



Staff Report

File #: 23-119
Version: 1

Date: 4/10/2023
Item #: 4. b.

TO: Mayor and City Council
THROUGH: Keith Stahley, City Manager
FROM: Kristin Retherford, Community and Urban Development Director

SUBJECT:

Proposed Code Amendment to Eliminate Minimum Parking Requirements Citywide.

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

Result Area(s): Natural Environment Stewardship; Safe Community; Safe, Reliable and Efficient Infrastructure; Strong and Diverse Economy; Welcoming and Livable Community

SUMMARY:

The proposed code amendment updates the Unified Development Code (UDC) to eliminate minimum off-street parking requirements citywide in response to new State Climate-Friendly and Equitable Communities rules.

ISSUE:

Shall the City Council advance Ordinance 4-23 to second reading for the purpose of amending the Unified Development Code to eliminate minimum off-street parking requirements citywide in response to new State rules?

RECOMMENDATION:

Advance Ordinance 4-23 to second reading for the purpose of amending the Unified Development Code to eliminate minimum off-street parking requirements citywide in response to new State rules and advance to second reading.

FACTS AND FINDINGS:

Procedural Findings

- 1) The proposed code amendments are amendments to the Unified Development Code (UDC), which are legislative land use decisions under SRC 110.085. Legislative land use proceedings may be initiated by staff by preparing an ordinance bill and placing the ordinance on the Council agenda for first reading under SRC 300.1110. The City Council voted on March 13, 2023 to hold a public hearing on Ordinance 4-23.
- 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. Amendments to the UDC require notice to the Director of the Department of Land Conservation and Development no later than 35 days before the first public hearing pursuant to SRC 300.1110(d).

Proposed Amendment

- 1) *Eliminating minimum off-street parking requirements for all uses citywide*

The proposed code amendment, which is included as Exhibit A to Ordinance Bill No. 4-23 in **Attachment 1**, implements new State rules that resulted from a rulemaking project called Climate Friendly and Equitable Communities (CFEC). Adopted by the Oregon Land Conservation and Development Commission (LCDC) in July 2022, the [new rules <https://www.oregon.gov/lcd/CL/Pages/CFEC.aspx>](https://www.oregon.gov/lcd/CL/Pages/CFEC.aspx) aim to reduce greenhouse gas (GHG) pollution from transportation while increasing housing choices and creating more equitable outcomes for Oregonians.

The rules require the City to change how it regulates and manages parking in Salem. Specifically, the City must eliminate all minimum off-street parking requirements for all uses citywide or implement an array of other parking reforms by June 30, 2023, unless an extension is approved by the State.

On November 7, 2022, staff presented the State-mandated parking reform options to the Climate Action Plan Committee. Following a discussion, the committee voted to recommend eliminating all minimum off-street parking requirements citywide. This proposed code amendment moves forward that recommendation. Staff also held a public open house on January 31 to explain the proposal to the community and answer any questions people had.

As described below, the proposal aligns with the Climate Action Plan, allows the market to determine parking amounts, can be implemented relatively quickly through a code amendment without additional staff or resources, and allows the City to *voluntarily* explore and implement other parking reforms in the State rules.

A. Aligns with Climate Action Plan

The City Council accepted the Climate Action Plan in February of 2022. That plan included

Strategy TL40 (Transportation and Land Use): *Amend City code to eliminate parking minimums throughout Salem, with priority focus along Cherriots' Core Network.* This proposed code amendment fully implements that strategy, which goes beyond the changes made to off-street parking requirements through the Our Salem project.

The Climate Action Plan describes the strategy has having "medium" GHG reduction potential, and it suggests an implementation timeframe of short-term (occurring in the two years following the plan's acceptance in February of 2022). The strategy is also described as having three co-benefits: Potential to improve the community's health; potential to improve the health of Salem's air, water, and land; and potential to increase mobility choice for Salem's residents and visitors.

B. Allows the market to determine parking amounts (*parking maximums still apply*)

Currently, the City generally requires a certain number of off-street parking spaces for each use such as a restaurant, office, or warehouse. For example, a restaurant must provide one off-street parking space per 250 square feet of the building. (There are exceptions based on location, which is explained below.) Under the proposed code amendment, the City would no longer mandate any specific number of off-street parking spaces for each use.

This does not mean that off-street parking cannot be provided. Instead, it means a developer or property owner could determine the amount of parking that should be provided given the market and other considerations. Space not used for parking could be used instead for housing, jobs, or other uses. The City would still enforce maximum off-street parking requirements, meaning there would continue to be a cap to the number of spaces that can be provided per use.

In recent years, the City has started eliminating minimum off-street parking requirements for specific uses and in specific locations. For example, the City removed parking requirements for middle housing - townhouses, two family, three family, four family, and cottage clusters - in early 2022 when it implemented House Bill 2001. The City also removed parking requirements for any use in a mixed-use zone within a quarter mile of Cherriots Core Network, provided the property included multifamily housing. (The Core Network is a network of bus service corridors where frequent service is prioritized by Cherriots.) This change was implemented through the Our Salem project to encourage infill and redevelopment of housing near frequent transit service, which in turn helps reduce GHG emissions from transportation. More recently, the City eliminated all minimum off-street parking requirements within a half-mile of 15-minute transit routes in response to the new CFEC rules.

Overall, off-street parking is already not required on roughly 40 percent of the land within City limits. The places where required parking remains today include largely residential areas in West and South Salem; however, in the Single-Family Residential (RS) and Residential Agriculture (RA) zones, the only housing type that is required to provide parking is a single-family home. Such a home is currently required to provide two off-street parking spaces. Two-family, three-family, four-family, and other middle housing types are already not required to

provide off-street parking. The other areas of the city where minimum parking requirements remain today include employment areas in southeast Salem, including the Fairview Industrial area, Mill Creek Corporate Center, and McGilchrist industrial area. These are areas where the amount of parking could be determined by the market if the proposed code amendment is adopted.

C. Can be implemented relatively quickly through a code amendment without additional staff or resources

The City can eliminate minimum off-street parking requirements through this proposed code amendment, which can be and is being facilitated by existing staff. The process to adopt this code amendment includes public notice and a public hearing, but additional City resources or staff are not required.

However, if the City does not adopt this proposed code amendment, the new State rules require that the City instead implement an array of other parking reforms (**Attachment 2**). Those other parking reforms would require additional staff, resources, and time to implement. Examples of other options include the following:

- **Unbundle parking:** The City would need to require that the cost of parking for multifamily housing near frequent transit and in walkable, mixed-use areas be separated from the cost of renting or buying a dwelling unit (e.g., unbundle parking.) That requirement would apply to existing and new multifamily housing units. The City does not have an existing program through which rental leases or purchase agreements/contracts for multifamily units are inspected or tracked. A new program would likely need to be established and funded.
- **Paid parking:** The City would need to institute paid parking for at least 10 percent of all on-street parking spaces, which includes all local residential streets as well as business districts. Based on a preliminary analysis, Salem currently charges for less than one percent of on-street parking. That does not include Salem's residential parking districts - RP districts - because the price of parking spaces in that program does not meet the State's requirements. To meet the requirements, the cost per vehicle would need to be increased from \$15 a year to at least \$15 a month. If the City made that increase, roughly 4 percent of Salem's on-street parking would be considered priced. If the City of Salem implemented paid parking in the downtown area, that percentage would be increased to roughly 5.5 percent. Meeting the 10 percent State threshold would require additional City resources, funding, and time.

Other parking reform options that the City would be required to choose from include unbundling parking for all leased commercial developments citywide, requiring large employers to provide a commute benefit to employees, creating a tax on commercial parking lot revenue, and eliminating minimum parking requirements for many uses and locations such as schools, bars, vacant buildings, studio/one-bedroom apartments, small businesses, and historic districts/buildings.

D. Allows the City to *voluntarily* explore and implement other parking reforms in the rules

If the City eliminated all minimum off-street parking requirements, the Council could voluntarily choose to implement other parking reforms but would not be restricted to the timeframes, program restrictions, and other requirements in the CFEC rules. For example, the City could implement a paid on-street parking system in the Downtown Parking District as recommended by the Downtown Advisory Board. Such a system could be shaped by the City and implemented on the City's timeline.

2) *Revise maximum parking requirements*

The proposed code amendment implements the CFEC rule provision that requires cities with populations over 100,000 to revise the maximum amount of off-street parking spaces that are allowed. For example, the proposed code amendment establishes the following parking maximums for multifamily housing:

- 1.2 off-street parking spaces per studio unit
- 1.75 off-street parking spaces per non-studio unit
(*Currently, the parking maximum for multifamily housing projects that do not have a minimum off-street parking requirement is 1.75 spaces per unit.*)

3) *Additional changes*

The proposed code amendment makes several other changes, including the following:

- Increases the amount of bicycle parking required for multifamily housing to 1 space per dwelling unit, which is the minimum amount required by the CFEC rules
 - The current requirement is a minimum of 1 space per dwelling unit in the Central Salem Development Program area and within ¼ mile of the Core Network, and a minimum of 4 spaces or 0.1 spaces per dwelling unit (whichever is greater) for all other locations.
- Allows bicycle parking requirements to be met by existing bicycle parking spaces in the public right-of-way when existing buildings are converted to other uses in mixed-use zones
- Exempts the installation of electric vehicle charging stations from triggering pedestrian connection requirements in parking lots
- Deletes pedestrian access standards that are no longer necessary in zones or overlay zones due to newer pedestrian access standards that apply citywide
- Clarifies the definition of building frontage
- Deletes references to required minimum parking requirements in other SRC chapters

This proposed code amendment is part of a larger package of State-required parking reforms that the City is working to implement. Some of the parking reforms are mandated by the State without any options. Those reforms include requiring large parking lots to provide street trees along driveways and other streetscape features; and allowing and encouraging the redevelopment of underused parking. Staff plan to implement these changes later this year.

The City has already implemented other parking reforms through a code amendment that went into effect on December 28, 2022. They included requiring electrical vehicle charging conduit to

be installed for 40% of the parking spaces provided on a site for a new multifamily or mixed-use building.

Public Comments

Three public comments were received as of March 24, 2023 (**Attachment 3**). The comments are summarized and addressed below.

1. A comment was received in support of the proposal, stating that it would encourage climate-friendly infrastructure - mainly electric vehicle charging stations - in existing commercial parking lots.
2. A comment was received in opposition of the proposal, stating that it would make it harder and more inconvenient for people to buy local and support small businesses.

Staff response: Under the proposed code amendment, businesses and developers could still choose to provide off-street parking spaces for customers. The minimum number of spaces would no longer be mandated by the City. That amount would be driven by the market and other considerations.

3. A comment was received in opposition of the proposal, stating that it would discourage downtown visitation and further erode Salem's economy and quality of life. The comment also suggested that many new parking spaces be required to have electric vehicle charging stations.

Staff response: Within the Downtown Parking District, off-street parking spaces are already not required by the City. This proposed code amendment would not change that. In addition, the City updated the UDC in December 2022 to require electrical vehicle charging conduit to be installed for 40% of the parking spaces provided on a site for a new multifamily or mixed-use building. That was done to in compliance with the new State CFEC rules.

Substantive Findings

SRC 110.085 establishes the following approval criteria for an amendment to the UDC to be approved:

- a. The amendment is in the best interest of the public health, safety, and welfare of the City; and
- b. The amendment conforms with the Salem Area Comprehensive Plan, applicable statewide planning goals, and applicable administrative rules adopted by the Department of Land Conservation and Development.

Findings demonstrating the proposal's conformance with the applicable approval criteria are included in Exhibit B to Ordinance Bill No. 4-23.

BACKGROUND:

On March 10, 2020, Governor Kate Brown issued Executive Order 20-04, directing state agencies to reduce climate pollution. In response, LCDC launched the CFEC rulemaking project in September 2020. The rulemaking project amended State rules governing Oregon's planning system for communities in Oregon's eight most populated areas. Many of the rules align with the work already accomplished through the [Our Salem project <https://www.cityofsalem.net/government/shaping-salem-s-future/our-salem-planning-for-growth>](https://www.cityofsalem.net/government/shaping-salem-s-future/our-salem-planning-for-growth) as well as the ongoing work to implement the [Climate Action Plan <https://www.cityofsalem.net/community/natural-environment-climate/climate-action-plan-for-salem>](https://www.cityofsalem.net/community/natural-environment-climate/climate-action-plan-for-salem). The City is working to implement the rules, which require the City to conduct regional scenario planning and update Salem's Transportation System Plan, among other changes.

Eunice Kim
Long Range Planning Manager

Attachments:

1. Ordinance Bill No. 4-23
2. Parking Reform Overview
3. Public comments through March 24, 2023

ORDINANCE BILL NO. 4-23

1 AN ORDINANCE RELATING TO PARKING; AMENDING SRC 30.050, SRC 30.055,
2 SRC 30.1110, SRC 30.405, SRC 111.001, SRC 210.045, SRC 210.065, SRC 525.010,
3 SRC 530.030, SRC 530.045, SRC 530.050, SRC 533.015, SRC 534.015, SRC 537.010,
4 SRC 552.010, SRC 603.020, SRC 700.020, SRC 700.021, SRC 701.030, SRC 800.040,
5 SRC 800.065, SRC 804.060, SRC 806.015, SRC 806.020, SRC 806.025, SRC 806.030,
6 SRC 806.035, SRC 806.040, SRC 806.045, SRC 806.055, SRC 806.060, SRC 806.075,
AND SRC 806.080; AND REPEALING SRC 806.005 AND SRC 806.010.

7 *The City of Salem ordains as follows:*

8 **Section 1.** The following Salem Revised Code (SRC) chapters are hereby amended as
set forth in **Exhibit A**, attached hereto and by reference incorporated herein: SRC 30,
9 SRC 111, SRC 210, SRC 525, SRC 530, SRC 533, SRC 534, SRC 537, SRC 552, SRC
10 603, SRC 700, SRC 701, SRC 800, SRC 804, and SRC 806.

11 **Section 2. Findings.** This is a legislative land use amendment. Findings demonstrating
12 compliance with the applicable criteria are set forth in **Exhibit B**, which is attached
hereto
13 and incorporated herein by reference.

14 **Section 3. Codification.** In preparing this ordinance for publication and distribution, the
City Recorder shall not alter the sense, meaning, effect or substance of this ordinance, but
15 within such limitations, may:

- 16 (a) Renumber sections and parts of sections of the ordinance;
- 17 (b) Rearrange sections;
- 18 (c) Change reference numbers to agree with renumbered chapters, sections or other
parts;
- 19 (d) Delete references to repealed sections;
- 20 (e) Substitute the proper subsection, section or chapter, or other division numbers;
- 21 (f) Change capitalization and spelling for the purpose of uniformity;
- 22 (g) Add headings for purposes of grouping like sections together for ease of
reference; and
- (h) Correct manifest clerical, grammatical or typographical errors.

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Section 4. Severability. Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

PASSED by the City Council this _____ day of _____, 2023.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: E. Kim.

Exhibit A
FOR ORDINANCE BILL NO. 4-23
(CODE AMENDMENT CASE NO. CA23-01)

Sec. 30.050. - New licenses.

(a) Application.

(1) *General.* An application for a new license shall include the following information, in addition to any other information specifically required elsewhere in this chapter:

- (A) The applicant's name;
- (B) The names and addresses of all persons who are principals, partners, or corporate officers, and all stockholders holding more than ten percent of the voting stock for any applicant who is not a natural person;
- (C) The address to which mail concerning the license may be sent;
- (D) All business addresses maintained or to be maintained by the applicant in the State;
- (E) The residence address of the person signing the application;
- (F) A brief description of the business or vocation for which the license is being sought;
- (G) A list of all felonies and misdemeanors of which the applicant has ever been convicted, together with the dates and places of such convictions, if the applicant is a natural person;
- (H) A list of any probation violations committed by the applicant within the preceding ten years; if the applicant is a natural person;
- (I) If the applicant will be an employee when licensed, the name and address of the applicant's employer;
- (J) The signature of the applicant, if a natural person, or otherwise the signature of an authorized agent of the applicant, if the applicant is other than a natural person;
- (K) Proof that the applicant has, or will be able to obtain, any insurance or bond required by this chapter.

