

**CHAPTER 215**  
**NEIGHBORHOOD CENTER MASTER PLAN**

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**215.001. Purpose.** The purpose of this Chapter is to encourage innovative planning in the Neighborhood Center Mixed Use zone through the use of a Neighborhood Center Master Plan that benefits the community through:

- (a) Innovative planning and design;
  - (b) Appropriately scaled, pedestrian-friendly neighborhood center developments;
  - (c) Compatible mixed-use development;
  - (d) A core area of neighborhood-scaled retail sales and service, office, civic, or recreational uses conveniently located for neighborhood access;
  - (e) Useable open space, landscaped areas, and/or protected natural areas;
  - (f) Reduced reliance on vehicular travel by creating strong connections to available transit, encouraging pedestrian movement through better design, and allowing for housing in close proximity to employment and shopping; and
  - (g) Consistent application of the standards in phased and subarea development to ensure that development is designed to function as an integral part of coherent vision for an entire district.
- (Ord No. 20-11)

**215.005. Definitions.** Unless the context otherwise specifically requires, as used in this Chapter, the following mean:

- (a) Common open space: Open space designated in the NCMP, permanently set aside for the common use of the public, and includes walkways and bicycle paths within common open space.
- (b) Concept Plan: The component of an NCMP that is comprised of a non-binding plan illustrating possible suitable development in a district.
- (c) Design Guidebook: The component of an NCMP that is comprised of a set of illustrative building elevations and other design elements establishing a pattern of architectural treatment for buildings and structures, other than single family detached dwellings, which ensures community character, visual interest, and pedestrian scale within a district.
- (d) Detailed Plan: The component of an NCMP that is comprised of plans and elevations for buildings and structures, providing detailed information about proposed development, other than single family detached dwellings, in a district.
- (e) Development Plan: The component of an NCMP that illustrates features that will be part of the development, including, but not limited to, the natural features proposed to be retained, topography, the location of the Core Area, and collector streets within the district.

- (f) District: An entire contiguous area zoned NCMU.
- (g) Ground floor area: The floor area of a building or structure devoted to a particular use, measured within the exterior walls that are at the grade plane of the building or structure.
- (h) Major intersection: The intersection of two streets, one of which is designated in the Salem Transportation System Plan as a major arterial or minor arterial, and the other which is designated as a major arterial, minor arterial, or collector.
- (i) Neighborhood Center Master Plan or NCMP: Means collectively the Development Plan, Detailed Plan, Design Guidebook, Phasing Plan, and Concept Plan, as required for the Class of Neighborhood Center Master Plan.
- (j) NCMU: The Neighborhood Center Mixed Use zone.
- (k) Open space: Open areas that are landscaped or left with a natural vegetative cover. Open space does not include sidewalks in public right-of-way, bicycle paths within the public right-of-way, parking areas, driveways, streets, or required parking lot landscaping or screening.
- (l) Pedestrian streets: Those streets in the Core Area that are designated in the NCMP to provide direct access to key pedestrian attractions.
- (m) Phasing Plan: The component of a Class 2 NCMP that illustrates and establishes the sequence of proposed future development of a district over a specified period of time.
- (n) Private open space: Open space associated with individual residential dwellings.
- (o) Subarea: The portion of a district designated in a Class 3 NCMP that is at least three contiguous acres in size, and for which a Development Plan and a Detailed Plan has been prepared.
- (p) Total floor area: The floor area of a building or structure devoted to a particular use, measured within the exterior walls of all stories of the building or structure. (Ord No. 20-11; Ord No. 31-13)

**215.010. Neighborhood Center Master Plans.**

- (a) **Applicability.** Unless otherwise provided in SRC Chapter 532, an approved NCMP shall be required prior to development within a district for a Class 1 NCMP and Class 2 NCMP, and prior to development within each subarea for a Class 3 NCMP.
- (b) **Classes.** There are three classes of neighborhood center master plans:
  - (1) **Class 1 NCMP:** A Class 1 NCMP is an NCMP for development of an entire district that will not be phased. A Class 1 NCMP is comprised of:
    - (A) A Development Plan for the entire district; and
    - (B) A Detailed Plan for the entire district.
  - (2) **Class 2 NCMP:** A Class 2 NCMP is an NCMP for development of an entire district that will be phased. NCMP approval is granted with the first phase. Development of subsequent phases requires Detailed Plan approval for each subsequent phase.
    - (A) A Class 2 NCMP is comprised of:
      - (i) A Development Plan for the entire district;
      - (ii) A Phasing Plan for the entire district;
      - (iii) A Design Guidebook for the entire district; and
      - (iv) A Detailed Plan for the first phase, and, as approved, a Detailed Plan for each subsequent phase.
  - (3) **Class 3 NCMP:** A Class 3 NCMP is an NCMP for development of an entire district that will occur through development of subareas. NCMP approval is granted with the first subarea. Development of subsequent subareas requires subarea approval for each subsequent subarea.
    - (A) A Class 3 NCMP is comprised of:
      - (i) A Concept Plan for the entire district;

- (ii) A Design Guidebook for the entire district;
  - (iii) A Development Plan for the first subarea; and
  - (iv) A Detailed Plan for the first subarea.
- (B) A Class 3 NCMP approval for each subsequent subarea is comprised of the approved Design Guidebook and:
- (i) An updated Concept Plan for the entire district;
  - (ii) A Development Plan for the subsequent subarea; and
  - (iii) A Detailed Plan for the subsequent subarea.

