

ORDINANCE BILL NO. 11-17

AN ORDINANCE ALLOWING MULTIPLE FAMILY RESIDENTIAL USE IN THE PH ZONE; AMENDING SRC 543.005 AND 702.005.

The City of Salem ordains as follows:

Section 1. SRC 543.005 is amended to read as follows:

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

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	<u>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.</u>
	N	<u>All other Multiple Family.</u>
Group Living		
Room and Board	N	
Residential Care	P	
Nursing Care	P	
Lodging		
Short-Term Commercial Lodging	N	
Long-Term Commercial Lodging	N	
Non-Profit 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	
Non-Profit 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	
Post-Secondary and Adult Education	C	
Civic Services		

Table 543-1: Uses

Use	Status	Limitations & Qualifications
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	
Whole 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 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	

Table 543-1: Uses		
Use	Status	Limitations & Qualifications
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	

Section 2. SRC 702.005 is amended to read as follows:

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.

Section 3. Findings. This is a legislative land use amendment. The criteria applicable to this proceeding are identified in SRC 110.085(b)(1)&(2). Findings demonstrating the amendment complies with the applicable criteria are set forth in “Exhibit 1,” which is attached hereto and incorporated herein by reference.

Section 4. Codification. In preparing this ordinance for publication and distribution, the City Recorder shall not alter the sense, meaning, effect or substance of this ordinance, but within such limitations, may:

- (a) Renumber sections and parts of sections of the ordinance;
- (b) Rearrange sections;
- (c) Change reference numbers to agree with renumbered chapters, sections or other parts;
- (d) Delete references to repealed sections;
- (e) Substitute the proper subsection, section or chapter, or other division numbers;
- (f) Change capitalization and spelling for the purpose of uniformity;
- (g) Add headings for purposes of grouping like sections together for ease of reference;
- and
- (h) Correct manifest clerical, grammatical or typographical errors.

Section 5. Severability. Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

PASSED by the City Council this _____ day of _____, 2017.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: B. Colbourne