(2) *Accessory short-term rentals.* In addition to the information required by subsection (a)(1) of this section, an application for an accessory short-term rental license shall include the following:

- (A) The address of the dwelling unit to be used as an accessory short-term rental;
- (B) The owner's name, address, and telephone number;
- (C) When license approval is being requested by a tenant of a dwelling unit, written authorization from the owner of the dwelling unit to operate the dwelling unit as an accessory short-term rental;
- (D) Proof of residency of the dwelling unit to be used as an accessory short-term rental;
- (E) Indication of whether individual guest rooms, the entire dwelling unit, or both will be rented;
- (F) The name and contact information of a local representative, meeting the requirements of SRC [30.1005\(c\)](#);
- (G) A completed transient occupancy tax registration form, as required under SRC [37.070](#) and provided by City's Finance Division;
- (H) The number of guest rooms;
- (I) A floor plan of the proposed dwelling unit to be used as an accessory short-term rental identifying the guest rooms that will be rented; and
- (J) Written certification, on a form provided by the Director, attesting to conformance with the safety requirements established under SRC [30.1005\(h\)](#).

(3) *Automobile racetracks.* In addition to the information required by subsection (a)(1) of this section, an application for an automobile racetrack license shall include the following:

- (A) The names and residences addresses of all persons who will act as track officials, including, but not limited to, starters, timers, and judges.
- (B) A schedule of the days and hours during which contests will be conducted, including those days and hours when unmuffled gasoline engines will be used.

- (C) A schedule of the days and hours during which practice will be allowed, including those days and hours when unmuffled gasoline engines will be used.
- (D) A description of how the applicant will comply with SRC [30.100](#).
- (4) *Dealers in used merchandise*. In addition to the information required by subsection (a)(1) of this section, an application for a dealer in used merchandise license shall include the following:
- (A) The applicant's date and place of birth;
 - (B) The applicant's physical description, including height, weight, color of hair and eyes, and identifying scars and marks;
 - (C) Every alias, assumed name, and any previous legal name ever used by the applicant or by which the applicant has been known.
- (5) *Mobile food units*. In addition to the information required by subsection (a)(1) of this section, an application for a mobile food unit license shall contain documentation that the applicant has obtained all required health and sanitary licenses from the State and the applicable county.
- (6) *Night clubs*. In addition to the information required by subsection (a)(1) of this section, an application for a night club license shall contain:
- (A) The applicant's date and place of birth;
 - (B) The applicant's physical description, including height, weight, color of hair and eyes, and identifying scars and marks;
 - (C) Every alias, assumed name, and any previous legal name ever used by the applicant or by which the applicant has been known;
 - (D) The location of the proposed night club and the days and hours of its operation;
 - (E) A description of all plans for ensuring the safety of patrons in the event of fire, explosion, or other emergency, including compliance with all applicable fire prevention provisions contained in state law and City ordinance;
 - (F) A description of all plans for controlling traffic and parking on and adjacent to the night club premises so as to ensure the safe, speedy, and orderly movement of traffic on the public streets in the vicinity.
- (7) *Short-term rentals*. In addition to the information required by subsection (a)(1) of this section, an application for a short-term rental license shall include the following:
- (A) The address of the dwelling unit to be used as a short-term rental;
 - (B) The owner's name, permanent residence address, and telephone number;
 - (C) Indication of whether individual guest rooms, the entire dwelling unit, or both will be rented;
 - (D) The name and contact information of a local representative, meeting the requirements of SRC [30.1105\(b\)](#);
 - (E) A completed transient occupancy tax registration form, as required under SRC [37.070](#);
 - (F) A site plan showing:
 - (i) The subject property and the location of the proposed dwelling unit to be used as a ~~n-accessory~~ short-term rental.
 - (ii) The location of any parking spaces provided. ~~required to meet SRC chapter [806](#).~~
 - (G) The number of guest rooms;
 - (H) A floor plan of the proposed dwelling unit to be used as a short-term rental identifying the guest rooms that will be rented;
 - (I) Written certification, on a form provided by the Director, attesting to conformance with parking requirements and the safety requirements established under SRC [30.1105\(g\)](#).
- (8) *Special events*. In addition to the information required by subsection (a)(1) of this section, an application for a special event license shall contain:
- (A) The location of the special event and the hours of operation thereof;
 - (B) The names of all persons, other than officers of the Salem Police Department whose services are obtained through such department, who will act as chaperones, bouncers, security officers, or supervisors of the special event;
 - (C) The maximum number of persons who will be permitted to attend the special event at any one time;

(D) A description of all plans for ensuring the safety of patrons in the event of fire, explosion, or other emergency, including compliance with all applicable fire prevention provisions contained in state law and City ordinances;

(E) A description of all plans for controlling traffic and parking at the site of the special event so as to ensure the safe, speedy, and orderly movement of traffic on public streets in the vicinity.

(9) *Street vendors.* In addition to the information required by subsection (a)(1) of this section, an application for a street vendor license shall contain documentation that the applicant has obtained all required health and sanitary licenses from the State and the applicable county.

(10) *Tree trimmers.* In addition to the information required by subsection (a)(1) of this section, an application for a tree trimmer license shall contain documentation that the applicant has successfully passed a written and practical examination formulated by the Director.

(11) *Vehicle for hire agency.* In addition to that information required by subsection (a)(1) of this section, an application for a vehicle for hire agency license shall include:

(A) The applicant's date and place of birth, if the applicant is a natural person;

(B) The Oregon motor vehicle registration number (vehicle license plate number) and manufacturer's serial number, or other vehicle identification number, of each vehicle for hire to be used by the applicant in connection with the applicant's business;

(C) A description, including dates and locations, of the applicant's previous experience as a vehicle for hire agency;

(D) For those applicants other than transportation network companies, a safety inspection report completed by a mechanic certified by the National Institute for Automotive Service Excellence (ASE) for all vehicles for hire to be used by the applicant in the course of the applicant's business indicating that each vehicle for hire is safe for use on public streets.

(12) *Vehicle for hire driver.* In addition to the information required by subsection (a)(1) of this section, an application for a vehicle for hire driver license shall contain:

(A) The applicant's date and place of birth;

(B) The applicant's physical description, including height, weight, color of hair and eyes, and identifying scars and marks;

(C) Every alias, assumed name, and any previous legal name ever used by the applicant or by which the applicant has been known;

(D) A copy of the applicant's current driver's license;

(E) Two identical passport-sized photographs of the applicant taken not more than 60 days prior to the date the application is filed;

(F) Every place of residence of the applicant for the ten years immediately preceding the date the application is filed;

(G) Every state or jurisdiction that has ever issued a motor vehicle operator's or chauffeur's license to the applicant;

(H) A statement as to whether any such operator's or chauffeur's license has ever been revoked or suspended for any reason; and

(I) For those applicants who will be a vehicle for hire driver within a transportation network:

(i) The Oregon motor vehicle registration number (license plate number) and manufacturer's serial number or other vehicle identification number of the vehicle for hire to be used by the applicant; and

(ii) A safety inspection report completed by a mechanic certified by the National Institute for Automotive Service Excellence (ASE) for the vehicle for hire to be used by the applicant indicating the vehicle is safe for use on public streets.

(b) *Review of application.*

(1) No application shall be deemed complete until all of the information required by subsection (a) of this section has been provided and the applicant has paid all fees associated with the license, including a nonrefundable application fee.

(2) Upon receipt of a complete application, the Director shall conduct such investigation as the Director deems necessary to determine whether the applicant meets the qualifications for the license and whether statements made in the application are true. The Director shall conduct a

criminal background check on all applicants for licenses for the following businesses or vocations:

- (A) Dealer in used merchandise;
- (B) Night club;
- (C) Special event;
- (D) Vehicle for hire agency; and
- (E) Vehicle for hire driver.

(c) *Issuance of new license.* A new license shall be granted to the applicant unless:

- (1) The applicant made an untrue or incomplete statement on, or in connection with, the application for the license; provided that, if such untrue or incomplete statement was the result of excusable neglect, the applicant may resubmit an application in which such defect is corrected.
- (2) The applicant fails to meet all requirements of federal, state and local laws and regulations, including, but not limited to, other permitting or licensing requirements and land use regulations.
- (3) The applicant has been convicted of any crime, and the nature of the crime presents a reasonable possibility that the applicant may endanger property or the public health, safety, or welfare. Such crimes include, but are not limited to, a felony or a misdemeanor involving violence, fraud, dishonesty, coercion, sexual conduct, or the unlawful manufacture or delivery of a controlled substance.
- (4) The applicant has, within the ten years immediately preceding the date of the application, violated his or her probation for any crime and such probation violation presents a reasonable possibility that the applicant may endanger property or the public health, safety, or welfare.
- (5) The applicant has a history of conduct in connection with any business or vocation engaged in by the applicant that, if continued by the applicant in connection with the business or vocation for which the license is sought, would constitute grounds for suspension or revocation of the license.
- (6) The applicant lacks any special knowledge or skill required to perform the licensed activity.
- (7) The applicant has an outstanding warrant for his or her arrest.
- (8) The applicant has not provided adequate proof of any insurance required by this chapter.
- (9) Any plans required by this chapter for the protection of patrons from fire, explosion, or other emergency do not comply with all applicable federal, state, and local laws and regulations.

(d) *Notification to applicant.*

- (1) If an application for a new license is approved, the Director shall notify the applicant in writing that the application has been approved. The notice shall contain any conditions placed on the approval and any further requirements the applicant must meet before a license will be issued.
- (2) If an application for a new license is denied, the Director shall notify the applicant in writing that the application has been denied. The notice shall contain a short and plain statement of the reason for the denial and a statement that the applicant may appeal the denial as set forth in SRC [chapter 20J](#).

(e) *Issuance; effective date.*

- (1) After notice to the applicant, and upon payment of all fees associated with the license and the filing of any proof of required insurance by the applicant, the Director shall issue the license.
- (2) A license is effective as of the date of issuance.

Sec. 30.055. - Renewal of license.

(a) *Renewals permitted.* A license may be renewed. An application to renew an existing license shall be submitted not less than 30 days prior to the expiration date of the existing license and shall be accompanied by any nonrefundable renewal fees. If an application to renew an existing license is not submitted within such 30-day period, a new license is required.

(b) *Application.*

- (1) An application to renew an existing license shall include the following information, in addition to any other information specifically required elsewhere in this chapter:

- (A) The applicant's name;
 - (B) A copy of the license for which renewal is sought;
 - (C) A list of any and all crimes for which the applicant has been convicted within the 12 months preceding the date of the renewal application, together with the dates and places of such convictions;
 - (D) Proof that the applicant has any insurance or bond required by this chapter;
 - (E) The signature of the applicant, if a natural person, or otherwise the signature of an authorized agent of the applicant, if the applicant is other than a natural person;
- (2) Accessory short-term rental. In addition to the information required by subsection (b)(1) of this section, an application for renewal of an accessory short-term rental license shall include the following:
- (A) Identification of any changes to the required information from the license for the preceding year.
 - (B) A copy of the guest registry, required under SRC [30.1005\(d\)](#), for the preceding year.
 - (C) Written certification, on a form provided by the Director, attesting to conformance with the safety requirements established under SRC [30.1005\(h\)](#).
- (3) Short-term rental. In addition to the information required by subsection (b)(1) of this section, an application for renewal of a short-term rental license shall include the following:
- (A) Identification of any changes to the required information from the license for the preceding year.
 - (B) A copy of the guest registry, required under SRC [30.1105\(c\)](#), for the preceding year.
 - (C) Written certification, on a form provided by the Director, attesting to conformance with ~~parking requirements and~~ the safety requirements established under SRC [30.1105\(g\)](#).
- (4) In addition to the information required by subsection (b)(1) of this section, an application for renewal of a vehicle for hire driver license for those drivers operating within a transportation network, or an application for a vehicle for hire agency license, shall include a current safety inspection report completed by a mechanic certified by the National Institute for Automotive Service Excellence (ASE) for the vehicle(s) for hire to be used by the applicant indicating the vehicle is safe for use on public streets.

(c) *Review of application.*

- (1) No application to renew an existing license shall be deemed complete until all of the information required by subsection (b) of this section has been provided, and the applicant has paid all fees associated with the application.
- (2) Upon receipt of an application to renew an existing license, the Director may make such investigation as the Director deems necessary to determine whether the applicant has conducted the licensed business or vocation in compliance with all federal, state, and local laws and regulations.

(d) *Criteria for renewal of license.* An application to renew an existing license shall be granted unless:

- (1) The applicant made an untrue or incomplete statement on, or in connection with, the application to renew; provided that, if such untrue or incomplete statement is the result of excusable neglect, the applicant may resubmit an application to renew an existing license within the times provided in this section.
- (2) The applicant no longer meets all requirements of federal, state, and local laws and regulations, including, but not limited to, other professional licensing regulations and land use regulations.
- (3) The applicant has been convicted of any crime and the nature of the crime presents a reasonable possibility that the applicant may endanger property or the public health, safety, or welfare.
- (4) The applicant has an outstanding warrant for his or her arrest.
- (5) The applicant no longer has the insurance required by this chapter.
- (6) The applicant has knowingly maintained or conducted the licensed business or vocation in a manner contrary to the terms of the existing license or contrary to any provision of this chapter.

(7) Any other license or permit required to engage in the business or vocation has been denied, suspended, revoked, or canceled.

(8) The applicant has engaged in any behavior or activity that would endanger public health, safety and welfare.

(e) *Notification to applicant.*

(1) If an application to renew an existing license is approved, the Director shall notify the applicant in writing that the renewal has been approved. The written notice shall contain any conditions placed on the renewal and any further requirements the applicant must meet as a condition of renewal.

(2) If an application to renew an existing license is denied, the Director shall notify the applicant in writing that the renewal has been denied. The written notice shall contain a statement of the reasons for the denial and statement that the applicant may appeal the denial as set forth in SRC [chapter 20J](#).

(f) *Issuance; effective date.*

(1) After notice to the applicant, and upon payment of all renewal fees and upon filing proof of any required insurance and/or bond by the applicant, the Director shall issue the renewal license.

(2) A renewed license is effective as of the expiration date of the prior license.

Sec. 30.1110. - Inspection.

Short-term rentals shall be inspected by the Director to verify:

(a) The number of guest rooms;

(b) ~~The number, location, and availability of any required~~ parking spaces provided; and

(c) Conformance with the City's Housing Code, SRC [chapter 59](#).

Sec. 30.405. - Location.

(a) Mobile food units may only operate in zones where allowed as a permitted use.

(b) Mobile food units shall not operate or be located in a public right-of-way. Mobile food units may operate on city-owned property provided the licensee is granted a site specific permit which shall be displayed conspicuously on-site.

(c) Except as provided in subsection (1) of this section, a mobile food unit may only operate in an approved parking lot, or other hard surface area, ~~where the off-street parking requirements for all uses or activities served by the off-street parking area are met.~~

~~(1) A mobile food unit may operate in an approved parking lot or other approved hard surface area on a lot with a single family use regardless of whether the off-street parking requirements for that use are met.~~

(d) The location standards of this section do not apply to mobile food units which operate as a vendor within an approved community event or where a street closure permit is granted.

Sec. 111.001. - Definitions, generally.

Unless the context otherwise specifically requires, terms used in the UDC shall have the meanings set forth in this chapter; provided, however:

(a) Where chapter specific definitions are included in another chapter of the UDC, those definitions are the controlling definitions; and

(b) Where a term is not defined within the UDC, the term shall have its ordinary accepted meaning within the context in which it is used. Webster's Third New Int'l Dictionary (unabridged ed. 2002) shall be the standard reference to ordinary accepted meanings.

Abutting means touching along a boundary or point.

Accessory building or structure means a building or structure that is incidental and subordinate to, and dependent upon, the principal use on the same premises.

Accessory dwelling unit means a second dwelling unit that is attached to or detached from a single-family detached dwelling, manufactured home, or zero side yard dwelling on the same lot. The accessory dwelling unit is accessory to and is smaller than the primary dwelling unit.

Accessory short-term rental means a type of short-term rental which is operated as an accessory use to a household living use where a resident family rents guest rooms within their dwelling unit, or a guest house if applicable, when they are present as hosts, or rents their entire dwelling unit, including a guest house if applicable, during periods of time when they are away, to overnight guests on a daily or weekly basis for periods of less than 30 consecutive days.

Adjacent means near or close, but not necessarily contiguous with.

Adjoin means to abut.

Adult day care center means day care for adults in a nonresidential structure.

Adult day care home means day care for five or fewer adults provided in the home of the adult day care provider.

Affordable housing means housing that is affordable to households with incomes equal or less than 80 percent of the median family income in the county for which the development is built or for the state, whichever is greater, and in a manner so that no more than 30 percent of the household's gross income will be spent on rent, home loan or mortgage payments, and utilities.

Alley means a public or private way other than a street or flag lot accessway that provides primary or secondary vehicle access to an abutting property where the majority of the width of the alley within a block meets the right-of-way width requirement set forth under SRC Chapter 803, Table 803-1.