**TABLE 215-1  
NEIGHBORHOOD CENTER MASTER PLAN COMPONENTS**

<b>Table 215-1: Neighborhood Center Master Plan Components</b>					
<b>Master Plan Class</b>	<b>Development Plan</b>	<b>Detailed Plan</b>	<b>Design Guidebook</b>	<b>Phasing Plan</b>	<b>Concept Plan</b>
<b>Class 1</b>	Yes	Yes	N/A	N/A	N/A
<b>Class 2 (Phased)</b>	Yes (Entire District)	Yes (Each Phase)	Yes (Entire District)	Yes	N/A
<b>Class 3 (Subareas)</b>	Yes (Each Subarea)	Yes (Each Subarea)	Yes (Entire District)	N/A	Yes

(c) **Procedure Type.** Class 1, Class 2, and Class 3 Neighborhood Center Master Plans are processed as a Type III procedure under SRC Chapter 300.

(d) **Pre-Application Conference Submittal Requirements.** In addition to the submittal requirements for a pre-application conference under SRC Chapter 300, an application for an NCMP pre-application conference shall include:

- (1) A map in general schematic form containing:
  - (A) Topography of the district showing either contour lines or elevations at key locations;
  - (B) Proposed land uses for the district;
  - (C) Approximate location of existing buildings to be retained and approximate location of proposed buildings to be constructed within the district;
  - (D) Land uses and approximate location of existing buildings, structures and uses on the properties adjacent to the district;
  - (E) The approximate location of all proposed streets, walkways, and parking facilities within the district;
  - (F) Public uses within the district, including, but not limited to, schools, parks, playgrounds, open spaces and trails; and
  - (G) Public and private utilities that will serve the district.
- (2) A preliminary written statement containing an explanation of:
  - (A) The character of the proposed development and the manner in which it will take advantage of the master planned development concept;
  - (B) The names and addresses of all owners of land included within the district;

(C) The method proposed to maintain private common open areas, buildings, private streets or other facilities, including, but not limited to, common space maintenance agreements; and

(D) The proposed timing and schedule of development.

(e) **Notification to Neighborhood.** Within 5 City business days after the pre-application conference, any City-recognized neighborhood association within whose boundary the proposed NCMP is located shall be notified of the proposal.

(f) **Submittal Requirements.** In addition to the submittal requirements for a Type III application under SRC Chapter 300, an application for Class 1, 2, or 3 NCMP shall include the following:

**(1) Applications for Class 1, 2, and 3 Neighborhood Center Master Plans.**

Applications of Class 1, 2, and 3 NCMPs shall include:

(A) An Existing Conditions Plan for the entire district, including, at a minimum, the following:

(i) Total area, dimensions and its orientation relative to north;

(ii) Topography showing either contour lines or elevations at key locations;

(iii) Natural features of the site including, but not limited to, drainage patterns, riparian areas, water bodies, wetlands, steep slopes and ravines;

(iv) The location of existing structures and other improvements, including accessory structures, fences, walls and driveways, noting their distance from property lines;

(v) The location of the 100-year flood plain, if applicable;

(vi) Driveway and driveway approach locations, public and private streets, including bike paths, transit stops, sidewalks and other bike and pedestrian pathways, curbs, and easements on all properties abutting the district;

(B) A Geological Assessment or Geotechnical Report, if required under SRC Chapter 810 or a certification from an engineer that landslide risk is low, and that there is no need for further landslide risk assessment;

(C) A Traffic Impact Analysis, if required under SRC Chapter 803;

(D) A Riparian Area Corridor plan, if applicable, including:

(i) A designation of the riparian corridor boundary for each waterway, as defined in SRC 808.005;

(ii) Delineation of the riparian corridor as a separate tract; and

(iii) A restoration plan for the riparian corridor that includes a tree and vegetation planting and replanting plan consistent with SRC 808.035(c)(2).

(E) A draft copy of the articles of the home owners association; and

(F) A written statement explaining how the standards of this Chapter and the applicable chapters of the UDC will be met by the proposed NCMP.

**(2) Class Specific Requirements**

(A) **Class 1 Submittal Requirements.** In addition to the submittal requirements set forth under paragraph (1) of this subsection, an application for a Class 1 NCMP shall include:

(i) A Development Plan containing the following:

(aa) The total area of the district, dimensions, and orientation relative to north;

(bb) Site topography shown at 2-foot contour intervals, with specific identification of slopes in excess of 15 percent;

(cc) Natural features of the district including, but not limited to, drainage patterns, riparian areas, water bodies, wetlands, steep slopes and ravines, and

