish-bearing streams, FEMA and floodplain data; and any other data or information from a trustworthy source which may be verified by observation, investigation, or research, or which is considered authoritative by professionals in the scientific community.

~~(b)~~ *Indigenous Salmonids*~~:~~ means members of the family Salmonidae which are listed as sensitive, threatened or endangered by a federal or state authority, including Chum, Sockeye, Chinook and Coho salmon, and steelhead and cutthroat trout.

~~(c)~~*Inhabited by*~~:~~ means the plant or animal species uses the site for rearing, feeding, or breeding, or as a migration or dispersal corridor. As used in this definition, the term "inhabited by" does not include the incidental use of the site by an animal species.

~~(d)~~ *Locally significant wetland*~~:~~ means a wetland which provides functions or exhibits characteristics that are pertinent to planning decisions, including planning decisions within the UGB, and which has been determined to be significant under the criteria listed in OAR 141-086-0350.

~~(e)~~*Local Wetland Inventory*~~:~~ means a systematic survey of an area to identify, classify, and map the approximate boundaries of wetlands, and that includes the supporting documentation required by OAR 141-086-0180.

~~(f)~~*Native plant community*~~:~~ means a recognized assemblage of plant species indigenous to Oregon, as identified in the "Classification and Catalog of Native Wetland Plant Communities in Oregon," published by the Oregon Natural Heritage Program.

~~(g)~~ *Non-significant wetland*~~:~~ means those wetlands that are part of the Salem-Keizer Local Wetland Inventory which were not identified as Locally Significant Wetlands using the OFWAM analysis.

~~(h)~~ *Oregon Freshwater Wetland Assessment Methodology (OFWAM)*~~:~~ means a wetland function and quality assessment methodology developed by the Oregon Division of State Lands. Local governments are required to use OFWAM, or an equivalent methodology that is approved in writing by the Director of the Oregon Division of State Lands, to assess wetland functions and determine significance.

~~(i)~~*Rare plant communities*~~:~~ means plants which are uncommon, unique, or relictual in Oregon, as determined by the number of occurrences and threats according to Oregon Natural Heritage Program criteria. Listings of wetland plant communities in Oregon which meet this standard for rarity may be found in "Oregon Freshwater Wetland Assessment Methodology," Appendix G (1996), published by the Oregon Division of State Lands, and the Classification and Catalog of Native Wetland Plant Communities in Oregon, published by the Oregon Natural Heritage Program.

~~(j)~~ *UGB*~~:~~ means the City ~~of Salem~~ urban growth boundary.

~~(k)~~ *Wetland*~~:~~ means an area inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

(Prior Code, § 809.005; Ord. No. 31-13)

Sec. 809.010. Criteria for identification.

Using the Local Wetlands Inventory, a functional and quality assessment of all inventoried wetlands within the City and the UGB, and the best available information, the Director shall identify local wetlands as locally significant or non-significant.

(a) A wetland shall be identified as locally significant if it meets one or more of the following criteria:

(1) The wetland performs any of the following functions according to the OFWAM:

(A) Provides diverse wildlife habitat;

(B) Provides intact fish habitat;

(C) Provides intact water quality function; or

(D) Provides intact hydrologic control function.

(2) The wetland or a portion of the wetland occurs within a horizontal distance of less than one-fourth mile from a water body listed by the Department of Environmental Quality as a water quality limited water body under Clean Water Act (CWA, 33 USC 1250 et seq., at 1313 (d)), section 303 (d), and the wetland's water quality function is described as "intact" or "impacted or degraded" using OFWAM. The 303(d) List specifies which parameters (e.g., temperature, pH) do not meet state water quality standards for each listed water body. The Director may determine a wetland is not significant under this ~~paragraph~~ subsection upon documentation that the wetland does not provide water quality improvements for the specified parameter or parameters.

(3) The wetland contains one or more rare plant communities.

(4) The wetland is inhabited by any species listed by the federal government as threatened or endangered, or listed by the state as sensitive, threatened, or endangered, unless the appropriate state or federal agency indicates that the wetland is not important for the maintenance of the species.

(A) The use of the site by listed species must be documented, not anecdotal. Acceptable sources of documentation may include, but are not limited to, field observations at the wetland sites during the local wetlands inventory and functional assessments, and existing information on rare species occurrences maintained by agencies including, but not limited to, the Oregon Natural Heritage Program, Oregon Department of Fish and Wildlife, Oregon Department of Agriculture, the U.S. Fish and Wildlife Service, and the National Marine Fisheries Service.

(B) Input originating from other locally knowledgeable sources constitutes documentation for the purposes of this ~~subparagraph~~ subsection if it is verified by one of the agencies identified under ~~subparagraph~~ subsection (a)(4)(A) of this ~~paragraph~~ section, or in a university or college reference collection.

(5) The wetland has a direct surface water connection to a stream segment mapped by the Oregon Department of Fish and Wildlife as habitat for indigenous salmonids, and the wetland is determined to have "intact" or "impacted or degraded" fish habitat function using OFWAM.

(b) A wetland may be identified as locally significant if the wetland meets one or more of the following criteria:

(1) The wetland represents a locally unique native plant community or, if the entire UGB has been inventoried, the wetland contains the only representative of a particular native wetland plant community in the UGB. To be identified as locally significant under this ~~paragraph~~ subsection, the wetland must also have been assessed to perform at least one of the following functions according

to OFWAM:

(A) The wetland provides diverse habitat, or provides habitat for some wildlife species;

(B) Its fish habitat is either intact, or impacted or degraded;

(C) Its water quality function is either intact, or impacted or degraded; or

(D) Its hydrologic control function is either intact, or impacted or degraded.

(2) The wetland is publicly owned and determined to "have educational uses" using OFWAM, and such use by a school or organization is documented for that site.

(c) Exclusions. Notwithstanding subsections (a) and (b) of this section, wetlands shall not be designated as Locally Significant if they fall within any one of the following categories:

(1) Wetlands artificially created entirely from upland that are:

(A) Created for the purpose of controlling, storing, or maintaining stormwater; or

(B) Active surface mining or active log ponds; or

(C) Ditches without a free and open connection to natural waters of the state, as defined in OAR 141-085-0510, and which do not contain food or game fish as defined in ORS 496.009; or

(D) Less than one acre in size and created unintentionally as the result of:

(i) Irrigation water overflow or leakage; or

(ii) Construction activity not related to compensatory mitigation for permitted wetland impacts; or

(E) Of any size and created for the purpose of wastewater treatment, cranberry production, farm or stock watering, settling of sediment, cooling industrial water, or as a golf course hazard.

(2) Wetlands or portions of wetlands that are contaminated by hazardous substances, materials, or wastes under the following conditions:

(A) The wetland is documented as contaminated on either the U.S. Environmental Protection Agency's National Priority List ("Superfund List") or the Oregon Department of Environmental Quality's Inventory of Hazardous Substance Sites.

(B) Only that portion of the wetland affected by such hazardous substances or wastes shall be excluded from the Locally Significant Wetland analysis. Affected portions shall be delineated in consultation with EPA and DEQ, and shall include areas potentially disturbed by clean-up activities.

(C) Contaminated wetlands that have subsequently been removed from the NPL or DEQ Inventory following clean-up shall be re-evaluated under the Locally Significant Wetlands criteria no later than the City's ~~of Salem's~~ next periodic review.

(Prior Code, § 809.010; Ord. No. 31-13)

Sec. 809.015. Notification of identification; request for redesignations; delineations.

(a) Each property owner whose property contains a wetland which is identified under SRC 809.010, and each person owning property within 100 feet of such affected property, shall receive written notice of such designation. The notice shall contain the following:

(1) A description of the affected property;

(2) A statement that a wetland exists on the property, with a map of the approximate location of the wetland, which has been subject to evaluation and identification as locally significant or non-significant;

(3) A statement that such identification was performed according to the requirements of the Oregon Division of State Lands and the Department of Land Conservation and Development pursuant to ORS 197.279(3)(b);

(4) A statement that the wetlands may be subject to local, state, or federal regulation; and

(5) The name and contact information for the staff person for additional information.

(b) Any property owner who receives notice under subsection (a) of this section may file a request for redesignation or delineation with the Director within 90 days of the date the notice is issued. No redesignation shall occur unless the property owner can show, using the best available information, that the designation fails to satisfy the criteria for local significance under SRC 809.010(a) or SRC 809.010(b). No adjustment to the official wetlands map based on a delineation shall be made unless the delineation has been approved by the Oregon Division of State Lands.

(Prior Code, § 809.015; Ord. No. 31-13)

Sec. 809.020. Locally significant and non-significant wetlands maps; adoption and amendment.

(a) The Director shall develop a map depicting each wetland, using the criteria set forth under SRC 809.010. The map shall show the boundary of the wetland, based on the best available information, and shall identify each wetland as locally significant or non-significant. The wetland map shall be adopted or amended by resolution of the ~~City~~ Council. Any wetland identified as locally significant on the official map shall be subject to the regulations for locally significant wetlands under SRC chapter 808.

(b) Wetlands not identified in the Local Wetlands Inventory shall be assessed for local significance pursuant to SRC 809.010 as soon as practicable after discovery, and added to the official wetlands map, if determined by the Director to be locally significant.

(c) Amendments to the official wetland map may be made if the property owner demonstrates, using the best available information, that the designation fails to satisfy the criteria for a locally significant wetland under SRC 809.010(a) and 809.010(b), or the delineation is no longer accurate. No adjustment to the official wetlands map based on the accuracy of a delineation shall be made unless a redelineation has been approved by the Oregon Division of State Lands.

(d) Notice of proposed amendments to the official wetlands map shall be made pursuant to SRC 809.015(a). Any property owner who receives a notice ~~of~~ under subsection (d) of this section may file a request for redesignation or delineation with the Director within 90 days of the date the notice is issued. Appeals of decisions amending the official wetlands map shall be made to the hearings officer and shall follow the procedures set forth in SRC 300.1000 through ~~SRC~~ 300.1040.

(Prior Code, § 809.020; Ord. No. 31-13)

Sec. 809.025. Required notification of the Oregon Division of State Lands.

Within five working days of receiving a completed application for development or land use in an area designated as a wetland on the official wetlands map, the City shall:

(a) Send a wetland land use notification form to the Division of State Lands of any application for development or land use in an area designated as a wetland on the official wetlands map; and

(b) Send a letter to the applicant, and, if different, the owner of the real property, and the watershed council functioning in the area within which the wetland lies, stating that Division of State Lands is being notified, along with a copy of the completed wetland land use notification form.

(Prior Code, § 809.025; Ord. No. 31-13)

CHAPTER 810. LANDSLIDE HAZARDS

Sec. 810.001. Purpose.

The purpose of this chapter is to implement the Geologic Hazards Policy of the Scenic and Historic Areas, Natural Resources, and Hazards section of the Salem Area Comprehensive Plan and to promote the public health, safety and welfare by:

(a) Assessing the risk that proposed uses or activities will adversely affect the stability and slide susceptibility of an area;

(b) Establishing standards and requirements for the use and development of land within landslide hazard areas; and

(c) Mitigating risk within landslide hazard areas.

(Prior Code, § 810.001; Ord. No. 31-13)

Sec. 810.005. Applicability.

This chapter applies to all areas of land designated as Moderate Landslide Hazard Risk or High Landslide Hazard Risk pursuant to this chapter.

(Prior Code, § 810.005; Ord. No. 31-13)

Sec. 810.010. Definitions.

~~Unless the context otherwise specifically requires, as used in this Chapter, the following mean:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(a)~~*Certified engineering geologist*~~:~~ means any registered geologist who is certified in the specialty of engineering geology under provisions of ORS 672.505 to 672.705.

~~(b)~~ *Geological assessment*~~:~~ means an assessment prepared and stamped by a certified engineering geologist, detailing the surface and subsurface conditions of the site and delineating the areas of a property that might be subject to specified geologic hazards.

~~(c)~~*Geotechnical engineer*~~:~~ means a professional engineer, registered in the State ~~of Oregon~~ as provided by ORS 672.002 to 672.325, who by training, education and experience is qualified in the practice of geotechnical or soils engineering practices.

~~(d)~~ *Geotechnical report*~~:~~ means a report prepared and stamped by a certified engineering geologist and geotechnical engineer, evaluating the site conditions and mitigation measures necessary to reduce the risks associated with development in geologically hazardous areas.

~~(e)~~*Graduated response tables*~~:~~ means those tables under SRC 810.025 that are used to determine the total landslide hazard risk and required level of site investigation for regulated activities under this chapter.

~~(f)~~*Landslide*~~:~~ means the down slope movement of soil, rocks, or other surface matter on a site. The term "landslide~~s~~" may include, but are not limited to, slumps, mudflows, earthflows, debris flows, and rockfalls.

~~(g)~~ *Landslide hazard susceptibility map*~~:~~ means cumulatively, the Oregon Department of Geology and Mineral Industries (DOGAMI) Interpretive Map Series IMS-5, IMS-6, IMS-17, IMS-18, and IMS-22 maps, together with the slope contour map.

~~(h)~~ *Mitigation measure*~~:~~ means an action designed to reduce project-induced geologically hazardous area impacts.

~~(i)~~*Tree*~~:~~ means any living, woody plant, which grows to 15 feet or more in height, having a trunk which is ten inches or more dbh.

~~(j)~~*Tree removal*~~:~~ means to cut down a tree or remove all or 30 percent or more of the crown, trunk, or root

system of a tree; or to damage a tree so as to cause the tree to decline or die. The term "removal" includes, but is not limited to, topping, damage inflicted upon a root system by application of toxic substances, operation of equipment and vehicles, storage of materials, change of natural grade due to unapproved excavation or filling, or unapproved alteration of natural physical conditions. The term "removal" does not include normal trimming or pruning of trees.

(Prior Code, § 810.010; Ord. No. 31-13)

Sec. 810.015. Map adoption.

Areas subject to this chapter shall be shown on landslide hazard susceptibility maps, which shall be adopted by administrative rule by the Director pursuant to SRC chapter 20J. The landslide hazard susceptibility maps shall indicate the general location of areas of low, moderate, and high susceptibility to landslides, areas of known slide hazards, and slope contours. These maps shall be based on the best available information.

(Prior Code, § 810.015; Ord. No. 31-13)

Sec. 810.020. Landslide hazard construction permit.

(a) *Applicability.*

(1) Except as provided in ~~paragraph~~ subsection (a)(2) of this ~~sub~~section, no person shall engage in any of the following activities in areas designated as moderate or high total landslide hazard risk without first obtaining a landslide hazard construction permit.

(A) Excavation or fill, as independent activity, exceeding two feet in depth or 25 cubic yards of volume;

(B) Installation or construction of any structure greater than 500 square feet in area;

(C) Alteration, enlargement, reconstruction, or relocation of a structure greater than 500 square feet in area that requires any modification to the foundation;

(D) Land division, planned unit development, or manufactured dwelling park; or

(E) Tree removal, as an independent activity, on regulated slopes greater than 60 percent.

(2) Exemptions. A landslide hazard construction permit is not required for the following:

(A) Excavation and fill exceeding two feet in depth or 25 cubic yards of volume within a public right-of-way or public utility easement.

(B) Activities otherwise identified in ~~paragraph~~ subsection (a)(1) of this ~~sub~~section which must be undertaken immediately to prevent an imminent threat to public health or safety, or prevent imminent danger to public or private property; provided, however:

(i) The person undertaking such emergency activity shall notify the Director within one working day following the commencement of the activity.

(ii) If the Director determines that the activity, or any part thereof, is beyond the scope of allowed emergency activity, enforcement action may be taken.

(b) *Procedure type.* A landslide hazard construction permit is processed as a Type I procedure under SRC chapter 300.

(c) *Submittal requirements.* In lieu of the application submittal requirements under SRC chapter 300, an application for a landslide hazard construction permit shall include the following:

(1) A completed application form.

(2) A geological assessment, geotechnical report, or both, as applicable.

(d) *Criteria.* A landslide hazard construction permit shall be granted if:

(1) The geological assessment, geotechnical report, or both, as applicable, meets the standards of this chapter; and

(2) The geological assessment, geotechnical report, or both, as applicable:

(A) Indicates the development can proceed without a risk of landslide hazard; or

(B) Sets forth mitigation measures that will reduce or eliminate the risk of landslide hazard.

(e) *Director may have report re reviewed.* The Director may, at the City's expense, elect to have an independent certified engineering geologist or geotechnical engineer, selected from a list of prequalified consultants, review the report or its conclusions.

(f) *Conclusions and recommendations.* Conclusions and recommendations set forth in an approved geological assessment or geotechnical report shall be incorporated as conditions of approval of the landslide hazard construction permit. The landslide hazard construction permit shall be incorporated into any land use approval connected with the regulated activity.

(Prior Code, § 810.020; Ord. No. 31-13)

Sec. 810.025. Landslide hazard risk assessment.

(a) Graduated Response Tables. The Graduated Response Tables set forth in this subsection are used to determine the total landslide hazard risk and required level of site investigation for regulated activities under this chapter. To determine the total landslide hazard risk, follow the steps set forth in this subsection. Where any portion of a proposed activity is identified under multiple landslide susceptibility ratings, the highest rating shall apply.

(1) *Step One: Earthquake Induced Landslide Susceptibility.* Select one assigned point value from Table 810-1A and proceed to step two.

TABLE 810-1A. EARTHQUAKE-INDUCED LANDSLIDE SUSCEPTIBILITY RATINGS	
Physiographic and Geologic Categories	Assigned Point Value
Property identified under very low or low categories on IMS-17 or IMS-18.	0 Points
Property identified under a moderate category on IMS-17 or IMS-18.	2 Points
Property identified under a high category on IMS-17 or IMS-18.	3 Points
References: Interpretive Map Series (IMS-17), Interpretive Map Series (IMS-18)	

(2) *Step Two: Water-Induced Landslide Susceptibility.* Select one assigned point value from Table 810-1B and proceed to step 3.

TABLE 810-1B. WATER-INDUCED LANDSLIDE SUSCEPTIBILITY RATINGS	
Physiographic and Geologic Categories	Assigned Point Value
Property identified under Category 1 on IMS-5 and IMS-6 Reports.	0 Points
Property identified under Categories 2 or 3 on IMS-5 or IMS-6 Reports.	2 Points
Property outside the boundaries of IMS-5, IMS-6, IMS-17, IMS-18, and IMS-22 and between 15% - 25 % slopes, including 25%.	2 Points
Property identified under Categories 4, 5a, 5b, or 6 on IMS-5 or IMS-6 Reports.	3 Points
Property identified in IMS-22 Report.	3 points

Property outside the boundaries of IMS-5, IMS-6, IMS-17, IMS-18, and IMS-22 and over 25% slopes.	3 Points
References: Interpretive Map Series (IMS-5), Interpretive Map Series (IMS-6), Interpretive Map Series (IMS-17), Interpretive Map Series (IMS-18), Interpretive Map Series (IMS-22) and Slope Contour Map	

(3) *Step Three: Activity Susceptibility Ratings.* Select one assigned point value from Table 810-1C and proceed to step four.

TABLE 810-1C. ACTIVITY RATINGS

Type of Activity		Assigned Point Value
Excavation or fill, as an independent activity, exceeding 2 feet in depth or 25 cubic yards of volume.		3 Points
Installation or construction of any structure greater than 500 square feet in area.	Single family, duplex, or manufactured dwelling building permit	1 Point
	Multiple family building permit	2 Points
	Schools, hospital, or public building permit	3 Points
	Commercial or industrial building permit	3 Points
Alteration, enlargement, reconstruction, or relocation of a structure greater than 500 square feet in area that requires any modification to the foundation.	Single family, duplex, or manufactured dwelling building permit	1 Point
	Multiple family building permit	2 Points
	Schools, hospital, or public building permit	3 Points
	Commercial or industrial building permit	3 Points
Installation or construction of any structure greater than 500 square feet, not otherwise identified in table.		1 Point
Land division, planned unit development, or manufactured dwelling park.	Partition	2 Points
	Subdivision, planned unit development, manufactured dwelling park	3 Points
Tree removal, as an independent activity, on regulated slopes greater than 60%.		3 Points

(4) *Step Four: Cumulative Score.* Add the sub-totals from Tables 810-1A, 810-1B, and 810-1C. Proceed to step five.

TABLE 810-1D. CUMULATIVE SCORE

Step 1. Earthquake-Induced Landslide Susceptibility Rating Points:_____	Step 2. Water-Induced Landslide Susceptibility Rating Points:_____	Step 3. Activity Susceptibility Rating Points:_____	Step 4. Cumulative Score Total Points:_____

(5) *Step Five: Total Landslide Risk.* Determine the total landslide hazard risk from Table 810-1E. If the total landslide hazard risk meets or exceeds the thresholds for moderate or high landslide hazard risk set forth in Table 810-1E, a geological assessment, geotechnical report, or both, as applicable, shall be provided by the applicant, and the action specified therein undertaken or insured before any regulated activity may be permitted or approved.