Ambulance service facility means a building used for the administrative offices of an ambulance service, the housing of emergency medical personnel, and the ordinary maintenance and repair of emergency vehicles and equipment.

Ambulance station means a building, or a specific portion of a building or development, that is utilized for the housing of on-call emergency medical ambulance personnel.

Apartment means a building that contains three or more dwelling units and which is designed, built, rented, leased, let or hired out to be occupied, or which is occupied as the home or residence of three or more families living independently of each other and doing their own cooking in the said building; or a building in condominium ownership containing three or more dwelling units.

Application for affordable multiple family housing means, for purposes of SRC 300.810, an application for affordable housing which is affordable to households with incomes equal to or less than 60 percent of the median family income for the county in which the development is built or for the state, whichever is greater, and that is:

- (a) A permit or zone change submitted under ORS 227.175;
- (b) For development of a multifamily residential building containing five or more residential units where at least 50 percent of the residential units included in the development will be sold or rented as affordable housing; and
- (c) Subject to a covenant, as required under ORS 197.311, that restricts the owner, and each successive owner, of the development or a residential unit within the development from selling or renting any of the identified affordable residential units as housing that is not affordable housing for a period of 60 years from the date of the certificate of occupancy.

Arcade means a continuous covered arched passageway located parallel to a building, street, or open space, and open and accessible to the public.

Arterial street means a major arterial street or minor arterial street.

Bicycle parking area means an area of a development site used for the parking of bicycles. A bicycle parking area includes the bicycle parking space, or spaces, and the access aisle providing access to, and maneuvering area for, the bicycle parking spaces.

Buildable width means the distance along the street right-of-way, exclusive of side setbacks, wetlands, and riparian corridors, that is sufficiently deep to accommodate a lot depth of 70 feet and meet setback requirements. Where a development fronts on a street which is curved, the buildable width shall be measured radial to the curve.

Building means any structure used or intended for supporting or sheltering any use or occupancy.

Building articulation means design emphasis given to walls, roofs, windows, balconies, entries, and other architectural features to divide buildings into smaller identifiable pieces, reduce the appearance of building bulk and mass, provide visual interest, and introduce elements of scale.

Building frontage means portion of a lot occupied by buildings placed at the front setback line. The front setback line is the line extending across the front of the lot at the front setback distance. For corner lots, building frontage also means the portion of a lot occupied by buildings placed at the setback line applicable to the intersecting street. ~~the portion of a building occupying the front setback line. The front~~

~~setback line is the line extending across the front of the site at the front setback distance. For corner lots, building frontage also means the portion of a building occupying the setback line applicable to the intersecting street.~~

Building Official means the Administrator of the Building and Safety Division of the Department of Community Development of the City, or the Building Official's designee.

Building offset means a change in vertical planes along the exterior facade of a building used to divide the building into smaller identifiable pieces and reduce the appearance of building bulk and mass. An offset that does not continue the entire length of the building, and therefore, configured as a "bump out," counts as one building offset. Decks or covers over entryways do not count as building offsets.

Building offset interval means the space between building offsets.

Canopy tree means a deciduous shade tree planted primarily for its high crown of foliage.

Carport means a permanent structure used for the parking or storage of vehicles which is unenclosed on two or more sides.

Central Salem Development Program (CSDP) Area means that area of the City within the following boundaries:

Beginning at the SE corner of 12th Street SE and Mission Street SE in Section 27 Township 7 South Range 3 West in Marion County, Oregon; Thence Northerly along the East line of 12th Street SE to its intersection with the East Right-of-Way line of the Southern Pacific Railroad; Thence continuing Northerly along said East line of Railroad to the North side of "D" Street NE; Thence Westerly along the North side of "D" Street NE to the West Side of Fifth Street NE; Thence Northerly along the West side of Fifth Street NE to the North side of Market Street NE; Thence Easterly along the North side of Market Street NE to an Alley running between Fifth Street NE and Church Street NE; Thence Northerly along Said Alley to the North side of Gaines Street NE; Thence Easterly along the North side of Gaines Street to the West side of Church Street NE; Thence Northerly along the West Side of Church Street to the North line of an Alley running between Hood Street NE and Shipping Street NE; Thence Westerly along the North side of Said Alley to the East bank of the Willamette River; Thence Southerly along the East Bank of the Willamette River and Willamette Slough to the Westerly projection of the South line of Mission Street SE; Thence running Easterly along the South side of Mission Street SE to the Place of Beginning (see Figure 111-3).

Child means a child as defined by ORS 329A.250.

Child day care center means a child care facility as defined in ORS 329A.250, other than a child day care home, that is certified under ORS 329A.280.

Child day care home means a child care facility, as defined in ORS 329A.250, that is registered under ORS 329A.330 or certified under ORS 329A.280 and provides child care in a dwelling unit to not more than 16 children.

Circular driveway means a curved one-way driveway serving a single family, two family, three family, or four family use that has two points of access to a street where one of the points of access is an entrance and the other point of access is an exit.

City infrastructure means public infrastructure providing vehicular and pedestrian transportation, City utilities, and parks.

City utilities means public improvements providing water, wastewater, and stormwater facilities.

Collector street means a street that allows traffic within an area or neighborhood to connect to an arterial street, and designated as such in the Salem Transportation System Plan. Collector streets shall have priority over local streets in the installation of any traffic control devices. Single family and duplex access onto collector streets may be limited according to Public Works Design Standards.

Columnar tree means a tree species that is tall and cylindrical or tapering.

Common open space means open area intended for shared use and enjoyment in a development.

Common open space includes landscaping, walkways, play areas, swimming pools, roof gardens, or other open areas which provide active or passive recreational or visual amenities for residents. Common open space does not include parking areas, streets, or other areas designed for motor vehicle circulation or storage.

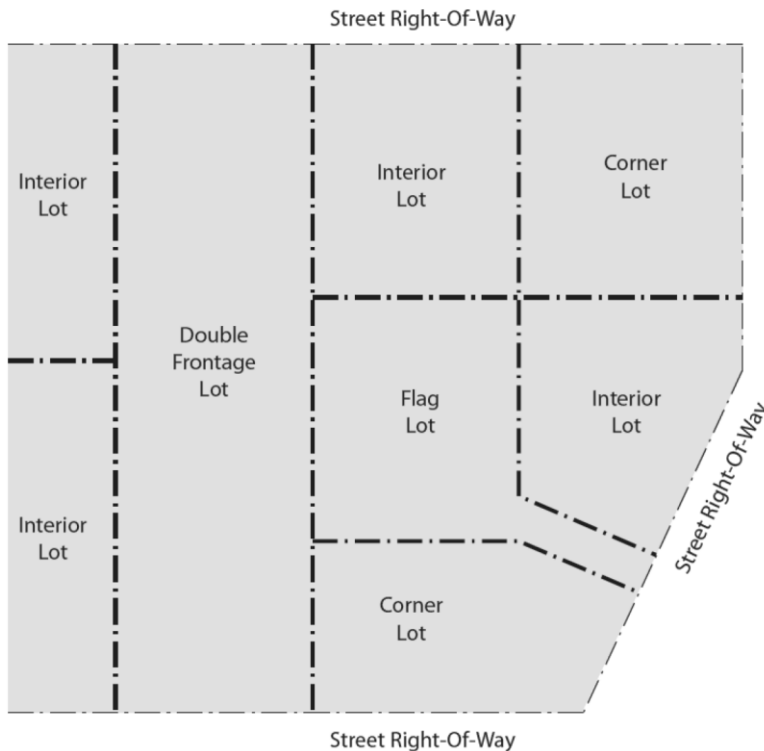
Complex means a group of buildings, structures, or other development that is functionally or conceptually integrated, regardless of the ownership of the development or underlying land, and regardless of whether located on one or more lots or parcels.

Contiguous means touching along a boundary or point. Unless otherwise provide under the UDC, any properties that are separated by public right-of-way shall not be considered contiguous.

Core network means those bus service corridors within the Salem/Keizer Urban Area that represent the highest priority for service as adopted in Resolution No. 2017-10 by the Salem Area Mass Transit District Board of Directors on July 27, 2017.

Corner lot means a lot abutting two or more intersecting streets, where the interior angle formed by the intersection of the streets does not exceed 135 degrees; or a lot having two or more adjacent front lot lines in which the interior angle formed by the extensions of the front lot lines in the direction which they take at their intersections with the side lot lines forms an angle of 135 degrees or less. In the event a street front lot line is a curve at its point of intersection with a side lot line, the tangent to the curve at that point shall be considered the direction of the front lot line (see Figure 111-1).

FIGURE 111-1. LOT TYPES



Cottage cluster means a group of five to twelve detached dwelling units, each with a maximum building footprint of 900 square feet, that are located on an individual lot and include a common courtyard.

Cottage housing means a development consisting of at least two or more attached and/or detached dwelling units on one lot as a legal nonconforming use as of May 15, 1979.

Crime prevention through environmental design means specific measures taken to enhance the safety of residents and minimize the potential for crime through the physical design of a development.

Cul-de-sac means a dead end street having a turnaround area at the dead end.

Curbline means the line indicating the edge of the vehicular roadway within the overall right-of-way.

dbh means the diameter of a tree measured in inches at a height of 4.5 feet above grade. When a fork in the trunk occurs at or above 4.5 feet, the dbh is the smallest diameter at 4.5 feet or below. When the fork occurs below 4.5 feet, or the tree splits into multiple stems at ground level, each stem is considered a separate tree trunk and is measured accordingly. The term "dbh" is also known as "diameter at breast height."

Dead-end street means a street which terminates without a turnaround area and is intended to continue through at some future time.

Development means to construct or alter a structure, to make alterations or improvements to the land or to make a change in use or appearance of land, to divide or reconfigure land, or to create, alter, or terminate a right of access. The term "development" does not include:

- (a) Maintenance and repair, usual and necessary for the continuance of an existing use;
- (b) Reasonable emergency procedures necessary for the safety or operation of property; or

- (c) Interior or exterior remodeling that does not increase the square footage or height of a structure, or substantially alter the appearance of a structure.

Development site means an individual lot or multiple contiguous lots accommodating a single development or a complex. ~~For purposes of off-street parking proximity requirements under SRC 806.040, development site also includes a lot or multiple contiguous lots located directly across a street or alley right-of-way.~~

Double frontage lot means a lot that has frontage on two streets that do not intersect at the lot's boundaries (see Figure 111-1).

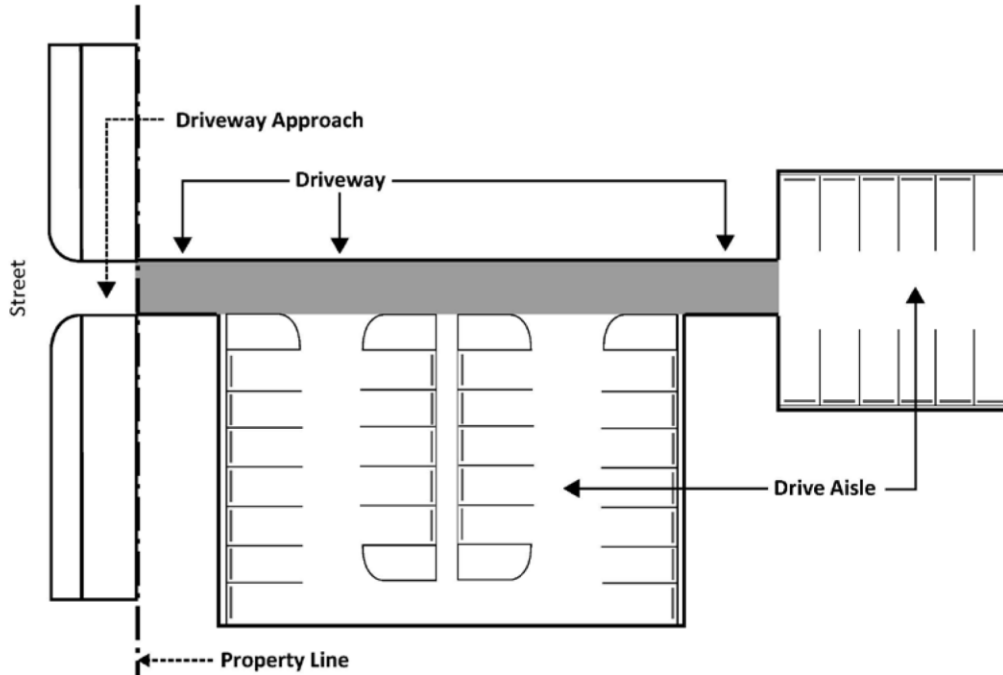
Downhill lot means a hillside lot which slopes downhill from the front lot line.

Downtown Parking District means that certain district, established under SRC chapter 7, which provides for the financing and administration of programs for economic promotion and public parking for motor vehicles in the Central Business District of the City (see Figure 111-4).

Drive-through means a facility where goods or services are provided to a patron of a business while in their motor vehicle, and typically including queuing lanes leading to drive-up service windows or service areas. A drive-through does not include motor vehicle services, as set forth in SRC 400.055(b).

Driveway means an area providing vehicular access to a site that begins at the property line and extends into the site; or an area providing vehicular circulation between parking areas on a site (see Figure 111-2). A driveway does not include maneuvering areas or drive aisles within parking areas.

FIGURE 111-2. DRIVEWAY



Duplex means a building containing two attached dwelling units on an individual lot that share a common wall or common floor/ceiling. For the purposes of this section, a building that contains an accessory dwelling unit attached to a single family detached dwelling, manufactured home, or zero side yard dwelling shall not be considered a duplex.

Dwelling means a building, or portion thereof, which contains one or two dwelling units.

Dwelling unit means a single independent unit providing complete living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. For the purposes of this definition, "independent" means the dwelling unit:

- (a) Is detached from any other dwelling unit or is separated from any other dwelling unit by an approved fire separation as required under the Building Code;
- (b) Includes a kitchen area with a sink and an approved electrical service connection for a stove or range; and

- (c) Does not have a direct interior connection to any other dwelling unit, but may have fire-separated access to a common facility shared with any other dwelling unit.

Employees means all persons, including proprietors, performing work on a premises for compensation.

For purposes of SRC chapter 806, employees include all persons, including proprietors, performing work on a premises for compensation during the largest shift at peak season.

Excavation means any act by which earth, sand, gravel, rock, or any similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated, or bulldozed, including the conditions resulting therefrom.

Existing wildlife rehabilitation facility means any building, structure, or land which is occupied or being used by a wildlife rehabilitator who is licensed by the Oregon Department of Fish and Wildlife and actively engaged in wildlife rehabilitation as of July 14, 1994.

Facade means the vertical plane of one exterior side of a building.

Family means:

- (a) An individual;
- (b) Two or more persons related by blood, marriage, domestic partnership, legal adoption, or guardianship;
- (c) Two or more persons with disabilities, as defined in the Fair Housing Amendments Act of 1988, who need not be related by blood, marriage, domestic partnership, legal adoption, or guardianship living together in a dwelling unit; or
- (d) Any number of persons who need not be related by blood, marriage, domestic partnership, legal adoption, or guardianship living together in a dwelling unit.

Fence means an unroofed structure used as an enclosure, barrier, or restriction to light, sight, air, or passage.

Fill or *backfill* means a deposit of earth or other natural or manmade material placed by artificial means.

Finished grade means the final grade upon completion of excavation, fill, or paving.

Flag lot means a lot that is set back from the street at the rear or at the side of another lot, with vehicular access to the street provided by a flag lot accessway (see Figure 111-1).

Flag lot accessway means a portion of a lot that provides legal access from a street to one or more flag lots. An accessway may be through fee-simple ownership as part of a flag lot or by an access easement with associated reciprocal and irrevocable access rights for all lots using the accessway.

Floor area means the area within the exterior walls of a building or structure, or portion thereof, exclusive of vent shafts and courts. The floor area of an unenclosed building or structure, or portion thereof, is the usable area under the horizontal projection of the roof or floor above.

Floor area ratio (FAR) means a measure of the intensity of a development, expressed as a ratio of total building floor area to total lot area.

Frontage means that portion of real property which abuts a street, whether or not access to the property is accorded thereby, and whether or not a building or structure faces the street. In context, when coupled with the term "alley," the term "frontage" has the same meaning with respect to an abutting alley.

Garage means a building or portion thereof used for the parking or storage of vehicles.

Grade means the lowest point of elevation of the ground or paved surface excluding stairwells and area wells at the point's contact with a building's foundation, a property line, or a street, depending upon the context.

Grading means the act of excavating and filling.

Guest house means an accessory building maintained for the purpose of providing temporary and gratuitous living accommodations, but dependent upon the main dwelling for cooking or bathroom facilities, or both.

Guest room means any room or rooms used or intended to be used by a guest for sleeping purposes.

