



2021 Unified Development Code (UDC) Update (Summary of Proposed Amendments)

UDC Chapters Proposed for Amendment

SRC Chapter 50 (*Property Maintenance*)

- Amendments:
 - ❖ Increase the types and numbers of poultry that may be kept in the City.
 - ❖ Relocate the standards for keeping of miniature swine from SRC Chapter 95 to SRC Chapter 50 so they are grouped with the standards for keeping poultry and bees.

SRC Chapter 77 (*Permits & Street Improvements*)

- Amendments provide exemption for sidewalk construction for building permits for single family dwellings converted to duplexes, triplexes, or quadplexes to be consistent with the exemption currently allowed for single family and two family dwellings. Amendment required by State House Bill HB2001.

SRC Chapter 95 (*Miscellaneous Offenses*)

- Amendments eliminate the standards for the keeping of miniature swine under SRC Chapter 95 and relocate them to SRC Chapter 50 so they are grouped with the standards for keeping poultry and bees.

SRC Chapter 110 (*General Zoning Provisions*)

- Amendments improve the review process associated with requests for formal interpretations of the development code so they align more closely with the land use review procedures of SRC Chapter 300.

SRC Chapter 111 (*Definitions*)

- Amendments establish new and revised definitions for various terms used throughout the Unified Development Code.

SRC Chapter 112 (*Measurements*)

- Amendments clarify:
 - ❖ How fence height is measured adjacent to a street; and
 - ❖ How setbacks are measured from a waterway.

SRC Chapter 205 (*Land Division & Reconfiguration*)

- Amendments:
 - ❖ Clarify that tree inventories submitted with land division applications must be accurate and up-to-date as of the date of submittal of the application.
 - ❖ Establish a new land division application type and review process for subdivisions and partitions of land that are developed for middle housing (*e.g. townhouses, two family uses, three family uses, four family uses and cottage clusters*). Amendment required by State Senate Bill SB458.
 - ❖ Eliminate the Property Boundary Verification process.

SRC Chapter 210 (*Planned Unit Development*)

- Amendments update the Planned Unit Development (PUD) chapter to comply with the requirements of State House Bill HB2001 by:
 - ❖ Adding three family and four family uses as permitted uses in PUDs.
 - ❖ Clarifying the maximum residential density for PUDs within RA, RS, and RD zones.

- ❖ Establishing a new setback adjacent to waterways for middle housing development within newly created PUDs.
- ❖ Revising minimum parking requirements for middle housing within PUDs.

SRC Chapter 220 (*Site Plan Review*)

- Amendments:
 - ❖ Add requirement for Class 1 Site Plan Review for a change of use when a building permit is not otherwise required.
 - ❖ Add new requirement for triggering Class 3 Site Plan Review that applies if conditions of approval will be placed on a decision.
 - ❖ Add middle housing, demolition permits, and fence construction to the list of development activities that are exempt from site plan review.
 - ❖ Add building elevation drawings as a submittal requirement for Class 2 and Class 3 Site Plan Review applications.

SRC Chapter 235 (*Manufactured Dwelling Parks*)

- Amendments update the manufactured dwelling park chapter to comply with State law by:
 - ❖ Allowing recreational vehicles to be occupied as a dwelling within a manufactured park when they are located in a manufactured dwelling park space and lawfully connected to water, sewer, and electricity.
 - ❖ Eliminating the minimum manufactured home size and skirting requirements.

SRC Chapter 260 (*Annexation Procedures*)

- Amendments update the Annexation chapter to:
 - ❖ Align annexation review procedures with State law and the land use application review procedures of SRC Chapter 300.
 - ❖ Reformat and simply the organization of the chapter and eliminate unnecessary provisions.

