

## Legislation Details (With Text)

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**File #:** 18-53      **Version:** 1

**Type:** Resolution      **Status:** Agenda Ready

**In control:** City Council

**On agenda:** 2/12/2018      **Final action:** 2/12/2018

**Title:** Initiate adoption process for the West Salem Zone Code Clean-Up project

Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods

**Sponsors:****Indexes:****Code sections:**

**Attachments:** 1. Resolution 2018-13, 2. Exhibit 1: Map of Proposed Zones

Date	Ver.	Action By	Action	Result
2/12/2018	1	City Council		
2/12/2018	1	City Council	adopted	Pass

**TO:** Mayor and City Council

**THROUGH:** Steve Powers, City Manager

**FROM:** Norman Wright, Community Development Director

**SUBJECT:**

Initiate adoption process for the West Salem Zone Code Clean-Up project

Ward(s): All Wards  
Councilor(s): All Councilors  
Neighborhood(s): All Neighborhoods

**ISSUE:**

Shall the City Council initiate the adoption process for the West Salem Zone Code Clean-Up project?

**RECOMMENDATION:**

Adopt Resolution No. 2018-13 to:

1. Initiate Comprehensive Plan Map amendments, Neighborhood Plan Map amendments, Zoning Map amendments, and Salem Revised Code amendments that streamline zone code

provisions, allow a broader range of commercial and residential land uses, and apply more consistent design standards to enhance the character of the area, as proposed in the West Salem Zone Code Clean-Up project; and

2. Refer the matter to the Planning Commission for public hearing and recommendation.

## **SUMMARY AND BACKGROUND:**

Initiation of the proposed amendments by Council resolution starts the formal adoption process, including scheduling a public hearing.

Several amendments to the property zoning in the general vicinity of Wallace Road NW, Edgewater Street NW, and Second Street NW are proposed. These amendments are recommended in the Salem Urban Renewal Agency's 2015 West Salem Business District Action Plan (Action Plan) to encourage economic development, improve property values, and prepare for revitalization of the area. The changes, known as the West Salem Zone Code Clean-Up project (Zoning Project), streamline the zoning rules in this area by replacing the patchwork of existing residential, commercial, industrial, and overlay zones along these streets with three new zoning designations that are more user friendly and relevant to the current needs of West Salem (See Attachment 2 for location of the three new zones). Property owners will generally have more commercial, residential, and mixed-use options under the new zoning. The proposal also establishes more consistent design standards across the three new zones to enhance the character of the area.

Extensive community outreach was conducted in 2014 and 2015 during the creation of the Action Plan, including public meetings and open houses to solicit input from local residents and other stakeholders. The Zoning Project is the collaborative planning process that was launched in early 2017 to write these new zoning code provisions that implement the recommendations of the Action Plan. The process continued throughout 2017 with regular community meetings to gather public comments, mailings to all affected property owners, social media outreach, work sessions before the West Salem Renewal Advisory Board and Salem Planning Commission, Technical Advisory Committee meetings, and ongoing communication and meetings with key stakeholders from the area. The project webpage contains additional information about the proposed code amendments ([bit.ly/codecleanup](http://bit.ly/codecleanup)).

## **FACTS AND FINDINGS:**

### ***Procedural Findings***

1. The proposed zoning code changes require amendments to the Comprehensive Plan Map, West Salem Neighborhood Plan Map, Zoning Map, and text changes to the Salem Revised Code. The changes are considered a major plan map amendment under SRC 64.025 and a legislative land use proceeding under SRC 300.1110.

City Council has standing to initiate major amendments to the Comprehensive Plan Map and Neighborhood Plan Map, and changes to the zoning map and the text of the SRC as provided

in SRC 64.020(e)(1) and SRC 300.1110(a). Council may refer the matter to the Planning Commission for public hearing and recommendation to City Council pursuant to SRC 300.1110(a)(1).

2. SRC 300.1110(e)(1)(A) requires that the City mail notice of the first evidentiary public hearing in a legislative land use proceeding not more than 40 days, but not less than 20 days prior to the first hearing.

ORS 197.610 and OAR 660-018-0020 require that notice be provided to the Department of Land Conservation and Development (DLCD) on any proposed amendment to a local land use plan or regulation at least 35 days prior to the first public hearing.