Habitable space means space within a structure for living, sleeping, eating, or cooking. Bathrooms, closets, halls, storage or utility space, and similar areas are not considered habitable space.

Hillside lot means a lot having an average cross slope of 15 percent or more and that is residentially zoned or developed for uses falling under household living.

Household pet means a domesticated animal that is kept for pleasure rather than for a commercial purpose such as breeding, boarding, grooming, or medical care. Common household pets include cats, dogs, hamsters, gerbils, guinea pigs, canaries, parakeets, parrots, turtles, lizards, and tropical fish.

Infill lot means a residential flag lot created by the partition of land after February 8, 2006.

Interior lot means any lot, other than a corner lot or double frontage lot (see Figure 111-1).

Interior lot line means a lot line that is not adjacent to a street.

Land division means the act of dividing land to create lots or parcels. A property line adjustment is not a land division.

Land use action means the City's process of reviewing an application for a land use or limited land use decision.

Live-work unit means a dwelling unit that includes a designated space for a business or other nonresidential use that is operated by an occupant of that unit. The live-work unit is accessory to the dwelling unit within which it is located.

Livestock means, except as otherwise provided herein:

- (a) One or more members of any species of cattle, swine, sheep, goat, horse or other equine, llama, alpaca or related ruminant, or poultry regardless of the purpose for which they may be kept; and
- (b) Any species of bee, rabbit, or fur-bearing animal kept for sale, for sale of byproducts, for livestock increase, or for value increase.
- (c) Poultry, miniature swine, and bees kept in accordance with SRC chapter 50 shall not be considered livestock.

Loading space means an off-street space for the parking of a vehicle while loading or unloading.

Local street means a street not designated as a collector, minor arterial, major arterial, or parkway in the Salem Transportation System Plan. A local street primarily serves to provide direct access to abutting land and offers the lowest level of traffic mobility.

Lot means a single lawfully established unit of land created by a subdivision of land. Except where otherwise stated, the term "lot" includes the term "parcel."

Lot line means one of the property lines forming the exterior boundaries of a lot.

Major arterial means a street for moving large volumes of intra-city and regional traffic, and designated as such in the Salem Transportation System Plan. A fully improved major arterial serves as the main radial, and provides peripheral routes through the City. The ultimate cross-sectional width of a major-arterial is multi-lane, as shown in the Salem Transportation System Plan.

Manufactured dwelling means a residential trailer, mobile home, or manufactured home. A manufactured dwelling does not include any building or structure constructed to conform to the Oregon Structural Specialty Code or the One and Two Family Dwelling Code adopted pursuant to ORS 455.100 to 455.450 and 455.610 to 455.630, or any unit identified as a recreational vehicle by the manufacturer.

Manufactured dwelling park means any place where four or more manufactured dwellings are located on a development site and intended for residential use. The term "manufactured dwelling park" does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one manufactured dwelling per lot if the subdivision was approved pursuant to SRC chapter 205.

Manufactured home means a structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes, and that was constructed after June 15, 1976, and in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction.

Marijuana means the plant Cannabis family Cannabaceae, any part of the plant Cannabis family Cannabaceae and the seeds of the plant Cannabis family Cannabaceae. The term "marijuana" does not include industrial hemp, as defined in ORS 571.300.

Marijuana production means the commercial manufacture, planting, cultivation, growing, or harvesting of marijuana for wholesale or retail trade. The manufacture, planting, cultivation, growing or harvesting of marijuana for personal use, or as a state registered medical marijuana grower for up to four state registered patients, as allowed by state law is not included in this definition.

Middle housing means townhouses, two family uses, three family uses, four family uses, and cottage clusters.

Middle housing land division means a partition or subdivision of a lot, parcel, or other lawfully established unit of land which has been, or is proposed to be, developed for middle housing in order to locate each dwelling unit on a separate lot.

Minor arterial means a street providing primarily intra-area and inter-neighborhood access, and designated as such in the Salem Transportation System Plan. A fully improved minor arterial has a minimum of two travel lanes with left-turn pockets and center left-turn lanes.

Mixed-use building means a building that is two or more stories in height and which contains a combination of residential and non-residential use where at least 75 percent of the ground floor area of the building is occupied by non-residential use and residential use is included on the upper floors.

Mobile home means a structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes, that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.

Native vegetation means plant species which are indigenous to Oregon and appropriate to local site conditions such as hydrology, soils, light availability, and slope aspect.

Natural grade means the grade of the land in an undisturbed state.

Neighborhood means a localized area within the City with a development pattern that provides infrastructure and services which meets the needs of persons residing or working in the area. A neighborhood encompasses a larger area than vicinity.

Neighborhood association means a neighborhood organization that is officially recognized as provided in SRC chapter 64.

Nightclub means an establishment open at night that provides music and space for dancing, and usually serves alcohol.

Nuisance vegetation means native and non-native plant species with a tendency to dominate plant communities, or which are considered harmful to humans, and which are designated as nuisance vegetation in the tree and vegetation technical manual.

Office complex means a group of businesses falling primarily under the business and professional services use category that form a centralized unit and that have a joint parking area available for use by patrons of any single business.

Off-street parking area means an area of a development site used for short-term off-street parking of vehicles. An off-street parking area includes aisles and maneuvering areas within the parking area.

Open space means land designated to preserve community livability, significant plant materials, and natural resources.

Owner means the owner of record of real property as shown on the latest tax rolls or deed records of the county, and includes a person who furnishes evidence that the person is purchasing property under a written recorded or unrecorded land sale contract.

Parcel means a single lawfully established unit of land created by a partition of land.

Parking space means a designated space in a parking area for the parking of one motor vehicle.

Parking structure means a structure, or portion thereof, that provides two or more levels of parking.

Parkway means a street for moving large volumes of both intra-city traffic and regional traffic at higher speeds, and designated as such in the Salem Transportation System Plan. A fully improved parkway is a divided highway with a minimum of four travel lanes and extremely limited access.

Partition means dividing land to create not more than three parcels of land within a calendar year, but does not include:

- (a) Dividing land as a result of a lien foreclosure, foreclosure of a recorded contract for the sale of real property, or the creation of cemetery lots;
- (b) A property line adjustment;
- (c) Dividing land as a result of the recording of a subdivision or condominium plat;
- (d) Selling or granting by a person to a public agency or public body of property for state highway, county road, city street or other right-of-way purposes if the road or right-of-way complies with the applicable comprehensive plan and ORS 215.213(2)(p) to (r) and 215.283(2)(q) to (s). However, any property sold or granted for state highway, county road, city street or other right-of-way purposes shall continue to be considered a single unit of land until the property is further subdivided or partitioned; or
- (e) Selling or granting by a public agency or public body of excess property resulting from the acquisition of land by the state, a political subdivision, or special district for highways, county roads, city streets, or other right-of-way purposes when the sale or grant is part of a property line adjustment incorporating the excess right-of-way into adjacent property. The property line adjustment shall be approved or disapproved by the applicable local government. If the property line adjustment is approved, it shall be recorded in the deed records of the county where the property is located.

Pedestrian connection means a continuous, unobstructed, and reasonably direct route between two points that is intended and suitable for pedestrian use.

Pedestrian pathway means any sidewalk, footpath, or trail which provides on-site pedestrian access and circulation.

Pedestrian scale means site and building design elements that are dimensionally less than those intended to accommodate automobile traffic, flow, and buffering. Examples include ornamental lighting of limited height; bricks, pavers or other modules of paving with small dimensions; a variety of planting and landscaping materials; arcades or awnings that reduce the height of walls; and signage and signpost details that can only be perceived from a short distance.

Planning Administrator means the Administrator of the Planning Division, Department of Community Development of the City, or the Planning Administrator's designee.

Plaza means an area generally open to the public on a controlled basis, and usually adjoining and connecting directly to a sidewalk, pedestrian walkway, transit stop, or building entrance, that provides a place for individuals to sit, stand, or rest. Plazas typically include low walls or planters and landscaping to create a semi-enclosed space and to buffer and separate the plaza from adjoining parking lots and vehicle maneuvering areas. Plazas also typically include amenities such as seating, art, and fountains.

Primary building entrance means the principal public pedestrian entrance into a building. A building may have more than one primary building entrance, such as in those situations where a building has multiple individual tenant spaces, each with their own principle public entrance, or a building which has multiple public entrances located at different locations within the building, all of which are of equal significance in providing public entry into the building. A primary building entrance does not include an employee-only or service entrance, unless the use of the building is such that a public entrance does not exist. In those situations where a public entrance does not exist, the main employee-only or service entrance into the building is the primary building entrance.

Primary street means a street that is classified in the Salem Transportation System Plan as an arterial or collector street.

Private open space means a semi-enclosed area which is intended for use by the occupants of an individual dwelling unit. Private open spaces may include porches, patios, balconies, terraces, roof top gardens, verandas, and decks.

Property line means the boundary line between two units of land.

Public right-of-way or right-of-way means the present and future streets, roadways, alleys, public highways, avenues, and pedestrian ways in the City, which may be held by the City in fee, easement, or dedication.

Public utilities means privately owned improvements providing the following services: natural gas; electricity; telephone, internet, and other electronic data or communication services; and cable television.

Quadplex means a building containing four attached dwelling units on an individual lot. Each dwelling unit must share a common wall or common floor/ceiling with at least one other dwelling unit.

Recreational vehicle means:

- (a) A vehicle, with or without motive power, that is designed for sport or recreational use, or human occupancy on an intermittent basis, such as motor homes, off-road vehicles, dune buggies, boats, snowmobiles, and other similar vehicles; or
- (b) A portable vehicular structure designed for sport or recreation use, or for human occupancy on an intermittent basis, that is capable of being towed or transported on the highway by a motor vehicle, such as travel trailers, fifth-wheel trailers, campers, and other similar portable vehicular structures.

Recycling depot means a building, or portion thereof, not more than 1,000 square feet in floor area used for the collection, sorting, and temporary storage of waste and discarded materials which may be reprocessed elsewhere into usable raw materials. The term "recycling depot" does not include a structure maintained solely to provide shelter for no more than three types of recyclable material, such as paper, tin cans, and bottles, deposited by members of the public and collected at regular intervals for further transfer or processing elsewhere.

Resident family means a family who occupies a dwelling unit as their primary residence on a non-transient long-term basis for 30 or more consecutive days. A resident family must be either the owner or the tenant of the dwelling unit.

Residential facility means as defined under ORS 197.660, a residential care, residential training, or residential treatment facility, as those terms are defined in ORS 443.400, that provides residential care

alone or in conjunction with treatment or training or a combination thereof for six to 15 individuals who need not be related. Staff persons required to meet licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential facility.

Residential home means as defined under ORS 197.660, a residential treatment or training home, as defined in ORS 443.400, a residential facility registered under ORS 443.480 to 443.500, or an adult foster home licensed under ORS 443.705 to 443.825 that provides residential care alone or in conjunction with treatment or training or a combination thereof for five or fewer individuals who need not be related. Staff persons required to meet licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential home.

Residential trailer means a structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes, and that was constructed before January 1, 1962.

Riparian corridor means the area adjacent to a waterway, consisting of the area of transition from an aquatic ecosystem to a terrestrial ecosystem. The riparian corridor boundary is measured:

- (a) 50 feet horizontally from the top of bank on each side of a waterway with less than 1,000 cubic feet per second average annual stream flow; and
- (b) 75 feet horizontally from the top of bank on each side of a waterway with 1,000 or more cubic feet per second average annual stream flow (Willamette River).

Riparian restoration means actions undertaken to improve degraded, or recover lost, ecological or habitat functions in the area adjacent to a waterway in the zone of transition from an aquatic ecosystem to a terrestrial ecosystem, determined by the City to provide net ecological benefits, not reduce the stream's capacity to convey flood flows in a floodplain or floodway, nor pose an impediment to fish passage.

Scrap and waste materials dealers means establishments primarily engaged in the assembling, breaking up, sorting, and wholesale distribution of scrap and waste materials.

Screening means a method of blocking or obscuring view of an area through the use of fencing, walls, berms, densely planted vegetation, or a combination thereof.

Secondary street means a street that is classified in the Salem Transportation System Plan as a local street.

Setback means the distance between a building, accessory structure, vehicle use area, or other structure or area and a property line, special setback line, flag lot accessway, easement, or other specified point.

Shopping center means a group of businesses falling primarily under the retail sales and service use category that form a centralized unit and that have a joint parking area available for use by patrons of any single business.

Short-term rental means short-term commercial lodging where a single family dwelling unit, or guest room(s) within a single family dwelling unit, are rented to overnight guests on a daily or weekly basis for periods of less than 30 consecutive days. For purposes of this definition, a dwelling unit within a condominium is considered a single family dwelling unit.

Single family dwelling means a detached freestanding dwelling unit located on its own lot.

Solid waste disposal site means land used for disposal of solid waste, including lumber; tile; bricks; concrete rubble; siding; roofing; asphalt; structural metal work; plaster and gypsum board; mortar stones; concrete blocks; pipe; plumbing fixtures; electrical wiring and fixtures; and shredded or split tires. A solid waste disposal site does not include land used for the disposal of leaves, prunings, and grass clippings; household appliances; machinery; motor vehicles and parts, other than shredded or split tires; or any putrescible substance. Solid waste disposal sites do not involve the collection or storage of items for sale or reuse in any form.

Solid waste transfer station means a fixed or mobile facility normally used as an adjunct of a solid waste collection system or resource recovery system between a collection route and a disposal site, including, but not limited to, a large hopper, railroad gondola, or barge. See ORS ch. 459 and OAR ch. 340.

Story means the horizontal division of a building, making up the area between two adjacent levels, but excluding that portion of the building that comprises the horizontal division that is the roof, unless that area includes living space.

Stream enhancement means to modify the stream channel width, length, depth, alignment, location, profile, bank shape, or in-stream structures for the purpose of improving ecological or habitat functions determined by the City to be degraded or lost in the immediate project area, specific stream corridor, or watershed.

Street means a public or private way that is created to provide ingress or egress to one or more lots, parcels, areas, or tracts of land, excluding a private way that is created to provide ingress or egress to land in conjunction with the use of the land for forestry, mining, or agricultural purposes. The term "street" includes the terms "highway," "thoroughfare," "parkway," "throughway," "road," "avenue," "boulevard," "lane," "court," "place," "loop," "drive," "circle," and other such terms. The term "street" does not include alleys or flag lot accessways.

Street tree means a tree planted in proximity to a street in order to provide canopy over the street, to provide shade, and soften the street environment.

Structural alteration means any alteration, addition, or removal of any structural member of a building, other than a minor alteration. As used in this definition:

Minor alteration means the alteration, replacement, or repair of a structural member so as not to alter structural integrity or the manner in which structural integrity was achieved before the alteration, replacement, or repair;

Structural integrity means the capacity of the building and its component parts, other than non-bearing walls, fixtures, electrical systems, plumbing systems, mechanical systems, openings, and ornamental appendages, to withstand the forces, stresses, and loads which are contemplated in the Oregon Structural Specialty Code for the type of construction involved; and

Structural member means any component part of a building which contributes to structural integrity.

Structure means that which is built or constructed; an edifice or building of any kind; or any piece of work artificially built up or composed of parts joined together in some definite manner; any of which is an addition to or fixture on real property. The term "structure" does not include paving, or mobile homes.

Subject property means the real property that is the subject of any land use proceeding. For purposes of mailed notice, subject property includes not only the real property that is the subject of the land use proceeding for which notice is required, but also any contiguous property in which the applicant or owner holds a legal or equitable interest.

Temporary means unless otherwise provided under the UDC, a limited duration more than two hours but less than six months, and which does not involve the construction or alteration of any permanent structure.

Townhouse means a dwelling unit that is part of a row of two or more attached units, where each dwelling unit is located on its own lot and shares a common side wall or walls with the adjacent units. A townhouse is also called a rowhouse.

Triplex means a building containing three attached dwelling units on an individual lot. Each dwelling unit must share a common wall or common floor/ceiling with at least one other dwelling unit.

Turnaround area means a paved area of a sufficient size and configuration that a motor vehicle having a curb-to-curb turning radius of 30 feet or less may maneuver around to head in the opposite direction without having to move in reverse more than once.

Unit of land means a lot, parcel, or other tract of land described by a metes and bounds, which is lawfully established and which has been recorded. A lot, parcel, or tract is lawfully established only if:

(a) The lot or parcel was created in compliance with all applicable legal requirements for a land division in effect at the time it was created; or

(b) The lot, parcel, or tract has been validated pursuant to SRC 205.060.

Uphill lot means a hillside lot which slopes uphill from the front lot line.