- significant stands of trees, proposed to be retained;
- (dd)** A designation of the size and location of the Core Area;
- (ee)** A traffic circulation plan for pedestrian, bicycle, and vehicular movement within and through the district. The circulation plan shall include the location of collector streets within the district;
- (ff)** A preliminary infrastructure plan showing capacity needs for municipal water and sewer service and schematic location of connection points to existing municipal water and sewer services; and
- (gg)** The proposed lot pattern, lot standards, and lot coverage requirements.
- (ii)** A Detailed Plan containing the following:
  - (aa)** Elevation drawings showing architectural features and proposed colors and materials for all proposed buildings and structures, other than detached single family dwellings. The drawings shall be accurate and to scale but need not be the final working drawings;
  - (bb)** The size and location of solid waste and recyclables storage and collection areas, and amount of overhead clearance above such enclosures;
  - (cc)** The location of easements for water lines, fire hydrants, sewer lines, storm water facilities, and the location of the electric, gas, and telephone lines, television cable, and the lighting plans;
  - (dd)** A landscaping and tree planting plan, including the location of street trees, with a notation indicating existing trees, and an indication of square footage and percentage of district area covered by the plan;
  - (ee)** A tree conservation plan that complies with SRC 808.035;
  - (ff)** The location and intended use of all proposed primary and accessory structures and other improvements, including, but not limited to, driveway and driveway approach locations, indicating distance to such structures from all property lines and adjacent on-site structures, and the number of dwelling units in each residential building and gross floor area for each non-residential building;
  - (gg)** The location, intended use, and proposed method of maintenance for all common open space;
  - (hh)** The location, intended use, and proposed method of maintenance for all common improvements, including, but not limited to, buildings, structures, and private streets;
  - (ii)** The location of areas proposed to be conveyed, dedicated, or reserved for parks, scenic ways, playgrounds, schools, public buildings, and similar public and semipublic activities, and whether such areas are to be public or private;
  - (jj)** The location, layout, and the surfacing of all vehicle, pedestrian, and bicycle parking and loading areas, including identification of circulation areas, handicapped parking stalls, disembarking areas, accessible routes of travel, and proposed ramps; and
  - (kk)** A summary table that includes total district area, non-residential gross floor area by use, lot sizes, total number of dwelling units, gross residential density per acre, proposed acreage of undeveloped natural area, and the number of parking spaces provided, building height, and lot coverage proposed, including areas to be paved for parking and sidewalks.

**(B) Class 2 Submittal Requirements.** In addition to the submittal requirements set forth under paragraph (1) of this subsection, an application for a Class 2 NCMP shall include:

- (i) A Development Plan that complies with paragraph (2)(a)(i) of this subsection;
- (ii) A Design Guidebook, to be used in all subsequent phases, containing the following for all buildings and structures, other than single family detached dwellings:

- (aa) Color palettes;
- (bb) Acceptable materials;
- (cc) Typical elevations for all building types, showing building forms and massing; building height; rooflines and parapet features; architectural features, such as cornices, bases; fenestration, window orientation, size and detailing; fluted masonry, bays, recesses, arcades, towers, canopies, unique entry areas or other architectural treatments for visual interest; artwork and any other special building features. Elevations shall be accurate and to scale but need not be final working drawings.

- (iii) A Development Phasing Plan that includes:

- (aa) The area and intended use of each phase;
- (bb) A demonstration of how a mix of uses will be provided through phasing, including the approximate locations, the amount in square footage of non-residential uses, and the number of residential dwelling units;
- (cc) The general lot pattern and approximate building envelopes wherein future buildings will be located for each phase and/or identify the building setback standards that will be applied to future buildings;
- (dd) Building orientation and relationship to the boundaries of each phase;
- (ee) The general block pattern and location of streets, including designated pedestrian streets and walkways, their approximate widths and the nature of their improvement and whether they will be public or private;
- (ff) A general description of how circulation, parking, landscaping and tree planting, lighting, and other improvements will be designed to function after the completion of each phase and following complete build out of the district;
- (gg) The timeframe, order, and method that proposed public utilities, public facilities and other improvements and amenities necessary to support the development will be constructed, dedicated, or reserved; and
- (hh) A development time schedule indicating the approximate date when construction of each phase will begin and will be completed.

- (iv) A Detailed Plan for each proposed phase that complies with paragraph (2)(A)(ii) of this subsection; provided, however, if a density bonus is proposed for the district pursuant to SRC 215.050(a)(2)(A)(ii), the following shall be provided for the entire district:

- (aa) A tree conservation plan;
- (bb) The use and location of common open space;
- (cc) Parks, scenic ways, playgrounds, schools, public buildings, and similar public and semipublic uses.

**(C) Class 3 Submittal Requirements.** In addition to the submittal requirements set forth under paragraph (1) of this subsection, an application for a Class 3 NCMP shall include:

- (i) A Development Plan for the first subarea that complies with paragraph (2)(A)(i) of this subsection;
- (ii) A Detailed Plan for the first subarea that complies with paragraph (2)(A)(ii) of this subsection; provided, however, if a density bonus is proposed for the district

pursuant to SRC 215.050(a)(2)(A)(ii), the following shall be provided for the entire district:

- (aa)** A tree conservation plan;
    - (bb)** The use and location of common open space; and
    - (cc)** Parks, scenic ways, playgrounds, schools, public buildings, and similar public and semipublic uses.
  - (iii)** A Design Guidebook for the entire district that complies with paragraph (2)(B)(ii) of this subsection, that shall be binding on each subsequent subarea; and
  - (iv)** A Concept Plan showing general circulation patterns, location of land uses by general categories, the general location of the Core Area, the general location and amount of open space, the anticipated intensity of uses in each use category, and approximate acreage for uses in each use category. Categories of land uses may be identified by any descriptive system or method generally acceptable by professionals engaged in the production of master plans.
  - (D)** The Planning Administrator may require the submittal of additional information needed to review the proposed Development Plan, Detailed Plan, Design Guidebook, Phasing Plan, and Concept Plan for conformance to the applicable criteria.
  - (E)** Submittals shall be of a size and form and in the number of copies meeting standards established by the Planning Administrator.
- (g) Criteria.** An NCMP shall be approved if the NCMP:
- (1)** Represents innovative urban design;
  - (2)** Ensures logical and harmonious development of the district;
  - (3)** Provides for efficient use of land and energy;
  - (4)** Has development patterns that are at a human scale and meet the needs of pedestrians through the effective arrangement of buildings, circulation systems, land uses, and utilities;
  - (5)** Has a Core Area that is compact, pedestrian friendly, and composed of neighborhood-scaled retail sales and service, office, civic or recreational uses that are conveniently located for access from residential areas;
  - (6)** Locates housing in close proximity to employment and shopping;
  - (7)** Has a transportation system that provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and that adequately mitigates negative impacts from the transportation system on the surrounding area;
  - (8)** Has a pedestrian street design that encourages interaction among residents of the development and adjoining neighborhoods;
  - (9)** Enhances pedestrian access and transit accessibility to and through the district through a street pattern with connectivity to and through the district and with adjacent areas;
  - (10)** Emphasizes pedestrian mobility and accessibility and provides an effective and convenient system of pedestrian facilities leading into, and within the district;
  - (11)** Creates strong connections to available transit;
  - (12)** Has parking areas and driveways that are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians;
  - (13)** Protects and enhances natural features, such as riparian areas and wetlands;
  - (14)** Is compatible with existing and reasonably anticipated future land uses;
  - (15)** Will be adequately served with City infrastructure;
  - (16)** Meets all applicable standards of this Chapter and the UDC;
  - (17)** Has a Detailed Plan and/or Design Guidebook for buildings and structures, other than single family dwellings, that:
    - (A)** Ensures the design of buildings and structures is compatible with the neighboring buildings and structures in the district;