SRC Chapter 270 (*Nonconforming Situations*)

- Amendments:
 - ❖ Add acquisition of public right-of-way to this list of actions that have the potential to make existing development and existing lots legally non-conforming.
 - ❖ Clarify that duplexes can be constructed on nonconforming lots of record in any residential zone regardless of lot standards or density. Amendment required by State House Bill HB2001.
 - ❖ Add new provision allowing nonconforming lots of record in non-residential zones to be used for any use allowed in the zone regardless of lot standards as long as all other applicable standards (*e.g. setbacks, lot coverage, height, etc.*) are met.

SRC Chapter 300 (*Procedures for Land Use Applications & Legislative Land Use Proposals*)

- Amendments:
 - ❖ Assign a Type III land use review procedure to annexation applications without a comprehensive plan map amendment and/or zone change and clarify the review procedures associated with such applications.
 - ❖ Assign a Type IV land use review procedure to annexation applications with a comprehensive plan map amendment and/or zone change and clarify the review procedures associated with such applications.
 - ❖ Clarify that Type III applications may be City initiated when allowed under the UDC for the specific type of application.

- ❖ Add the Salem Area Mass Transit District to the list of agencies that are required to receive public notice for Type II, Type III, and Type IV land use applications, as well as legislative land use proposals.
- ❖ Clarify the effective date of land use decisions.
- ❖ Clarify the expiration periods for the approval of certain types of land use applications when consolidated with either applications for site plan review or land divisions.
- ❖ Establish a four-year expiration period for Class 1 Driveway Approach Permits, Class 2 Driveway Approach Permits, and Landscaping Permits to align with the four-year expiration period for site plan review approvals.
- ❖ Establish a three-year expiration period for Middle Housing Land Division tentative plan approvals.

SRC Chapter 400 (Use Classifications)

- Amendments:
 - ❖ Improve the review process associated with requests for Similar Use Determinations so they align more closely with the land use review procedures of SRC Chapter 300.
 - ❖ Revise the Commercial Parking use to apply only to parking that is available to the public and not exclusively accessory to a specific use or development.

SRC Chapter 510 (Residential Agriculture – RA Zone)

- Amendments:
 - ❖ Update the RA zone to comply with State House Bill HB2001 by:
 - Allowing middle housing within the zone (*e.g. townhouses, two family uses, three family uses, four family uses, and cottage clusters*);
 - Establishing minimum lot size and dimensions standards for middle housing;
 - Establishing setback, lot coverage, and height standards for middle housing; and
 - Eliminating the garage requirement for new dwellings.
 - ❖ Eliminate commercial parking as an allowed special use within the zone.
 - ❖ Add managed temporary camping for the homeless and emergency shelters as permitted temporary uses within the zone, but only when located on the site of a church.

SRC Chapter 511 (Single Family Residential – RS Zone)

- Amendments:
 - ❖ Update the RS zone to comply with State House Bill HB2001 by:
 - Allowing middle housing within the zone (*e.g. townhouses, two family uses, three family uses, four family uses, and cottage clusters*);
 - Establishing minimum lot size and dimensions standards for middle housing;
 - Establishing setback, lot coverage, and height standards for middle housing; and
 - Eliminating the garage requirement for new dwellings.
 - ❖ Eliminate commercial parking as an allowed special use within the zone.
 - ❖ Add managed temporary camping for the homeless and emergency shelters as permitted temporary uses within the zone, but only when located on the site of a church.

SRC Chapter 512 (Duplex Residential – RD Zone)

- Amendments:
 - ❖ Update the RD zone to comply with State House Bill HB2001 by:
 - Allowing middle housing within the zone (*e.g. townhouses, two family uses, three family uses, four family uses, and cottage clusters*);
 - Establishing minimum lot size and dimensions standards for middle housing;

- Establishing setback, lot coverage, and height standards for middle housing; and
- Eliminating the garage requirement for new dwellings.
- ❖ Add managed temporary camping for the homeless and emergency shelters as permitted temporary uses within the zone, but only when located on the site of a church.