Additionally, because this code amendment restricts some land uses, ORS 227.186 requires written individual notice to the owner of each affected property. This notice is commonly referred to as a "Ballot Measure 56 notice."

All required notices will be provided prior to any public hearings on the proposed amendment.

### ***Proposed Code Amendments***

1. The *West Salem Central Business District (WSCB)* is proposed to apply to properties south of Taybin Road NW between Wallace Road and Wallace Marine Park (See Attachment 2). This area of West Salem currently functions as a town center for West Salem in many ways, with a post office, public library, transit center, grocery store, Wallace Marine Park, and various commercial and residential uses. The area is also within convenient walking distance to downtown Salem via the Union Street Railroad Bridge. The new WSCB zoning will replace the existing assortment of different industrial, commercial, residential, and overlay zones that currently apply to this area, thereby recognizing this location's full potential as a unified central business district for West Salem.

The proposed zone is similar to downtown Salem's existing Central Business District (CB) zone. It will give property owners new land use options that are not currently allowed throughout all of this area today, including new opportunities for commercial, residential, and mixed-use.

Development of new industrial land uses such as warehousing and mini storage, and development of new auto-related uses such as car sales, car repair, and drive-throughs are not allowed under the new zoning. Pre-existing industrial or auto-related business of these types will not be affected, however, and may remain indefinitely and can be rebuilt or expanded.

The proposed zoning also contains design standards to promote walkable and attractive new development, such as a requirement to place new buildings up to the street with active storefronts at the sidewalk and parking areas located behind or beside the building.

2. The *Edgewater/Second Street Mixed-Use Corridor Zone* is proposed on properties generally

along Edgewater and Second Streets approximately between Eola Drive NW and Wallace Road (See Attachment 2). This zone will streamline the zoning rules by replacing the various commercial, residential, and overlay zones that exist in this area with a single mixed-use zoning designation that is more user friendly. The new zone also prepares the way for future development and investment in properties along a revitalized Second Street that, together with Edgewater Street, will serve as the village center for the surrounding neighborhood.

Existing mixed-use and design review zone code provisions that already apply along much of Edgewater Street will be carried through into the new zone with very few changes. The proposal will also extend this mixed-use zoning to the north and west, thereby giving property owners on the north side of Second Street and west side of Rosemont Avenue NW more land use options for commercial, residential, and mixed-use. Design standards for new development will also serve to protect the character of the surrounding neighborhood and enhance the “main street” look and feel of the corridor.

3. The *Second Street Craft Industrial Corridor Zone* is proposed to apply to the industrial properties along the north side of the Second Street right-of-way between Patterson Street NW and Wallace Road, as shown on Attachment 2. These properties are currently zoned for industrial use (IG - General Industrial zone), with overlay zones that allow some additional land use options. The land is occupied by two large food processing facilities, one of which is closed permanently. The proposed zone would continue to allow industrial uses, such as manufacturing and food processing, and would also allow “Craft Industrial” businesses.

Craft Industrial uses are manufacturing businesses that include a retail front where customers can come and buy the goods that are made on site. These businesses tend to provide good manufacturing wage jobs, while also creating an interesting retail destination to activate the neighborhood. The proposed zoning allows up to 30 percent of the floor area of the buildings on a site to be used for retail. The 30 percent retail floor area could be the retail component of a craft industrial manufacturing use or it could be retail uses that are unrelated to the industrial uses on the site. The new zone also includes design standards requiring that any new buildings are built up to the street right-of-way to create a row of attractive building fronts along a revitalized Second Street corridor.

4. In addition to the above changes, the Action Plan also recommends allowing Craft Industrial use on the industrial properties along 9th Street NW between Patterson Street and Wallace Road. These properties are zoned Industrial Park (IP). Rather than create another new zone or overlay along this section of 9th Street, an amendment to the IP zone to allow craft industrial is proposed. This amendment would apply to IP-zoned property citywide. Under this amendment, up to 30 percent of the floor area of the buildings on an IP-zoned site could be used for the retail component of a craft industrial manufacturing use located on the site.

Bryan Colbourne, AICP  
Planner III

Attachments:

1. Resolution No. 2018-13

2. Map showing location of the new zones (Exhibit 1)