- (B) Ensures the design of buildings and structures will create community character and promote pedestrian scale;
- (C) Contains architectural treatments that create visual interest and community character and promote a sense of pedestrian scale; and
- (D) For Class 2 and Class 3 NCMPs, the Detailed Plan for each phase or subarea is consistent with the Design Guidebook.

(18) If the proposal is for a Class 2 NCMP, the NCMP has a Phasing Plan that ensures that subsequent phases of development will be built in conformity with the NCMP;

(19) If the proposal is for a Class 3 NCMP, the NCMP ensures that as development occurs within each subarea, the development is designed to function as an integral part of a coherent vision for the entire district and provides a benefit to the community through compatible mixed use development, improved protection of open spaces, and transportation options; and

(20) For any proposed alternative to a guideline, the proposed alternative to the guideline better meets the intent and purpose of this Chapter than the minimum established in the guideline.

(h) **Expiration.** An NCMP shall expire within 2 years after the date of NCMP approval, unless a building permit has been issued in which case the NCMP approval shall remain valid for 2 years or until the date the building permit expires, whichever occurs later.

(i) **Recording.**

(1) Upon approval of Class 1 NCMP, the applicant shall record the NCMP in the county land records.

(2) Upon approval of a Class 2 NCMP, the applicant shall record the NCMP in the county land records. Upon approval of a Detailed Plan for a subsequent phase, the applicant shall record the Detailed Plan in the county land records.

(3) Upon approval of the NCMP for a subarea in a Class 3 NCMP, the applicant shall record the NCMP for that subarea in the county land records. (Ord No. 20-11; Ord No. 31-13)

**215.015. Class 2 Neighborhood Center Master Plan Detailed Plan Approval for Subsequent Phases.**

(a) **Applicability.** No development within a subsequent phase of a Class 2 NCMP shall occur without receiving Detailed Plan approval for that phase, as provided in this section.

(b) **Procedure Type.** A Detailed Plan for a subsequent phase of a Class 2 NCMP is processed as a Type II procedure under SRC Chapter 300.

(c) **Submittal Requirements.** In addition to the submittal requirements for a Type II application under SRC 300, a Detailed Plan for a subsequent phase of a Class 2 NCMP shall include:

(1) A Detailed Plan for the proposed phase that complies with SRC 215.010(f)(2)(A)(ii); provided, however, that if a density bonus is proposed for the district pursuant to SRC 215.050(a)(2)(A)(ii), the following shall be provided for the entire district:

(A) A tree conservation plan;

(B) The use and location of common open space; and

(C) Parks, scenic ways, playgrounds, schools, public buildings, and similar public and semipublic uses.

(2) Evidence that any applicable conditions included as part of the earlier approved components of the NCMP have been met.

(d) **Criteria.** A Detailed Plan for a subsequent phase of a Class 2 NCMP shall be approved if the Detailed Plan:

- (1) Conforms to the development standards in this Chapter; and
- (2) Conforms to the approved NCMP, including any applicable conditions included as part of the earlier approved components of the NCMP. (Ord No. 20-11; Ord No. 31-13)

**215.020. Class 3 Neighborhood Center Master Plan Subsequent Subarea Approval.**

- (a) **Applicability.** No development within a subsequent subarea of a Class 3 NCMP shall occur without receiving subsequent subarea approval for that subarea, as provided in this section.
- (b) **Procedure Type.** A subsequent subarea of a Class 3 NCMP is processed as a Type III procedure under SRC Chapter 300.
- (c) **Submittal Requirements.** In addition to the submittal requirements for a Type III application under SRC Chapter 300, a subsequent subarea of a Class 3 NCMP shall include:
  - (1) The general application submittal requirements under SRC 215.010(f)(1);
  - (2) An updated Concept Plan for the entire district that complies with SRC 215.010(f)(2)(C)(iv);
  - (3) A Development Plan for the proposed subarea that complies with SRC 215.010(f)(2)(A)(i); and
  - (4) A Detailed Plan for the proposed subarea that complies with SRC 215.010(f)(2)(A)(ii).
- (d) **Criteria.** A Development Plan and Detailed Plan for the subsequent subarea of a Class 3 NCMP shall be approved if the Development Plan and Detailed Plan for the subsequent subarea:
  - (1) Comply with the criteria for NCMP approval under SRC 215.010(g); and
  - (2) Comply with the Design Guidebook. (Ord No. 20-11)