SRC Chapter 513 (Multiple Family Residential – RM-I Zone)

- Amendments:
 - ❖ Update the RM-I zone to comply with State House Bill HB2001 by:
 - Allowing middle housing within the zone (*e.g. townhouses, two family uses, three family uses, four family uses, and cottage clusters*);
 - Clarifying minimum lot size and dimensions standards for middle housing; and
 - Clarifying density, setback, lot coverage, and height standards for middle housing.
 - ❖ Eliminate commercial parking as an allowed use within the zone.
 - ❖ Add managed temporary camping for the homeless and emergency shelters as permitted temporary uses within the zone, but only when located on the site of a church.

SRC Chapter 514 (Multiple Family Residential – RM-II Zone)

- Amendments:
 - ❖ Eliminate commercial parking as an allowed use within the zone.
 - ❖ Add managed temporary camping for the homeless and emergency shelters as permitted temporary uses within the zone, but only when located on the site of a church.
 - ❖ Eliminate the maximum lot depth applicable to townhouse lots.
 - ❖ Clarify that minimum and maximum density requirements do not apply to the replacement of existing single family detached dwellings.

SRC Chapter 515 (Multiple Family High-Rise Residential – RH Zone)

- Amendments:
 - ❖ Eliminate commercial parking as an allowed use within the zone.
 - ❖ Add managed temporary camping for the homeless and emergency shelters as permitted temporary uses within the zone, but only when located on the site of a church.

SRC Chapter 520 (Neighborhood Commercial – CN Zone)

- Amendments add managed temporary camping for the homeless and emergency shelters as permitted temporary uses within the zone.

SRC Chapter 521 (Commercial Office – CO Zone)

- Amendments add managed temporary camping for the homeless and emergency shelters as permitted temporary uses within the zone.

SRC Chapter 522 (Retail Commercial – CR Zone)

- Amendments:
 - ❖ Add managed temporary camping for the homeless and emergency shelters as permitted temporary uses within the zone.
 - ❖ Add transit centers as a permitted use within the zone.

SRC Chapter 523 (General Commercial – CG Zone)

- Amendments add managed temporary camping for the homeless and emergency shelters as permitted temporary uses within the zone.

SRC Chapter 524 (Central Business District – CB Zone)

- Amendments:
 - ❖ Add self-service storage within existing buildings as an allowed special use within the zone, subject to limitations on location and design.
 - ❖ Add managed temporary camping for the homeless and emergency shelters as permitted temporary uses within the zone
 - ❖ Eliminate single family detached dwellings as an allowed use within the zone.
 - ❖ Reclassify commercial parking on surface parking lots within the zone from a permitted use to a conditional use requiring a Conditional Use Permit.
 - ❖ Prohibit drive-through uses within the zone.
 - ❖ Establish the following new development standards:
 - A minimum residential density requirement of 20 dwelling units per acre (*applies to developments that are exclusively residential*).
 - A minimum floor-area-ratio (FAR) density requirement of 2.0.
 - A minimum building height requirement of two-stories.
 - A minimum building street frontage requirement of 90% (*minimum 75% on intersecting streets for corner lots*).
 - ❖ Incorporate the existing design review standards of the General Retail/Office and Front Street overlay zones into the zone and add new design standards pertaining to:
 - Minimum ground floor building height.
 - Building façade design/articulation.
 - Ground floor dwelling unit entry separation from street.
 - Upper floor windows.
 - Parking location behind or beside buildings.
 - Ground level and rooftop mechanical and service equipment screening.

SRC Chapter 525 (West Salem Central Business District – WSCB Zone)

- Amendments add managed temporary camping for the homeless and emergency shelters as permitted temporary uses within the zone.