Use standard means any standard or condition imposed by the UDC, or a decision in a land use action, which regulates, restricts, prohibits, or allows the conduct of a use. A use standard does not include a development standard.

Utility or utilities means water; wastewater; stormwater facilities; natural gas; electricity; telephone, internet, and other electronic data or communication services; and cable television. As the context requires, the term "utility" or "utilities" may include City utilities or public utilities.

Vehicle display area means an area of a development site where motor vehicles, recreational vehicles, trailers, boats, or other vehicles are displayed for sale or lease.

Vehicle storage area means an area of a development site used for the storage of motor vehicles, utility trailers, recreational vehicles, boats, aircraft, or other vehicles.

Vehicle use area means an area of a development site used for parking, storage, display, loading, maneuvering, access, or circulation of vehicles. A vehicle use area includes off-street parking areas, vehicle storage areas, vehicle display areas, loading areas, driveways, and drive-through lanes.

Vertical window means a window with a vertical dimension greater than its horizontal dimension.

Vicinity means land that is surrounding, near, or within close proximity of a particular place. Vicinity is smaller in size than a neighborhood.

Vision clearance area: the area adjacent to the intersection of a street, alley, flag lot accessway, or driveway where an unobstructed clear field of vision is required to ensure safe visibility for vehicular, bicycle, and pedestrian traffic.

Visible transmittance (VT) means a measurement of the amount of light in the visible portion of the spectrum that passes through glass. The higher the number, the greater the amount of light that is passing through the glass.

Waterway means any river, perennial stream, or creek within the City as designated by the Director.

Wetland means an area inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Wetland restoration means to restore former wetlands, create new wetlands, or enhance existing wetlands for the purpose of improving ecological or habitat functions. Restoration means to reestablish wetland hydrology to a former wetland. Creation means to successfully convert an area that has never been a wetland to wetland conditions. Enhancement means the alteration and/or active management of degraded wetlands for the sustainable recovery or improvement of lost or degraded wetland functions and values.

Wildlife means any animal defined as wildlife under ORS ch. 496.

Wildlife rehabilitation means the restoration of injured, sick, or immature wildlife, except cougars, wolves, and bears, that are native to Oregon to a condition where they are capable of being released into the wild or, if incapable of survival on their own, retained for educational purposes or transferred to an organization, educational institution, museum, publicly funded zoo, or other facility as determined by the Oregon Department of Fish and Wildlife.

Wildlife rehabilitator means an individual who is licensed as a wildlife rehabilitator by the Oregon Department of Fish and Wildlife and actively engaged in wildlife rehabilitation.

Wildlife rehabilitation facility means any building, structure, or land being used for the purpose of wildlife rehabilitation.

Zero side yard dwelling means a detached dwelling unit located on its own lot and constructed contiguous to one, but not both, interior side lot lines.

FIGURE 111-3. CENTRAL SALEM DEVELOPMENT PROGRAM AREA

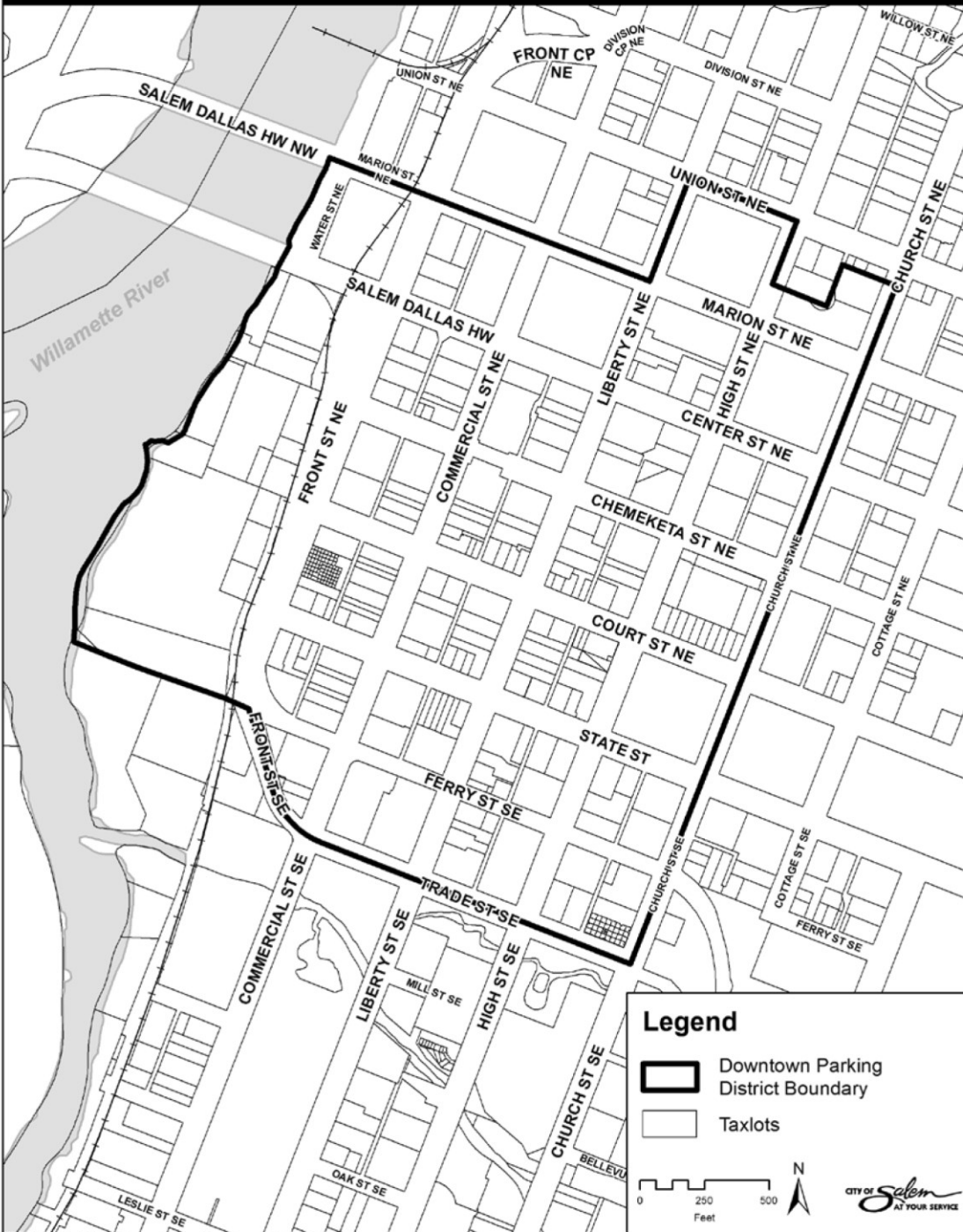
Central Salem Development Program (CSDP)



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FIGURE 111-4. DOWNTOWN PARKING DISTRICT

Downtown Parking District



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Sec. 210.045. - Planned unit development standards.

Planned unit developments must comply with the development standards set forth in this section.

(a) *General development standards.* Planned unit developments shall conform to the general development standards set forth in Table 210-2.

TABLE 210-2. GENERAL DEVELOPMENT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Minimum Number of Dwelling Units within PUD		
RA, RS, RM-I, RM-II and RM-III zones	Minimum number of dwelling units required in zone where PUD is located	
Maximum Number of Dwelling Units within PUD		
RA and RS zones	Max. 20 d.u./acre	
RM-I, RM-II, and RM-III zones	Maximum number of dwelling units allowed in zone where PUD is located	
Maximum Number of Dwellings Units within a Building		
RA, RS, RM-I, RM-II, and RM-III zones	No maximum	The number of dwelling units within an individual building shall not exceed the overall maximum number of dwelling units allowed for the entire PUD.

(b) *Setbacks.* Unless otherwise provide in this chapter, setbacks within a PUD shall be provided as set forth in Table 210-3.

TABLE 210-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
PUD Perimeter Setbacks—Abutting Street		
Buildings		
All uses	Min. 12 ft.	Applicable along local streets.
	Min. 20 ft.	Applicable on collector or arterial streets.

TABLE 210-3. SETBACKS

Requirement	Standard	Limitations & Qualifications
	None	Applicable along private streets. When a driveway approach is present, buildings shall be setback to maintain adequate vision clearance as required under SRC <u>chapter 805</u> .
Accessory Structures		
Accessory to all uses	Min. 12 ft.	Applicable along local streets.
	Min. 20 ft.	Applicable on collector or arterial streets.
	None	Applicable along private streets. When a driveway approach is present, accessory structures shall be setback to maintain adequate vision clearance as required under SRC <u>chapter 805</u> .
PUD Perimeter Setbacks—Not Abutting Street		
Interior Side		
Buildings		
All uses	Min. 5 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	
Accessory Structures		
Accessory to all uses	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.
Interior Rear		
Buildings		
All uses	Min. 14 ft.	Applicable to any portion of a building not more than 1 story in height, when the interior rear yard abuts the interior rear yard of an RA or RS zoned lot located outside the PUD.

TABLE 210-3. SETBACKS

Requirement	Standard	Limitations & Qualifications
	Min. 20 ft.	Applicable to any portion of a building greater than 1 story in height, when the interior rear yard abuts the interior rear yard of an RA or RS zoned lot located outside the PUD.
	Min. 5 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	Applicable when the interior rear yard does not abut the interior rear yard of an RA or RS zoned lot located outside the PUD.
Accessory Structures		
All uses	None	Applicable to accessory structures not more than 9 ft. in height.
	Min. 1 ft. for each 1 ft. of height over 9 ft.	Applicable to accessory structures greater than 9 ft. in height.
	Min. 1 ft.	Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure.
PUD Interior Setbacks—Abutting Street		
Buildings		
All uses	Min. 12 ft.	Applicable along local streets.
	Min. 20 ft.	Applicable along collector or arterial streets.
	None	Applicable along private streets. When a driveway approach is present, buildings shall be setback to maintain adequate vision clearance as required under SRC chapter 805 .
Accessory Structures		
Accessory to all uses	Min. 12 ft.	Applicable along local streets.
	Min. 20 ft.	Applicable along collector or arterial streets.
	None	Applicable along private streets. When a driveway approach is present, buildings shall be setback to maintain adequate vision clearance as required under SRC chapter 805 .

TABLE 210-3. SETBACKS

Requirement	Standard	Limitations & Qualifications
PUD Interior Setbacks—Not Abutting Street		
Interior Front		
Buildings		
All uses	None	
Accessory Structures		
Accessory to all uses	None	
Interior Side		
Buildings		
All uses	None	
Accessory Structures		
Accessory to all uses	None	
Interior Rear		
Buildings		
All uses	None	
Accessory Structures		
Accessory to all uses	None	
Abutting Waterway⁽¹⁾		
Buildings		
Single family	Min. 100 ft.	Applicable to townhouses constructed after March 16, 2022
	None	Applicable to all other single family. All other setbacks required abutting streets and interior front, side, and rear property lines still apply.

TABLE 210-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Two family, three family, four family, and multiple family	Min. 100 ft.	
All other uses	None	All other setbacks required abutting streets and interior front, side, and rear property lines still apply.
Accessory Structures		
	None	All other setbacks required abutting streets and interior front, side, and rear property lines still apply.
(1) Waterway setback does not apply to Planned Unit Developments approved prior to March 16, 2022.		

(c) *Height.* Buildings and accessory structures within a PUD shall conform to the height standards set forth in Table 210-4.

TABLE 210-4. HEIGHT		
Requirement	Standard	Limitations & Qualifications
Height		
Buildings		
All uses	Max. 35 ft.	Applicable within the RA, RS, RM-I, and RM-II zones
	No Maximum	Applicable within the RM-III zone
Accessory Structures		
Accessory to all uses	Max. 15 ft.	

(d) *Parking.* Except as provided in this subsection, parking within a PUD shall be developed in conformance with the standards set forth in SRC chapter 806.

~~(1) Minimum required parking. Unless otherwise provided in this chapter, parking within a PUD shall be provided in amounts not less than those set forth in Table 210-5.~~

TABLE 210-5. PARKING

Zone/Overlay Zone	Minimum Number of Spaces Required	Limitations & Qualifications
RA, RS, RM I, RM II, and RM III zones	2 per dwelling unit	Applicable to single family detached dwelling units.
	None	Applicable to all other dwelling units located within the CSDP area or one quarter mile of the Core Network. ⁽¹⁾
	1 per dwelling unit	Applicable to all other dwelling units located outside of the CSDP area or more than one quarter mile of the Core Network. ⁽¹⁾
(1) The distance shall be measured along a route utilizing public or private streets that are existing or will be constructed with the development.		

(12) *Off-street parking development standards.* Parking within a PUD shall conform to the following standards:

(A) *Location.* ~~Required parking spaces shall be located~~ provided within the planned unit development, and may be located either on-street, off-street, or a combination thereof.

(B) *Garage or carport vehicle entrance setback abutting street or flag lot accessway.* The vehicle entrance of a garage or carport facing a street or flag lot accessway shall be set back a minimum of 20 feet from one of the following lines, whichever is closest to the proposed vehicle entrance of the garage or carport:

- (i) The street right-of-way line, most interior access easement line, or property line abutting a flag lot accessway;
- (ii) The outside curblineline; or
- (iii) The edge of the sidewalk furthest from the street.

(C) *Dimensions.* On-street parallel parking spaces shall be at least seven feet in width and 22 feet in length.

(D) *Landscaping and screening.* All off-street parking areas, other than those within a garage or carport, or on a driveway leading to a garage or carport, shall be effectively landscaped, designed to minimize the effect of a large number of cars in one area, and screened with ornamental evergreens or architectural features such as fences and walls.

(e) *Side lot lines.* As far as is practicable, side lot lines shall run at right angles to the street upon which the lot faces, except that on curved streets they shall be radial to the curve.

(f) *Limits on common open space.* Streets, parking areas, traffic circles, and other similar transportation related improvements shall not be considered, or considered to be a part of, common open space.

(g) *Utilities.* Except for stormwater management facilities, all utility services shall be undergrounded.

Sec. 210.065. - Convenience service area and retail service area development standards.

If provided within a PUD, convenience service areas and retail services areas shall meet the following standards:

(a) *Convenience service area.* A convenience service area may be located within a PUD containing less than 150 dwelling units. A convenience service area that conforms to the requirements of this section may be located within a planned unit development without a zone change.

- (1) *Permitted activities.* The following activities are permitted within a convenience service area:
- (A) Newsstands;
 - (B) Barbershop and beauty parlors;
 - (C) Delicatessens, coffee shops, and tea rooms; and
 - (D) Activity rooms and meeting rooms.

(2) *Drive-through prohibited.* Otherwise permitted activities within a convenience service area shall not be developed with a drive-through.

(b) *Retail service area.* A retail service area may be located within a PUD containing 150 or more dwelling units. A retail service area that conforms to the requirements of this section may be located within a planned unit development without a zone change.

(1) *Permitted activities.* In addition to the activities permitted within a convenience service area, the following activities are permitted within a retail service area:

- (A) Banks;
- (B) Craft and hobby shops;
- (C) Drugstores;
- (D) Grocery stores;
- (E) Laundry and dry cleaning pick-up services;
- (F) Coin operated dry cleaning establishments;
- (G) Post office;
- (H) Restaurants;
- (I) Variety stores; and
- (J) Other similar uses, if approved with the PUD tentative plan and identified in the PUD final plan approval.

(2) *Drive-through prohibited.* Restaurants, delicatessens, coffee shops, and tea rooms otherwise permitted within a retail service area shall not be developed with a drive-through.

(c) *Maximum square footage.*

(1) The gross square footage of building area within a convenience service area or retail service area shall be limited to a maximum of 40 square feet per dwelling unit within the planned unit development.

(2) No single establishment within a convenience service area or retail service area shall occupy more than 50 percent of the gross square footage permitted within the convenience service area or retail service area at the time of the completion of the planned unit development.

~~(d) *Parking.* Off street parking within a convenience service area or retail service area shall be provided in the minimum amount of one space per 250 square feet of gross floor area.~~

~~(e)~~ *Construction of retail service area.*

(1) Construction of a retail service area shall not commence until at least 150 dwelling units have been completed.

(2) The gross floor area to be constructed at any time shall not exceed the gross floor area allowed under subsection (c) of this section, based on the number of dwelling units that have been constructed at the time the retail service area is constructed.

(3) When 50 percent or more of the dwelling units within the planned unit development have been constructed, the Planning Administrator may authorize construction of the remainder of the retail service area, provided that satisfactory evidence is presented to the Planning Administrator that all of the remaining dwelling units will be constructed.

~~(f)~~ *Activities enclosed.* Unless otherwise approved within the PUD tentative plan, all commercial activity within a convenience service area or retail service area shall be conducted entirely within an enclosed building.