**215.025. Neighborhood Center Master Plan with Land Division.** If the NCMP proposes to create individual lots or parcels in the district, a subdivision or partition is required. The subdivision or partition may be:

- (a) Consolidated with the NCMP application;
- (b) Processed concurrently with the NCMP application; or
- (c) Processed subsequent to the NCMP application. (Ord No. 20-11; Ord No. 31-13)

**215.030. Site Plan Review under an approved Neighborhood Center Master Plan.**

- (a) **Applicability.** No building permit shall be issued for development within an approved NCMP without receiving Class 2 Site Plan Review approval as provided under SRC Chapter 220 and this section.
- (b) **Additional Criteria for Approval for Class 2 Site Plan Review.** An application for Class 2 Site Plan Review for development within an approved NCMP shall be approved if the application meets the approval criteria in SRC 220.005(f) and conforms to the approved NCMP. (Ord No. 20-11; Ord No. 12-12)

**215.035. Amendments to Neighborhood Center Master Plans.**

- (a) **Applicability.** No amendment to an NCMP shall be made without receiving approval as set forth in this section.
- (b) **Classes.**
  - (1) **Minor Amendment.** A minor amendment is any amendment to an NCMP that does not substantially deviate from the approved NCMP.
  - (2) **Major Amendment.** A major amendment is any amendment, other than a minor amendment, including, but not limited to, the following:
    - (A) A change in the overall appearance and character of the development;
    - (B) A change that would result in a change in the amount of parking by twenty percent or more;

- (C) An increase in density by more than twenty percent, provided the resulting density does not exceed that allowed in the NCMU zone or development standards;
- (D) A change in setbacks or lot coverage by more than twenty percent;
- (E) A change in the location of accessways affecting traffic outside of the district;
- (F) An increase in the floor area proposed for non-residential use by more than fifteen percent;
- (G) A relocation of the Core Area or a change in the area by more than ten percent;
- (H) A reduction of the area reserved for common open space by more than ten percent;
- or
- (I) A change to a condition of approval, or a change similar to any other provision in this paragraph that will have a detrimental impact on adjoining properties. The planning administrator shall have discretion in determining detrimental impacts warranting a major amendment.

**(c) Procedure Type.**

**(1) Minor Amendment.** A minor amendment to an NCMP is processed as a Type II procedure under SRC Chapter 300.

**(2) Major Amendment.** A major amendment to an NCMP is processed as a Type III procedure under SRC Chapter 300.

**(d) Additional Submittal Requirements.** In addition to the submittal requirements for Type II or Type III applications under SRC 300, an application for a minor or major amendment to an NCMP shall include:

- (1) A narrative statement describing how the proposed amendment meets the applicable criteria;
- (2) An amended NCMP using the same format as the original approval; and
- (3) Any other relevant information the Planning Administrator requires, as necessary, to evaluate the request.

**(e) Criteria.**

**(1) Minor Amendment.** A minor amendment to an NCMP shall be approved if all of the following are met:

- (A) The number of dwelling units is within 10 percent of those shown on the approved NCMP. In no case shall any change in the number of residential units exceed the maximum density limits established by this Chapter. Amendment of a phase of a Class 2 NCMP, or a subarea of a Class 3 NCMP, shall not limit a reduction in the number of dwelling units, provided that if a reduction is approved for one phase or subarea, the number of dwelling units shall not be transferred to another phase or subarea;
- (B) The setbacks and distances between buildings are within 10 percent of those shown on the approved NCMP;
- (C) The amount of open space is equal to or greater than the amount approved in the NCMP. Amendment of a phase of a Class 2 NCMP, or a subarea of a Class 3 NCMP, shall not limit an increase in the amount of open space, provided that if an increase is approved for one phase or subarea, the amount of open space shall not be reduced below that permitted in the NCMP for another phase or subarea;
- (D) The total square footage of building does not vary by more than 10 percent from the square footage shown on the approved NCMP, but in no case shall any change exceed the maximum square footage allowed by this Chapter;
- (E) There have been no material alternations to the transportation system;
- (F) The proposed amendment is not substantially inconsistent with the NCMP and the conditions of the original approval; and
- (G) The proposed amendment will not result in significant changes to the physical

appearance of the development, the use of the site, and the impacts on surrounding properties.

**(2) Major Amendment.** A major amendment to an NCMP shall be approved if the amendment meets the approval criteria set forth in SRC 215.010(g).

**(f) Recording.** An amended NCMP shall be recorded in the same manner as the original NCMP. (Ord No. 20-11; Ord No. 31-13)

**215.040. Development Standards, Generally.**

**(a)** There are three types of development standards applicable to an NCMP: (1) Standards; (2) Guidelines; and (3) Applicant Determined Standards. Not every development standard will have all three, in which case the NCMP must comply with the development standard or standards set forth in the particular subsection, or with the development standard established by the applicant.

**(b)** Standards are mandatory requirements for an NCMP, but may, unless specifically noted in the standard, be varied or adjusted.

**(c)** Guidelines establish a development standard that is mandatory, unless the applicant proposes and receives approval for an alternative development standard. Guidelines are not subject to variances or adjustments; because the applicant may propose and receive approval of an alternative development standard by the Planning Commission as part of NCMP approval. The Planning Commission shall approve an alternative development standard, if the development standard better meets the purpose stated in SRC 215.001.

