



Staff Report

File #: 22-79

Version: 1

Date: 2/28/2022

Item #: 7.2a.

TO: Mayor and City Council

THROUGH: Steve Powers, City Manager

FROM: Norman Wright, Community Development Director

SUBJECT:

2021 Unified Development Code Update - Fairview Mixed-Use Zone Amendments

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Good Governance; Natural Environment Stewardship; Welcoming and Livable Community

SUMMARY:

Amendments to Salem Revised Code Title X (Unified Development Code) updating the Fairview Mixed-Use (FMU) Zone (SRC Chapter 530).

ISSUE:

Shall City Council pass Ordinance Bill No. 3-22?

RECOMMENDATION:

Pass Ordinance Bill No. 3-22.

FACTS AND FINDINGS:

Ordinance Bill No. 3-22 (Attachment 1) includes amendments to the FMU zone that were originally included in the ordinance for the 2021 Unified Development Code update (*Ordinance Bill No. 13-21*). However, because public testimony was provided indicating a potential appeal of the ordinance to the Land Use Board of Appeals (LUBA) if the amendments to the FMU zone were adopted, the FMU zone amendments were placed in a separate ordinance.

The need to include the amendments in a separate ordinance is due to the variety of amendments included in the UDC update, including those implementing the middle housing requirements of State House Bill HB 2001 that must be adopted by a certain date. Establishing an ordinance specific to the amendments to the FMU zone allows for any appeal of those amendments to be addressed separately and avoids any unnecessary delay in the adoption of the remaining amendments and those specifically implementing HB2001.

The amendments are included in Exhibit A to the ordinance. Findings demonstrating conformance with the applicable approval criteria of SRC 110.085(b) are included in Exhibit B to the ordinance. The findings have been amended since first reading to address specific public testimony.

BACKGROUND:

In 2014, the Unified Development Code was completed and adopted as part of the Salem Revised Code (SRC Title X). The UDC was a complete reorganization and update of Salem's development codes. The UDC was adopted with the expectation that it would be regularly updated over time to ensure that any unanticipated issues or concerns were routinely reviewed and addressed, and its provisions were kept current and up to date.

Ordinance Bill No. 3-22 includes the revisions to the FMU zone that were originally included in the larger package of amendments included in 2021 Unified Development Code update (*Ordinance Bill No. 13-21*).

Bryce Bishop,
Planner III

Attachments:

1. Ordinance Bill No. 3-22