~~(g)~~ *Landscaping and screening.*

(1) Convenience service areas and retail service areas shall be surrounded by a landscaped area a minimum 20 feet in depth, excluding driveways. The landscaped area shall be planted with a minimum of one plant unit, as set forth in SRC [chapter 807](#), per 20 square feet of landscaped area.

(2) Convenience service areas and retail service areas shall be screened from adjacent residential uses by a minimum six-foot-high sight-obscuring fence or wall.

(gh) *Storage of garbage and refuse.* All solid waste generated by a convenience service area or retail service area shall be stored entirely within the building until the time of disposal.

Sec. 525.010. - Development standards.

Development within the WSCB zone must comply with the development standards set forth in this section.

(a) *Continued development.* Buildings and structures existing within the WSCB zone on June 13, 2018, which would otherwise be made non-conforming by this chapter, are hereby deemed continued development.

(1) *Single family uses.*

(A) *Buildings.* Continued development housing a continued single family use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to development standards of the Single Family Residential (RS) zone set forth in SRC [chapter 511](#) and to all other applicable provisions of the UDC, except for lot size and dimension standards in SRC [chapter 511](#).

(B) *Accessory structures.* Existing accessory structures on the same property as a continued single family use may be structurally altered or enlarged, or rebuilt following damage or destruction, and new accessory structures to a continued use may be constructed, provided such alteration, enlargement, rebuilding, or new accessory structure construction conforms to the development standards of the Single Family Residential (RS) zone set forth in SRC [chapter 511](#), except the lot size and dimensions standards, and to all other applicable provisions of the UDC.

(C) *Option to rebuild in same location.* Notwithstanding SRC [525.010\(a\)\(1\)\(A\)](#) and (B), any continued development housing a continued single family use or associated accessory structure rebuilt following damage or destruction may either be located on the same location on the lot as the original building or structure, or in compliance with the setbacks of the Single Family Residential (RS) zone set forth in SRC [511.010\(b\)](#).

(2) *All other uses.* Continued development housing a use other than a continued single family use may be structurally altered, enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to the following standards:

(A) *Minor alterations.* Exterior alterations to buildings that alter an existing building façade area facing a public street right-of-way by less than 20 percent are exempt from all of the development standards in this chapter. Such alterations shall not increase the building façade's nonconformity to the design standards of SRC [525.020](#).

(B) *Minor additions.* Additions to buildings that alter or enlarge an existing building façade area facing a public street right-of-way by less than 20 percent are exempt from all of the development standards in this chapter except for street frontage, interior setbacks, parking, landscaping, and maximum height standards. Such additions shall not increase the building façade's nonconformity to the design standards of SRC [525.020](#).

(C) *Major alterations.* Exterior alterations to buildings that alter an existing building façade area facing a public street right-of-way by between 20 percent and 60 percent shall decrease that building façade's nonconformity to all design standards of SRC [525.020](#). Such alterations are exempt from all other development standards in this chapter.

(D) *Major additions.* Additions to buildings that enlarge an existing building façade area facing a public street right-of-way by between 20 percent and 60 percent shall comply with at least two of the four design review standards of SRC [525.020](#) and all applicable development standards in this chapter except for setback abutting a street and the parking location standards of SRC [525.010\(g\)\(1\)](#).

(E) *Substantial alterations.* Exterior alterations to buildings that alter an existing building façade area facing a public street right-of-way by more than 60 percent shall meet all applicable design review guidelines or standards of this chapter. Such alterations are exempt from all other development standards in this chapter.

(F) *Substantial additions or redevelopment.* Additions to buildings that enlarge an existing building façade area facing a public street right-of-way by more than 60 percent shall meet all applicable development standards and design review guidelines or standards in this chapter. Continued development that is rebuilt following damage or destruction shall meet all applicable development standards and design review guidelines or standards in this chapter.

(b) *Grade separated street frontage.* Portions of property street frontage that are separated from the grade of the street with a road ramp above the grade of the property line abutting the street are exempt from setbacks abutting a street, off-street parking location, and design review requirements.

(c) *Lot standards.* Lots within the WSCB zone shall conform to the standards set forth in Table 525-2.

**TABLE 525-2
LOT STANDARDS**

Table 525-2: Lot Standards		
Requirement	Standard	Limitations and Qualifications
LOT AREA		
All uses	None	
LOT WIDTH		
All uses	None	
LOT DEPTH		
All uses	None	
STREET FRONTAGE		
All other uses	Min. 16 ft.	

(d) *Setbacks.* Setbacks within the WSCB zone shall be provided as set forth in Table 525-3.

**TABLE 525-3
SETBACKS**

Table 525-3: Setbacks		
Requirement	Standard	Limitations and Qualifications
ABUTTING STREET		
Buildings		
All uses	0 ft.	Maximum setback of up to 10 feet is permitted if the space is used for pedestrian amenities.

Table 525-3: Setbacks

Requirement	Standard	Limitations and Qualifications
		This setback shall not apply from Wallace Road or side street frontages within 60 feet of Wallace Road.
	Min. 0 ft./Max. 60 ft.	This setback shall apply from Wallace Road NW.
		Where a minimum of 50 percent of the buildable width of a lot is already occupied by buildings, or portions of buildings, located within 60 feet of the Wallace Road right-of-way, the maximum setback shall not apply.
Accessory Structures		
Accessory to single family, two family, three family, four family, and multiple family	None	Applicable to accessory structures not more than 4 ft. in height.
	0 ft. or 10 ft.	Applicable to accessory structures greater than 4 ft. in height.
Accessory to all other uses	0 ft. or 10 ft.	Not applicable to transit stop shelters.
Vehicle Use Areas		
All uses	Per SRC Chapter 806	
INTERIOR FRONT		
Buildings		
All uses	Zone-to-zone setback (Table 525-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 525-4)	
Vehicle Use Areas		

Table 525-3: Setbacks

Requirement	Standard	Limitations and Qualifications
All uses	Per SRC Chapter 806	
INTERIOR SIDE		
Buildings		
All uses	Zone-to-zone setback (Table 525-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 525-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 525-4)	
INTERIOR REAR		
Buildings		
All uses	Zone-to-zone setback (Table 525-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 525-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 525-4)	

**TABLE 525-4
ZONE-TO-ZONE SETBACKS**

Table 525-4: Zone-to-Zone Setbacks			
Abutting Zone	Type of Improvement	Setback (1)	Landscaping and Screening
EFU	Buildings and accessory structures	Min. 5 ft.	Type A
	Vehicle use areas		
Residential Zone	Buildings and accessory structures	Min. 10 ft.	Type B
	Vehicle use areas		
Mixed-Use Zone	Buildings and accessory structures	None	NA
	Vehicle use areas	Min. 5 ft.	Type A
Commercial Zone	Buildings and accessory structures	None	NA
	Vehicle use areas	Min. 5 ft.	Type A
Public Zone	Buildings and accessory structures	None	NA
	Vehicle use areas	Min. 5 ft.	Type A
Industrial and Employment Zone: EC, IC, IBC, and IP	Buildings and accessory structures	None	
	Vehicle use areas	Min. 5 ft.	Type A
Industrial and Employment Zone: IG	Buildings and accessory structures	Min 10 ft.	Type C
	Vehicle use areas		
Limitations and Qualifications			
(1) Zone-to-Zone setbacks are not required abutting an alley.			

(e) *Lot coverage; height.* Buildings and accessory structures within the WSCB zone shall conform to the lot coverage and height standards set forth in Table 525-5.

**TABLE 525-5
LOT COVERAGE; HEIGHT**

Table 525-5: Lot Coverage; Height		
Requirement	Standard	Limitations and Qualifications
LOT COVERAGE		
Buildings and Accessory Structures		
All uses	No max.	
REAR YARD COVERAGE		
Buildings		
All uses	No max.	
Accessory Structures		
Accessory to all uses	No Max.	
HEIGHT		
Buildings		
All uses	Max. 70 ft.	
Accessory Structures		
Accessory to single family, two family, three family, four family, and multiple family	Max. 15 ft.	
Accessory to all other uses	Max. 70 ft.	

(f) *Landscaping.* Landscaping within the WSCB zone shall be provided as set forth in this subsection.

(1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC [Chapter 807](#).

(2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC [chapter 806](#) and SRC [chapter 807](#).

~~(g) *Pedestrian access.* All development, other than development of single family and two family uses, shall comply with the following pedestrian access standards:~~

~~(1) A pedestrian connection shall be provided from the public sidewalk to the primary building entrance.~~

~~(2) A pedestrian connection through the parking area to the primary building entrance shall be provided when that parking area contains more than 12 parking spaces.~~

~~(3) On development sites with multiple buildings, pedestrian connections shall be provided to connect the buildings. Pedestrian connections shall be the most practical, direct route.~~

~~(4) Pedestrian connections shall be paved, a minimum of five feet in width, and defined by visual contrast or tactile finish texture.~~

~~(5) Wheel stops or extended curbs shall be provided along required pedestrian connections to prevent the encroachment of vehicles onto pedestrian connections.~~

~~(hg) Off-street parking.~~

~~(1) Within a single development site, off-street surface parking areas and vehicle maneuvering areas shall be located behind or beside buildings and structures. Off-street surface parking areas and vehicle maneuvering areas shall not be located between a building or structure and a street.~~

~~(2) Within the WSCB zone, the minimum number of off-street parking spaces required for dwelling units in a multiple family development shall be one per dwelling unit.~~

Sec. 530.030. - Refinement plans.

Refinement plans are detailed regulatory plans that further refine and implement the Fairview plan in specific areas of the FMU zone based on more detailed site planning, design, and engineering than was conducted with the Fairview Plan. Refinement plans act as amendments to the Fairview plan for the specific affected area of the FMU zone and become the controlling document for development within the refinement plan area. Standards and processes stipulated in an approved refinement plan supersede the standards and processes of the UDC and shall be used as review criteria for any specific development proposal within the area covered by the refinement plan.

- (a) *Applicability.* An approved refinement plan shall be required prior to development within the FMU zone.
- (b) *Minimum refinement plan area.* The area subject to a refinement plan shall contain no less than 40 acres.
- (c) *Procedure type.* An application for a refinement plan is processed as a Type III procedure under SRC chapter 300.
- (d) *Submittal requirements.* In addition to the submittal requirements for a Type III application under SRC chapter 300, an application for a refinement plan shall include the following in the form of map(s), text, or both, as applicable:
 - (1) An illustrative site plan;
 - (2) An identification of those land uses allowed under SRC 530.040 that are proposed to be allowed in the refinement plan area;
 - (3) A general allocation and identification of major proposed land uses, including residential by density range, nonresidential, open space, and recreational land uses;
 - (4) The name, location, and width of existing streets located within the refinement plan area;
 - (5) The name, location, and width of proposed streets located within the refinement plan area;
 - (6) Typical street cross-sections;
 - (7) Detailed standards governing development within the refinement plan area, such as: ~~performance standards and standards for development densities, building and accessory structure height, floor area and FAR, open space, lot area and lot coverage, parking, landscaping, and other site improvements;~~
 - (A) Performance standards and standards for development densities;
 - (B) Building and accessory structure height;
 - (C) Floor area and FAR;
 - (D) Open space;
 - (E) Lot area and lot coverage; and
 - (F) Landscaping and other site improvements;
 - (8) Standards for the conservation, development, or utilization of natural resources, including surface water, soils, vegetation, and wildlife;
 - (9) An identification and inventory of all wetland and riparian resources and all intermittent and perennial waterways;
 - (10) An identification and inventory of all trees regulated under SRC chapter 808;
 - (11) Where applicable, the proposed methods of protection or conservation of natural features, historic structures, and view sheds;

- (12) Proposed method for the perpetual maintenance of any common open space and common facilities;
 - (13) Standards and responsibilities for maintenance of infrastructure and whether the infrastructure is to be public or private;
 - (14) Standards for phasing and construction of streets proposed within the refinement plan area, or needed for servicing the area, as identified in the required studies submitted with the refinement plan;
 - (15) Location and extent of proposed provision for sewage disposal, effluent use, stormwater drainage, and utilities;
 - (16) Standards for the phasing and construction of sewage disposal, effluent use, stormwater drainage, solid waste disposal, and public utilities, as identified in the required studies submitted with the refinement plan;
 - (17) A phasing plan for the following, as applicable:
 - (A) The preservation of site features established by the Fairview plan;
 - (B) The development of the refinement plan area; and
 - (C) The construction, dedication, and provision of infrastructure and public services;
 - (18) A draft form of financial assurances to be recorded prior to refinement plan approval;
 - (19) A detailed explanation of how and to what extent the refinement plan is to supplement or supersede city standards;
 - (20) Standards for the interpretation of the refinement plan regulations and requirements;
 - (21) Development design guidelines and applicable approval process;
 - (22) General landscape plan;
 - (23) General drainage plan;
 - (24) An update to the traffic impact analysis (TIA) approved for the Fairview plan that includes trip generation factors for various modes, estimated trips per day by land use, proposed vehicular access and circulation plan, and traffic impacts by mode on adjacent development;
 - (25) Impacts on existing structures and other development;
 - (26) Impacts on existing infrastructure and public services; and
 - (27) Location of any buildings, structures, sites, objects, or known archeological sites identified in the Fairview plan inventory of buildings, structures, sites, objects, or known archeological sites which possess the criteria for historic resource designation under SRC chapter 230, or which have been designated as "historically significant" in the Fairview plan inventory pursuant to SRC 530.020(c)(5)(M).
- (e) *Criteria.* A refinement plan shall be approved if all of the following criteria are met:
- (1) The refinement plan substantially conforms with the Fairview Training Center Redevelopment Master Plan, provided that any plans or drawings depicting the layout of the development, including, but not limited to, the location of streets, City utilities, paths/trails, open space, buildings, or specific uses are conceptual in nature and may be revised by the refinement plan in substantial conformance with the applicable sustainable land use principles of the plan.
 - (2) The refinement plan conforms with the applicable provisions of the Salem Area Comprehensive Plan.
 - (3) The refinement plan is compatible with adjoining land uses and will not unreasonably impact surrounding existing or potential uses or development.
 - (4) The refinement plan is physically feasible, given consideration of existing or proposed infrastructure and public services.
 - (5) The refinement plan conforms to all applicable standards of the UDC, except where alternative standards are proposed.
 - (6) The refinement plan conforms to the following goals:
 - (A) Encourage mixed-use development, improved protection of open spaces and natural features, and greater housing and transportation options;
 - (B) Encourage the innovative integration of park and school uses;
 - (C) Encourage the principles of sustainable development and sustainable business practices;
 - (D) Support affordable housing options and mixed-income neighborhoods;

- (E) Facilitate the resourceful use of land through the efficient arrangement of land uses, buildings, circulation systems, open space and infrastructure;
- (F) Encourage economic opportunities that comply with and support business practices;
- (G) Recognize the historic significance of buildings, structures, and sites, including archaeological sites, through appropriate means, including, but not limited to, obtaining official historic resource designation; and
- (H) Encourage energy conservation and improved air and water quality.

Sec. 530.045. - General development standards.

Development within the FMU zone must comply with the development standards established as part of a refinement plan and the development standards set forth this section.

- (a) *Nonresidential development in MI area.* Except for activities falling under basic education, no building used exclusively for a nonresidential use within the MI area shall have a building footprint greater than 6,000 square feet. Activities falling under basic education located within the MI area may have a building footprint greater than 6000 square feet.
- (b) *Open space.* A minimum of 20 acres of land within the FMU zone shall be reserved as natural open space.
- (c) *Maximum number of dwelling units.* The maximum number of dwelling units permitted in the FMU zone shall be 2000.
- (d) *FMU zone boundary setback.* All buildings and accessory structures within the FMU zone shall be set back a minimum of 20 feet from the FMU zone boundary.
- (e) *Off-street parking.* Notwithstanding the standards included within any refinement plan, minimum and maximum off-street parking shall conform to the requirements of SRC Chapter 806.

Sec. 530.050. - Development standards for uses and activities falling under household living.

When uses and activities falling under household living are proposed within a refinement plan, such uses and activities shall be subject to either the development standards set forth in this section or the development standards established in the refinement plan. If development standards for uses and activities falling under household living are established in a refinement plan, approval of such standards shall be reviewed and approved as "alternative approval criteria" under ORS 197.307. Such standards shall apply in lieu of the standards set forth in this section and shall govern all development of uses and activities falling under household living within the refinement plan area. Subsequent to the approval of the refinement plan, if the applicant wishes to pursue development under the standards and criteria set forth in this section, the applicant shall apply for a minor amendment to the refinement plan.