**(d)** Applicant Determined Standards are mandatory requirements, but are applicant-proposed and approved as part of the NCMP. Applicant Determined Standards are not subject to variances or adjustments; because the applicant established the development standard. (Ord No. 20-11; Ord No. 31-13)

**215.045. Development Plan Standards.** A Development Plan shall comply with the following standards:

**(a) District.** The following development standards apply throughout the entire district:

**(1) Mixed Use.** A district must include a residential component and a Core Area with commercial uses.

**(A) Standards.** A Core Area shall be provided in the district that is designed to provide services at a neighborhood scale within a compact, pedestrian-friendly environment. The total size of the Core Area shall not be less than one acre and not more than five acres. The total size of the Core Area is not variable or adjustable. The size of the Core Area shall equal the sum of the contiguous area within the district occupied by buildings housing retail sales and service, office, or institutional uses, and the required parking areas for those uses. Other uses are allowed in the Core Area (e.g., Parks and Open Space, or Public Utilities); however, the area occupied by these uses shall not be included when calculating the total size of the Core Area.

**(B) Guidelines.** The total amount of land used for residential uses within the district shall not be less than one acre. In calculating the total amount of land used for residential uses, the sum shall include the residential building footprints, and the yard areas and parking areas required to be provided for the residential uses.

**(C) Applicant Determined Standards.** None allowed.

**(2) Natural Resource Protection and Common Open Space.** A district must include common open space, landscaped areas, and/or protected natural areas.

**(A) Standards.** None.

**(B) Guidelines.** At a minimum, 20 percent of the district shall be provided as common open space, landscaped areas, and/or protected natural areas. As used in this guideline, common open space, landscaped areas, and/or protected natural areas do not include

private open space.

**(C) Applicant Determined Standards.** None allowed.

**(3) Transportation and Circulation.** A district must include a transportation system that emphasizes pedestrian mobility and accessibility, and demonstrates an effective and convenient system of pedestrian pathways leading into, and throughout the district.

**(A) Standards.**

**(i)** The transportation system shall be designed to connect to existing and planned facilities in the Salem Transportation System Plan.

**(ii)** Street and accessway connections shall be provided to existing or planned streets and undeveloped properties adjacent to the district at no greater than 600-foot intervals, unless one of the following conditions exist:

**(aa)** Physical or topographic conditions make a street or accessway connection impracticable. Such conditions include, but are not limited to, freeways, railroads, steep slopes, and wetlands or other bodies of water where a connection cannot be reasonably provided; or

**(bb)** Existing development on adjacent property that physically precludes a connection now or in the future, taking into consideration the adjacent property's potential for redevelopment.

**(iii)** Except where precluded by existing development, natural features, or topography, block lengths shall not exceed 330 feet between public or private streets, and pedestrian pathways, as measured along the nearside curbline of the public or private street or the centerline of the pedestrian pathway.

**(iv)** Pedestrian mobility and accessibility shall be emphasized through an effective and convenient system of pedestrian facilities leading into and throughout the district.

**(v)** Pedestrian connections shall be provided to existing and planned public transit routes and stops. If transit service to or through the district is planned, provisions for the future improvement of such facilities and improvements to facilitate public transit shall be made.

**(B) Guidelines.** None.

**(C) Applicant Determined Standard.** None.

**(4) Lot Standards.**

**(A) Standards.** None.

**(B) Guidelines.** None.

**(C) Applicant Determined Standards.** The NCMP shall establish minimum lot size, lot dimension, and lot coverage requirements for the district.

**(b) Outside the Core Area.** None.

**(c) Inside the Core Area.** None. (Ord No. 20-11; Ord No. 31-13)

**215.050. Detailed Plan Standards.** A Detailed Plan shall comply with the following standards:

**(a) District.** The following development standards apply throughout the entire district:

**(1) Transportation and Circulation.**

**(A) Standards.**

**(i)** Pedestrian scale street lighting shall be provided along all streets.

**(ii)** Except as otherwise provided in this subsection, all streets shall be designed and constructed in conformance with the Public Works Design Standards.

**(B) Guidelines.** Pedestrian scale street lights shall be no taller than 20 feet.

**(C) Applicant Determined Standards.** None allowed.

**(2) Residential Density.**

**(A) Standards.**

**(i) Maximum Density.** Maximum residential density for the district, including the Core Area, shall be 6 dwelling units per acre, unless a density bonus is granted pursuant to subparagraph (A)(ii) of this paragraph, in which case the maximum residential density shall be 8 dwelling units per acre. The maximum residential density may not be varied or adjusted.

**(ii) Residential Density Bonus.** The maximum residential density may be increased to 8 dwelling units per acre for the district, including the Core Area, if either ~~an~~ increased riparian area protection and additional tree conservation is provided within the district Detailed Plan that meets the standards set forth in subclause (aa) and (bb) of this clause, or, where the district does not include any riparian areas suitable for protection, or trees suitable for conservation, the residential density bonus may be achieved by dedicating additional public open space, as provided in subclause (cc) of this clause.

**(aa) Additional Riparian Area Protection.** The riparian corridor boundary is increased from 50 feet to 75 feet horizontally from the top of the bank on each side of the waterway, as defined in SRC 808.005, is platted as a separate lot or parcel, and dedicated as a natural area in perpetuity.

**(bb) Additional Tree Conservation.** At least 50 percent of all trees, as defined in SRC Chapter 808, on the property will be preserved, and the trees will receive continued protection through methods, including, but not limited to, covenants, conditions, and restrictions included in the deeds of lots and parcels that are sold.