TABLE 810-1E. TOTAL LANDSLIDE HAZARD RISK

Cumulative Score (From Table 810-1D)	Landslide Hazard Risk	Requirement
4 or fewer points	Category A - Low	No Requirements
5 - 8 points	Category B - Moderate	Geologic Assessment/ Geotechnical Report
9 or more points	Category C - High	Geotechnical Report

(b) After determining the total landslide hazard risk under subsection (a) of this section, the following shall be required:

(1) *Low landslide hazard risk.* If application of Table 810-1E indicates a low landslide hazard risk, all regulated activities may proceed without further investigation, permitting, or approval required by this chapter.

(2) *Moderate landslide hazard risk.* If application of Table 810-1E indicates a moderate landslide hazard risk, a geological assessment shall be submitted for all regulated activities. If the geological assessment indicates that mitigation measures are necessary to safely undertake the regulated activity, a geotechnical report prepared by a certified engineering geologist and geotechnical engineer shall be submitted.

(3) *High landslide hazard risk.* If application of Table 810-1E indicates a high landslide hazard risk, a geotechnical report prepared by a certified engineering geologist and geotechnical engineer shall be submitted for all regulated activities.

(Prior Code, § 810.025; Ord. No. 31-13)

Sec. 810.030. Standards for geological assessments and geotechnical reports.

Geological assessments and geotechnical reports required under this chapter shall include the information required by this section.

(a) *Geological assessment.* A geological assessment shall include information and data regarding the nature, distribution of underlying geology, and the physical and chemical properties of existing soils; an opinion as to stability of the site; and conclusions regarding the effect of geologic conditions on the proposed development. The geological assessment shall bear the stamp of a certified engineering geologist.

(b) *Geotechnical report.* A geotechnical report shall include a comprehensive description of the site topography and geology; an opinion as to the adequacy of the proposed development from an engineering standpoint; an opinion as to the extent that instability on adjacent properties may adversely affect the

project; a description of the field investigation and findings; conclusions regarding the effect of geologic conditions on the proposed development; and specific requirements for plan modification, corrective grading, and special techniques and systems to facilitate a safe and stable development. The report shall provide other recommendations, as necessary, commensurate with the project grading and development. The geotechnical report shall bear the stamp of a certified engineering geologist and geotechnical engineer.

(Prior Code, § 810.030; Ord. No. 31-13)

Sec. 810.035. Certification of compliance.

No regulated activity requiring a geotechnical report shall receive final approval or be permitted for properties located in areas of high landslide hazard risk until the Director receives a written statement by a geotechnical engineer that all measures contained in the geotechnical report are completed, in place, and operable.

(Prior Code, § 810.035; Ord. No. 31-13)

CHAPTERS 811—899. RESERVED

CHAPTER 900. SIGN CODE

Sec. 900.001. Purpose.

The purpose of this chapter is to protect the health, safety, property, and welfare of the public; to improve the neat, clean, orderly, and attractive appearance of the community; to improve the effectiveness of signs in identifying and advertising businesses; to provide for safe construction, location, erection, and maintenance of signs; to prevent proliferation of sign clutter; to minimize adverse visual safety factors to travelers on public highways; to minimize adverse impacts on adjacent properties; and to achieve these purposes consistent with state and federal constitutional limits on the regulation of speech.

(Prior Code, § 900.001; Ord. No. 4-12)

Sec. 900.005. Definitions; rules of construction.

(a) ~~Unless the context specifically requires otherwise, as used in this Chapter:~~ The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

~~(1)~~ *Abandoned sign* means any sign that has ceased to be actively maintained and is in a dilapidated or deteriorated condition.

~~(2)~~ *Approved plastic* means plastic that meets the standards of an approved testing agency for use in construction of illuminated signs.

~~(3)~~ *Approved testing agency* means a nationally recognized organization primarily established for the purpose of testing methods and materials to approved standards, and accepted as an approved testing agency by the Director.

~~(4)~~ *Balloon* means an inflatable object, including, by way of illustration, but not limitation, helium balloons and forced air filled balloons, generally made from rubber, silk, or other similar material.

~~(5)~~ *Building* or *structure* means a combination of materials to form a construction used for occupancy, use, or ornamentation, whether installed on, above, or below the surface of land. As used in this chapter, building or structure does not include signs.

~~(6)~~ *Building face* means the wall of a building facing a parking lot.

~~(7)~~ *Building frontage* means the wall of a building facing a street.

~~(8)~~ *Canopy* means a permanent roofed structure that is erected for the purpose of providing shelter to patrons in automobiles, which is not completely enclosed, and which may be freestanding or partially attached to a building.

~~(9)~~ *Curbline* means the edge of the vehicular roadway within the overall right-of-way.

~~(10)~~ *Cutout* means every type of display in cutout or irregular form attached to or superimposed upon a sign.

~~(11)~~ *Designated arterial or designated collector* means those streets designated as arterials and collectors in the Salem Transportation System Plan adopted as part of the Salem Area Comprehensive Plan, and all streets included in the area bounded by 13th Street, Mission Street, the Willamette River, and D Street.

~~(12) *Director* means the City Manager, or the City Manager's designee. The City Manager's designee may subdelegate any or all authority, duties, and powers under this chapter.~~

~~(13)~~ *Display* means any visual form or character. A display may be comprised solely, or by a combination, of words, symbols, images, or graphic elements.

~~(14)~~ *Display surface* means the area of a sign that carries the display. The term "display surface" does not include the sign structure, foundations, or supports.

~~(15)~~ *Effect* means sequential, intermittent, or simultaneous illumination by flashing light, other than by an electronic display. As used in this chapter, effects include, but are not limited to:

~~(A)~~ (1) Animated effect: illumination that depicts a moving object, thing, person, animal, or happening, or depicts an ongoing series of images.

~~(B)~~ (2) Chaser effect: illumination that is intended to lead the eye by directional or sequential movement, including, but not limited to, movement that is linear or circular.

~~(C)~~ (3) Scintillating effect: illumination that provides a random twinkling of lights, including illumination that forms images, words, or sentences at the end of the sequence of twinkling lights.

~~(D)~~ (4) Speller effect: illumination that produces letters, numbers, or visual symbols, individually, or in group, including, but not limited to, illumination that flashes a complete word, phrase, or sentence.

~~(16)~~ *Electronic display* means a display created by light emitting diodes, liquid crystal displays, plasma display panels, pixel or sub-pixel technology, or other similar technology. As used in this chapter, electronic displays include, but are not limited to:

~~(A)~~ (1) Dissolve: the changing of an electronic display by means of varying light intensity or pattern, where one display gradually appears to dissipate or lose legibility simultaneously with the gradual appearance and legibility of a subsequent display.

~~(B)~~ (2) Fade: the changing of an electronic display by means of varying light intensity, where one display gradually reduces intensity to the point of being illegible or imperceptible and the subsequent display gradually increases intensity to the point of being legible or capable of being perceived.

~~(C)~~ (3) Scrolling: the changing of an electronic display by the apparent vertical movement of the visual image, such that a new visual image appears to ascend and descend, or appear and disappear from the margins of the sign in a continuous or unfurling movement.

~~(D)~~ (4) Static display: an electronic display which does not change.

~~(E)~~ (5) Travel: the changing of an electronic display by the apparent horizontal movement of the visual image.

~~(F)~~ (6) Video display: providing an electronic display in horizontal or vertical formats to create continuously moving images.

~~(17)~~ *Flashing* means sudden or intermittent electrical illumination, and includes illumination that constitutes an effect.

~~(18)~~ *Flexible space use* means a use listed as a flexible space use in the Industrial Business Campus (IBC) Zone.

~~(19)~~ *Industrial complex* means a group of industrial businesses that forms a centralized unit with a joint parking area available for use by patrons of any single business, and may include retail businesses.

~~(20)~~ *Market Street Interchange* means the area zoned for retail or general business or industrial use that is located within 660 feet from the edge of the pavement of the main-traveled way, excluding exit or entrance ramps of Interstate Freeway 5, and within 1,000 feet of the centerline of Market Street.

~~(21)~~ *Marquee* means a permanent roof-like structure projecting over the entrance of a building, that is not completely enclosed, freestanding, or attached to or supported by the building, and which is erected for the purpose of providing shelter to persons entering the building.

~~(22)~~ *Nit* means a measurement of luminance, where one nit is equal to one candela per square meter (1cd/m2). A "candela" ~~means~~ is a unit of measurement of the intensity of light, where one candela is the monochromatic radiation of 540THz with a radiant intensity of 1/683 watt per steradian in the same direction. By way of example, an ordinary wax candle generates approximately one candela.

~~(23)~~ *Noncombustible* means a material that, in the form in which it is used and under the conditions in which it is anticipated to be used, will not ignite, burn, support combustion, or release flammable vapors when subjected to fire or heat.

~~(24)~~ *Nonstructural trim* means a molding, batten, cap, nailing strip, lattice, or letter walkway attached to a sign.

~~(25)~~ *Occupancy* means individual units within a building that are available for lease by a commercial or industrial tenant.

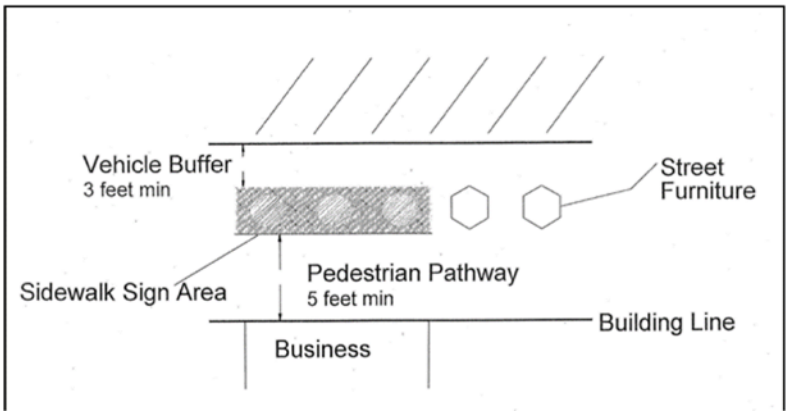
~~(26)~~ *Office complex* means a group of businesses, other than retail or industrial businesses that form a centralized unit with a joint parking area available for use by patrons of any single business.

~~(27)~~ *Official traffic control device* means traffic signs, signals, directional signs, and notices erected by the public body pursuant to lawful authority.

~~(28)~~ *Overhead electrical conductor* means any electrical conductor installed above ground, except when such conductor is enclosed in conduit or other material covering of equal or greater strength.

~~(29)~~ *Pedestrian pathway* means that part of a public sidewalk that is maintained for free and unobstructed movement by pedestrians.

Illustration 900-1

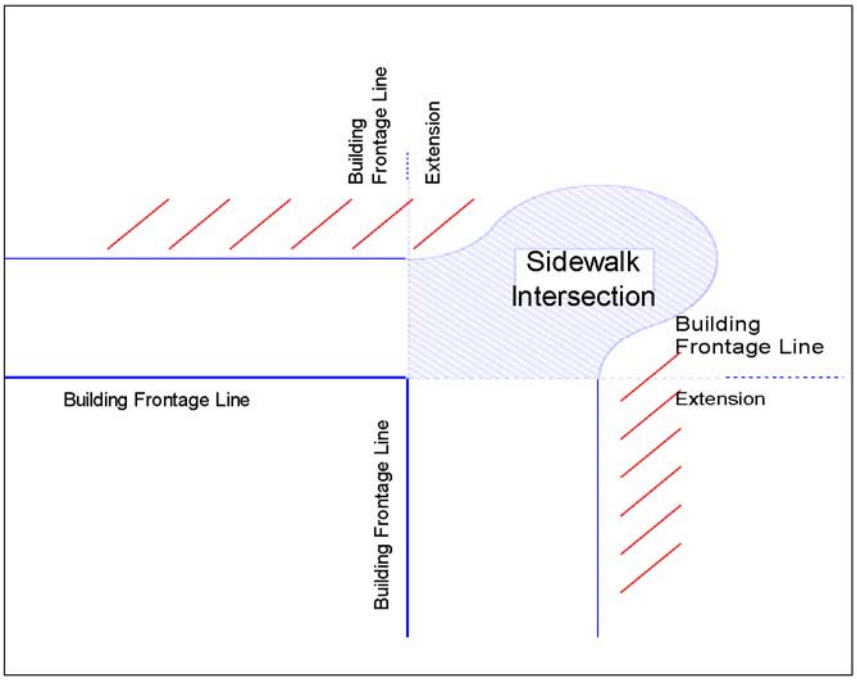


~~(30)~~ *Person* means an individual, corporation, limited liability company, firm, partnership, co-operative, association, joint venture, joint stock company, or other entity in law or fact.

~~(31)~~ *Shopping center* means a group of businesses that are primarily retail and that form a centralized unit and has a joint parking area available for use by patrons of any single business.

~~(32)~~ *Sidewalk intersection* means the sidewalk area located adjacent to a street intersection created by extending a line from each building frontage to the edge of the curb at the intersection.

Illustration 900-2



~~(33)~~ *Sign* means any structure, board, poster, placard, or device which contains or comprises a display designed, used, or intended to attract the attention of the public. As used in this chapter, sign includes the sign structure, display surface, and all other components. For purposes of this chapter, the specific types of signs are defined as follows:

~~(C)~~ *Illuminated sign* means a permanent sign that uses electronic illumination as part of the sign. Illuminated signs are electronic display signs, electronic time and temperature signs, externally illuminated signs, and internally illuminated signs, which are further defined as follows:

~~(i)~~ *Electronic display sign* means a sign including, or comprised solely or partially of, an electronic display which can be changed by automatic means, including, but not limited to, the operation of computer software.

~~(ii)~~ *Electronic time and temperature sign* means a sign, or portion thereof, other than an electronic display sign that announces time, temperature, or date.

~~(iii)~~ *Externally illuminated sign* means a sign that is wholly or partially illuminated by a light source exterior to the sign that is primarily designed to illuminate the sign. Exterior light sources include, but are not limited to, exterior flood lights, or flashing light and effects that are part of the sign.

~~(iv)~~ *Internally illuminated sign* means a sign wholly or partially illuminated by a light source that is located in the interior of the sign, and that passes light through the display surface of the sign.

~~(B)~~ *Permanent sign* means a sign that is permanently attached to a building, structure, or the ground and that is intended to be used for an ongoing, indefinite period of time. Permanent signs are building directories, freestanding signs, hanging signs, interior signs, outdoor advertising signs, projecting signs, roof signs, and wall signs, which are further defined as follows:

~~(i)~~ *Building directory* means a sign giving the name and room number of the occupants of a building.

~~(ii)~~ *Directional sign* means a sign designed to be read by a person on the premises on which the sign is located, and used only to identify and locate an office, entrance, exit, telephone, or similar place, service, or route.

~~(iii)~~ *Freestanding sign* means a sign supported by one or more upright poles or braces, or placed upon a foundation, in or upon the ground and wholly detached from or only incidentally attached to a building or structure.

~~(iv)~~ *Hanging sign* means a sign that is attached to the underside of a marquee, canopy, portico, porte-cochere, or other similar overhanging structure.

~~(v)~~ *Interior sign* means a permanent sign located inside an enclosed building or structure, regardless of whether the sign is visible from the exterior of the building.

~~(vi)~~ *Outdoor advertising sign* means a sign which is a substantial permanent structure that is either a wall sign or freestanding sign, with a display surface or surfaces normally and customarily used primarily for painting or posting a display thereon at periodic intervals, and which is located on a lot or parcel that is not owned or leased by the person constructing, erecting, or using the sign. Outdoor advertising signs are not limited as to content, but are usually and customarily used to advertise goods, products, businesses, services, or facilities which are not sold, manufactured, or distributed on or from the property or facilities on which the sign is located; or to present messages dealing with political, public interest, public service, or education issues; an election, candidate for election, or ballot measure; or religious matters, health, and other similar subjects.

~~(vii)~~ *Projecting sign* means a sign, other than a wall sign, that projects beyond the building frontage or building face to which it is attached. The term "projecting" means the distance that the sign extends from the building frontage or building face.

~~(viii)~~ *Roof sign* means a sign erected upon or painted upon the roof of a building, canopy, portico, or marquee.

~~(ix)~~ *Vehicle directional sign* means a freestanding sign or a wall sign that designates an automobile entrance onto or exit from property.

~~(x)~~ *Vehicle viewing sign* means a freestanding sign or a wall sign that is intended to be seen by a person doing business from the vehicle accessway while the person is within the person's motor vehicle.

~~(xi)~~ *Wall sign* means a sign painted on or attached to a wall or parapet of a building or structure, sign tower, or the face or end of a marquee or canopy, with the sign face parallel to, and projecting not more than 18 inches from, the plane of the wall, parapet, face, or end.

~~(A)~~ *Temporary sign* means a sign that is not permanently affixed or attached to a building, structure, or the ground and that is intended to be used for limited periods of time. Temporary signs are lawn signs, portable signs, sidewalk signs, and temporary sign displays, which are further defined as follows:

~~(i)~~ *Lawn sign* means a temporary sign made of corrugated plastic, greybeard, or similar type material and that is generally supported by stakes inserted into the ground.

~~(ii)~~ *Portable sign* means a temporary sign that is self-supporting, meets an 80 mph wind load factor, and is designed to be moved from place to place. Portable signs include, but are not limited to, A-frame or sandwich board signs, signs attached to self-supporting and moveable wood or metal frames, and trailer reader boards.

~~(iii)~~ *Sidewalk sign* means a temporary sign that does not meet an 80 mph wind load factor, and is designed to be moved from place to place. Sidewalk signs include, but are not limited to, A-frame or sandwich board signs, and signs attached to self-supporting and moveable wood or metal frames, but do not include trailer reader boards.

~~(iv)~~ *Temporary sign* display means an attention attracting device or devices, including, but not limited to, pennants, banners, or balloons.

~~(34)~~ *Sign structure* means the entire structure that comprises the sign, including, but not limited to, the display surface, supports, foundation, and sign tower.

~~(35)~~ *Sign tower* means a semi-detached structure, not integral to the building and erected for the purpose of signage.

~~(36)~~ *Special setback area* means an area equal to one-half of the right-of-way width specified in the Salem Transportation System Plan for the appropriate classification of the street, measured at right angles to the centerline of the actual street, or, where there is no street, from the centerline of the right-of-way.

~~(37)~~ *Street front property line* means the property line abutting a street. Unless the property abuts only one street, the property line shall be at least 50 feet wide to qualify as a street front property line. An access easement shall not be included as part of the width for purposes of determining the street front property line. Access onto the street from the property is not required to establish the street front property line.

~~(38)~~ *Unobstructed* means an area does not have any physical obstructions to free passage, any tripping hazards, or any area reserved for people to stand or sit.

~~(39)~~ *Vehicle accessway* means driveway that gives access to a window whereby goods or services are provided to a patron of a business, and that typically includes queuing lanes, service windows, or service islands.

~~(39)~~ *Vehicle buffer zone* means an area that runs parallel to and abuts a roadway, and creates a pedestrian safety zone and unobstructed accessibility to parked vehicles. The vehicle buffer zone is depicted on Illustration No. 900-1.

~~(40)~~ *Vision clearance area* means the area providing visibility for vehicular, bicycle, and pedestrian traffic, as determined by SRC 76.170.

(b) As used in this chapter, words used in the present tense include the future, the singular number includes the plural, and the ~~word~~ term "shall" is mandatory and not directory.

(c) Nothing in this chapter is intended, and shall not be construed, to restrict speech on the basis of its speaker, content, or viewpoint, and, to the extent that any provision of this chapter is ambiguous, the provision shall not be interpreted to regulate on the basis of speaker, content, or viewpoint.

(Prior Code, § 900.005; Ord. No. 4-12)

Sec. 900.010. General rule.

(a) No person shall construct, erect, enlarge, alter, or relocate any sign, or install electrical parts, wiring, or illumination in or upon a sign, until all required permits have been obtained, including, but not limited to, sign permits, building permits, electrical permits, and any other permit required under federal, state, or local law.

(b) Except as provided in SRC 900.030, no person shall erect, construct, enlarge, alter, repair, move, improve, convert, equip, use, or maintain any sign, or cause or permit the same to be done, in violation of any provision of this chapter or a permit issued hereunder.

(c) Nothing in this chapter is intended, nor shall be construed, to permit the erection, construction, enlargement, alteration, or maintenance of any sign at any place or in any manner unlawful under any other federal, state, or local law. When any part of this chapter conflicts with another provision of federal, state, or local law, the provision that establishes the stricter standard shall control.

(Prior Code, § 900.010; Ord. No. 4-12)

Sec. 900.015. Exempt signs.

