

*Si necesita ayuda para comprender esta informacion,
por favor llame 503-588-6173*

**RECOMMENDATION OF PLANNING COMMISSION
CODE AMENDMENT CASE NO. CA19-01**

WHEREAS, on September 18, 2018, the Salem Planning Commission initiated amendments to the Salem Revised Code (SRC) to update Title X of the SRC (the Unified Development Code) and various other chapters of the SRC to address issues that have arisen since the last update to the UDC in 2016; and

WHEREAS, after due notice, a public hearing on the proposed amendments was held before the Planning Commission on February 26, 2019, at which time witnesses were heard and testimony received; and

WHEREAS, the Planning Commission subsequently voted to continue the public hearing until March 5, 2019, to allow for additional public testimony and further consideration of the proposed amendments; and

WHEREAS, the Planning Commission having carefully considered the entire record of this proceeding, including all testimony provided; and after due deliberation and being fully advised; NOW THEREFORE

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SALEM, OREGON:

Section 1. FINDINGS:

The Planning Commission hereby adopts as its findings of fact the findings included in the attached Exhibit A dated March 5, 2019.

Section 2. ORDER:

Based upon the foregoing findings and conclusions, the Planning Commission RECOMMENDS the City Council take the following action:

The City Council accept first reading of an ordinance bill for the purpose of amending the Salem Revised Code (SRC) to update the Unified Development Code (SRC Title X) and other identified chapters of the SRC as recommended in the February 26, 2019, Planning Commission staff report and the February 26, 2019, supplemental Planning Commission staff report with the following additional revisions:

- 1) Revise the number of bee hives allowed to be kept on property, regardless of property size, to a maximum of five with an allowance to increase the maximum number of hives to seven for temporary periods of time of up to five months during bee season (April through August of each calendar year) when additional hives are formed through the splitting of existing hives or collection of swarms; and specify that the number of hives at the end of bee season shall be reduced to the original maximum limit.
- 2) Revise the location of required bee warning signs to the primary public entrance to properties.
- 3) In order to reduce the potential impact of bees on abutting properties, revise the proposed requirements of SRC 50.720(c)(3) to add, as an alternative to a fly away barrier, the option of elevating the hive a

NOTICE OF RECOMMENDATION

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minimum of 10 feet above ground level.

- 4) Require neighborhood association contact, as proposed to be required under SRC 300.310, for Class 1 Willamette Greenway Development Permits.
- 5) For land use applications requiring public notice and involving property subject to a Home Owners Association (HOA):
 - a) Require applicants to submit the contact information of the affected Home Owners Association (HOA) for the subject property; and
 - b) Require public notice of the land use application to be sent to the Home Owners Association (HOA).
- 6) Require a conceptual plan, rather than a full site plan, to be provided by applicants for required neighborhood association contact, open houses, or neighborhood association meetings in-lieu of open houses.
- 7) Revise the proposed definition of affordable housing to specify that it means housing that is affordable to households with incomes equal to or less than 80 percent of the median family income, and in a manner so that no more than 30 percent of the household's gross income will be spent on rent, mortgage, and utilities.
- 8) Revise the neighborhood association contact and open house requirements proposed under SRC 300.310 and SRC 300.320 to clarify that the neighborhood association notification requirements included under those sections shall be considered met if the applicant provides notice to the applicable neighborhood association chair(s) and land use chair(s) identified on the City's website at the time the notice is provided.
- 9) Revise the proposed amendments to allow marijuana production as a conditional use within the CG zone only when the proposed marijuana production use will be conducted indoors with an air filtration system.
- 10) Revise the pedestrian connection requirements proposed under SRC 800.065(b)(1)(B) to clarify that high visibility striping satisfies the requirement for pedestrian connections crossing driveways, parking areas, parking lot drive aisles, and loading to be visually differentiated from the vehicle use area.
- 11) Revise the pedestrian access standards proposed under SRC 800.065(a)(3), which require pedestrian connections through parking areas greater than 25,000 square feet in size, to also apply to those portions of parking garages where an individual floor of the parking garage is greater than 25,000 square feet.
- 12) Revise the proposed bicycle parking standards included under SRC 806.060 to clarify that bike racks are required to be centered along the long edge of the required bicycle parking space.
- 13) Revise the proposed bicycle parking area access requirements under SRC 806.060(b) to remove the proposed language requiring bicycle parking areas to be designed so as not to require users to lift their bikes over curbs, barriers, or the bike rack itself, and instead require bicycle parking areas to be designed so as to not require users to lift their bikes over multiple stairs or the bike rack itself.

PLANNING COMMISSION VOTE

YES 6

NO 1 (Elzinga)

ABSENT 2 (Wright, McKinley)

ABSTAIN 0


Chane Griggs, President
Salem Planning Commission

Pursuant to SRC 300.1110(i), the City Council may proceed with adoption of an ordinance, hold a public hearing to receive additional evidence and testimony, refer the proposal back to the Planning Commission for additional deliberation, or abandon the proposal.

The City Council will make a final decision on the proposal. The appeal of the Council decision would be to the Oregon Land Use Board of Appeals. The appeal period is 21 days from the mailing date of the Council decision.

The case file and copies of the staff report are available upon request at Room 305, Civic Center, during City business hours, 8:00 a.m. to 5:00 p.m. Contact Bryce Bishop, Case Manager, at 503-540-2399 or bbishop@cityofsalem.net to review the case file.

To Learn More about Planning in Salem, visit our website:

<http://www.cityofsalem.net/planning>