**(cc) Additional Common Open Space.** The additional common open space shall not be less than 10 percent of the area of the district, including the Core. In calculating the 10 percent, any area reserved for natural resource protection or common open space meeting the requirements of SRC 215.045(a)(2), or private open space meeting the requirements of subsection (a)(6) of this section, shall be excluded. The additional common open space shall be appropriate to the scale and character of the development proposed in the NCMP, considering its size, types of uses, and the number and types of dwellings being proposed, as well as appropriate for the neighborhood of the City surrounding the district.

**(B) Guidelines.** None.

**(C) Applicant Determined Standards.** None allowed.

**(3) Setbacks.**

**(A) Standards.** None.

**(B) Guidelines.** The minimum setback from abutting property zoned Residential Agriculture (RA) or Single Family Residential (RS) is 30 feet.

**(C) Applicant Determined Standards.** The NCMP shall establish minimum front, side, and rear setbacks for development within the district.

**(4) Building Design.**

**(A) Standards.**

**(i) Height.** The height of buildings or structures, other than accessory structures, shall not exceed 35 feet. The height of accessory structures shall not exceed 9 feet at the lot line; provided, however, such height may be increased one foot for each one foot of distance from the lot line, to a maximum height of 15 feet.

**(ii) Architectural Features.**

**(aa)** Buildings and structures in the district shall have design character that is compatible with other buildings and structures in the district.

(bb) All buildings and structures, other than detached single family dwellings, shall incorporate architectural features, including, but not limited to, cornices, bases, fenestration, fluted masonry, bays, recesses, arcades, display windows, unique entry areas, or other architectural treatments to create visual interest, community character, and a sense of pedestrian scale. Simple relief provided by window cutouts or sills on an otherwise flat facade, in and of itself, does not within the overall design of buildings or structures create visual interest, community character or sense of pedestrian scale.

(B) **Guidelines.** None

(C) **Applicant Determined Standards.** None allowed.

**(5) Parking and Loading.**

**(A) Standards.**

(i) Off-street parking and loading shall comply with SRC Chapter 806.

(ii) Each single family dwelling shall have, at the time of original construction, a garage that is constructed of like materials and color as the dwelling. The garage may be attached to, or detached from, the dwelling. Nothing in this clause shall prevent the subsequent removal or conversion of a garage, so long as the minimum number of required off-street parking spaces for the single family dwelling is maintained. Exception to this standard may be made if, at the time of the building permit review, the applicant can show that the construction of the single family dwelling is being provided by a not-for-profit organization to families at or below the City's 60 percent median income level, as defined by the U.S. Department of Housing and Urban Development; and provision is made for a minimum of 480 cubic feet of on-site storage in a portion of the single family dwelling or in a detached accessory structure. Such exemption shall only be made for those single family dwellings built on lots created through a subdivision.

(B) **Guidelines.** None.

(C) **Applicant Determined Standards.** None allowed.

**(6) Private Open Space.**

(A) **Standards.** Residential development shall contain private open space that meets the following:

(i) For dwelling units located at or within 5 feet of finished grade, a minimum of 96 square feet of private open space per dwelling unit shall be provided, with no dimension that is less than 6 feet.

(ii) For dwelling units located more than 5 feet above finished grade, a minimum of 48 square feet of private open space per dwelling unit shall be provided, with no dimension that is less than 6 feet.

(iii) For each dwelling unit, a direct and accessible route to all private open space by a doorway on the same level as the private open space shall be provided.

(iv) Private open space shall be visually separated from abutting common open space by landscaping or fencing.

(B) **Guidelines.** None

(C) **Applicant Determined Standards.** None allowed.

**(7) Landscaping.**

(A) **Standards.** None

(B) **Guidelines.**

- (i) For every 2,000 square feet of gross district area, at least one tree shall be planted, or one existing tree retained.
- (ii) Trees shall be of a variety that will, within 15 years of planting, provide at least one-third canopy coverage of common open space, private open space, and setbacks.
- (iii) A minimum of 2 plant units, as defined in SRC Chapter 807, shall be planted adjacent to the primary entry way of each dwelling unit.
- (iv) Provide new trees, or retain existing trees, at a minimum density of 10 plant units per linear foot of each building's exterior wall. The trees shall be located not more than 25 feet from the exterior walls.
- (v) Plant shrubs at a minimum density of one plant unit per 15 linear feet of each building's exterior walls. The shrubs shall be located not more than 25 feet from the exterior walls.

(vi) Plant at least one canopy tree every 50 feet along the perimeter of parking areas. The trunks shall be located within 15 feet of the edge of the parking area.

**(C) Applicant Determined Standards.** None allowed.

**(8) Street Trees.**

**(A) Standards.**

- (i) Street trees shall be planted in planting strips in public street rights-of-way, unless the area is subject to one or more utility easements, in which case the street trees shall be placed outside utility easements, or in sidewalk tree wells on public streets without planting strips.
- (ii) The planting area for street trees shall contain not less than 16 square feet. Typical dimensions for a planting area are 4 feet by 4 feet.
- (iii) The minimum caliper size for street trees at the time of planting shall be 2 inches, measured 4 feet above grade.
- (iv) Spacing of street trees shall be based upon the type of trees selected and the canopy size at maturity. Generally, street trees should be spaced no more than 30 feet apart, unless the spacing would conflict with existing trees, retaining walls, utilities and similar features, in which case the trees should be spaced as close to 30 feet apart as practicable.

**(B) Guidelines.** Within the public street right-of-way, plant trees at one of the following ratios:

- (i) One canopy tree within each 50 feet of street frontage or fraction thereof; or
- (ii) One columnar tree within each 30 feet of street frontage or fraction thereof.