- (a) *Lot standards.* Lots within the FMU zone used for uses and activities falling under household living shall conform to the standards set forth in Table 530-2.

TABLE 530-2. LOT STANDARDS FOR USES AND ACTIVITIES FALLING UNDER HOUSEHOLD LIVING		
Requirement	Standard	Limitations & Qualifications
Lot Area		
All household living uses and activities	None	
Lot Width		

TABLE 530-2. LOT STANDARDS FOR USES AND ACTIVITIES FALLING UNDER HOUSEHOLD LIVING

Requirement	Standard	Limitations & Qualifications
All household living uses and activities	None	
Lot Depth		
All household living uses and activities	None	
Street Frontage		
Single family	Min. 18 ft.	
	Max. 100 ft.	
Two family	Min. 36 ft.	
	Max. 100 ft.	
Three family, four family, and multiple family	Min. 24 ft.	Applicable to multiple family consisting of not more than 4 dwelling units.
	Min. 6 ft. per dwelling unit	Applicable to multiple family consisting of more than 4 dwelling units.
	Max. 30 ft. per dwelling unit	

(b) *Dwelling unit density.* Dwelling unit density within the FMU zone for uses and activities falling under household living shall conform to the standards set forth in Table 530-3.

TABLE 530-3. DWELLING UNIT DENSITY FOR USES AND ACTIVITIES FALLING UNDER HOUSEHOLD LIVING

Overlay Area	Minimum	Maximum
Limited Intensity (LI)	5 d.u./acre	8 d.u./acre
Mixed Intensity (MI)	7 d.u./acre	35 d.u./acre
Adaptive Use (AU)	6 d.u./acre	30 d.u./acre
Village Center (VC)	16 d.u./acre	35 d.u./acre

(c) *Setbacks*. Setbacks within the FMU zone for uses and activities falling under Household Living shall be provided as set forth in Table 530-4.

TABLE 530-4. SETBACKS FOR USES AND ACTIVITIES FALLING UNDER HOUSEHOLD LIVING		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All household living uses and activities	Min. 10 ft.	
	Max. 20 ft.	Applicable in the MI, AU, and VC areas.
Accessory Structures		
Accessory to all household living uses and activities	Min. 10 ft.	
Abutting Alley		
Buildings		
All household living uses and activities	Min. 5 ft.	
Accessory Structures		
Accessory to all household living uses and activities	Min. 5 ft.	
Interior Front		
Buildings		
All household living uses and activities	None	
Accessory Structures		
Accessory to all household living uses and activities	None	
Interior Side		
Buildings		

TABLE 530-4. SETBACKS FOR USES AND ACTIVITIES FALLING UNDER HOUSEHOLD LIVING

Requirement	Standard	Limitations & Qualifications
All household living uses and activities	None	
Accessory Structures		
Accessory to all household living uses and activities	None	
Interior Rear		
Buildings		
All household living uses and activities	None	
Accessory Structures		
Accessory to all household living uses and activities	None	

(d) *Lot coverage; height.* Buildings and accessory structures within the FMU zone used for uses and activities falling under household living shall conform to the lot coverage and height standards set forth in Table 530-5.

TABLE 530-5. LOT COVERAGE; HEIGHT FOR USES AND ACTIVITIES FALLING UNDER HOUSEHOLD LIVING

Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
All household living uses and activities	No Max.	Applicable within the MI, AU, and VC areas.
	Max. 55%	Applicable within the LI area.
Rear Yard Coverage		
Buildings		
All household living uses and activities	N/A	

TABLE 530-5. LOT COVERAGE; HEIGHT FOR USES AND ACTIVITIES FALLING UNDER HOUSEHOLD LIVING

Requirement	Standard	Limitations & Qualifications
Accessory Structures		
Accessory to all household living uses and activities	No Max.	
Height		
Buildings		
All household living uses and activities	Max. 35 ft.	Applicable within the LI area.
	Max. 45 ft.	Applicable within the MI, AU, and VC areas.
Accessory Structures		
Accessory to all household living uses and activities	Max 35 ft.	Applicable within the LI area.
	Max. 45 ft.	Applicable within the MI, AU, and VC areas.

(e) *Building orientation.*

(1) All single family attached dwellings and multiple family residential complexes shall have their primary orientation to the street. Entrances to multiple family buildings may include entrances to individual units or breezeway/courtyard entrances (i.e., to a cluster of residential units); or

(2) All single family attached dwellings and multiple family residential complexes may have their primary orientation to a side yard when a direct pedestrian connection is provided between the main entrance and the street, with at least one entrance located not more than 20 feet from the curbline of the street.

(f) *Design review guidelines and design review standards.* If multiple family residential design guidelines, design standards, and/or a design review process are not identified in the fairview plan or refinement plan, all multiple family residential development shall comply with all of the applicable multiple family design review standards set forth in SRC chapter 702.

(g) *Parking.* The requirements of SRC chapter 806 shall apply to all residential development within the FMU zone, ~~except that:~~

~~(1) Minimum required off-street parking for single family uses or activities shall be one space per dwelling unit.~~

~~(2) On-street parking may be used to fulfill a portion of the parking requirement for multifamily residential dwelling units.~~

(h) *Landscaping.*

(1) Setbacks. Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

(2) Vehicle use areas. Vehicle use areas shall be landscaped as provided under SRC chapters 806 and 807.

(i) *Natural resource protection and hazard mitigation.* In order to preserve existing natural resources and prevent natural hazards, the requirements of the following chapters shall apply to residential development within the FMU zone:

- (1) SRC chapter 808 (Preservation of Trees and Vegetation).
- (2) SRC chapter 809 (Wetlands).
- (3) SRC chapter 810 (Landslide Hazards).

Sec. 533.015. - Development standards.

Development within the MU-I zone must comply with the development standards set forth in this section.

- (a) *Lot standards.* Lots within the MU-I zone shall conform to the standards set forth in Table 533-2.

**TABLE 533-2
LOT STANDARDS**

Table 533-2: Lot Standards		
Requirement	Standard	Limitations & Qualifications
Lot Area		
All uses	None	
Lot width		
All uses	None	
Lot depth		
All uses	None	
Street frontage		
All uses	16 ft.	

- (b) *Dwelling unit density.* Development within the MU-I zone that is exclusively residential shall have a minimum density of 15 dwelling units per acre.
- (c) *Setbacks.* Setbacks within the MU-I zone shall conform to the standards set forth in Tables 533-3 and 533-4.

**TABLE 533-3
SETBACKS**

Table 533-3: Setbacks		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	0 ft. or Max. 10 ft.	(1) Maximum 10-foot setback applies if the setback area is used for pedestrian amenities.
		<ul style="list-style-type: none"> a) The maximum setback does not apply to a new building if another building exists between a minimum of 50 percent of the street-facing façade of the new building and the street. b) For double frontage lots, the setback abutting a street shall only apply to the street with the highest street classification or, where both streets have the same classification, the street designated by the applicant. No minimum or maximum setback is required abutting the other street.

		<p>(2) A minimum setback of five feet to a maximum setback of 10 feet is permitted for ground-floor residential uses if horizontal separation is provided pursuant to [SRC] 533.015(h).</p> <p>a) The maximum setback does not apply to a new building if another building exists between a minimum of 50 percent of the street-facing façade of the new building and the street.</p> <p>b) For double frontage lots, the maximum setback abutting a street shall only apply to the street with the highest street classification or, where both streets have the same classification, the street designated by the applicant. No maximum setback is required abutting the other street.</p>
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Accessory Structures

All uses	Min. 10 ft.	
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Vehicle Use Areas

All uses	Per SRC chapter 806	The use of a berm under [SRC] 806.035(c)(2)(B) is prohibited.
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Interior Side

Buildings

All uses	Zone-to-zone setback (Table 533-4)	
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Accessory Structures

All uses	Zone-to-zone setback (Table 533-4)	
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Vehicle Use Areas

All uses	Zone-to-zone setback (Table 533-4)	
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Interior Rear

Buildings

All uses	Zone-to-zone setback (Table 533-4)	
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Accessory Structures

All uses	Zone-to-zone setback (Table 533-4)	
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Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 533-4)	

**TABLE 533-4
ZONE-TO-ZONE SETBACKS**

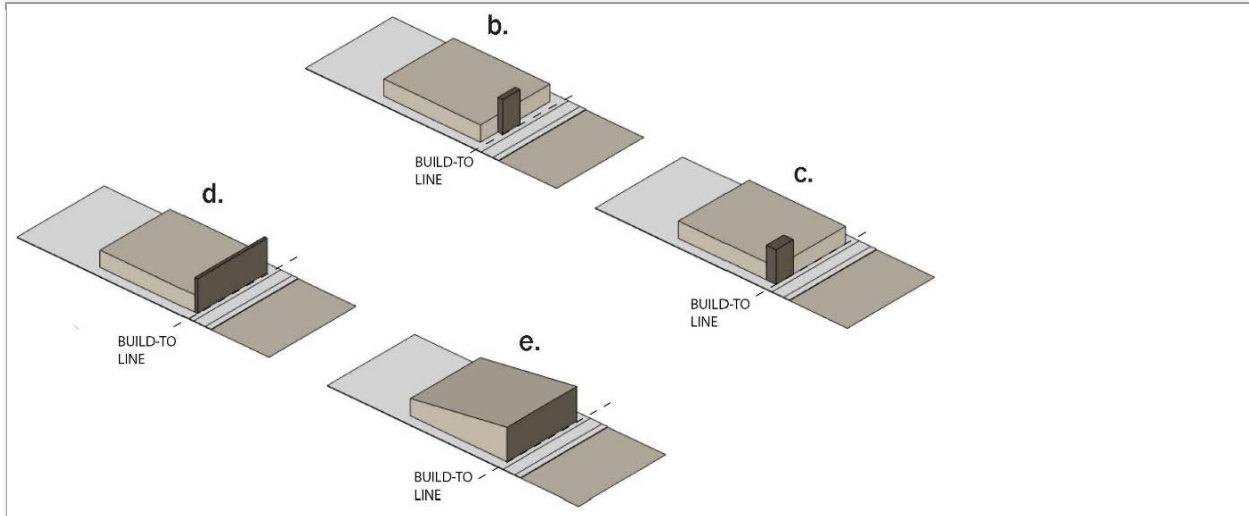
Table 533-4: Zone-to-Zone Setbacks			
Abutting Zone	Type of Improvement	Setback	Landscaping & Screening
EFU	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft. ⁽¹⁾	Type A
Residential zone	Buildings and accessory structures	Min. 10 ft. plus 1.5 feet for each 1 foot of building height above 15 feet ⁽²⁾	Type C
	Vehicle use areas	Min. 5 ft.	Type C
Mixed-use zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft. ⁽¹⁾	Type A
Commercial zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft. ⁽¹⁾	Type A
Public zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft. ⁽¹⁾	Type A
Industrial and employment zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft. ⁽¹⁾	Type A
Limitations & Qualifications			
(1) Zone-to-zone setbacks are not required abutting an alley.			
(2) The additional 1.5-feet for each 1-foot of building height above 15 feet does not apply abutting a creek.			

- (d) *Lot coverage; height; building frontage.* Buildings and accessory structures within the MU-I zone shall conform to the lot coverage, height, and building frontage standards set forth in Table 533-5.

**TABLE 533-5
LOT COVERAGE; HEIGHT; BUILDING FRONTAGE**

Table 533-5: Lot Coverage; Height; Building Frontage		
Requirement	Standard	Limitations & Qualifications

Lot Coverage		
Buildings and Accessory Structures		
All uses	No Max.	
Rear Yard Coverage		
Buildings		
All uses	NA	
Accessory Structures		
All uses	No Max.	
Height		
Buildings		
All uses	Max. 45 ft.	Applicable to buildings on a lot or lots that are contiguous to a National Register Residential Historic District. For the purposes of this standard, contiguous shall include a lot or lots that are separated from a National Register Residential Historic District by an alley.
	Max. 65 ft.	Applicable to buildings on all other lots.
	Min. 20 ft.	New buildings or additions shall satisfy the minimum height requirements through one of the following options:
		a) Roof. Provide a roof that is 20 feet in height.
		b) Prominent entry. Provide an attached entry that is 20 feet in height, extends for a minimum of 25 percent of the length of the front facade, and extends to the front lot line.
		c) Cupola. Provide a 20-foot tall portion of the building for a minimum of 25 percent of the length of the front facade. It shall include the front facade wall and extend a minimum of 10 feet behind the front wall.
		d) False front. Provide a front facade wall that is 20 feet in height along the entire length of the building.
		e) Reverse shed. Provide a front facade wall that is 20 feet in height along the entire length of the building, and slope the roof down toward the rear of the building.
FIGURE 533-1 EXAMPLE OF OPTIONS TO MEET MINIMUM HEIGHT REQUIREMENT		



Accessory Structures

All uses	Max. 45 ft.	Applicable to accessory structures on a lot or lots that are contiguous to a National Register Residential Historic District. For the purposes of this standard, contiguous shall include a lot or lots that are separated from a National Register Residential Historic District by an alley.
	Max. 65 ft.	Applicable to accessory structures on all other lots.

Building Frontage

Buildings

All uses	Min. 75%	(1) For corner lots, this standard must be met on the frontage of the street with the highest street classification. For the intersecting street, the building frontage standard is a minimum of 40%.
		(2) For corner lots where both streets have the same classification, the applicant may choose on which street to meet the minimum 75% building frontage standard and on which street to meet the minimum 40% building frontage standard.
		(3) For double frontage lots, this standard must only be met on the street with the highest classification. Where both streets have the same classification, the applicant may choose on which street the building frontage standard shall apply.

Accessory Structures

All uses	Not applicable	Accessory structures shall be located behind or beside buildings.
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- (e) ~~Parking. Required.~~ Off-street parking shall not be located on a new standalone surface parking lot in the MU-I zone or MU-II zone.
- (f) **Landscaping.**
 - (1) **Setback areas.** Setbacks, except setback areas abutting a street that provide pedestrian amenities or horizontal separation pursuant to [SRC] 533.015(h), shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.
 - (2) **Vehicle use areas.** Vehicle use areas shall be landscaped as provided under SRC chapter 806 and SRC chapter 807.

- (g) *Continued development.* Buildings and structures existing within the MU-I zone on September 12, 2018, that would be made non-conforming development by this chapter are hereby deemed continued development. The owner shall have the burden to demonstrate continued development status under this subsection.
- (1) *Single family uses.*
- (A) *Buildings.* Continued development housing a continued single family use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to development standards of the Single Family Residential (RS) zone set forth in SRC chapter 511 and to all other applicable provisions of the UDC, except for lot size and dimension standards in SRC chapter 511.
 - (B) *Accessory structures.* Existing accessory structures on the same property as a continued single family use may be structurally altered or enlarged, or rebuilt following damage or destruction, and new accessory structures to a continued use may be constructed, provided such alteration, enlargement, rebuilding, or new accessory structure construction conforms to the development standards of the Single Family Residential (RS) zone set forth in SRC chapter 511, except the lot size and dimensions standards, and to all other applicable provisions of the UDC.
 - (C) *Option to rebuild in same location.* Notwithstanding SRC 533.015(g)(1)(A) and (B), any continued development housing a continued single family use or associated accessory structure rebuilt following damage or destruction may either be located on the same location on the lot as the original building or structure, or in compliance with the setbacks of the Single Family Residential (RS) zone set forth in SRC 511.010(b).
- (2) *All other uses.* Continued development, housing a use other than a continued single family use, may be structurally altered, enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to the following standards:
- (A) *Minor alterations.* Exterior alterations to buildings that alter less than 20 percent of an existing building facade area facing a primary street are exempt from all of the development standards in this chapter. Such alterations shall not increase the building facade's nonconformity to the pedestrian-oriented design standards in Table 533-6.
 - (B) *Minor additions.* Additions to buildings that enlarge or alter an existing building facade area facing a primary street by less than 20 percent are exempt from all of the development standards in this chapter except for interior setbacks, parking, landscaping, and maximum height standards. Such additions shall not increase the building facade's nonconformity to the pedestrian-oriented design standards in Table 533-6.
 - (C) *Major alterations.* Exterior alterations to buildings that alter between 20 percent and 60 percent of an existing building facade area facing a primary street shall decrease that building facade's nonconformity to all pedestrian-oriented design standards in Table 533-6 that are applicable to that alteration. Such alterations are exempt from all other development standards in this chapter.
 - (D) *Major additions.* Additions to buildings that enlarge or alter an existing building facade area facing a primary street by between 20 percent and 60 percent shall:
 - (i) Comply with a minimum of three of the pedestrian-oriented design standards in Table 533-6; or
 - (ii) Comply with a minimum of one of the pedestrian-oriented design standards in Table 533-6 and add perimeter landscaping in vehicle use areas if such landscaping is not already required under SRC 533.015(f).
 For the purposes of [SRC] 533.015(h)(2)(C)(i) and (ii), the pedestrian-oriented design standards in Table 533-6 shall apply to the addition. Major additions must meet all other development standards in this chapter except for building frontage, maximum setback abutting a street, and minimum height.
 - (E) *Substantial alterations.* Exterior alterations to buildings that alter more than 60 percent of an existing building facade area facing a primary street shall meet all applicable pedestrian-oriented design standards in Table 533-6. Such alterations are exempt from all other development standards in this chapter.