The following signs are exempt from this chapter:

(a) Official traffic control devices.

(b) Signs required to be erected by public officers pursuant to law or by order of the court.

(c) Temporary signs located in Wallace Marine Park's Sports Field Complex allowed and regulated pursuant to a park use permit issued by the City.

(d) Public murals, as defined by SRC 15.010, and regulated under the provisions of SRC chapter 15, and

any rules adopted thereunder.

(e) Graffiti resistant coverings, containing only graphics or images, installed on equipment enclosures owned by the public or a public utility, or other temporary structures serving the public

(Prior Code, § 900.015; Ord. No. 4-12; Ord. No. 19-15, § 2, 10-12-2015)

Sec. 900.020. Prohibited signs.

The following signs are prohibited:

(a) Any sign which creates a public nuisance due to statements, words, or pictures of an obscene or pornographic character.

(b) Any sign which violates ORS ch. 377.

(c) Any sign which is placed on, affixed to, or painted on a motor vehicle, vehicle, or trailer and placed on public or private property with the primary purpose of providing a sign not otherwise permitted by this chapter.

(d) Any sign located in a manner which could impede traffic on any street, alley, bikeway, or other vehicular way.

(e) Any sign constructed in such a manner or at such a location that it will obstruct access to any fire escape or other means of ingress or egress from a building. No sign structure, or part thereof, shall cover, wholly or partially, any window or doorway in a manner that will substantially limit access to the building in case of fire.

(f) Any sign constructed or maintained which, by reason of its size, location, movement, coloring, or manner of illumination may be confused with or construed as an official traffic control device or which hides any official traffic control device from view.

(g) Any sign, other than an official traffic control device, located within a vision clearance area.

(h) Any sign that employs a structure, material, illumination, size, or placement not specifically allowed under this chapter, unless the sign is a lawfully established nonconforming sign.

(Prior Code, § 900.020; Ord. No. 4-12)

Sec. 900.025. Sign permits.

(a) *Applicability.* Except as otherwise provided in this chapter, a permit is required for the construction, erection, enlargement, alteration, or relocation of any sign.

(b) *Procedure type.* An application for a sign permit is a Type I procedure under SRC chapter 300.

(c) *Additional submittal requirements.* In addition to the submittal requirements under SRC chapter 300, an application for a sign permit shall contain:

(1) The location of the sign by street and number.

(2) The name and address of the sign owner and of the sign erector.

(3) Two complete sets of plans for the sign, in a graphic form, detailed and clear enough to show compliance with this chapter. At a minimum, the plans shall include:

(A) A detailed drawing of the sign, drawn to scale.

(B) Site plan drawn to scale, including location of all existing signs on the property and their sizes.

(C) Elevations of the building or structure with signs.

(D) Identification of materials and type of sign.

(E) A statement whether the sign is located on property owned or leased by the person constructing, erecting, or using the sign.

(d) *Criteria.* An application for a sign permit shall be granted if the following criteria are met:

(1) The sign meets the requirements of SRC chapter 56.

(2) The sign is allowed in the zone.

(3) The sign will not interfere with the use of any public right-of-way, other public easements, or other publicly owned property.

(4) The sign conforms to all the applicable standards in this chapter.

(e) *Expiration.* Sign permits shall be valid for 180 days after the date of issuance. The Director may grant a one-time extension for a sign permit, not to exceed 90 days, upon showing that there was reasonable cause for the delay and that the construction, erection, alteration, or other work still complies with this chapter.

(f) *Permit fees.* The application for a sign permit shall be accompanied by a fee as prescribed by resolution of the council.

(Prior Code, § 900.025; Ord. No. 4-12)

Sec. 900.030. Exceptions from permit requirement.

(a) The following activities do not require a sign permit:

(1) Changing of copy on a sign specifically designed for the use of replaceable copy.

(2) Painting, repainting, cleaning, and normal maintenance and repair of a sign, where no substantial structural alteration is made.

(b) The following signs do not require a sign permit, but are otherwise regulated by this chapter:

(1) Temporary signs not located in the public right-of-way.

(2) Signs for dwelling units authorized under SRC 900.185(a).

(3) Vehicle directional signs.

(c) The following signs do not require a sign permit, and are allowed in addition to any other signs otherwise allowed by this chapter:

(1) A warning sign that does not exceed four square feet in display surface and six feet in height, that is not located in a vision clearance area, and that is erected on private property to warn the public of a danger on, or prohibiting or limiting access to, the premises on which the sign is located.

(2) Permanent building plaques, cornerstones, name plates, and similar building identifications.

(3) House and building numbers where the numerals do not exceed six inches in height.

(4) Historical markers erected or maintained by public authority or by a historical society or historical organization identifying sites, buildings, or structures of recognized historical value.

(5) Non-illuminated signs not visible from a public sidewalk, street, highway, or alley.

(6) Interior signs.

(A) Non-illuminated interior signs in commercial and industrial zones, including, but not limited to, signs attached to or painted on the inside of a window.

(B) Illuminated interior signs intended to be viewed from the public sidewalk, street, highway, alley, plaza, park, or other similar public place; provided, however, that the sign does not flash or employ an effect, and does not exceed eight square feet in display surface.

(C) Illuminated interior signs not intended to be viewed from the public right-of-way

(7) Directional signs that do not exceed eight square feet of display surface.

(8) Directional signs in commercial and industrial zones that do not exceed 22 square feet of display surface, that designate an automobile service entrance onto the premises, and limited to one per business per premises.

(9) Temporary signs authorized by a park use permit.

(Prior Code, § 900.030; Ord. No. 4-12)

Sec. 900.035. Sign adjustments.

(a) *Applicability.* The Director may grant adjustments of up to ten percent of the applicable height and display surface size standards in this chapter.

(b) *Procedure type.* A sign adjustment is processed as a Type II Procedure under SRC chapter 300.

(c) *Additional submittal requirements.* In addition to the submittal requirements for a sign permit required by SRC 900.025, an application for a sign permit that includes an adjustment shall contain a statement of the specific standard for which the adjustment is requested, and the amount of the adjustment.

(d) *Criteria.* An application for a sign adjustment shall be granted if the adjustment sought is not more than ten percent of the applicable height and display surface size standards applicable to the sign in this chapter.

(e) *Concurrent processing required.* Applications for sign adjustments shall be processed concurrently with the sign permit application.

(Prior Code, § 900.035; Ord. No. 4-12)

Sec. 900.040. Sign variances.

(a) *Applicability.* Sign variances may be granted to the height and display surface standards, to increase the number of allowed signs, to allow relocation of a sign, and to allow structural alterations to a sign.

(1) *Limitation.* A sign variance shall not provide for any of the following:

(A) To allow a sign prohibited by SRC 900.020, "Prohibited Signs."

(B) To decrease a setback or a special setback.

(C) To allow placement of a sign in a vision clearance area.

(D) To allow structural alterations to a nonconforming or non-complying sign.

(E) To authorize a sign not otherwise permitted on the property for which the variance is sought.

(F) To allow any sign other than those specifically allowed by this chapter.

(G) To modify the display and brightness regulations for electronic display signs established by SRC 900.090.

(b) *Procedure type.* A sign variance is a Type III procedure under SRC chapter 300.

(c) *Submittal requirements.* In addition to the submittal requirements for a sign permit required by SRC 900.025, an application for a sign permit that includes a variance shall contain a statement of the specific standard for which the variance is requested, and the amount or scope of the variance.

(d) *Criteria.* An application for a sign variance shall be granted if the following criteria are met:

(1) Compliance with the applicable standard would create an unnecessary hardship due to unique or unusual physical conditions of the property over which the applicant has no control, such as topography and lot shape, which are not present on other properties in the vicinity that have the same zone designation; the hardship does not result from actions of the applicant, owner, or previous owners of the property; and the sign variance is limited to the minimum reasonably necessary to alleviate the problem created by the unique or unusual physical conditions;

(2) The sign variance is necessary to permit signage comparable with other properties in the vicinity that have the same zone designation;

(3) The sign variance will not adversely affect the function or appearance of the development and use of the property and surrounding properties; and

(4) The sign variance will not impose limitations on other properties and signage in the area, including signage that would be allowed on adjacent properties.

(e) *Conditions of approval.* The Review Authority may impose conditions on the approval of a sign variance

necessary to establish compliance with the approval criteria.

(f) *Concurrent processing required.* Applications for a sign variance shall be processed concurrently with the sign permit application.

(Prior Code, § 900.040; Ord. No. 4-12)

Sec. 900.045. Electronic display sign conditional use permits.

(a) *Applicability.* This section applies to applications for conditional use permits to erect electronic display signs in residential zones.

(b) *Procedure type.* Electronic display sign conditional use permit applications are Type III procedures under SRC chapter 300.

(c) *Additional submittal requirements.* In addition to the submittal requirements for a sign permit required by SRC 900.025, an application for an electronic display sign conditional use permit shall contain a statement addressing the criteria set forth in subsection (d) of this section.

(d) *Criteria.* An application for an electronic display sign conditional use permit shall be granted if the following criteria are met:

(1) The sign will not create or significantly increase street level sign clutter;

(2) The sign will not adversely impact the neat, clean, orderly, and attractive appearance of the surrounding vicinity to a significant degree;

(3) The sign will not create a traffic or safety hazard; and

(4) The sign complies with all other standards in this chapter, including, but not limited to, height and placement standards.

(e) *Conditions.* The Review Authority shall impose such conditions on an electronic display sign conditional use permit as are necessary to establish compliance with the approval criteria.

(f) *Concurrent processing required.* Electronic display sign conditional use permits shall be processed concurrently with the sign permit application.

(Prior Code, § 900.045; Ord. No. 4-12)

Sec. 900.050. Inspection; re-inspection.

(a) A person who constructs, erects, re-erects, or structurally alters any sign for which a sign permit is required shall notify the Director of completion of the work thereon and request final inspection.

(b) The Director shall perform sign inspection upon notification by the permittee. A final inspection of all signs shall be made upon completion of all construction work and prior to the illumination of any sign.

(c) All signs may be inspected or re-inspected at the discretion of the Director. Upon presentation of proper credentials, the Director may enter at reasonable times any building, structure, or premises in the City to perform any duty imposed upon the Director by this chapter. If entry is refused, the Director may use any other lawful means to obtain entry. If the building, structure, or premises is unoccupied, the Director shall first make a reasonable effort to locate the owner or other person with control of the building, structure or premises and request entry. If entry is refused, the Director may use any other lawful means to obtain entry. If the Director is unable, after making a reasonable effort, to locate the owner or other person with control of the building, structure, or premises, the Director may enter the building, structure, or premises, but shall, as soon as is practicable, document the efforts made to locate the owner or other person, and inform the owner or other person of the entry.

(Prior Code, § 900.050; Ord. No. 4-12)

Sec. 900.055. Measurements.

(a) *Size.* Size includes the height, length, width, and area of the display surface of a sign. Measurements shall be rounded up to the nearest foot, or nearest square foot, as applicable.

(b) *Display surface area.* Display surface area is the area that lies within a line drawn around the outermost

points of the display surface of the sign. Display surface area shall be expressed in square feet. Where the display surface is three dimensional, including, but not limited to, round or irregular solid shapes, the display surface area shall be calculated by taking the largest cross-section, and drawing a line around the outermost points of the cross-section. If there is open space between sections or modules of a display surface area, the open space shall be deducted from the calculation of the display surface area.

(c) *Gross face area.* The gross face area of a building frontage or a building face is the area that lies within a line drawn around the outermost points of the building frontage or building face. Gross face area shall be expressed in square feet. Where a building houses more than one business, gross face area for each business shall be that area lying within a line drawn around the outermost points of that portion of the building frontage or building face that is actually occupied by the business.

(d) *Height.* Sign height shall be measured from the average level of the grade below the sign to the topmost point of the sign structure.

(e) *Clearance.* Clearance shall be measured from the average level of the grade below the sign to the lowest point on the sign structure.

(f) *Spacing and density.*

(1) For the purpose of applying spacing requirements or density limits to signs, distances shall be measured along a line parallel to the centerline of the adjacent street or highway and between the nearest edges of the display surfaces.

(2) A back-to-back sign is counted as a single sign for the purpose of spacing and density limits.

(g) *Setbacks.* For the purpose of applying setback requirements, distances shall be measured from the property line to the nearest edge of the display surface.

(Prior Code, § 900.055; Ord. No. 4-12)

Sec. 900.060. Materials.

(a) Except as otherwise specified in this section, materials used for construction of signs shall be of the quality and grade specified for buildings and structures pursuant to SRC chapter 56.

(b) Except for lamps, tubes, bulbs, or neon tubing, no glass shall be used in the display surface of any sign.

(c) Roof signs, wall signs, projecting signs, and hanging signs shall be constructed of noncombustible materials, except for nonstructural trim, display surfaces, and cutouts which may be constructed of wood, metal, approved plastics, or any combination thereof.

(d) Except as provided in subsection (e) of this section, only metal and approved plastics shall be used in construction of electronic display signs, internally illuminated signs, and externally illuminated signs.

(e) Combustible materials for covering or ornamenting a sign structure may be used for electronic display signs, internally illuminated signs, and externally illuminated signs, provided that no load-bearing member of the sign structure is constructed of combustible materials and there is no substantial fire or electrical safety hazard.

(f) The sign structure of outdoor advertising signs shall be metal.

(Prior Code, § 900.060; Ord. No. 4-12)

Sec. 900.065. Sign supports.

Unless approval to place a sign in right-of-way has been obtained from the applicable government agency, sign supports shall be located on private property.

(Prior Code, § 900.065; Ord. No. 4-12)

Sec. 900.070. Electronic sign construction.

(a) Electronic display signs, externally illuminated signs, and internally illuminated signs shall be permanently and rigidly affixed to the sign structure or building.

(b) The bottom of electronic display signs, externally illuminated signs, and internally illuminated signs and

outline lighting enclosures shall not be less than 16 feet above areas accessible to vehicles; provided, however, the bottom of such signs and enclosures may be less than 16 feet above areas accessible to vehicles where such enclosures are protected from physical damage.

(c) Electronic display signs, externally illuminated signs, and internally illuminated signs shall have placed, within easy view, a laboratory label from an approved testing agency.

(d) Electronic display signs, externally illuminated signs, and internally illuminated signs shall be serviced by underground utilities.

(e) Where underground electric service is provided by a utility company, outdoor advertising signs shall be serviced by underground utilities.

(Prior Code, § 900.070; Ord. No. 4-12)

Sec. 900.075. General illumination standards; zone-specific standards.

(a) Except as otherwise provided in this section, permanent signs may be externally or internally illuminated.

(b) Temporary signs shall not be externally or internally illuminated.

(c) No sign shall use lights or illumination that creates an unduly distracting or hazardous condition to a motorist, a pedestrian, or the general public, or that may be confused with or construed as an official traffic control device.

(d) Wall signs, roof signs, and projecting signs placed on a building face that fronts a residential use may not be externally or internally illuminated.

(e) No reflective bulb, par spot, or incandescent lamp that exceeds 25 watts shall be exposed to direct view from a public street, but may be used for indirect illumination of a display surface.

(f) Neon tubing shall not exceed 300 milliamperes for white tubing or 100 milliamperes for colored tubing.

(g) Fluorescent tubes used for interior illumination of a sign shall be placed behind a plexiglass face and shall:

(1) In residential zones, not exceed illumination equivalent to 425 milliamperes, and be spaced at least seven inches apart, measured from center to center.

(2) In commercial, industrial, and public zones, not exceed illumination equivalent to 800 milliamperes and be spaced at least nine inches apart, measured center to center.

(h) The light source for an internally illuminated sign may be comprised of light emitting diodes, so long as the light emitting diodes are used for illumination only, do not create an electronic display or effect, and conform to the brightness limitations set forth in SRC 900.090.

(i) Zone-specific standards. Notwithstanding subsection (a) of this section, the following standards apply in the following zones:

(1) In the Residential Agriculture (RA), Single Family Residential (RS), Duplex Residential (RD), Multiple Family Residential (RMI and RMII), Multiple High-Rise Residential (RH), and Exclusive Farm Use (EFU) Zones:

(A) Freestanding signs shall not be internally illuminated; provided, however, a freestanding sign for nonprofit membership assembly, recreational and cultural community services, religious assembly, or basic education uses may be internally illuminated when the sign is located adjacent to a collector, arterial, parkway, or freeway.

(B) Freestanding signs shall not be externally illuminated by a light source connected to the sign.

(C) Sign illumination shall be directed away from and not be reflected upon adjacent premises. No sign shall be illuminated between the hours of 12:00 midnight and 7:00 a.m.

(2) In the Neighborhood Commercial (CN), Neighborhood Center Mixed-Use (NCMU), Commercial Office (CO), and Fairview Mixed-Use (FMU) Zones:

(A) Sign illumination shall be directed away from and not be reflected upon adjacent premises.

(B) No sign shall be illuminated between the hours of 12:00 midnight and 7:00 a.m. or during business hours as specified in the NCMU zone.

(3) In the South Waterfront Mixed-Use (SWMU) Zone, signs facing the Willamette River shall not be illuminated.

(4) In the Public and Private Cemeteries (PC), Capitol Mall (PM), and Public Service (PS) Zones, externally and internally illuminated signs are permitted only where the adjacent property is zoned commercial or industrial.

(5) In the Public and Private Health Services (PH) Zone, only signs designating emergency entrances shall be illuminated.

(6) In the Public Amusement (PA) Zone, signs shall not be illuminated within 300 feet of a residential zone.

(Prior Code, § 900.075; Ord. No. 4-12; Ord. No. 1-13)

Sec. 900.080. Flashing light; zone-specific standards.

(a) Unless otherwise prohibited by this chapter, permanent signs may use internal or external flashing light, subject to the standards in this section.

(b) Internally illuminated signs using flashing light shall have at least 50 percent of the illuminated display surface illuminated at all times.

(c) The sequence of flashing light shall be uniform, even, and regular, or shall create an apparent motion that is continuous and smooth.

(d) Where a sign is illuminated by an external light source, no flashing light is permitted.

(e) Signs with rotating or animated parts shall not be wholly or partially illuminated by flashing light.

(f) Rotary beacon lights, zip lights, strobe lights, or similar devices shall be not attached to, incorporated in, or maintained as part of any sign.

(g) No arrow or other directional indicator, or any light source or lamp or tube or group of lights or lamps or tubes contained in a single unit or in multiple units, shall be erected or maintained within view of any public street unless the device meets one of the following:

(1) The device was constructed as an integral part of the sign and not later attached or affixed thereto.

(2) The device is not illuminated by flashing light.

(3) The device is designed and used solely for illumination of a building or pedestrian or vehicular traffic areas.

(h) When a residence, apartment, hospital, or home for the aged or convalescent is located within a 100-foot line-of-sight distance of a sign containing flashing light; such sign shall use flashing light only between the hours of 7:00 a.m. and 10:00 p.m.

(i) Zone-specific standards. Flashing light is not allowed for signs in the Residential Agriculture (RA), Single Family Residential (RS), Duplex Residential (RD), Multiple Family Residential (RMI and RMII), Multiple High-Rise Residential (RH), Exclusive Farm Use (EFU), Commercial Office (CO), Neighborhood Commercial (CN), Neighborhood Center Mixed-Use (NCMU), Fairview Mixed-Use (FMU), Public and Private Cemeteries (PC), Public and Private Educational Services (PE), Public and Private Health Services (PH), Capitol Mall (PM), and Public Services (PS) Zones.

(Prior Code, § 900.080; Ord. No. 4-12)

Sec. 900.085. Effects.

(a) The use of effects is allowed only where flashing light is allowed, subject to the standards set forth in SRC 900.080 and in this section.

(b) No sign may use a speller effect, or effect in the form of a starburst, expanding starburst, expanding

arrow, or extending arrow.

(c) Chaser effects.

(1) Each display surface may have only one chaser effect.

(2) Only one sign per building frontage may use a chaser effect. If building has frontage on two or more streets, the building may have a sign using a chaser effect on each frontage.

(3) No chaser effect is permitted to be on the same side of a sign as flashing light.

(4) No chaser effect shall exceed 20 percent of the illuminated display surface of the sign.

(5) No chaser effect shall produce an apparent motion in a single direction that exceeds ten feet per second plus an additional five feet per second for each ten-foot distance over 20 feet between the sign and the nearest adjacent street or highway right-of-way, up to a maximum of 50 feet per second.

(6) This subsection shall not apply to chaser effects on theater marquees.

(Prior Code, § 900.085; Ord. No. 4-12)

Sec. 900.090. Electronic display signs.

(a) No electronic display sign may be erected in a residential zone without first obtaining an electronic display sign conditional use permit pursuant to SRC 900.045.

(b) No electronic display sign shall be allowed within a historic district.