SRC Chapter 530 (Fairview Mixed-Use – FMU Zone)

- Amendments update the FMU zone to further clarify the relationship between the Fairview plan and refinement plans. The amendments:
 - ❖ Add language providing greater clarity regarding the purpose of the Fairview Plan and its regulatory authority over subsequent refinement plans.
 - ❖ Revise approval criteria for refinement plans to specify which specific portions of the Fairview plan refinements plans must be found to be in conformance with.
 - ❖ Clarify that the maps and drawings in the plan are conceptual//illustrative in nature and may be further revised by refinement plans in substantial conformance with the thirteen sustainable land use principles included in the *Fairview Training Center Redevelopment Master Plan* document.
 - ❖ Clarify who has standing to initiate amendments to the Fairview plan and refinement plans.
 - ❖ Clarify that amendments to the Fairview plan and refinements plans are actual changes to the text and/or supporting documents of the plans, not site-specific proposals for development requesting deviation from the standards of a refinement plan (*e.g. a request that would normally be addressed through a variance or adjustment to the standard rather than an amendment to the standard*).
 - ❖ Add child day care home as a permitted use in the LI (Low-Intensity Residential) area of the zone in order to comply with State House Bill HB3109.

- ❖ Add managed temporary camping for the homeless and emergency shelters as permitted temporary uses within the zone.

SRC Chapter 531 (South Waterfront Mixed-Use – SWMU Zone)

- Amendments:
 - ❖ Add managed temporary camping for the homeless and emergency shelters as permitted temporary uses within the zone.
 - ❖ Update the zone by eliminating those code sections and associated graphics pertaining to the portion of the SWMU zone area north of Pringle Creek and west of the railroad tracks which is no longer located in the zone due to a previous zone change approval changing the zoning of that portion of the site from SWMU to CB (Central Business District).

SRC Chapter 532 (Neighborhood Center Mixed-Use – NCMU Zone)

- Amendments:
 - ❖ Add child day care home as a permitted use outside the core area of the NCMU zone in order to comply with State House Bill HB3109.
 - ❖ Add managed temporary camping for the homeless and emergency shelters as permitted temporary uses inside the core area of the NCMU zone.

SRC Chapter 532 (Mixed-Use-I – MU-I Zone)

- Add managed temporary camping for the homeless and emergency shelters as permitted temporary uses within the zone.

SRC Chapter 533 (Mixed-Use-II – MU-II Zone)

- Add managed temporary camping for the homeless and emergency shelters as permitted temporary uses within the zone.

SRC Chapter 535 (Edgewater/Second Street Mixed-Use Corridor – ESMU Zone)

- Amendments:
 - ❖ Eliminate commercial parking as a permitted use within the zone.
 - ❖ Add managed temporary camping for the homeless and emergency shelters as permitted temporary uses within the zone.

Public Zones (Various SRC Chapters)

- Amendments revise the following public zones to add managed temporary camping for the homeless and emergency shelters as permitted temporary uses within the zones:
 - ❖ SRC Chapter 540 (Public Amusement – PA Zone);
 - ❖ SRC Chapter 542 (Public & Private Educational Services – PE Zone);
 - ❖ SRC Chapter 543 (Public & Private Health Services – PH Zone);
 - ❖ SRC Chapter 544 (Public Service – PS Zone); and
 - ❖ SRC Chapter 545 (Capitol Mall – PM Zone).

SRC Chapter 550 (Employment Center – EC Zone)

- Amendments:
 - ❖ Add child day care services as a permitted use with the zone in order to comply with State House Bill HB3109.
 - ❖ Add managed temporary camping for the homeless and emergency shelters as permitted temporary uses within the zone.

Other Industrial Zones (Various SRC Chapters)

- Amendments revise the following industrial zones to add managed temporary camping for the homeless and emergency shelters as permitted temporary uses within the zones:
 - ❖ SRC Chapter 551 (Industrial Commercial – IC Zone);
 - ❖ SRC Chapter 552 (Industrial Business Campus – IBC Zone);
 - ❖ SRC Chapter 553 (Industrial Park – IP Zone);
 - ❖ SRC Chapter 554 (General Industrial – IG Zone);
 - ❖ SRC Chapter 555 (Intensive Industrial– II Zone); and
 - ❖ SRC Chapter 556 (Second Street Craft Industrial Corridor – SCI Zone).