**(C) Applicant Determined Standards.** None allowed.

**(9) Subarea Size.**

**(A) Standards.** Each subarea of a Class 3 NMCP shall be at least 3 contiguous acres. Subarea size is a non-variable standard.

**(B) Guidelines.** None.

**(C) Applicant Determined Standards.** None allowed.

**(b) Outside the Core Area.** The following development standards apply outside the Core Area:

**(1) Garages and Carports.**

**(A) Standards.**

- (i) **Setbacks.** Garages for single family dwellings, or garages or carports for manufactured homes on individual lots, that have a vehicle entrance facing a street or accessway shall be set back at least 20 feet from the following line that is closest

to the entrance of the garage or carport:

(aa) The right-of-way line, property line abutting an accessway, or most interior access easement line;

(bb) The outside curblineline; or

(cc) The edge of the sidewalk furthest from the street.

(ii) **Paving.** Between the line specified in clause (i) of this subparagraph and the required garage or carport, there shall be a driveway serving the garage or carport with a minimum paved area of 9 feet by 20 feet that is available for the parking of a vehicle.

(B) **Guidelines.** None.

(C) **Applicant Determined Standards.** None allowed.

(c) **Inside the Core Area.** The following development standards apply inside the Core Area:

**(1) Transportation and Circulation.**

**(A) Standards.**

(i) Pedestrian streets shall be provided with direct access to key pedestrian attractions, including, but not limited to, nearby schools, retail areas, and transit centers.

(ii) Pedestrian streets shall be designed to encourage interaction among residents in the district and adjoining neighborhoods outside the district.

(iii) Pedestrian amenities shall be included as integral elements of the streetscape design.

(iv) One or more pedestrian-scale amenities shall be provided at every 100 feet in the sidewalk area. Pedestrian amenities include, but are not limited to, street furniture, plantings, distinctive paving, drinking fountains, public plazas, sitting areas, covered walkways, public art, and significant water features (i.e., creek and fountain).

(v) Pedestrian streets shall have minimum sidewalk widths of 8 feet.

(vi) Pedestrian amenities shall be proportionately scaled to the surrounding walkways, landscaping, and buildings.

(vii) Except as otherwise provided in this subsection, streets shall be designed and constructed in conformance with the Public Works Design Standards.

(B) **Guidelines.** None.

(C) **Applicant Determined Standards.** None allowed.

**(2) Setbacks.**

(A) **Standards.** None.

(B) **Guidelines.** The minimum setback for the Core Area from adjacent property zoned Single Family Residential (RS) or Residential Agriculture (RA) is 50 feet.

(C) **Applicant Determined Standards.** None allowed.

**(3) Building Orientation.**

**(A) Standards.**

(i) Buildings shall be located as close to the edge of pedestrian streets as practicable, given final topographic contours and the location and size of vehicular accessways, or shall have their entries oriented towards abutting public streets.

(ii) Primary building entrances shall be oriented to maximize pedestrian access and connectivity.

(iii) Direct and convenient pedestrian pathways shall be provided from parking areas to building entrances.

(B) **Guidelines.** None.

(C) **Applicant Determined Standards.** None allowed.

**(4) Building Design.**

**(A) Standards.**

(i) The height of buildings or structures, other than accessory structures, shall not exceed 35 feet. Height may be increased to a maximum of 40 feet, provided the visual impact of the additional height is mitigated by the location's unique physical attributes, including, but not limited to, changes in topography or significant stands of trees.

(ii) Along pedestrian streets, buildings shall be designed to provide protection from sun and rain through canopies, arcades, pergolas, or similar features.

**(B) Guidelines.**

(i) **Ground Floor Area.** The ground floor area of each individual building or structure shall be not greater than 30,000 square feet.

(ii) **Drive-through facilities.** Drive-through facilities, except those serving pharmacies, are prohibited.

**(C) Applicant Determined Standards.** None allowed.

**(5) Hours of Operation.**

**(A) Standards.** None.

**(B) Guidelines.** Hours of operation for non-residential uses shall be limited to the time between 6:00 a.m. and 11:00 p.m., Sunday through Thursday, and between 6:00 a.m. and 1:00 a.m., Friday and Saturday.

**(C) Applicant Determined Standards.** None allowed. (Ord No. 20-11; Ord No. 4-12; Ord No. 31-13)

**215.055. Other Provisions.** Additional standards may apply to development in the NCMU zone as a result of regulations found in other chapters of the UDC, including, but not limited to, the chapters identified in this section. In the event of a conflict between the standards contained in the NCMU zone and the standards contained within other chapters of the UDC, the standards contained in the NCMU zone shall govern.

(a) Trees and Shrubs	SRC Chapter 86
(b) Wireless Communications Facilities	SRC Chapter 703
(c) General Development Standards	SRC Chapter 800
(d) Public Improvements	SRC Chapter 802
(e) Streets and Right-of-Way Improvement	SRC Chapter 803
(f) Driveway Approaches	SRC Chapter 804
(g) Vision Clearance	SRC Chapter 805
(h) Off-Street Parking, Loading, and Driveways	SRC Chapter 806
(i) Landscaping and Screening	SRC Chapter 807
(j) Preservation of Trees and Vegetation	SRC Chapter 808
(k) Wetlands	SRC Chapter 809
(l) Landslide Hazards	SRC Chapter 810
(m) Sign Code	SRC Chapter 900

(Ord No. 20-11; Ord No. 4-12; Ord No. 24-13; Ord No. 31-13)