(c) All electronic display signs shall meet the following standards:

(1) *Zones.*

(A) In all industrial zones, public zones, South Waterfront Mixed-Use (SWMU) Zones, and commercial zones, other than the Commercial Office (CO), and Neighborhood Commercial (CN) Zones, the change from one electronic display to another electronic display shall be no more frequent than once every eight seconds, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.

(B) In all residential zones, Commercial Office (CO) Zone, Neighborhood Commercial (CN) Zone, Neighborhood Center Mixed-Use (NCMU) Zone, and Fairview Mixed-Use (FMU) Zone, the change from one electronic display to another electronic display shall be no more frequent than once every hour, except changes to correct hour-and-minute or temperature information, which may change no more often than once every three seconds.

(2) *Change of display.* The actual change of display for an electronic display sign shall be completed in two seconds or less. Displays may change by fade or by instantaneous change from one static display to another, but shall remain as a static display after completing the change, and, once changed, shall remain static until the next change. Unless specifically authorized by this chapter, dissolve, scrolling, travel, and video display are prohibited.

(3) *Brightness.* All electronic display signs must be constructed, be operated, or otherwise function in such a way as to not exceed the provisions of this ~~paragraph~~ subsection.

(A) At the time of installation, electronic display signs may be illuminated to a degree of brightness that is no greater than 7,500 nits between sunrise and sunset and that is no greater than 1,000 nits between sunset and sunrise; provided, however, that an electronic display sign comprised solely of one color shall not exceed the following levels:

(i) For a display comprised of red only, 3,150 nits between sunrise and sunset, and 450 between sunset and sunrise;

(ii) For a display comprised of green only, 6,300 nits between sunrise and sunset, and 900 nits between sunset and sunrise;

(iii) For a display comprised of amber only, 4,690 nits between sunrise and sunset, and 670 nits between sunset and sunrise.

(B) All electronic display signs must be maintained and operated to meet the following brightness standards:

(i) No sign shall be brighter than is necessary for clear and adequate visibility.

(ii) No sign shall be of such intensity or brilliance as to impair the vision of a motor vehicle driver with average eyesight or to otherwise interfere with the driver's operation of a motor vehicle.

(iii) No sign shall be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device, or signal.

(C) The person owning or controlling an electronic display sign must adjust the sign to meet the brightness standards in accordance with the Director's instructions. The adjustment must be made immediately upon notice of non-compliance from the Director. The person owning or controlling the sign may appeal the Director's determination to the Hearings Officer, using the contested case procedures set forth in SRC chapter 20J.

(D) All electronic display signs must be equipped with a mechanism that automatically adjusts the brightness in response to ambient conditions and must be equipped with a means to immediately turn off the display when it malfunctions; and the sign owner or operator must immediately turn off the sign or lighting when notified by the Director that it is not complying with the standards in this section.

(d) Notwithstanding any other provision in this chapter, a municipal corporation providing transit services within the corporate limits of the City may erect one electronic display sign in each of the corporation's transit stops, which shall be limited to two square feet in display surface, screened from adjacent residential properties, and used only for the transmission of public information by the corporation.

(Prior Code, § 900.090; Ord. No. 4-12)

Sec. 900.095. Rotating and animated signs; zone-specific standards.

(a) Unless prohibited by any other provision of this chapter, permanent signs may contain rotating or animated parts, subject to the standards in this section.

(b) Temporary signs shall not contain rotating or animated parts.

(c) When a residence, apartment, hospital, or home for the aged or convalescent is located within a 100-foot line-of-sight distance of any sign with rotating parts, the sign shall rotate or be animated only between the hours of 7:00 a.m. and 10:00 p.m.

(d) No outdoor advertising sign shall contain animated or rotating parts; provided, however, that animated devices giving only the time or temperature are permitted.

(e) Zone-specific standards. Rotating and animated signs are not allowed in the Residential Agriculture (RA), Single Family Residential (RS), Duplex Residential (RD), Multiple Family Residential (RMI and RMII), Multiple High-Rise Residential (RH), Exclusive Farm Use (EFU), Commercial Office (CO), Neighborhood Commercial (CN), Neighborhood Center Mixed-Use (NCMU), Fairview Mixed-Use (FMU), Public and Private Cemeteries (PC), Public and Private Educational Services (PE), Public and Private Health Services (PH), Capitol Mall (PM), and Public Services (PS) Zones.

(Prior Code, § 900.095; Ord. No. 4-12)

Sec. 900.100. Signs installed over or within the right-of-way.

No sign shall be erected over or within the public right-of-way unless the placement of the sign is first approved by the governmental unit having jurisdiction over the right-of-way.

(Prior Code, § 900.100; Ord. No. 4-12)

Sec. 900.105. Signs in vision clearance areas.

(a) Except in the Central Business District (CB), signs exceeding 30 inches in height above the curb level, or street shoulder where there is no curb, shall not be placed in a vision clearance area unless the bottom of the sign

structure is 8.5 feet or more above the curb level, or the shoulder of a street where there is no curb.

(b) In the Central Business District (CB), signs exceeding 30 inches in height above the curb level may be placed in a vision clearance area, and are not required to be placed on a sign structure to elevate the sign above the curb level.

(b) No sign in a vision clearance area may have a supporting pillar or post that is greater than 12 inches in diameter or a rectangular pillar or post with a diagonal cross section measurement no greater than 12 inches.

(Prior Code, § 900.105; Ord. No. 4-12)

Sec. 900.110. Signs in special setback areas.

(a) Permanent signs, or a portion of a permanent sign, may be located in special setback areas, if the sign owner and the property owner enter into a written removal agreement with the City, requiring removal of any portion of the sign located in the special setback area when such removal is deemed necessary to widen the street.

(b) The removal agreement shall run with the land, and shall provide:

(1) That the sign owner and the owner of the premises, their heirs, successors, and assigns shall remove the sign after not less than 60 days' written notice from the Director;

(2) That, if the person responsible for removal does not remove the sign by the date stated in the notice, the City may do so and the costs shall be a lien against the land which may be foreclosed in the manner provided by law; and

(3) That the sign owner and property owner shall not be entitled to any damages or compensation on account of removing the sign or portion thereof.

(c) Nothing in this subsection shall be construed as denying the owner to compensation for any real property acquired for the widening.

(d) The removal agreement shall be recorded in the city lien docket.

(Prior Code, § 900.110; Ord. No. 4-12)

Sec. 900.115. Sign location for safety.

(a) No sign shall be erected or maintained which, by reason of its size, location, or construction constitutes a hazard to the public.

(b) No sign shall obstruct any building opening such that light or ventilation is reduced below minimums required by the Salem Revised Code or any other applicable law.

(c) No sign shall be erected within five feet of an exterior wall in which there are openings that lie directly behind the display surface unless the sign conforms with the requirements specified by SRC chapter 56 and the sign is constructed of noncombustible materials or approved plastics.

(d) Any sign located on a sidewalk shall have a safety barrier of not less than 18 inches, measured from the bottom of the sidewalk surface, and constructed of solid and seamless materials.

(e) No sign shall be placed within a sidewalk intersection.

(f) Signs shall be located not less than ten feet horizontally and ten feet vertically from all overhead electrical conductors which are energized in excess of 750 volts.

(Prior Code, § 900.115; Ord. No. 4-12)

Sec. 900.120. Sign maintenance.

(a) All signs, together with the site and all components of the sign structure, shall be kept in good repair, free from deterioration, and in a neat, clean, attractive, and safe condition.

(b) No sign shall be located on a wall facing a side lot line if it is necessary to go onto the adjacent lot to install or service the sign, unless written consent of the adjacent property owner has been obtained prior to the issuance of the sign permit.

(Prior Code, § 900.120; Ord. No. 4-12)

Sec. 900.125. Land divisions.

Within 30 days of the recording of the final plat for a subdivision or partition, signs on the new lots or parcels shall be modified to conform to the applicable provisions of this chapter; provided, however, no such modification shall be required if the land division is for property that is used as a shopping center, office complex, or industrial complex and the shopping center, office complex, or industrial complex continues to be managed as a unit.

(Prior Code, § 900.125; Ord. No. 4-12)

Sec. 900.130. Freestanding signs.

(a) *Setbacks.*

(1) Freestanding signs shall have a setback of not less than three feet from the street front property line, unless the property is subject to a special setback area and no authorization to place a freestanding sign in the special setback area has been given, in which case the freestanding sign shall be setback not less than three feet from the special setback area.

(2) Freestanding signs shall have a setback of not less than five feet from a side property line.

(b) *Structure.*

(1) A freestanding sign shall be directly supported by poles or a foundation.

(2) No external cross braces, guy wires, "T" frames, "A" frames, "trusses," or similar bracing systems shall be used in constructing freestanding signs. Nothing in this subsection prohibits the use of standardized outdoor advertising structures and stringers customarily used for the support of sections of the display surface.

(c) *Limit.* A corner lot shall be limited to one freestanding sign.

(Prior Code, § 900.130; Ord. No. 4-12)

Sec. 900.135. Hanging signs.

(a) *Clearance.* Hanging signs shall have a vertical clearance of seven feet, six inches between the bottom of the hanging sign and the grade below the sign.

(b) *Structure.* No supporting member of any hanging sign shall pierce or extend through the support structure.

(c) *Size.* The display surface of a hanging sign shall not exceed six square feet.

(Prior Code, § 900.135; Ord. No. 4-12)

Sec. 900.140. Projecting signs.

(a) *Clearance.* A minimum of ten feet clearance shall be required from the bottom edge of all projecting signs to the grade below the sign.

(b) *Height.*

(1) The height of a projecting sign which projects more than three feet, six inches from the face of the building shall not exceed three feet; provided, however, that an additional four inches of height is allowed for each additional foot of clearance above ten feet from grade to bottom of sign, up to a maximum height of five feet.

(2) The height of a projecting sign which projects three feet, six inches or less from the building is not limited.

(3) Notwithstanding ~~paragraph~~ subsections (b)(1) and (2) of this ~~sub~~section, no projecting sign shall have a height that exceeds three feet above the roof line.

(c) *Setbacks.* The outer edge of a projecting sign shall have a setback of not less than two feet from the curbline.

(d) *Projection.*

(1) The maximum projection of a projecting sign shall not exceed four feet, six inches; provided, however, that, where a projecting sign is located on a corner with two street frontages, the maximum projection is five feet, six inches.

(2) The inner edge of the projecting sign shall not be more than six inches from the face of the building. Projection shall be measured from the wall to which the projecting sign is attached.

(e) *Structure.*

(1) No projecting sign shall be supported by external cross braces, guy wires, trusses, or similar bracing system.

(2) The inner edge of a projecting sign shall not be more than six inches from the face of the building to which it is attached.

(f) *Spacing.* Spacing between projecting signs shall be measured opposite the traffic flow in the traffic lane adjacent to the property, and shall be six feet between the signs for each foot of projection for adjacent signs that are installed at the same elevation.

(Prior Code, § 900.140; Ord. No. 4-12)

Sec. 900.145. Roof signs.

(a) *Width.* On buildings that are less than 50 feet wide, the width of a roof sign shall be no greater than 50 percent of the width of building. On buildings that are 50 feet wide or greater, the width of a roof sign shall be no greater than 25 feet or 25 percent of the width of the building, whichever is less.

(b) *Height.*

(1) Roof signs located on a flat roof shall not exceed the following heights:

(A) Building height of 15 feet or less, six feet.

(B) Building height of 15 to 20 feet, seven feet.

(C) Building height greater than 20 feet, eight feet.

(2) The height of a roof sign located on a gable, hipped roof, or pitched roof that is less than eight feet in height shall be no greater than 50 percent of the vertical height of the roof. The height of roof signs located on a gable, hipped roof, or pitched roof that is eight feet in height or greater shall be no greater than four feet or 25 percent of the vertical height of the roof, whichever is larger. Vertical height shall be measured from the lower edge of the roof to the peak of the gable, hip, or pitch, vertically from, and not along the plane of, the gable, hip, or pitch.

(3) Roof signs located on a marquee or canopy shall not exceed a height of four feet above the roof of the marquee or canopy.

(c) *Setbacks.*

(1) A roof sign shall be setback a minimum of three feet from the front wall.

(2) A roof sign shall be setback a minimum of three feet from each end wall.

(d) *Clearance.*

(1) A roof sign shall have a minimum clearance of three feet between the bottom of the roof sign and the top of a parallel parapet.

(2) When a roof sign is placed on the peak of a roof, the roof sign shall have a minimum clearance of 1 1/2 feet between the bottom of the sign and the roof.

(e) *Structure.* Except for vertical poles, the supporting structure of a roof sign shall be completely enclosed.

(Prior Code, § 900.14**5**; Ord. No. 4-12)

Sec. 900.150. Wall signs.

(a) *Wall signs on building walls.* Wall signs placed on a wall of a building shall conform to this subsection.

(1) *Height.*

(A) Wall signs may project above the higher of the eave line, roof line, or top of the parapet a distance equal to one-third of the height of the sign or three feet, whichever is less.

(B) Wall signs that do not extend the full length of the wall may project above the eave line, roof line, or top of the parapet one-third of the height of a building if the building is less than 15 feet in height, or six feet if the building is over 15 feet in height.

(C) The height of a wall sign that extends the full length of the wall shall not exceed four feet, measured from the roof line directly behind the wall to the top of the wall.

(D) Wall signs attached to a marquee shall not exceed 30 inches in height.

(2) *Structure.*

(A) The supporting structure for any wall sign shall be completely enclosed so as not to be visible from any public street, alley, or adjacent property.

(B) No external braces, guy wires, "A" frames, or similar bracing system shall be used in constructing a wall sign.

(C) Wall signs may be installed on mansard roofs of 30 degrees or less, if they are installed vertically, and if the supporting structure is completely enclosed so as not to be visible from any public street, alley, or adjacent property.

(3) *Clearance.*

(A) The bottom of a wall sign that projects from a wall and is located on an alley shall have a clearance of not less than 14 feet from grade and shall have a maximum projection from the wall to which it is attached of not more than 12 inches.

(B) The lower edge of a wall sign attached to a marquee shall not extend below the marquee.

(b) *Sign towers.* Wall signs may be placed on sign towers that conform to this subsection.

(1) *Width.*

(A) The width of a sign tower shall not exceed 20 percent of the width of the building frontage to which it is attached, when the sign tower does not project from the wall a distance less than four feet.

(B) The width of the sign tower shall not exceed four feet when the sign tower projects from the building frontage to which it is attached a distance greater than four feet.

(C) The width of the sign tower shall not exceed four feet when the sign tower includes a fin on the roof of the building to which the sign tower is attached. Any fin shall be located generally perpendicular to the building frontage.

(2) *Height.* The height of a sign tower:

(A) For buildings less than 15 feet in overall height, shall not exceed six feet, measured above a flat roof or the eave line on a pitched, hip, or gabled roof.

(B) For buildings between 15 and 25 feet in height, shall not exceed the greater of nine feet or 40 percent of the height of the building, measured above a flat roof or the eave line on a pitched, hip, or gabled roof.

(C) For buildings over 25 feet in height, shall not exceed the greater of 12 feet, six inches or 30 percent of the height of the building, measured above a flat roof or the eave line on a pitched, hip, or gabled roof.

(D) Notwithstanding any other provision in this subsection, a sign tower shall not exceed the applicable height standards in the zone where the sign tower is located.

(3) *Setbacks.* Sign towers shall not project over public property, into any area required to be landscaped, or over a setback line.

(4) *Zones.* Sign towers shall be located only in industrial zones and commercial zones, other than the Commercial Office (CO) or Neighborhood Commercial (CN) Zone.

(5) *Structure.* The supporting structure for sign towers shall be completely enclosed so as not to be visible from any public street, alley, or adjacent property.

(Prior Code, § 900.150; Ord. No. 4-12)

Sec. 900.155. Outdoor advertising signs.

(a) *Prohibited outdoor advertising signs.* Outdoor advertising signs are not permitted:

(1) In residential zones, public zones, or in the Neighborhood Commercial (CN), Neighborhood Center Mixed-Use (NCMU), Commercial Office (CO), Central Business District (CB), South Waterfront Mixed-Use (SWMU), Employment Center (EC), and Fairview Mixed-Use (FMU) Zones.

(2) In any urban renewal district, regardless of zone.

(3) Within the Willamette Greenway boundary.

(b) *Back-to-back outdoor advertising signs.* Outdoor advertising signs may have display surfaces placed back-to-back on the same structure and in a parallel plane.

(c) *Multiple display surfaces.* An outdoor advertising sign may have multiple display surfaces on the same sign structure and facing in the same direction provided that no display surface exceeds 200 square feet.

(d) *Wall signs.* An outdoor advertising sign that is a wall sign shall conform with the standards for wall signs set forth in this chapter; provided:

(1) The outdoor advertising sign does not project above eave line of the roof of a building; and

(2) The outdoor advertising sign does not project over public property.

(e) *Freestanding signs.* An outdoor advertising sign that is a freestanding sign shall conform with the standards for freestanding signs set forth in this chapter; provided, however, that the outdoor advertising sign shall not project over public right-of-way.

(f) *Size.* Maximum display surface of an outdoor advertising sign shall be limited to 300 square feet.

(g) *Height.*

(1) Maximum height of the display surface and border and trim of an outdoor advertising sign shall be 14 feet.

(2) Maximum height to the top of the permanent portion of an outdoor advertising sign shall not exceed 35 feet above the grade below the outdoor advertising sign; provided, however, that lawfully erected signs erected prior to April 28, 1969, within the city limits or in areas later annexed to the City may have up to ten percent additional height, provided such signs do not violate any other provisions of this chapter.

(3) Outdoor advertising signs primarily to be viewed from the Interstate 5 Freeway shall not exceed 40 feet in height measured from the top of the sign to the grade below the sign.

(h) *Cutouts.* Cutouts may be attached to an outdoor advertising sign and may add up to 25 percent additional display surface. Cutouts may project three feet above or two feet to either side or below the display surface. Cutouts shall be limited to one cutout per outdoor advertising sign or one unit on each face of a back-to-back sign. Cutouts shall be one integral unit and shall not project beyond the outdoor advertising sign in more than one horizontal and one vertical plane.

(i) *Setbacks.* Outdoor advertising signs shall be setback at least:

(1) 100 feet in all residential zones; all public zones; and Neighborhood Commercial (CN), Neighborhood Center Mixed-Use (NCMU), Commercial Office (CO), Central Business District (CB), South Waterfront Mixed-Use (SWMU), and Fairview Mixed-Use (FMU) Zones.

(2) 200 feet from an occupied residential structure fronting on the same street, regardless of zone.

(3) 200 feet from the Civic Center, which is the area bounded by Trade Street on the north, Liberty Street

on the east, Leslie Street on the south, and Commercial Street on the west.

(4) 200 feet from the Capitol Mall, as that area is defined in ORS 276.010.

(j) *Spacing and density.*

(1) For the purposes of this subsection, back-to-back V-structured outdoor advertising signs are considered a single sign.

(2) No outdoor advertising sign shall be erected or maintained within 500 feet of another outdoor advertising sign located on the same side of a street or highway.

(3) No outdoor advertising sign shall be erected or maintained within 250 feet of another outdoor advertising sign located on the opposite side of a street or highway.

(4) In addition to the requirements of subsections (j)(2) and (3) of this section, no more than three outdoor advertising signs may be erected or maintained along both sides of a street or highway within a distance of 1,000 ~~lineal~~ linear feet.

(Prior Code, § 900.155; Ord. No. 4-12)

TEMPORARY SIGNS

Sec. 900.160. Temporary signs, general standards.

(a) Temporary signs shall not be attached to fences, trees, shrubbery, utility poles, or like items and shall not obstruct or obscure permanent signs on adjacent premises.

(b) No temporary sign shall be placed within a sidewalk intersection.

(c) Except as provided in SRC 900.100, no temporary sign shall be installed in or project over public right-of-way.

(d) No temporary sign shall be erected or maintained which, by reason of its size, location, or construction constitutes a hazard to the public.

(e) Lawn signs and sidewalk signs shall not exceed a height of 30 inches above grade. Portable signs shall not exceed a height of six feet above grade.

(f) Lawn signs and sidewalk signs may be displayed a maximum of two, 60-day continuous periods per year. Portable signs may be displayed a maximum of one year.

(g) Businesses with canopies, including, but not limited to, gasoline stations, may have one or more temporary signs, with a total collective display surface not to exceed 24 square feet per canopy. The signs may be freestanding or attached to the supporting structure of the canopy, provided they are not installed in a manner that would present a hazard to vehicles driving under the canopy.

(h) Portable signs.

(1) Portable signs shall be placed and maintained such that a pedestrian pathway not less than five feet wide, and a vehicle buffer zone of not less than three feet wide, at all times provides free and unobstructed passage on the sidewalk. The pathway shall begin either where the sidewalk and the property line meet or between the portable sign and the street when the sidewalk sign is placed next to the building or property line and then extends into, or is placed entirely on, the adjacent sidewalk.