Overlay Zones (*Various SRC Chapters*)

- Amendments update the Airport Overlay Zone (SRC Chapter 602) to conform to current FAA requirements identified by the Airport Administrator.
- Amendments update the Compact Development Overlay Zone (SRC Chapter 631) to eliminate conflicts between the allowed uses and development standards of the overlay zone and the allowed uses and development standards of the underlying RS zone as a result of the requirements of House Bill 2001.
- Amendments revise the following overlay zones to add managed temporary camping for the homeless and emergency shelters as permitted temporary uses within the overlay zones:
 - ❖ SRC Chapter 604 (Pine Street Mixed-Use Overlay Zone);
 - ❖ SRC Chapter 605 (Northgate Mixed-Use Overlay Zone); and
 - ❖ SRC Chapter 626 (Commercial High-Density Residential Overlay Zone).
- Amendments eliminate the following overlay zones and incorporate their design review standards into the CB (Central Business District) zone:
 - ❖ SRC chapter 632 (General Retail/Office Overlay Zone); and
 - ❖ SRC Chapter 633 (Front Street Overlay Zone).

SRC Chapter 700 (*Special Use Provisions*)

- Amendments:
 - ❖ Establish special use standards for the development of cottage clusters within the City’s single-family residential zones. Amendment required by State House Bill HB2001.
 - ❖ Establish special use standards for locating self service storage within existing buildings in the CB (Central Business District) zone and make the standards variable or adjustable.
 - ❖ Modify the special use standards applicable to three family and four family uses within the City’s single-family residential zones. Amendment required by State House Bill HB2001.
 - ❖ Eliminate the special use standards for commercial parking and two-family shared dwellings because these uses are no longer proposed to be allowed as special uses within any zones or overlay zones.

SRC Chapter 701 (*Temporary Uses*)

- Amendments:
 - ❖ Establish standards for **managed temporary villages** where the use is proposed to be allowed within a particular zone. Managed temporary villages are intended to help address the needs of the unsheltered within the community by providing temporary living accommodations in a managed and secure environment with consistent access to on-site restrooms, storage, garbage removal, and additional services. Temporary living accommodations include non-permanent structures such as micro shelters, tents, and vehicles.

- ❖ Establish temporary uses standards for **emergency shelters** where the use is proposed to be allowed within a particular zone. Emergency shelters are proposed to be allowed as temporary uses because they're currently not identified as being allowed in the development code but provide an essential service to individuals who are in need of safe accommodations during times of an emergency.

SRC Chapter 702 (Multiple Family Design Review Standards)

- Clarify that multiple family design review is not required for cottage cluster developments when located in a zone where the use is allowed as a special use subject to the special use standards of SRC Chapter 700.
- Amendments establish a minimum required five-foot width for pedestrian pathways within multiple family developments.

SRC Chapter 800 (General Development Standards)

- Amendments:
 - ❖ Establish standard requiring all lots to be of a size and shape so as to be buildable exclusive of required setbacks, easements, riparian corridors, mapped flood plain/floodway boundaries, and wetlands.
 - ❖ Require a maintenance easement for all dwelling units constructed contiguous to a property line.
 - ❖ Clarify the maximum allowed projection for building cornices, eaves, and gutters into a required interior side setback.
 - ❖ Allow barbed wire fencing for security around electrical utility substations.
 - ❖ Revise applicability of certain pedestrian access standards included under SRC 800.065.

SRC Chapter 803 (Streets & Right-of-Way Improvements)

- Amendments:
 - ❖ Require construction and dedication of right-of-way for transit stops when transit stops are identified as being needed by the Transit District in connection with a proposed development.
 - ❖ Require on-street parking to be restricted in the area of a transit stop when a transit stop is required.
 - ❖ Provide an exemption for boundary street improvements for building permits for single family dwellings converted to duplexes, triplexes, or quadplexes to be consistent with the exemption currently allowed for single family and two-family dwellings. Amendment required by State House Bill HB2001.