(2) Portable signs shall be placed and maintained such that a vehicle buffer zone not less than three feet wide at all times provides for free and unobstructed passage on the sidewalk.

(3) The portable sign shall not limit or interfere with the free and unobstructed use of the sidewalk.

(4) The placement of portable signs shall be limited to the normal business hours that the premises is open for business, and shall be removed from the sidewalk when the premises is not open for business.

(5) Placement shall be within the sidewalk area directly in front of the business premises; provided, however, that a portable sign may be placed on the sidewalk in front of an adjacent business if the business owner first secures written approval from the adjacent business. Notwithstanding this subsection, no more than

one portable sign shall be permitted in the sidewalk area in front of a single business premises.

(6) No portable sign shall be located in an alley, or shall be located on or attached to streetscape landscaping or furniture.

(i) Temporary sign displays. Where allowed in the zone, temporary sign displays shall comply with the following:

(1) Temporary sign displays shall not use propellers or similar rotating or wind-activated devices or fluorescent paints or dyes.

(2) One temporary banner sign is allowed on each building frontage or building face for each separate business located on a premises, provided the temporary banner sign is located on a building. Display period is limited to 30 days, and is renewable upon application for renewal and upon replacement of all banners not neat, clean, and in good repair; provided, however, renewals shall not exceed four renewals in any one-year period. The display surface of each temporary banner sign shall be limited to 50 square feet.

(3) Pennants are limited to a display period of six months.

(4) The height to which a balloon may be displayed shall not exceed 35 feet from point of attachment. Balloons shall be securely attached and adequately tethered by a nonmetallic cable so as to withstand a wind pressure of 30 pounds per square foot of exposed surface. The Director may require any additional information and impose any conditions where such information or conditions are required to ensure the safety of the public or adjacent property. Balloons shall be limited to one per business per premises. Display period shall be limited to 14 days in any six-month period, measured from the date of issuance of the sign permit and shall not exceed two permits in any one year.

(Prior Code, § 900.160; Ord. No. 4-12)

Sec. 900.165. Temporary signs in residential zones.

The following temporary signs are allowed in the Residential Agriculture (RA), Single Family Residential (RS), Duplex Residential (RD), Multiple Family Residential (RMI and RMII), Multiple Family High-Rise Residential (RH), and Exclusive Farm Use (EFU) Zones:

(a) Lawn signs, sidewalks signs, and portable signs conforming to the number and display surface limitations as provided in Table 900-1.

TABLE 900-1. LAWN, SIDEWALK, AND PORTABLE SIGNS IN RESIDENTIAL ZONES

	Lawn & Sidewalk Signs Display surface limitation for an individual sign	Portable Signs Display surface limitation for an individual sign	Total Collective Display Surface for all signs (all lawn, sidewalk, & portable signs located on a single property)
All Properties	6 sq. ft.	6 sq. ft.	6 sq. ft. on any 1 premises

(b) In the RMI, RMII, and RH zones, apartment houses and retirement homes may have one temporary banner sign not to exceed 50 square feet in display surface, on each frontage for each separate complex, provided such temporary banner sign is located on a building. Display period is limited to 60 days and is renewable upon application for renewal and replacement of all banners not neat, clean, and in good repair.

(c) Properties which have received subdivision approval may, from the date of recording of the final plat until such time as a building permit is issued for the last lot or parcel to be sold, have the same square footage of temporary signage as is allowed for that size of subdivision, as set forth in Table 900-2.

TABLE 900-2. LAWN, SIDEWALK, AND PORTABLE SIGNS FOR SUBDIVISIONS IN RESIDENTIAL ZONES

	Lawn & Sidewalk Signs Display surface limitation for an individual sign	Portable Signs Display surface limitation for an individual sign	Total Collective Display Surface for all signs (all lawn, sidewalk, & portable signs located on a single property)
Properties under 10,000 sq. ft. in area	6 sq. ft.	8 sq. ft.	8 sq. ft. on any 1 premises
Properties over 10,000 sq. ft. but less than one acre in area	6 sq. ft.	16 sq. ft.	16 sq. ft. on any 1 premises
Properties one acre or more in area	6 sq. ft.	32 sq. ft.	32 sq. ft. on any 1 premises

(d) Temporary sign displays. Temporary sign displays are not allowed in residential zones.

(Prior Code, § 900.165; Ord. No. 4-12)

Sec. 900.170. Temporary signs in commercial zones.

(a) The following temporary signs are allowed in the Neighborhood Commercial (CN), Neighborhood Center Mixed-Use (NCMU), Commercial Office (CO), and Fairview Mixed-Use (FMU) Zones:

(1) Lawn signs, sidewalk signs and portable signs conforming to the number and display surface limitations as provided in Table 900-3.

TABLE 900-3. LAWN, SIDEWALK, AND PORTABLE SIGNS IN CN, NCMU, CO, AND FMU ZONES

	Lawn & Sidewalk Signs Display surface limitation for an individual sign	Portable Signs Display surface limitation for an individual sign	Total Collective Display Surface for all signs (all lawn, sidewalk, & portable signs located on a single property)
All properties under 10,000 sq. ft. in area	6 sq. ft.	8 sq. ft.	8 sq. ft. on any 1 premises
All properties over 10,000 sq. ft. but less than one acre in area	6 sq. ft.	16 sq. ft.	16 sq. ft. on any 1 premises

All properties one acre or more in area	6 sq. ft.	32 sq. ft.	32 sq. ft. on any 1 premises

(2) Apartment houses and retirement homes may have one temporary banner sign not to exceed 50 square feet in display surface, on each frontage for each separate complex, provided such temporary banner sign is located on a building. Display period is limited to 60 days and is renewable upon application for renewal and replacement of all banners not neat, clean, and in good repair.

(3) Properties which have received subdivision approval may, from the date of recording of the final plat until such time as a building permit is issued for the last lot or parcel to be sold, have lawn signs, sidewalk signs, and portable signs conforming to the number and display surface limitations as provided in Table 900-4.

TABLE 900-4. LAWN, SIDEWALK, AND PORTABLE SIGNS FOR SUBDIVISIONS IN CN, NCMU, CO, AND FMU ZONES

	Lawn & Sidewalk Signs Display surface limitation for an individual sign	Portable Signs Display surface limitation for an individual sign	Total Collective Display Surface for all signs (All lawn, sidewalk, & portable signs located on a single property)
Properties under 10,000 sq. ft. in area	6 sq. ft.	8 sq. ft.	8 sq. ft. on any 1 premises
Properties over 10,000 sq. ft. but less than one acre in area	6 sq. ft.	16 sq. ft.	16 sq. ft. on any 1 premises
Properties one acre or more in area	6 sq. ft.	32 sq. ft.	32 sq. ft. on any 1 premises

(4) Temporary sign displays. Temporary sign displays are not allowed in the CN, NCMU, CO, and FMU zones.

(b) The following temporary signs are allowed in the ~~Central Business District (~~CB~~)~~ and SWMU zones:

(1) *Private property.*

(A) Lawn signs, sidewalk signs, and portable signs conforming to the number and display surface limitations specified in Table 900-5 are allowed on private property.

TABLE 900-5. LAWN, SIDEWALK, AND PORTABLE SIGNS IN CB AND SWMU ZONES

	Lawn & Sidewalk Signs Display surface limitation for an	Portable Signs Display surface limitation for an	Total Collective Display Surface for all signs (all lawn, sidewalk, & portable signs located on a

	individual sign	individual sign	single property)
Properties under 10,000 sq. ft. in area	6 sq. ft.	8 sq. ft.	8 sq. ft. on any 1 premises
Properties over 10,000 sq. ft. but less than one acre in area	6 sq. ft.	16 sq. ft.	16 sq. ft. on any 1 premises
Properties one acre or more in area	6 sq. ft.	32 sq. ft.	32 sq. ft. on any 1 premises

(B) Temporary sign displays. Pennants, balloons, and temporary banner signs are allowed on private property in the CB and SWMU zones.

(2) *Portable signs in right-of-way.* Portable signs in public rights-of-way in the CB and SWMU zones require a permit, which shall, in addition to the regulations set forth in SRC 900.160(h), be subject to the following conditions:

(A) The portable sign shall be no more than 30 inches in height and 24 inches in width.

(B) A portable sign permit holder shall obtain and maintain current liability insurance and submit a certificate of insurance in conformance with SRC chapter 42.025.

(C) The sidewalk sign permit shall terminate December 31 of the year in which the permit is issued.

(D) The portable sign permit may not be assigned or transferred to any third party.

(c) The following temporary signs are allowed in the Retail Commercial (CR) and General Commercial (CG) Zones:

(1) Lawn signs, sidewalk signs, and portable signs conforming to the number and display surface limitations specified in Table 900-6.

TABLE 900-6. LAWN, SIDEWALK, AND PORTABLE SIGNS IN CR AND CG ZONES

	Lawn & Sidewalk Signs Display surface limitation for an individual sign	Portable Signs Display surface limitation for an individual sign	Total Collective Display Surface for all signs (all lawn, sidewalk, & portable signs located on a single property)
Properties under 10,000 sq. ft. in area	6 sq. ft.	8 sq. ft.	8 sq. ft. on any 1 premises
Properties over 10,000 sq. ft. but less than one acre in area	6 sq. ft.	16 sq. ft.	16 sq. ft. on any 1 premises

Properties one acre or more in area	6 sq. ft.	32 sq. ft.	32 sq. ft. on any 1 premises

(2) Temporary sign displays. Pennants, balloons, and temporary banner signs are allowed on private property in the CR and CG zones.

(Prior Code, § 900.170; Ord. No. 4-12)

Sec. 900.175. Temporary signs in industrial zones.

The following temporary signs are allowed in the Industrial Commercial (IC), Industrial Business Campus (IBC), Industrial Park (IP), General Industrial (IG), Intensive Industrial (II), and Employment Center (EC) Zones:

(a) Lawn signs, sidewalk signs, and portable signs conforming to the number and display surface limitations specified in Table 900-7.

TABLE 900-7. LAWN, SIDEWALK, AND PORTABLE SIGNS IN INDUSTRIAL ZONES

	Lawn & Sidewalk Signs Display surface limitation for an individual sign	Portable Signs Display surface limitation for an individual sign	Total Collective Display Surface for all signs (all lawn, sidewalk, & portable signs located on a single property)
Properties under 10,000 sq. ft. in area	6 sq. ft.	8 sq. ft.	8 sq. ft. on any 1 premises
Properties over 10,000 sq. ft. but less than one acre in area	6 sq. ft.	16 sq. ft.	16 sq. ft. on any 1 premises
Properties one acre or more in area	6 sq. ft.	32 sq. ft.	32 sq. ft. on any 1 premises

(b) Temporary sign displays. Pennants, balloons, and temporary banner signs are allowed on private property in industrial zones.

(Prior Code, § 900.175; Ord. No. 4-12)

Sec. 900.180. Temporary signs in public zones.

The following temporary signs are allowed in the Public Amusement (PA), Public and Private Cemeteries (PC), Public and Private Educational Services (PS), Public and Private Health Services (PH), Public Services (PS), and Capitol Mall (PM) Zones:

(a) Lawn signs, sidewalk signs, and portable signs conforming to the number and display surface limitations specified in Table 900-8.

TABLE 900-8. LAWN, SIDEWALK, AND PORTABLE SIGNS IN PUBLIC ZONES			
	Lawn & Sidewalk Signs Display surface limitation for an individual sign	Portable Signs Display surface limitation for an individual sign	Total Collective Display Surface for all signs (all lawn, sidewalk, & portable signs located on a single property)
Properties under 10,000 sq. ft. in area	6 sq. ft.	8 sq. ft.	8 sq. ft. on any 1 premises
Properties over 10,000 sq. ft. but less than one acre in area	6 sq. ft.	16 sq. ft.	16 sq. ft. on any 1 premises
Properties one acre or more in area	6 sq. ft.	32 sq. ft.	32 sq. ft. on any 1 premises

(b) Temporary sign displays. Temporary banner signs are allowed in public zones.

(Prior Code, § 900.180)

PERMANENT SIGNS

Sec. 900.185. Permanent signs in residential zones.

The following permanent signs are allowed in the Residential Agriculture (RA), Single Family Residential (RS), Duplex Residential (RD), Multiple Family Residential (RMI and RMII), Multiple Family High-Rise Residential (RH), and Exclusive Farm Use (EFU) Zones:

(a) *Dwellings.* Single family dwellings and dwelling units in duplexes are allowed either one wall sign or one freestanding sign. A wall sign shall be limited to a display surface not exceeding one square foot. A freestanding sign shall be limited to a display surface not exceeding one square foot and to a height not exceeding 30 inches.

(b) *Residential subdivisions, residential planned unit developments, and manufactured dwelling parks.*

(1) A residential subdivision, residential planned unit development, or manufactured dwelling park is allowed one freestanding sign. The freestanding sign shall be limited to a display surface not exceeding 12 square feet and to a height not exceeding five feet. The freestanding sign shall be located at the principal motor vehicle entrance to the subdivision, planned unit development, or manufactured dwelling park.

(2) Businesses in a residential planned unit development are allowed the following signs:

(A) Each business in a convenience service area is allowed one wall sign. The wall sign shall be limited to a display surface not exceeding four square feet.

(B) Each business in a limited retail service area is allowed one wall sign. The wall sign shall be limited to a display surface not exceeding 50 square feet.

(3) The signs permitted by this ~~paragraph~~ subsection shall not extend above the eave line, roof line, or top of a parapet wall.

(c) *Apartment houses and retirement homes in Multiple Family Residential (RMI and RMII) and Multiple Family High-Rise Residential (RH) Zones.* Apartment houses and retirement homes located in the Multi-

Family Residential (RMI and RMII) Zone and the Multiple Family High-Rise Residential (RH) Zone are permitted the following signs:

(1) *RMI and RMII zones.* Two wall signs, or one wall sign and one freestanding sign.

(A) Wall signs shall be limited to a display surface not exceeding 32 square feet.

(B) Freestanding signs shall be limited to a display surface not exceeding 24 square feet and to a height not exceeding five feet.

(2) *RH zone.* Two wall signs, or one wall sign and one freestanding sign.

(A) When two wall signs are used, one wall sign shall be limited to a display surface not exceeding 32 square feet and the second wall sign shall be limited to the greater of 32 square feet or two percent of the gross face area of building wall to which the sign is attached.

(B) When one wall sign and one freestanding sign are used:

(i) The wall sign shall be limited to a display surface not exceeding 32 square feet.

(ii) The freestanding signs shall be limited to a display surface not exceeding 24 square feet and to a height not exceeding five feet.

(3) *Vehicle directional signs.* One vehicle directional sign located at each motor vehicle entrance to or exit from the property. A wall sign shall be limited to a display surface not exceeding four square feet. A freestanding sign shall be limited to a display surface not exceeding four square feet and to a height not exceeding 30 inches.

(d) *Businesses.* When the primary use of a building is for a business, unless located in an office complex or a residential planned unit development, the following signs are allowed:

(1) *One wall sign or one freestanding sign.*

(A) Wall signs shall be limited to a display surface not exceeding 32 square feet.

(B) Freestanding signs shall limited to a display surface not exceeding 24 square feet and to a height not exceeding five feet.

(2) *Vehicle directional signs.* One vehicle directional sign located at each motor vehicle entrance to or exit from the property. A wall sign shall be limited to a display surface not exceeding four square feet. A freestanding sign shall be limited to a display surface not exceeding four square feet and to a height not exceeding 30 inches.

(3) *Facilities for religious services.* In addition to the signs allowed in ~~SRC 900.185~~ subsections (d)(1) and (2) of this section, facilities for religious services that have a school, day care facility, kindergarten, or other similar accessory use are allowed one additional sign, which may be either a wall sign or a freestanding sign.

(A) Wall signs shall be limited to a display surface not exceeding 32 square feet in display surface.

(B) Freestanding signs shall be limited to a display surface not exceeding 24 square feet and to a height not exceeding five feet.

(Prior Code, § 900.185; Ord. No. 4-12)

Sec. 900.190. Permanent signs in the Neighborhood Commercial (CN), Neighborhood Center Mixed-Use (NCMU), and Fairview Mixed-Use (FMU) Zones.

The following signs are permitted in the neighborhood commercial, neighborhood center mixed-use, and fairview mixed-use zones:

(a) *Dwellings.* Single family dwellings and dwelling units in duplexes are allowed either one wall sign or one freestanding sign. A wall sign shall be limited to a display surface not exceeding one square foot. A freestanding sign shall be limited to a display surface not exceeding one square foot and to a height not exceeding 30 inches.

(b) *Residential subdivisions, residential planned unit developments, and manufactured dwelling parks.*

(1) A residential subdivision, residential planned unit development, or manufactured dwelling park is allowed one freestanding sign. The freestanding sign shall be limited to a display surface not exceeding 12 square feet and to a height not exceeding five feet. The freestanding sign shall be located at the principal motor vehicle entrance to the subdivision, planned unit development, or manufactured dwelling park.

(2) Businesses in a residential planned unit development are allowed the following signs:

(A) Each business in a convenience service area is allowed one wall sign. The wall sign shall be limited to a display surface not exceeding four square feet.

(B) Each business in a limited retail service area is allowed one wall sign. The wall sign shall be limited to a display surface not exceeding 50 square feet.

(3) The signs permitted by this ~~paragraph~~ subsection shall not extend above the eave line, roof line, or top of a parapet wall.

(4) Vehicle directional signs. One vehicle directional sign located at each motor vehicle entrance to or exit from the property. A wall sign shall be limited to a display surface not exceeding four square feet. A freestanding sign shall be limited to a display surface not exceeding four square feet and to a height not exceeding 30 inches.

(c) *Businesses.* Unless located in an office complex or a residential planned unit development, a business is allowed the following signs:

(1) *Wall signs.* One wall sign for each building frontage and building face; provided, that no such sign shall be allowed on a building face where the sign would be directed toward an abutting residential area. Wall signs shall be limited to a display surface not exceeding the greater of 32 square feet or two percent of the gross face area of the building frontage or building face to which it is attached.

(2) *Freestanding signs.* One freestanding sign. The freestanding sign shall be limited to a display surface not exceeding 32 square feet and to a height not exceeding five feet.

(3) *Facilities for religious services.* In addition to the signs allowed in ~~SRC 900.190~~ subsections (c)(1) and (2) of this section, facilities for religious services that have a school, day care facility, kindergarten, or other similar accessory use are allowed one additional sign, which may be either a wall sign or a freestanding sign.

(A) Wall signs shall be limited to a display surface not exceeding 32 square feet in display surface.

(B) Freestanding signs shall be limited to a display surface not exceeding 24 square feet and to a height not exceeding five feet.

(4) *Vehicle directional signs.* One vehicle directional sign located at each motor vehicle entrance to or exit from the property. A wall sign shall be limited to a display surface not exceeding four square feet. A freestanding sign shall be limited to a display surface not exceeding four square feet and to a height not exceeding 30 inches.

(d) *Office complexes.* An office complex, and individual businesses in the office complex, are allowed the following signs:

(1) *Office complex.*

(A) An office complex is allowed one freestanding sign or one wall sign.

(i) The freestanding sign shall be limited to a display surface not exceeding 32 square feet and to a height not exceeding five feet.

(ii) Wall signs shall be limited to a display surface not exceeding the greater of 32 square feet or two percent of the gross face area of the building frontage or building face to which it is attached.

(B) An office complex is allowed one wall sign for a building directory. The building directory

shall be limited to a display surface not exceeding one square foot per occupancy in the complex.

(C) Vehicle directional signs. An office complex is allowed one vehicle directional sign at each motor vehicle entrance to or exit from the property. A wall sign shall be limited to a display surface not exceeding four square feet. A freestanding sign shall be limited to a display surface not exceeding four square feet and to a height not exceeding 30 inches.

(2) *Individual businesses in an office complex.* Each individual business in an office complex is allowed one wall sign. The wall sign shall be limited to a display surface not exceeding 24 square feet.

(Prior Code, § 900.190; Ord. No. 4-12)

Sec. 900.195. Permanent signs permitted in Commercial Office (CO) Zones.

The following permanent signs are permitted in the Commercial Office (CO) Zone:

(a) *Dwellings.* Single family dwellings and dwelling units in duplexes are allowed either one wall sign or one free standing sign. A wall sign shall be limited to a display surface not exceeding one square foot. A freestanding sign shall be limited to a display surface not exceeding one square foot and to a height not exceeding 30 inches.

(b) *Residential subdivisions, residential planned unit developments, and manufactured dwelling parks.*

(1) A residential subdivision, residential planned unit development, or manufactured dwelling park is allowed one freestanding sign. The freestanding sign shall be limited to a display surface not exceeding 12 square feet and to a height not exceeding five feet. The freestanding sign shall be located at the principal motor vehicle entrance to the subdivision, planned unit development, or manufactured dwelling park.

(2) Businesses in a residential planned unit development are allowed the following signs:

(A) Each business in a convenience service area is allowed one wall sign. The wall sign shall be limited to a display surface not exceeding four square feet.

(B) Each business in a limited retail service area is allowed one wall sign. The wall sign shall be limited to a display surface not exceeding 50 square feet.

(3) The signs permitted by this ~~paragraph~~ subsection shall not extend above the eave line, roof line, or top of a parapet wall.

(4) Vehicle directional signs. One vehicle directional sign located at each motor vehicle entrance to or exit from the property. A wall sign shall be limited to a display surface not exceeding four square feet. A freestanding sign shall be limited to a display surface not exceeding four square feet and to a height not exceeding 30 inches.

(c) *Apartment houses and retirement homes.* Apartment houses and retirement homes are permitted the following signs:

(1) Two wall signs, or one wall sign and one freestanding sign.

(A) Wall signs shall be limited to a display surface not exceeding 32 square feet.

(B) Freestanding signs shall be limited to a display surface not exceeding 24 square feet and to a height not exceeding five feet.

(2) Vehicle directional signs. One vehicle directional sign located at each motor vehicle entrance to or exit from the property. A wall sign shall be limited to a display surface not exceeding four square feet. A freestanding sign shall be limited to a display surface not exceeding four square feet and to a height not exceeding 30 inches.

(d) *Businesses.* Unless located in an office complex or a residential planned unit development, a business is allowed the following signs:

(1) *Wall signs.* One wall sign on each building frontage and building face; provided, that no such sign

shall be allowed on a building face where the sign would be directed toward an abutting residential area. Wall signs shall be limited to a display surface that is the greater of 32 square feet or two percent of the gross face area of the building frontage or building face to which it is attached.

(2) *Freestanding signs.*

(A) One freestanding sign that complies with this ~~subparagraph~~ subsection.

(i) When the premises abuts a residential zone, a Commercial Office (CO) Zone, or a public zone, the freestanding sign shall be limited to a display surface not exceeding 24 square feet and to a height of five feet.

(ii) When the premises abuts a commercial zone, other than a Commercial Office (CO) Zone, or an industrial zone, the freestanding sign shall be limited to a display surface not exceeding 24 square feet, and to a height not exceeding 15 feet.

(3) *Facilities for religious services.* In addition to the signs allowed in ~~SRC 900.195~~ subsections (d)(1) and (2) of this section, facilities for religious services that have a school, day care facility, kindergarten, or other similar accessory use are allowed one additional sign, which may be either a wall sign or a freestanding sign.

(A) Wall signs shall be limited to a display surface not exceeding 32 square feet in display surface.

(B) Freestanding signs shall be limited to a display surface not exceeding 24 square feet and to a height not exceeding five feet.

(4) *Vehicle directional signs.* One vehicle directional sign located at each motor vehicle entrance to or exit from the property. A wall sign shall be limited to a display surface not exceeding four square feet. A freestanding sign shall be limited to a display surface not exceeding four square feet and to a height not exceeding 30 inches.

(e) *Office complexes.* An office complex, and individual businesses in the office complex, are allowed the following signs:

(1) *Office complex.*

(A) One freestanding sign or one wall sign:

(i) One freestanding sign that complies with this ~~subparagraph~~ subsection.

(a) When the premises abuts a residential zone, a Commercial Office (CO) Zone, or a public zone, the freestanding sign shall be limited to a display surface not exceeding 24 square feet and to a height not exceeding five feet.

(b) When the premises abuts a commercial zone, other than a Commercial Office (CO) Zone, or an industrial zone, the freestanding sign shall be limited to a display surface not exceeding 24 square feet, and to a height not exceeding 15 feet.

(ii) Wall signs. Wall signs shall be limited to a display surface that is the greater of 32 square feet or two percent of the gross face area of the building frontage or building face to which it is attached.

(B) One wall sign to be used as a building directory. The wall sign shall be limited to a display surface not exceeding one square foot per occupancy in the complex.

(C) Vehicle directional signs. One vehicle directional sign located at each motor vehicle entrance to or exit from the property. A wall sign shall be limited to a display surface not exceeding four square feet. A freestanding sign shall be limited to a display surface not exceeding four square feet and to a height not exceeding 30 inches.

(2) *Individual businesses in an office complex.* Each individual business in an office complex is allowed one wall sign. The wall sign shall have a display surface not exceeding 24 square feet.

(Prior Code, § 900.195; Ord. No. 4-12)

Sec. 900.200. Permanent signs in Central Business District (CB), Retail Commercial (CR), and General Commercial (CG) Zones.

The following permanent signs are allowed in the Central Business District (CB), Retail Commercial (CR), and General Commercial (CG) Zones.

(a) *Dwellings.* Single family dwellings and dwelling units in duplexes are allowed either one wall sign or one freestanding sign. A wall sign shall be limited to a display surface not exceeding one square foot. A freestanding sign shall be limited to a display surface not exceeding one square foot and to a height not exceeding 30 inches.

(b) *Permanent signs for businesses.* Unless the business is located in a shopping center or office complex, a business may have the following signs:

(1) One freestanding sign, one projecting sign, one roof sign, or one wall sign on each building frontage. When the business is located on a corner lot, only one freestanding sign shall be allowed.

(A) *Freestanding signs.*

(i) *Height.* The height of a freestanding sign shall not exceed 20 feet for up to the first 100 feet of street front property line, plus an additional one foot in height for each 20 feet of street front property line over 100 feet, with a maximum height not exceeding 30 feet.

(ii) *Area.* The display surface of a freestanding sign shall not exceed one square foot per ~~lineal~~ linear foot of street front property line up to the first 100 square feet of display surface, plus an additional one-quarter square foot of display surface for each additional one foot of street front property line over 100 feet, with a maximum display surface not exceeding 150 square feet.

(B) *Wall signs.*

(i) For CR and CG zones, the display surface for a wall sign shall not exceed 125 square feet. Notwithstanding the size of the display surface authorized by this ~~subparagraph~~ subsection, wall signs that are located on a marquee shall not extend below the lower edge of the marquee and shall be limited to a height not exceeding 30 inches.

(ii) For CB zones, the display surface for a wall sign shall not exceed that allowed by Table 900-9.

TABLE 900-9. WALL SIGNS IN CB ZONES

Gross face area of the face of the building to which the sign is attached in square feet	Permitted sign area is the greater of the following:
0 to 450	150 square feet or 33 1/3 percent of the gross face area
451 to 800	200 square feet or 25 percent of the gross face area
801 to 1,250	250 square feet or 20 percent of the gross face area
1,251 and over	15 percent of the gross face area

(C) *Projecting sign standards.* Projecting signs shall conform with SRC 900.140.

(D) *Roof sign standards.* Roof signs shall conform with SRC 900.145.

(2) Any number of additional wall signs on each building, provided the total display surface of all wall signs allowed under this ~~paragraph~~ subsection does not exceed the maximum display surface set forth in Table 900-10.

TABLE 900-10. WALL SIGNS IN CB, CR, AND CG ZONES

Gross face area of building frontage in square feet	Display surface is limited to the greater of the following:
0 to 500	50 square feet or 15 percent of the gross face area
500 to 1,000	75 square feet or 12 percent of the gross face area
1,001 to 2,000	120 square feet or 10 percent of the gross face area
2,001 to 4,000	200 square feet or 8 percent of the gross face area
4,001 to 6,000	320 square feet or 6 percent of the gross face area
6,001 and over	360 square feet or 5 percent of the gross face area

(3) One hanging sign on each building frontage and each building face.

(4) One wall sign located on the wall abutting an alley adjacent to the building in which the business is located. The wall sign shall be limited to a display surface not exceeding six square feet.

(5) Vehicle directional signs. One freestanding sign or one wall sign located at each motor vehicle entrance to or exit from the premises. A wall sign shall be limited to a display surface not exceeding eight square feet. A freestanding sign shall be limited to a display surface not exceeding eight square feet and to a height not exceeding four feet.

(6) Vehicle viewing sign. One vehicle viewing sign, located on a vehicle accessway adjacent to a building or on the building, and intended to be seen by a person doing business from the vehicle accessway while the person is within the person's motor vehicle. The display surface shall not exceed 32 square feet.

(7) Vehicle service or loading directional sign. In lieu of the sign allowed in ~~SRC 900.200~~ subsection (b)(5) of this section, one freestanding sign or one wall sign located at each service or loading entrance onto the premises. A wall sign shall be limited to a display surface not exceeding eight square feet. A freestanding sign shall be limited to a display surface not exceeding 22 square feet and to a height not exceeding 15 feet.

(c) *Permanent signs for shopping centers.* A shopping center and individual businesses in the shopping center are allowed the following signs:

(1) *Shopping center.*

(A) One sign shall be allowed on each building frontage on a designated arterial or designated collector as follows:

(i) For CR or CG zones, one freestanding sign or one wall sign. However, when the shopping center is located on a corner lot where the two intersecting streets are either designated arterials or designated collectors, only one freestanding sign shall be allowed.

(a) Freestanding sign.

(1) *Height.* The freestanding sign shall be limited to a height not exceeding 20 feet for the first 100 feet of street frontage, plus an additional one foot for each 20 feet of street front property line over 100 feet, up to a maximum

height not exceeding 35 feet.

(2) *Area.* The freestanding sign shall be limited to a display surface not exceeding one square foot per ~~lineal~~ linear foot of street front property line for the first 100 feet of street front property line, plus one quarter additional square foot for each foot of street front property line over 100 feet, up to a maximum display surface of 250 square feet.

(b) The wall sign shall be limited to a display surface not exceeding 125 square feet; provided, however, when the wall sign is located on a marquee, the wall sign not extend below the lower edge of the marquee, and shall be limited to a height not exceeding 30 inches.

(ii) For CB zones, one freestanding sign, projecting sign, or one wall sign. However, when the shopping center is located on a corner lot where the two intersecting streets are either designated arterials or designated collectors, only one freestanding sign shall be allowed.

(a) Freestanding sign.

(1) *Height.* The freestanding sign shall be limited to a height not exceeding 20 feet for the first 100 feet of street frontage, plus an additional one foot for each 20 feet of street front property line over 100 feet, up to a maximum height not exceeding 30 feet.

(2) *Area.* The freestanding sign shall be limited to a display surface not exceeding one square foot per ~~lineal~~ linear foot of street front property line for the first 100 feet of street front property line, plus one quarter additional square foot for each foot of street front property line over 100 feet, up to a maximum display surface of 150 square feet.

(b) The display surface for a wall sign shall not exceed that allowed by Table 900-11.

TABLE 900-11. WALL SIGNS IN CB ZONES

Gross face area of the face of the building to which the sign is attached in square feet	Permitted sign area is the greater of the following:
0 to 450	150 square feet or 33 1/3 percent of the gross face area
451 to 800	200 square feet or 25 percent of the gross face area
801 to 1,250	250 square feet or 20 percent of the gross face area
1,251 and over	15 percent of the gross face area

(c) Notwithstanding the size of the display surface authorized by this ~~subparagraph~~ subsection, wall signs that are located on a marquee shall not extend below the lower edge of the marquee and shall be limited to a height not exceeding 30 inches.

(d) Projecting signs shall conform with SRC 900.140.

(B) Vehicle directional signs. One freestanding sign or one wall sign located at each motor vehicle entrance to or exit from the shopping center. A wall sign shall be limited to a display surface not exceeding eight square feet. A freestanding sign shall be limited to a display surface not exceeding eight square feet and to a height not exceeding four feet.

(C) Vehicle service or loading directional sign. In lieu of the sign allowed in ~~SRC 900.200~~ subsection (c)(1)(B) of this section, one freestanding sign or one wall sign located at each

service or loading entrance onto the premises. A wall sign shall be limited to a display surface not exceeding eight square feet. A freestanding sign shall be limited to a display surface not exceeding 22 square feet and to a height not exceeding 15 feet.

(D) One wall sign to be used as a building directory. The wall sign shall be limited to a display surface not exceeding one square foot per occupancy in the complex.

(E) When a street front property line of the shopping center is greater than 300 feet, the shopping center may have one additional freestanding sign. The freestanding sign shall be located along the street front property line exceeding such length. The freestanding sign shall be limited to a display surface not exceeding 50 square feet and to a height not exceeding 20 feet. When the shopping center has two freestanding signs located along the same street front property line, there shall be a minimum distance of 100 feet between the signs.

(2) *Individual businesses.*

(A) One sign for each building frontage or building face; provided, however, that no such sign shall be allowed on a building face where the sign would be directed towards an abutting residential area.

(i) In the CR or CG zones, one wall sign or one roof sign for each building frontage or building face; provided, however, that no such sign shall be allowed on a building face where the sign would be directed towards an abutting residential area.

(a) The wall sign shall have a display surface not exceeding the square footage set forth in Table 900-12; provided, however, that, where there is more than one business housed in the same building, only the gross face area of the building frontage or building face occupied by the business shall be used in determining the display surface of the wall sign.

TABLE 900-12. WALL SIGNS IN CR AND CG ZONES

Gross face area of building frontage or building face in square feet	Display surface is limited to the greater of the following:
0 to 1,000	50 square feet or 15 percent of the gross face area
1,001 to 2,000	150 square feet or 12 percent of the gross face area
2,001 to 4,000	240 square feet or 10 percent of the gross face area
4,001 to 6,000	400 square feet or 8 percent of the gross face area
6,001 and over	480 square feet or 6 percent of the gross face area

(b) Roof sign standards. Roof signs shall conform with SRC 900.145.

(ii) In the CB zones, one wall sign, one projecting sign, or one roof sign for each building frontage or building face; provided, however, that no such sign shall be allowed on a building face where the sign would be directed towards an abutting residential area.

(a) The wall sign shall have a display surface not exceeding the square footage set forth in Table 900-13; provided, however, that, where there is more than one business housed in the same building, only the gross face area of the building frontage or building face occupied by the business shall be used in determining the display surface of the wall sign.

TABLE 900-13. WALL SIGNS IN CB ZONES

Gross face area of building frontage or building face in square feet	Display surface is limited to the greater of the following:
0 to 1,000	50 square feet or 15 percent of the gross face area
1,001 to 2,000	150 square feet or 12 percent of the gross face area
2,001 to 4,000	240 square feet or 10 percent of the gross face area
4,001 to 6,000	400 square feet or 8 percent of the gross face area
6,001 and over	480 square feet or 6 percent of the gross face area

(b) Roof sign standards. Roof signs shall conform with SRC 900.145.

(c) Projecting sign standards. Projecting signs shall conform with SRC 900.140.

(B) One wall sign on each building frontage or building face; provided, however, that no sign shall be allowed on a building face where the sign would be directed towards an abutting residential area. The wall sign shall have a display surface not exceeding eight square feet; provided, however, that the display surface may be increased by forgoing part of the display surface authorized by ~~SRC 900.200~~ subsection (c)(2)(A) of this section, and adding such display surface to the wall sign.

(C) One hanging sign on each building frontage and each building face.

(D) Vehicle viewing sign. One vehicle viewing sign, located on a vehicle accessway adjacent to a building or on the building, and intended to be seen by a person doing business from the vehicle accessway while the person is within the person's motor vehicle. The display surface shall not exceed 32 square feet.

(E) When the individual business does not have a building frontage or building face, the principal occupant of the building in which the business is located may execute a written assignment of a portion of that occupant's display surface allowed under subsection (b)(1) of this section, for use by such interior business for a wall sign.

(d) *Permanent signs for office complexes.* An office complex and individual businesses in the office complex are allowed the following signs:

(1) *Office complex.*

(A) One sign shall be allowed on each building frontage on a designated arterial or designated collector as follows:

(i) For CR or CG zones, one freestanding sign or one wall sign. However, when the office complex is located on a corner lot where the two intersecting streets are either designated arterials or designated collectors, only one freestanding sign shall be allowed.

(a) Freestanding sign.

(1) *Height.* The freestanding sign shall be limited to a height not exceeding 20 feet for the first 100 feet of street frontage, plus an additional one foot for each 20 feet of street front property line over 100 feet, up to a maximum height not exceeding 30 feet.

(2) *Area.* The freestanding sign shall be limited to a display surface not exceeding one square foot per ~~lineal~~ linear foot of street front property line for the first 100 feet of street front property line, plus one quarter additional square foot for each foot of street front property line over 100 feet, up to a maximum display surface of 150 square feet.

(b) The wall sign shall be limited to a display surface not exceeding 125 square feet; provided, however, that, when the wall sign is located on a marquee, the wall sign not extend below the lower edge of the marquee, and shall be limited to a height not exceeding 30 inches.

(ii) For CB zones, one freestanding sign, projecting sign, or wall sign. However, when the office complex is located on a corner lot where the two intersecting streets are either designated arterials or designated collectors, only one freestanding sign shall be allowed.

(a) Freestanding sign.

(1) *Height.* The freestanding sign shall be limited to a height not exceeding 20 feet for the first 100 feet of street frontage, plus an additional one foot for each 20 feet of street front property line over 100 feet, up to a maximum height not exceeding 30 feet.

(2) *Area.* The freestanding sign shall be limited to a display surface not exceeding one square foot per ~~lineal~~ linear foot of street front property line for the first 100 feet of street front property line, plus one quarter additional square foot for each foot of street front property line over 100 feet, up to a maximum display surface of 150 square feet.

(b) The display surface for a wall sign shall not exceed that allowed by Table 900-14.

TABLE 900-14. WALL SIGNS IN CB ZONES

Gross face area of the face of the building to which the sign is attached in square feet	Permitted sign area is the greater of the following:
0 to 450	150 square feet or 33 1/3 percent of the gross face area
451 to 800	200 square feet or 25 percent of the gross face area
801 to 1,250	250 square feet or 20 percent of the gross face area
1,251 and over	15 percent of the gross face area

(c) Notwithstanding the size of the display surface authorized by this ~~subparagraph~~ subsection, wall signs that are located on a marquee shall not extend below the lower edge of the marquee and shall be limited to a height not exceeding 30 inches.

(d) Projecting signs shall conform with SRC 900.140.

(B) When a street front property line for the office complex exceeds 300 feet, the office complex may have one additional freestanding sign. The freestanding sign shall be located along the street front property line exceeding such length. The freestanding sign shall be limited to a display surface not exceeding 50 square feet and to a height not exceeding 20 feet. When the office complex has two freestanding signs located along the same street front property line, there shall be a minimum distance of 100 feet between such signs.

(C) Vehicle directional signs. One freestanding sign or one wall sign located at each motor vehicle

entrance to or exit from the premises. A wall sign shall be limited to a display surface not exceeding eight square feet. A freestanding sign shall be limited to a display surface not exceeding eight square feet and to a height not exceeding four feet.

(2) *Individual businesses.*

(A) One sign for each building frontage or building face; provided, however, that no such sign shall be allowed on a building face where the sign would be directed towards an abutting residential area

(i) For CR or CG zones, the sign may be a wall sign or roof sign.

(a) The wall sign shall be limited to a display surface not exceeding the square footage set forth in Table 900-15; provided, however, that, where there is more than one business housed in the same building, only the gross face area of the building frontage or building face occupied by the business shall be used in determining the display surface of the wall sign.

TABLE 900-15. WALL SIGNS IN CR AND CG ZONES

Gross face area of building frontage or building face in square feet	Display surface is limited to the greater of the following:
0 to 1,000	50 square feet or 15 percent of the gross face area
1,001 to 2,000	150 square feet or 12 percent of the gross face area
2,001 to 4,000	240 square feet or 10 percent of the gross face area
4,001 to 6,000	400 square feet or 8 percent of the gross face area
6,001 and over	480 square feet or 6 percent of the gross face area

(b) Roof sign standards. Roof signs shall conform with SRC 900.145.

(ii) In the CB zones, the sign may be one wall sign, projecting sign, or roof sign.

(a) The wall sign shall be limited to a display surface not exceeding the square footage set forth in Table 900-16; provided, however, that, where there is more than one business housed in the same building, only the gross face area of the building frontage or building face occupied by the business shall be used in determining the display surface of the wall sign.

TABLE 900-16. WALL SIGNS IN CB ZONES

Gross face area of building frontage or building face in square feet	Display surface is limited to the greater of the following:
0 to 1,000	50 square feet or 15 percent of the gross face area

1,001 to 2,000	150 square feet or 12 percent of the gross face area
2,001 to 4,000	240 square feet or 10 percent of the gross face area
4,001 to 6,000	400 square feet or 8 percent of the gross face area
6,001 and over	480 square feet or 6 percent of the gross face area

(b) Roof sign standards. Roof signs shall conform with SRC 900.145.