SRC Chapter 804 (Driveway Approaches)

- Amendments:
 - ❖ Revise driveway approach standards to allow a driveway approach onto an arterial street from an existing single family, two family, three family and four family use when the driveway is designed as a circular driveway or the driveway includes an on-site turnaround.
 - ❖ Revise driveway approach standards to allow a driveway approach onto an arterial street from a proposed single family, two family, three family, or four family use on an existing lot when the driveway is designed as a circular driveway or the driveway includes an on-site turnaround.
 - ❖ Require alley access for new single family, two family, three family, and four family uses on existing lots abutting an alley.

SRC Chapter 806 (Off-Street Parking, Loading, & Driveways)

- Amendments:
 - ❖ Eliminate minimum off-street parking requirement for middle housing (*e.g. townhouses, two family uses, three family uses, four family uses, and cottage clusters*).
 - ❖ Reduce minimum off-street parking requirement for multiple family uses to one space per dwelling unit.
 - ❖ Eliminate minimum off-street parking requirement for non-profit shelters in the CSDP area.
 - ❖ Clarify that the minimum off-street parking requirement for non-profit shelters for victims of domestic violence serving 10 or fewer persons is one space per guest room or suite.
 - ❖ Reduce minimum off-street parking requirement for all other non-profit shelters to one space per 10 persons served.
 - ❖ Allow circular driveways within yards adjacent to arterial or collector streets subject to additional standards.
 - ❖ Require vehicle storage areas and the access to them to be paved.
 - ❖ Establish minimum vehicle turnaround standards for parking areas with dead-end drive aisles.
 - ❖ Change the applicability of the minimum bicycle parking standards to changes of use of existing buildings in the CB zone.
 - ❖ Increase the minimum bicycle parking requirement for multiple family uses in the CSDP area or within a quarter mile of a Core Network transit route to one space per dwelling unit.
 - ❖ Increase the minimum bicycle parking requirement for shopping centers to the greater of 4 spaces or one space per 5,000 square feet of building area.
 - ❖ Introduce long-term bicycle parking requirements.
 - ❖ Update bicycle parking standards and reformat them to include additional tables and graphics.
 - ❖ Eliminate minimum five-foot perimeter setback required between loading areas and alleys.

SRC Chapter 807 (*Landscaping & Screening*)

- Amendments:
 - ❖ Clarify that the tree replanting requirements included under SRC Chapter 807 do not apply to lots used for single family uses, two family uses, three family uses, four family uses, or cottage clusters.
 - ❖ Establish a new requirement for a landscaping permit that will apply in those situations when site plan review is required, but no corresponding subsequent building permit is required.

SRC Chapter 808 (*Preservation of Trees & Vegetation*)

- Amendments:
 - ❖ Expand definition of significant tree to include Oregon white oaks 20 inches or greater in dbh and any other tree with a dbh of 30 inches or greater, with the exception of Douglas firs.
 - ❖ Exempt removal of City trees, as defined under SRC 86, and removal of hazardous trees, pursuant to an order issued by the City, from the requirement to obtain a tree removal permit.
 - ❖ Eliminate exemptions for certain activities that do not currently require a tree removal permit and establish a new tree removal permit approval criterion for removal of

significant trees in connection with construction of a multiple family, mixed-use, commercial, or industrial development.

- ❖ Require tree conservation plans for land divisions for middle housing, in addition to single family uses and two uses.
- ❖ Require tree conservation plans to show the critical root zones of trees to allow for better review of tree conservation plans to determine whether proposed lots are buildable in conformance with the plan based on their size, configuration, and the location of existing trees.
- ❖ Increase the minimum tree preservation requirement for tree conservation plans from 25 percent to 30 percent;
- ❖ Create new section establishing tree protection measures required during construction.
- ❖ Reduce the minimum tree planting requirements for lots less than 4,000 square feet in size from a minimum of two trees to a minimum of one tree.
- ❖ Provide for a two-to-one reduction in the amount of trees that are required to be planted on a lot for each significant tree preserved.
- ❖ Modify replanting and restoration requirements associated with violations of the chapter.