(c) Projecting sign standards. Projecting signs shall conform with SRC 900.140.

(B) One wall sign on each building frontage or building face; provided, however, that no sign shall be allowed on a building face where the sign would be directed towards an abutting residential area. The wall sign shall have a display surface not exceeding eight square feet.

(C) One hanging sign on each building frontage and each building face.

(D) Vehicle viewing sign. One vehicle viewing sign, located on a vehicle accessway adjacent to a building or on the building, and intended to be seen by a person doing business from the vehicle accessway while the person is within the person's motor vehicle. The display surface shall not exceed 32 square feet.

(E) When the individual business does not have a building frontage or building face, the principal occupant of the building in which the business is located may execute a written assignment of a portion of that occupant's display surface allowed by ~~SRC 900.200~~ subsection (d)(2)(A) of this section, for use by such interior business for a wall sign.

(e) *Outdoor advertising signs.* Outdoor advertising signs that comply with this chapter are allowed.

(Prior Code, § 900.200; Ord. No. 4-12; Ord. No. 31-13; Ord. No. 8-14)

Sec. 900.205. Permanent signs in the south waterfront mixed-use zone.

(a) An individual business in the south waterfront mixed-use zone is allowed the following signs:

(1) One wall sign or one projecting sign on each building frontage on a designated arterial or designated collector.

(A) A wall sign shall have a display surface not exceeding the square footage set forth in Table 900-17; provided, however, that wall signs shall have a display surface not exceeding 150 square feet on the side of a building facing Riverfront Park, and shall not exceed a display surface of 32 square feet on the side of a building facing the Willamette River.

TABLE 900-17. WALL SIGNS IN SOUTH WATERFRONT MIXED-USE ZONES

Gross face area of the building frontage or building face in square feet	Display surface is the greater of:
0 to 1,000	50 square feet or 15 percent of the gross face area
1,001 to 2,000	150 square feet or 12 percent of the gross face area
2,001 to 4,000	240 square feet or 10 percent of the gross face area
4,001 to 6,000	400 square feet or 8 percent of the gross face area
6,001 and over	480 square feet or 6 percent of the gross face area

(B) Projecting sign standards. Projecting signs shall conform with SRC 900.140.

(2) One wall sign on each building face. The wall sign shall be limited to a display surface not exceeding eight square feet.

(3) One hanging sign for each building frontage and each building face.

(4) Vehicle directional signs. One freestanding sign or one wall sign located at each motor vehicle entrance to or exit from the premises. A wall sign shall be limited to a display surface not exceeding eight square feet. A freestanding sign shall be limited to a display surface not exceeding eight square feet and to a height not exceeding four feet.

(b) Each building in the south waterfront mixed-use zone that contains two or more businesses is allowed the following signs:

(1) One wall sign, one projecting sign, or one freestanding sign, for each building frontage on a designated arterial or designated collector; provided, however, that, when the building is located on a corner lot with two such intersecting street frontages, only one freestanding sign shall be allowed.

(A) *Freestanding sign standards.*

(i) *Height.* The height of a freestanding sign shall not exceed 20 feet for up to the first 100 feet of street front property line, plus an additional one foot in height for each 20 feet of street front property line frontage over 100 feet, with a maximum height not exceeding 30 feet; provided, however, that freestanding signs located in the area between Riverfront Park and any building shall not exceed five feet in height.

(ii) *Area.* The display surface of a freestanding sign shall not exceed one square foot per ~~lineal~~ linear foot of street front property line up to 100 square feet of display surface, plus an additional one-quarter square foot of display surface for each additional one foot of street front property line over 100 feet, with a maximum display surface not exceeding 150 square feet; provided, however, that freestanding signs located in the area between Riverfront Park and any building shall have a display surface not exceeding 32 square feet.

(B) *Wall sign standards.* A wall sign shall have a display surface not exceeding the square footage set forth in Table 900-18; provided, however, that:

(i) When the wall sign is located on a marquee, the display surface shall be limited to a height not exceeding 30 inches and shall not extend below the lower edge of the marquee.

(ii) On the side of buildings facing Riverfront Park, wall signs shall have a display surface not exceeding 150 square feet.

(iii) On the side of buildings facing the Willamette River, wall signs shall have a display surface not exceeding 32 square feet.

TABLE 900-18. WALL SIGNS IN SOUTH WATERFRONT MIXED-USE ZONES

Gross face area of the building frontage or building face in square feet	Display surface is limited to the greater of the following:
0 to 450	150 square feet or 33 1/3 percent of the gross face area
451 to 800	200 square feet or 25 percent of the gross face area
801 to 1,250	250 square feet or 20 percent of the gross face area
1,251 and over	15 percent of the gross face area

(C) *Projecting sign standards.* Projecting signs shall conform with SRC 900.140.

(2) One wall sign to be used as a building directory. The wall sign shall be limited to a display surface not exceeding one square foot per occupancy in the complex.

(3) One freestanding sign located between Riverfront Park and the building. The freestanding sign shall be limited to a display surface not exceeding 32 square feet and to a height not exceeding five feet.

(4) When one or more of the street front property lines exceeds 300 feet, the building may have one additional freestanding sign. The sign shall be located along the street front property line exceeding such length. The freestanding sign shall be limited to a display surface not exceeding 50 square feet and to a height not exceeding 20 feet. When two freestanding signs are located on the same street front property line, there shall be a minimum distance of 100 feet between such signs.

(Prior Code, § 900.205; Ord. No. 4-12)

Sec. 900.210. Permanent signs in Industrial Business Campus (IBC), Industrial Commercial (IC), Industrial Park (IP), General Industrial (IG), Intensive Industrial (II), and Employment Center (EC) Zones.

The following permanent signs are permitted in the Industrial Business Campus (IBC), Industrial Commercial (IC), Industrial Park (IP), General Industrial (IG), Intensive Industrial (II), and Employment Center (EC) Zones:

(a) *Dwellings.* Single family dwellings and dwelling units in duplexes are allowed either one wall sign or one freestanding sign. A wall sign shall be limited to a display surface not exceeding one square foot. A freestanding shall be limited to a display surface not exceeding one square foot and to a height not exceeding 30 inches.

(b) *Permanent signs for business.* Unless the business is located in an industrial complex or is classified as flexible space use, a business may have the following signs:

(1) One freestanding sign, one projecting sign, one roof sign, or one wall sign, for each building frontage; provided, however, that, when the business is located on a corner lot, only one freestanding sign shall be allowed.

(A) *Wall signs.* The display surface for a wall sign shall not exceed 125 square feet.

(B) *Freestanding signs.*

(i) *Height.* Freestanding sign height is limited to 20 feet for up to the first 100 feet of street front property line, plus an additional one foot in height for each 20 feet of street front property line over 100 feet, with a maximum height of 30 feet.

(ii) *Area.* Where the sign is a freestanding sign, the sign shall be limited in area to one square foot per ~~lineal~~ linear foot of street front property line up to the first 100 square feet of display surface, plus an additional one-quarter square foot of display surface for each additional one foot of street front property line over 100 feet, with a maximum limit of 150 square feet of display surface.

(C) *Projecting sign standards.* Projecting signs shall conform with SRC 900.140.

(D) *Roof sign standards.* Roof signs shall conform with SRC 900.145.

(2) Any number of additional wall signs on each building; provided, however, that the total display surface of all signs allowed under this ~~paragraph~~ subsection does not exceed the maximum display surface set forth in Table 900-19. No single wall sign allowed under this ~~paragraph~~ subsection shall have a display surface exceeding 100 square feet.

TABLE 900-19. WALL SIGNS IN INDUSTRIAL ZONES AND EC ZONE

Gross face area of building frontage in	Display surface is limited to the greater of the following:

square feet	
0 to 500	50 square feet or 15 percent of the gross face area
500 to 1,000	75 square feet or 12 percent of the gross face area
1,001 to 2,000	120 square feet or 10 percent of the gross face area
2,001 to 4,000	200 square feet or 8 percent of the gross face area
4,001 to 6,000	320 square feet or 6 percent of the gross face area
6,001 and over	360 square feet or 5 percent of the gross face area

(3) One hanging sign on each building frontage and each building face.

(4) One wall sign located on the wall abutting an alley adjacent to the building in which the business is located. The wall sign shall be limited to a display surface not exceeding six square feet.

(5) Vehicle directional signs. One freestanding sign or one wall sign located at each motor vehicle entrance to or exit from the premises. A wall sign shall be limited to a display surface not exceeding eight square feet. A freestanding sign shall be limited to a display surface not exceeding eight square feet and to a height not exceeding four feet.

(6) Vehicle viewing sign. One vehicle viewing sign, located on a vehicle accessway adjacent to a building or on the building, and intended to be seen by a person doing business from the vehicle accessway while the person is within the person's motor vehicle. The display surface shall not exceed 32 square feet.

(7) Vehicle service or loading directional sign. In lieu of the sign allowed in ~~SRC 900.210~~ subsection (b)(5) of this section, one freestanding sign or one wall sign located at each service or loading entrance onto the premises. A wall sign shall be limited to a display surface not exceeding eight square feet. A freestanding sign shall be limited to a display surface not exceeding 22 square feet and to a height not exceeding 15 feet.

(c) *Permanent signs for industrial complexes.* An industrial complex and individual businesses in the industrial complex are allowed the following signs:

(1) *Industrial complex.*

(A) One freestanding sign for each building frontage on a designated arterial or designated collector; provided, however, that, when the industrial complex is located on a corner lot with two such arterials or collectors, only one freestanding sign shall be allowed.

(i) *Height.* The freestanding sign shall be limited to a height not exceeding 20 feet for the first 100 feet of street front property line, plus an additional one foot for each 20 feet of street front property line over 100 feet, up to a maximum height not exceeding 35 feet.

(ii) *Area.* The freestanding sign shall be limited to a display surface not exceeding one square foot per ~~lineal~~ linear foot of street front property line for the first 100 square feet of street front property line, plus one-quarter additional square foot for each additional foot of street front property line over 100 feet, up to a maximum display surface not exceeding 250 square feet.

(B) Vehicle directional signs. One freestanding sign or one wall sign located at each motor vehicle entrance to or exit from the complex. A wall sign shall be limited to a display surface not exceeding eight square feet. A freestanding sign shall be limited to a display surface not exceeding eight square feet and to a height not exceeding four feet.

(C) One wall sign to be used as a building directory. The wall sign shall be limited to a display surface not exceeding one square foot per occupancy in the complex.

(D) If a street front property line of the industrial complex is greater than 300 feet, the industrial complex may have one additional freestanding sign. The freestanding sign shall be located along each street front property line exceeding such length. The freestanding sign shall be limited to a display surface not exceeding 50 square feet and to a height not exceeding 20 feet. If the shopping center has two freestanding signs on the same street front property line, there shall be a minimum distance of 100 feet between the signs.

(E) Vehicle service or loading directional sign. In lieu of the sign allowed in ~~SRC 900.210~~ subsection (c)(1)(B) of this section, one freestanding sign or one wall sign located at each service or loading entrance onto the premises. A wall sign shall be limited to a display surface not exceeding eight square feet. A freestanding sign shall be limited to a display surface not exceeding 22 square feet and to a height not exceeding 15 feet.

(2) *Individual businesses.* Unless the business is classified as flexible space use, a business may have the following signs:

(A) One wall sign or one roof sign for each building frontage or building face; provided, however, that no sign shall be allowed on a building face when the sign would be directed towards a residential area.

(i) The wall sign shall have display surface not exceeding the square footage set forth in Table 900-20; provided, however, that, where there is more than one business housed in the same building, only the gross face area of the building frontage or building face occupied by the business shall be used in determining the display surface for the wall sign.

TABLE 900-20. WALL SIGNS IN INDUSTRIAL ZONES AND EC ZONE

Gross face area of building frontage or building face, in square feet	Display surface is limited to the greater of the following:
0 to 1,000	50 square feet or 15 percent of the gross face area
1,001 to 2,000	150 square feet or 12 percent of the gross face area
2,001 to 4,000	240 square feet or 10 percent of the gross face area
4,001 to 6,000	400 square feet or 8 percent of the gross face area
6,001 and over	480 square feet or 6 percent of the gross face area

(ii) Roof sign standards. Roof signs shall conform with SRC 900.145.

(B) One wall sign on each building frontage or building face; provided, however, that no sign shall be allowed on a building face where the sign would be directed towards an abutting residential area. The wall sign shall have a display surface not exceeding eight square feet; provided, however, that the display surface may be increased by forgoing part of the display surface authorized by ~~SRC 900.210~~ subsection (c)(2)(A) of this section, and adding such display surface to the wall sign.

(C) One hanging sign on each building frontage and each building face.

(D) Vehicle viewing sign. One vehicle viewing sign, located on a vehicle accessway adjacent to a building or on the building, and intended to be seen by a person doing business from the vehicle accessway while the person is within the person's motor vehicle. The display surface

shall not exceed 32 square feet.

(E) If the individual business does not have building frontage or a building face, an occupant of the building in which the business is located may execute a written assignment of a portion of that occupant's display surface allowed by ~~SRC 900.210~~ subsection (c)(2)(A) of this section, as a wall sign for use by such interior business.

(d) *Outdoor advertising signs.* Outdoor advertising signs that comply with this chapter are allowed in the Industrial Business Campus (IBC), Industrial Commercial (IC), Industrial Park (IP), General Industrial (IG), and Intensive Industrial (II) Zones.

(Prior Code, § 900.210; Ord. No. 4-12; Ord. No. 31-13; Ord. No. 8-14)

Sec. 900.215. Permanent signs in public zones.

(a) *Signs permitted in Public and Private Cemeteries (PC), Capitol Mall (PM), and Public Service (PS) Zones.*

(1) The following signs are permitted in PC, PM, and PS zones:

(A) *Wall signs.* One wall sign for each building frontage, which shall be limited to the greater of 32 square feet or two percent of the gross face area of the building frontage on which it is located.

(B) *Freestanding signs.* One freestanding sign for each building frontage which shall be limited to five feet in height and 24 square feet in total display surface. Such signs shall be set back at least three feet from a street front property line or the special set back area established by the Salem Zoning Ordinance, whichever is greater, provided further that, where adjacent property is zoned residential or commercial office, signs shall be set back at least 20 feet from the side lot line abutting a CO or residential zone.

(C) *Vehicle directional signs.* One vehicle directional sign located at each motor vehicle entrance to or exit from the property. A wall sign shall be limited to a display surface not exceeding four square feet. A freestanding sign shall be limited to a display surface not exceeding eight square feet and to a height not exceeding 30 inches.

(D) *Electronic display signs.* Electronic display signs no larger than 800 square feet shall be permitted in the PS zone within stadiums, athletic fields, and other outdoor assembly facilities, where they are intended primarily for viewing by persons within the facility, are oriented toward the interior of the facility and viewing stands, and are used only during events where the public attends as spectators. Notwithstanding any other provision of this chapter, signs allowed by this ~~paragraph~~ subsection may employ dissolve, fade, scrolling, static display, travel, and video display. Signs allowed by this ~~paragraph~~ subsection shall not be subject to the electronic sign display standards set forth in SRC 900.090(c).

(E) *Commercial use.* Where a commercial use is permitted in a PS zone, the signs allowed for such a use shall be the same as those permitted in subsection (d)(1) of this section.

(F) *Externally illuminated and internally illuminated signs.* Externally illuminated signs and internally illuminated signs are permitted only in PC, PM, and PS zones where the adjacent property is zoned commercial or industrial. No flashing illumination shall be permitted.

(b) *Signs permitted in Public and Private Educational Service (PE) Zones.*

(1) The following signs are permitted in PE zones:

(A) *Wall signs.* One wall sign for each building frontage, which shall be limited to the greater of 32 square feet or two percent of the gross face area of the building frontage on which it is located.

(B) *Freestanding signs.* One freestanding sign for each building frontage, which shall be limited to five feet in height and 24 square feet in total display surface; provided, however, that one such sign may be 16 feet in height and 32 square feet in total display surface. Such signs shall be set back at least three feet from a street front property line or the special setback area established by the Salem Zoning Ordinance, whichever is greater, provided further that, where adjacent property is zoned

residential or commercial office, signs shall be set back at least 20 feet from the side lot line abutting a CO or residential zone.

(C) *Vehicle directional signs.* One vehicle directional sign located at each motor vehicle entrance to or exit from the property. A wall sign shall be limited to a display surface not exceeding four square feet. A freestanding sign shall be limited to a display surface not exceeding eight square feet and to a height not exceeding 30 inches.

(D) *Electronic display signs.* Electronic display signs no larger than 800 square feet shall be permitted in the PE zone within stadiums, athletic fields, and other outdoor assembly facilities, where they are intended primarily for viewing by persons within the facility, are oriented toward the interior of the facility and viewing stands, and are used only during events where the public attends as spectators. Notwithstanding any other provision of this chapter, signs allowed by this ~~paragraph~~ subsection may employ dissolve, fade, scrolling, static display, travel, and video display. Signs allowed by this ~~paragraph~~ subsection shall not be subject to the electronic sign display standards set forth in SRC 900.090(c).

(E) *Externally illuminated and internally illuminated signs.* No flashing illumination shall be permitted.

(c) *Signs permitted in Public and Private Health Services (PH) Zones.*

(1) The following signs are permitted in PH zones:

(A) *Wall signs.* One wall sign for each building frontage, which shall be limited to the greater of 32 square feet or two percent of the gross face area of the building frontage on which it is located.

(B) *Freestanding signs.* One freestanding sign for each building frontage, which shall be limited to five feet in height and 24 square feet in total display surface; provided, however, that one such sign may be 15 feet in height and 24 square feet in total display surface. Such signs shall be set back at least three feet from a street front property line or the special setback area established by the Salem Zoning Ordinance, whichever is greater, provided further that, where adjacent property is zoned residential or commercial office, signs shall be set back at least 20 feet from the side lot line abutting a CO or residential zone.

(C) *Vehicle directional signs.* One vehicle directional sign located at each motor vehicle entrance to or exit from the property. A wall sign shall be limited to a display surface not exceeding four square feet. A freestanding sign shall be limited to a display surface not exceeding eight square feet and to a height not exceeding 30 inches.

(D) *Electronic display signs.* Electronic display signs no larger than 800 square feet shall be permitted in the PH zone within stadiums, athletic fields, and other outdoor assembly facilities, where they are intended primarily for viewing by persons within the facility, are oriented toward the interior of the facility and viewing stands, and are used only during events where the public attends as spectators. Notwithstanding any other provision of this chapter, signs allowed by this ~~paragraph~~ subsection may employ dissolve, fade, scrolling, static display, travel, and video display. Signs allowed by this ~~paragraph~~ subsection shall not be subject to the electronic sign display surface standards set forth in SRC 900.090(c).

(E) *Externally illuminated and internally illuminated signs.* Only emergency vehicle directional signs and emergency entrances to a building in PH zones shall be externally illuminated signs or internally illuminated signs. No flashing illumination shall be permitted.

(d) *Signs permitted in Public Amusement (PA) Zones.*

(1) The following signs are permitted in the PA zone:

(A) *General.* All signs permitted in SRC 900.200 shall be permitted in a PA zone; provided, however, that any sign permitted by this ~~paragraph~~ subsection shall not be an externally illuminated sign, an internally illuminated sign, or an electronic display sign when it is erected or maintained within 300 feet of the boundary of the residential zone.

(B) *Freestanding signs.* For an office complex in a PA zone, each separate occupancy may have one

freestanding sign not exceeding 30 feet in height and 100 square feet in total display surface. Each sign shall be separate and not part of any other sign allowed on this property. No such freestanding sign shall be installed within 100 feet of another freestanding sign on the same property. Where a PA zone is adjacent to a residential zone, no electronic display sign, externally illuminated sign, or internally illuminated sign shall be installed or maintained within 300 feet of the boundary of the residential zone.

(C) *Electronic display signs.* Electronic display signs no larger than 800 square feet shall be permitted in the PA zone within stadiums, athletic fields, and other outdoor assembly facilities, where they are intended primarily for viewing by persons within the facility, are oriented toward the interior of the facility and viewing stands, and are used only during events where the public attends as spectators. Notwithstanding any other provision of this chapter, signs allowed by this ~~paragraph~~ subsection may employ dissolve, fade, scrolling, static display, travel, and video display. Signs allowed by this ~~paragraph~~ subsection shall not be subject to the electronic sign display surface standards set forth in SRC 900.090(c).

(Prior Code, § 900.215; Ord. No. 4-12)

SIGNS IN OVERLAY ZONES; HISTORIC DISTRICTS; MARKET STREET INTERCHANGE

Sec. 900.220. Commercial/Rural Urban Development Overlay Zone.

(a) *General.* Subject to the limitations in this section, signs permitted in the underlying zones are allowed in the Commercial/Rural Urban Development Overlay Zone.

(b) *Area I.*

(1) Freestanding signs shall be limited to a display surface of three feet by five feet and to a height not to exceed five feet.

(2) Wall signs shall not be visible from the residential areas to the west.

(c) *Area II.*

(1) Freestanding signs shall be limited to a display surface of three feet by five feet and to a height not to exceed five feet.

(2) Wall signs shall not be visible from the residential areas to the east.

(d) *Areas III and IV.*

(1) Wall signs shall not be visible from the residential areas to the east.

(2) Freestanding signs on the Commercial Street frontage shall not cause glare to adjacent residential uses.

(Prior Code, § 900.220; Ord. No. 4-12)

Sec. 900.225. Saginaw Street Urban Development Overlay Zone.

Subject to the limitations in this section, signs permitted within the underlying zone are allowed in the Saginaw Street Urban Development Overlay Zone, except no signs shall be permitted along the Saginaw Street frontage.

(Prior Code, § 900.225; Ord. No. 4-12)

Sec. 900.230. Chemawa/I-5. Northeast Quadrant Gateway Overlay Zone.

(a) Subject to the limitations in this section, signs permitted within the underlying zone are allowed in the Chemawa/I-5 North East Quadrant Gateway Overlay Zone, except the following signs are prohibited:

(1) Outdoor advertising signs.

(2) Temporary signs, except when located in interior areas not visible from outside the boundary of the district.

(b) Signs are not permitted within the district perimeter setback.

(c) Freestanding signs:

(1) Shall not be visible from Interstate-5.

(2) Are limited to a height of ten feet.

(3) May be built on a landscaped berm no higher than four feet in height.

(d) Wall signs are limited to a display surface not exceeding 150 square feet or ten percent of the gross face area of the wall, whichever is less when visible from Interstate-5.

(Prior Code, § 900.230; Ord. No. 4-12)

Sec. 900.235. Riverfront Overlay Zone.

(a) Subject to the limitations in this section, signs permitted within the underlying zones are allowed in the Riverfront Overlay Zone, except the following signs are prohibited:

(1) Outdoor advertising signs.

(b) Freestanding signs shall be restricted to a display surface of 24 square feet and to a height not exceeding five feet. Freestanding signs shall be set back at least five feet from a street property line.

(c) A maximum of one wall sign per building frontage or building face is permitted. Wall signs on a building frontage shall be limited to a display surface that is the greater of 32 square feet or two percent of gross face area of the building frontage. Wall signs on a building face shall be limited to a display surface of 24 square feet.

(d) Illumination of signs is prohibited on the riverfront side of buildings.

(e) Signs owned or leased by an industrial use existed on December 1, 1998, within the overlay zone area may be altered, enlarged or rebuilt and may be extended onto vacant land or intensified provided such alteration, enlargement, rebuilding, extension or intensification otherwise complies with the regulations specified in the Sign Codes for the zone in which the use is permitted. Abandonment or change to a non-industrial use shall remove the sign from the scope of this section.

(Prior Code, § 900.235; Ord. No. 4-12; Ord. No. 31-13)

Sec. 900.240. Broadway High Street Overlay Zone.

(a) Subject to the limitations in this section, signs permitted within the underlying zones are allowed in the Broadway High Street Overlay Zone, except the following signs are prohibited:

(1) Outdoor advertising signs.

(2) Trailer reader boards.

(3) Roof signs.

(4) Wall signs on sign towers.

(b) Freestanding signs shall be limited to a display surface not exceeding 24 square feet and to a height not exceeding five feet. Freestanding signs shall be setback at least five feet from the public right-of-way.

(c) A maximum of one wall sign per building frontage or building face is permitted. Wall signs on a building frontage shall be limited to a display surface not exceeding the greater of 32 square feet or two percent of gross face area of the building frontage. Wall signs on building face shall be limited to a display surface not exceeding 24 square feet.

(Prior Code, § 900.240; Ord. No. 4-12)

Sec. 900.245. Portland/Fairgrounds Road Overlay Zone.

(a) Subject to the limitations in this section, signs permitted in the underlying zones are allowed in the Portland/Fairgrounds Road Overlay Zone, except the following signs are prohibited:

(1) Outdoor advertising signs;

(2) Trailer reader boards; and

(3) Rotating, moving, flashing, changing, or blinking signs.

(b) Freestanding signs.

(1) Freestanding signs shall be restricted to a maximum of ten feet in height above grade, which includes structural, framing, and design elements attached to, or supporting the sign.

(2) Total display surface for freestanding signs is limited to 40 square feet, unless within shopping centers or office complexes. Where the street frontage for a shopping center or office complex exceeds 100 feet in length, the display surface may be increased one square foot for every five feet of street frontage over 100 feet. Such signs shall not exceed 80 square feet in display surface.

(c) Wall signs shall be limited to 32 square feet or two percent of gross face area of the wall to which it is attached, whichever is less. When a business has no freestanding sign, then one sign can be up to 40 square feet in display surface.

(d) Sign towers are allowed, provided the sign and supporting structure does not exceed ten feet above the roof line.

(e) Signs for businesses outside shopping centers and office complexes.

(1) Each business is allowed two signs. When the business is located on two or more street frontages, one additional sign limited to 32 square feet in display surface is allowed for the second street frontage. Where allowed by this chapter, roof signs may not exceed 40 square feet in display surface.

(2) When the total display surface of all signs is less than the total display surface allowed for the business, then the display surface of the signs may be increased up to a maximum display surface of 46 square feet for a sign which was limited to 40 square feet in display surface and 36.8 square feet for a sign which was limited to 32 square feet in display surface. In no case shall the total display surface of all signs exceed the total display surface allowed.

(f) Signs for shopping centers and office complexes.

(1) Each shopping center or office complex shall have a maximum of one sign unless the shopping center or office complex is located on two or more street frontages. One additional 40 square foot sign for the second street frontage is permitted.

(2) Each individual business in a shopping center or office complex is allowed one sign per business with a maximum display surface of 32 square feet. Where allowed by this chapter, roof signs may not exceed 32 square feet in display surface.

(3) Within integrated shopping centers and office complexes, a freestanding sign may not exceed 40 square feet in area unless street frontage of a shopping center or office complex exceeds 100 feet in length. Where the street frontage for a shopping center or office complex exceeds 100 feet in length, the freestanding sign display surface may be increased one square foot for every five feet of street frontage over 100 feet. Such freestanding signs shall not exceed 80 square feet in display surface.

(Prior Code, § 900.245; Ord. No. 4-12)

Sec. 900.250. Edgewater Street/Wallace Road Area Overlay Zone.

(a) Subject to the limitations in this section, signs permitted within the underlying zone are allowed in the Edgewater Street/Wallace Road Area Overlay Zone, except the following signs are prohibited:

(1) Outdoor advertising signs in Area 1, Area 2, Area 3, and Area 5.

(b) In Area 1 (Wallace Road Corridor) and Area 5 (Edgewater Street Corridor), freestanding signs shall be limited to a display surface of 40 square feet and to a height of ten feet above grade, including structural, framing, and design elements attached to or supporting the sign.

(Prior Code, § 900.250; Ord. No. 4-12)

Sec. 900.255. South Gateway Overlay Zone.

Signs permitted in the underlying zones are allowed in the South Gateway Overlay Zone, except the following signs are prohibited:

(a) Outdoor advertising signs.

(b) Trailer reader boards.

(c) Rotating, moving, flashing, changing, or blinking signs.

(Prior Code, § 900.255; Ord. No. 4-12)

Sec. 900.260. West Salem Industrial Overlay Zone.

(a) Subject to the limitations in this section, signs permitted in the underlying zones are allowed in the West Salem Industrial Overlay Zone.

(b) The face of wall signs shall be located so as to not be visible from the residential area across McNary Avenue.

(c) Signs shall not cause glare to adjacent residential uses.

(Prior Code, § 900.260; Ord. No. 4-12)

Sec. 900.265. Willamette Greenway Overlay Zone.

(a) Subject to the limitations in this section, signs permitted in the underlying zones are allowed in the Greenway Overlay Zone, except the following signs are prohibited:

(1) Outdoor advertising signs.

(b) Structures. All structures, including supporting members, shall be screened, colored, or surfaced so as to blend with the riparian area. Colors shall be natural earth or leaf tones. Surfaces shall be nonreflective. Screening shall be sight-obscuring.

(c) No sign shall have a display surface visible from the Willamette River.

(d) Lighting.

(1) Lighting within the Greenway Overlay Zone shall not flash when visible from the Willamette River, and shall not be focused or oriented onto the river surface.

(2) Maximum aggregate intensity of all lighting falling on the Willamette River surface shall not exceed one-tenth foot-candle per square foot.

(3) No red or green lights shall be visible from the Willamette River.

(Prior Code, § 900.265; Ord. No. 4-12)

Sec. 900.270. Commercial/High Density Residential Overlay Zone.

Subject to the limitations in this section, signs permitted in the underlying zones are allowed in the Commercial/High Density Residential Overlay Zone, except outdoor advertising signs are prohibited.

(Prior Code, § 900.270; Ord. No. 4-12)

Sec. 900.275. Historic districts.

In addition to other regulations applicable to permanent signs within this chapter, signs in historic districts shall be designed and approved in accordance with SRC chapter 230, except that reconstruction or installation of historic signs in commercial historic districts are not subject to SRC 900.130(b)(2), 900.130(c), 900.135(b), 900.135(c), 900.140(b), 900.140(d), 900.140(e), 900.140(f), 900.145(a), 900.145(b), 900.145(e), 900.150(a)(1), 900.150(a)(2), or 900.200.

(Prior Code, § 900.275; Ord. No. 4-12; Ord. No. 7-15)

Sec. 900.280. Permanent signs for individual businesses in the Market Street Interchange.

A service station, restaurant, motel, hotel, or trailer camp located in the Market Street Interchange that is not located in a shopping center may have one freestanding sign which shall be limited to a display surface not exceeding 250 square feet, and to a height of 50 feet with a maximum clearance between the bottom of the sign and the grade of 30 feet. If such sign is erected, it shall be in lieu of and not in addition to any freestanding sign permitted for such business along the street frontage on which it is located.

(Prior Code, § 900.280; Ord. No. 4-12)

Sec. 900.290. Reserved.

NONCONFORMING, UNSAFE, ABANDONED, PROHIBITED SIGNS

Sec. 900.300. Nonconforming signs.

(a) Except as otherwise provided in this section, signs which were erected prior to the effective date of this ordinance, and which are made nonconforming by its enactment, shall be considered nonconforming signs which may remain for their lifetime, subject to SRC 900.305. Where a sign permit is granted prior to the effective date of this ordinance, the permit shall be valid for a period of 90 days from the effective date of ~~this~~ the ordinance from which this chapter is derived.

(b) Any nonconforming sign which is:

(1) An unsafe sign shall be removed within the time specified in SRC 900.310.

(2) An abandoned sign shall be removed within the time specified in SRC 900.315.

(3) A prohibited sign shall be removed within the time specified in SRC 900.325.

(c) A nonconforming sign may be repaired and maintained, and may have the advertising copy thereon changed including the name of the business or owner thereof. A nonconforming sign may be removed from its sign structure for the purpose of repair and maintenance under this subsection if a sign repair permit has been obtained.

(d) Nonconforming signs may be structurally altered where such alteration is necessary for structural safety.

(e) Nonconforming signs may be reconstructed if they are moved for construction or repair of public works or public utilities, and such reconstruction is completed within one year.

(f) Nonconforming signs may be reconstructed if they are damaged by an act of God or an accident, provided that such damage does not exceed 50 percent of the cost of reconstruction of the entire sign and provided that such sign is reconstructed within six months of the date the sign was damaged.

(g) Nonconforming signs shall be properly repaired and maintained as provided in this chapter. A sign maintained in violation of this subsection shall be removed as provided in applicable provisions of SRC 900.310 through 900.330.

(Prior Code, § 900.300; Ord. No. 4-12)

Sec. 900.305. Removal of nonconforming signs.

(a) The Director may remove any sign erected or maintained in violation of this chapter or other applicable provisions of the Salem Revised Code.

(b) Unless the sign is an unsafe sign subject to SRC 900.310, the Director shall give 30 days' written notice to the owner or lessee of the sign or to the owner of the building, structure, or premises on which the sign is located, to remove the sign. If the sign is not removed in such 30-day period, the Director may remove the sign.

(Prior Code, § 900.305; Ord. No. 4-12)

Sec. 900.310. Removal of unsafe signs.

If a sign is erected or maintained in violation of SRC 900.020, "Prohibited Signs"; SRC 900.060, "Materials"; SRC 900.105, "Signs in Vision Clearance Areas"; SRC 900.115, "Sign Location for Safety"; SRC 900.120, "Sign Maintenance"; or SRC 900.160, "Temporary Signs, General Standards," and presents an immediate and serious danger to public health, safety, or welfare, the Director may, without prior notice, order the immediate removal or repair of the sign within such period of time that the Director deems appropriate to eliminate the danger. The Director may remove the sign in the event that the owner or lessee of the sign cannot be found, or refuses to repair or remove the sign within the time established by the Director.

(Prior Code, § 900.310; Ord. No. 4-12)

Sec. 900.315. Removal of abandoned signs.

(a) The Director may remove any abandoned sign.

(b) Unless the sign is an unsafe sign subject to SRC 900.310, the Director shall give 30 days' written notice to the owner or lessee of the sign, or to the owner of the building, structure, or premises on which the sign is located, to remove the sign. If the sign is not removed in such 30-day period, the Director may remove the sign or cause the sign to be removed.

(c) Evidence of cessation of active use of an abandoned sign includes, but is not limited to, failure to maintain a sign; failure to repair damage within 90 days of the date the damage occurs; failure to remove a temporary sign within a reasonable time period after the date the sign was erected; or vacation of the building, structure, or premises upon which the sign is located. As used in this section, abandoned signs do not include:

(1) Outdoor advertising signs where a person has merely leased or contracted space thereon, and the owner of the sign provides evidence that the lease or contract has expired and the owner is actively seeking new lessees or persons with whom to contract for use of the sign.

(2) Signs which the successor to the owner or lessee agrees to maintain as provided in this chapter, provided the new owner or new lessee files a letter of intent with the Director within 30 days after the written notification by the Director to remove the sign.

(Prior Code, § 900.315; Ord. No. 4-12)

Sec. 900.320. Reserved.

Sec. 900.325. Removal of prohibited signs or signs erected without a permit.

The Director may remove or order the removal, without prior written notice, of any prohibited sign or sign erected without a sign permit required by this chapter.

(Prior Code, § 900.325; Ord. No. 4-12)

Sec. 900.330. Procedure upon removal; costs of removal.

(a) The Director shall, within 30 days after removal, notify the owner or lessee of a sign and the owner of the building, structure, or premises upon which the sign was located, that the sign has been removed. Any sign removed by the Director shall be stored for a period of 30 days from the date notification is given. If the identity or address of the owner or lessee of the sign or the owner of the building, structure, or premises upon which the sign was located cannot be located after reasonable effort, the Director shall store the sign for a period of 30 days after the date the Director determines that notification cannot be made. The Director shall continue to store any sign that has been removed for the additional time during which any appeal of the removal is pending. At the expiration of the time specified in this section, if the owner or lessee of the sign, or the owner of the building, structure, or premises upon which the sign is located, has not reclaimed the sign as provided in subsection (b) of this section, the sign may be destroyed or disposed of in any manner the Director deems appropriate.

(b) To reclaim any sign that has been removed, the person reclaiming the sign shall pay to the City an amount equal to all costs incurred by the City in removing and storing the sign.

(c) Where the owner or lessee of a sign and/or the owner of the building, structure, or premises upon which the sign is located, have been notified of the requirement to remove a sign under SRC 900.305, “Removal of Non-Complying Signs”; SRC 900.310, “Removal of Unsafe Signs”; or SRC 900.315, “Removal of Abandoned Signs”; and such person has refused to remove the sign, or where the Director has removed or caused the removal of any sign under SRC 900.310, “Removal of Unsafe Signs” or SRC 900.325, “Removal of Prohibited Signs or Signs Erected Without a Permit," all costs incurred in removal, storage, and disposal of the sign shall be charged to the owner or lessee of the sign, or the owner of the building, structure, or premises upon which the sign was located. The owner or lessee of the sign and the owner of the building, structure, or premises on which the sign is located, shall be jointly and severably liable for the cost of removing, storing, and disposing of the sign, and all costs of such removal, storage, and disposal may be entered in the City’s lien docket as a lien against land or premises on which the sign is located, and may be collected or foreclosed in the same manner as any debt, charge, or lien.

(Prior Code, § 900.330; Ord. No. 4-12)

Sec. 900.335. Stop work orders; permit revocation; civil penalties; enforcement.

(a) *Stop work orders and permit revocation.*

(1) The Director may suspend work or revoke a sign permit upon a finding that:

(A) The work is not authorized by a valid permit;

(B) Inaccurate information was used to obtain the permit;

(C) The applicant is not complying with the terms of the permit or this chapter;

(D) The work is, or threatens to become, a hazard to property or public safety; is adversely affecting or about to adversely affect adjacent property or rights-of-way; or is otherwise adversely affecting the public health, safety, or welfare;

(E) The permittee fails to notify the Director of the progress of construction for inspection purposes; or

(F) The permit was issued in error.

(2) The Director shall issue a written notice specifying the basis for the suspension or revocation that must be remedied prior to resuming other work on the project.

(b) *Civil penalty.* Any person who fails to comply with the requirements of this chapter, or the terms of a permit issued hereunder; who undertakes an activity regulated by this chapter without first obtaining a permit; or who fails to comply with a stop work order issued pursuant to this chapter; shall be subject to a civil penalty, not to exceed $2,000.00 per violation. Each day that a violation continues shall constitute a separate violation.

(c) *Civil penalties against agents.* Any person who acts as the agent of, or otherwise assists, a person who engages in an activity which would be subject to a civil penalty, may likewise be subject to a civil penalty.

(d) *Prohibition of final occupancy; injunctive relief.*

(1) The City shall not issue a notice of final occupancy for property on which a violation of this chapter has occurred or is occurring, until the violation has been cured and any penalty imposed is paid.

(2) The City may seek injunctive relief against any person who has willfully constructed, erected, enlarged, altered, or relocated any sign in violation of this chapter, such relief to be in effect for a period not to exceed five years.

(e) *Remedies not exclusive.* The remedies provided in this chapter are cumulative and not mutually exclusive and are in addition to any other right, remedies, and penalties available to the City under any other provision of law.

(Prior Code, § 900.335; Ord. No. 4-12)

APPEALS; VIOLATIONS

Sec. 900.340. Appeals.

(a) Hearings Officer. Any person whose sign permit has been revoked, or who has been ordered to alter or remove a sign, may appeal the decision to the Hearings Officer by filing a written notice of appeal with the Director, not later than 15 business days after the date the decision is issued. The notice of appeal shall state the basis of the appeal, and why the decision was in error, and shall be accompanied by the appeal fee.

(b) An order requiring the removal of a sign under SRC 900.310, SRC 900.315, or SRC 900.325 shall be stayed until a final decision is issued by the Hearings Officer. No stay shall be provided for an order of the Director requiring the removal of a sign under SRC 900.315.

(c) The hearings upon appeal or review are contested case proceedings, and shall be conducted under SRC chapter 20J.

(Prior Code, § 900.340; Ord. No. 4-12)

Sec. 900.345. Constitutional issues involving application of sign code.

When an appeal raises an issue involving the application of state or federal constitutional law in the issuance of a sign permit, the revocation of a sign permit, or an order to alter or remove a sign, the Salem Municipal Court shall hear and decide the constitutional law issues on an expedited basis. The court shall conduct a trial on the constitutional issues. The City Attorney may appear on behalf of the City. Following the hearing, the court shall

issue a written opinion on the constitutional issues. The court's decision shall be appealable by either party by writ of review to Marion County Circuit Court. The City Attorney shall have the authority to initiate an appeal of the court's decision on behalf of the City. If no appeal is filed, the Court's decision shall be binding upon the parties, and shall be incorporated into the final decision.

(Prior Code, § 900.345; Ord. No. 4-12)

Sec. 900.350. Violations.

(a) It shall be unlawful to construct, erect, enlarge, alter, or relocate any sign, or install electrical parts, wiring, or illumination in or upon a sign, until all required permits have been obtained, including, but not limited to, sign permits, building permits, electrical permits, and any other permit required under this chapter or under any applicable federal, state, or local law.

(b) Except as provided in SRC 900.030, it shall be unlawful to erect, construct, enlarge, alter, repair, move, improve, convert, equip, use, or maintain any sign, or cause or permit the same to be done, in violation of any provision of this chapter, or of a permit issued under this chapter.

(c) A violation of this section is an infraction. Each day that a violation continues shall constitute a separate violation.

(Prior Code, § 900.350; Ord. No. 4-12)