- (F) *Substantial additions or redevelopment.* Additions to buildings that enlarge or alter an existing building facade area facing a primary street by more than 60 percent shall meet all applicable development standards in this chapter. Continued development that is rebuilt following damage or destruction shall meet all development standards in this chapter.
- (G) *Accessory structure.* Alterations and additions to accessory structures shall meet all applicable development standards in this chapter.
- (h) *Pedestrian-oriented design.* Development within the MU-I zone, excluding development requiring historic design review, shall conform to the pedestrian-oriented design standards set forth in Table 533-6. Any development requiring historic design review shall only be subject to design review according to the historic design review standards or the historic design review guidelines set forth in SRC chapter 230.

**TABLE 533-6
PEDESTRIAN-ORIENTED DESIGN**

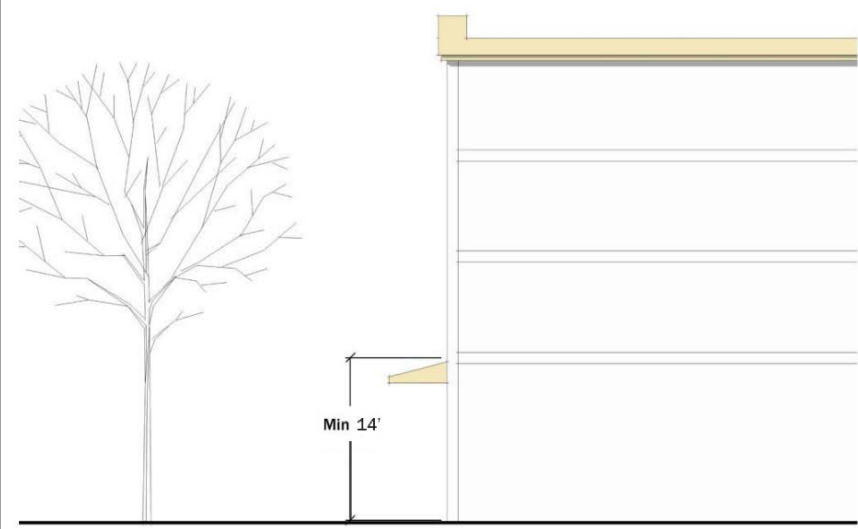
Table 533-6: Pedestrian-Oriented Design		
Requirement	Standard	Limitations & Qualifications
Ground Floor Height		
This standard applies to building ground floors on primary streets.	Min. 14 ft.	For the purposes of this standard, ground floor height is measured from the floor to the ceiling of the first floor.
FIGURE 533-2 GROUND FLOOR HEIGHT 		
Separation of Ground Floor Residential Uses		
This standard applies when a dwelling unit is located on the ground floor.	Vertical or horizontal separation shall be provided	For the purposes of this standard, separation is required between the public right-of-way and the residential entryway and any habitable room.
	Vertical Distance Min. 1.5 ft. Max. 3 ft.	Vertical separation shall take the form of several steps or a ramp to a porch, stoop, or terrace.
	Horizontal Distance Min. 5 ft. Max. 10 ft.	Horizontal separation shall take the form of a landscaped area such as private open space or hardscaped area such as a plaza.

FIGURE 533-3
HORIZONTAL SEPARATION



Building Facade Articulation

<p>This standard applies to building facades facing primary streets.</p>	<p>Required</p>	<p>(1) For buildings on corner lots, where the primary street intersects with a secondary street, these standards shall apply to the full length of the front facade and the portion of the side facade that extends a minimum of 50 feet from the corner where the primary street meets the secondary street, or to the edge of the building or the lot, whichever is shorter.</p>
		<p>(2) Buildings shall incorporate vertical and horizontal articulation and shall divide vertical mass into a base, middle, and top.</p>
		<p>a) Base: Ground floor facades shall be distinguished from middle facades by at least one of the following standards:</p>
		<p>1. Change in materials.</p>
		<p>2. Change in color.</p>
		<p>3. Molding or other horizontally-articulated transition piece.</p>
		<p>b) Middle: Middle facades shall provide visual interest by incorporating at a minimum of every 50 feet at least one of the following standards:</p>
		<p>1. Recesses of a minimum depth of two feet.</p>

			2. Extensions of a minimum depth of two feet.
			3. Vertically-oriented windows.
			4. Pilasters that project away from the building.
		c)	Top: Building tops shall be defined by at least one of the following standards:
			1. Cornice that is a minimum of eight inches tall and a minimum of three inches beyond the face of the facade.
			2. Change in material from the upper floors, with that material being a minimum of eight inches tall.
			3. Offsets or breaks in roof elevation that are a minimum of three feet in height.
			4. A roof overhang that is a minimum of eight inches beyond the face of the facade.
		(3)	The repainting of a facade of an existing building is exempt from this standard.

FIGURE 533-4
ARTICULATION



Ground Floor Windows

This standard applies to building ground floors on primary streets.	Min. 65%	(1)	For the purposes of this standard, ground floor building facades shall include the minimum percentage of transparent windows. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum visible transmittance (VT) of 37 percent.
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		(2) For buildings on corner sites, where the primary street intersects with a secondary street, this standard shall apply to the full length of the front facade and the portion of the side facade that extends a minimum of 50 feet from the corner where the primary street meets the secondary street, or to the edge of the building or the lot, whichever is shorter.
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FIGURE 533-5
GROUND FLOOR WINDOWS



Building Entrances		
This standard applies to building ground floors on primary streets.	Required	(1) For non-residential uses on the ground floor, a primary building entrance for each tenant space facing a primary street shall be located on the primary street. If a building has frontage on a primary street and any other street, a single primary building entrance for a non-residential tenant space at the corner of the building where the streets intersect may be provided at that corner.
		(2) For residential uses on the ground floor, a primary building entrance for each building facade facing a primary street shall be located on the primary street. If a building has frontage on a primary street and any other street, a single primary building entrance for a residential use on the ground floor may be provided at the corner of the building where the streets intersect.

		(3) Building entrances shall include weather protection.
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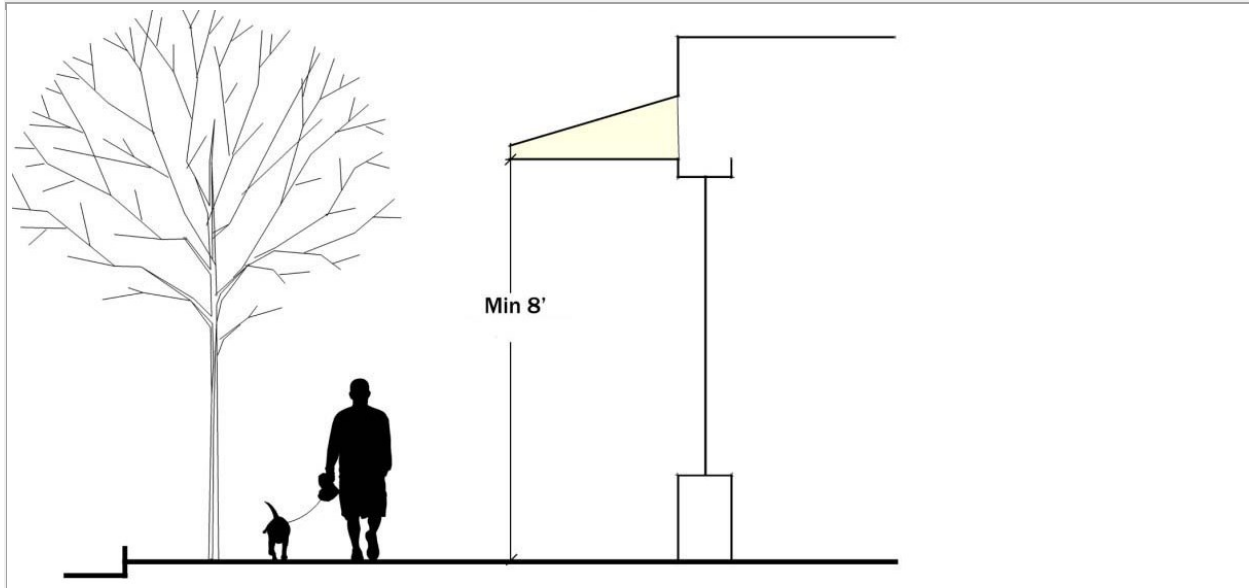
**FIGURE 533-6
ENTRANCE AT BUILDING CORNER**



Weather Protection

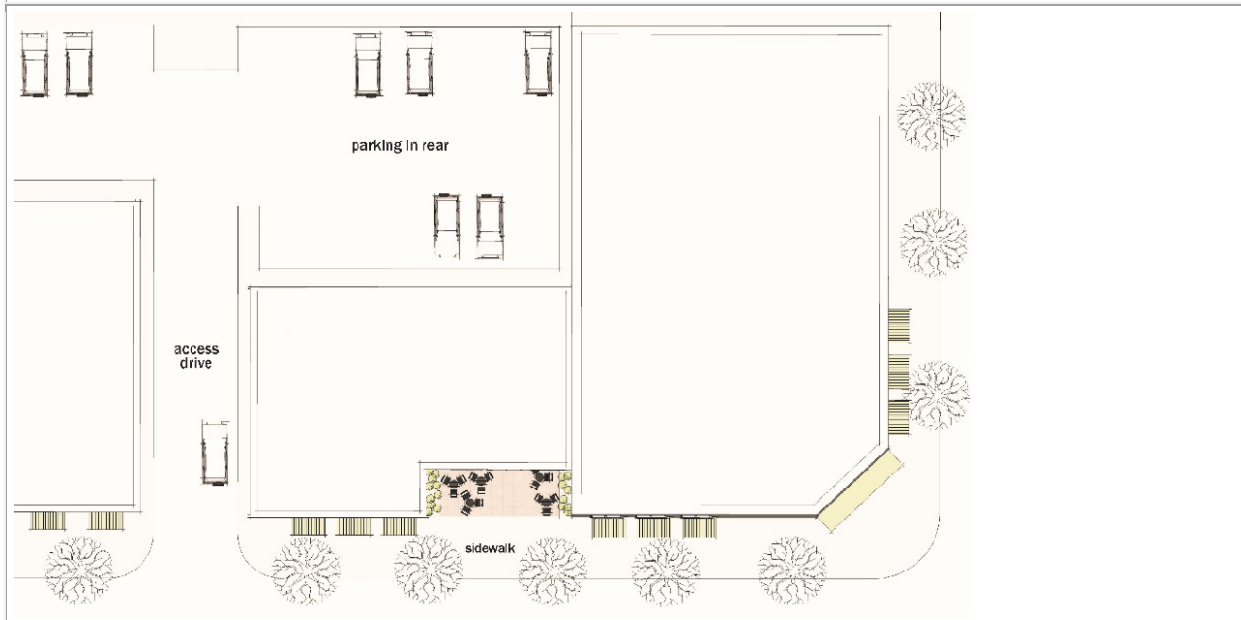
This standard applies to building ground floors adjacent to a street.	Min. 75%	(1) For the purposes of this standard, weather protection in the form of awnings or canopies shall be provided along the ground floor building facade for the minimum length required.
		(2) Awnings or canopies shall have a minimum clearance height above the sidewalk or ground surface of 8 feet and may encroach into the street right-of-way as provided in SRC 76.160.

**FIGURE 533-7
WEATHER PROTECTION**



Parking Location		
This standard applies to off-street parking areas and vehicle maneuvering areas.	Required	Off-street surface parking areas and vehicle maneuvering areas shall be located behind or beside buildings and structures. Off-street surface parking areas and vehicle maneuvering areas shall not be located between a building or structure and a street

FIGURE 533-8
OFF-STREET PARKING

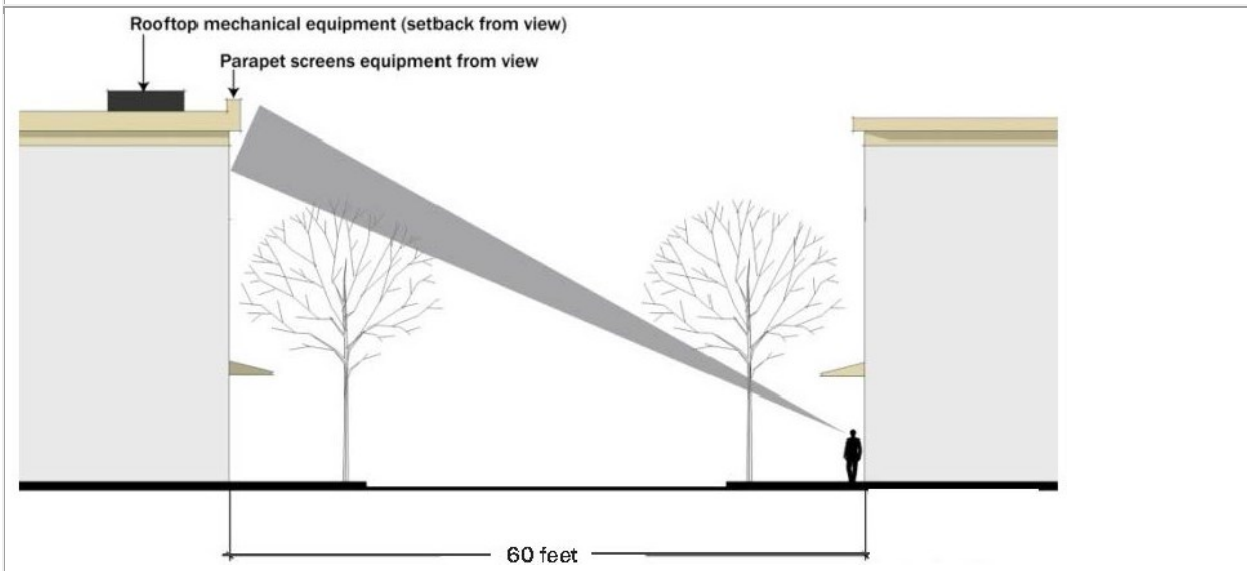


Mechanical and Service Equipment		
This standard applies to mechanical and service equipment.	Required	(1) Ground level mechanical and service equipment shall be screened with landscaping or a site-obscuring fence or wall. Ground level mechanical and service equipment shall be located behind or beside buildings.
		(2) Rooftop mechanical equipment, with the exception of solar panels and wind generators, shall be set back or screened so as to not be visible to a person standing at ground level 60 feet from the building.

FIGURE 533-9
GROUND-LEVEL MECHANICAL EQUIPMENT



FIGURE 533-10
ROOFTOP MECHANICAL EQUIPMENT



Sec. 534.015. - Development standards.

Development within the MU-II zone must comply with the development standards set forth in this section.

- (a) *Lot standards.* Lots within the MU-II zone shall conform to the standards set forth in Table 534-2.

**TABLE 534-2
LOT STANDARDS**

Table 534-2: Lot Standards		
Requirement	Standard	Limitations & Qualifications
Lot Area		
All Uses	None	
Lot Width		

All Uses	None	
Lot Depth		
All Uses	None	
Street Frontage		
All Uses	16 ft.	

(b) *Dwelling unit density.* Development within the MU-II zone that is exclusively residential shall have a minimum density of 15 dwelling units per acre.

(c) *Setbacks.* Setbacks within the MU-II zone shall conform to the standards set forth in Tables 534-3 and 534-4.

**TABLE 534-3
SETBACKS**

Table 534-3: Setbacks		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	0 ft. or Max. 10 ft.	(1) Maximum 10-foot setback applies if the setback area is used for pedestrian amenities.
		<p>a) The maximum setback does not apply to a new building if another building exists between a minimum of 50 percent of the street-facing façade of the new building and the street.</p> <p>b) For double frontage lots, the setback abutting a street shall only apply to the street with the highest street classification or, where both streets have the same classification, the street designated by the applicant. No minimum or maximum setback is required abutting the other street.</p>
		<p>(2) A minimum setback of five feet to a maximum setback of 10 feet is permitted for ground-floor residential uses if horizontal separation is provided pursuant to [SRC] 534.015(h).</p> <p>a) The maximum setback does not apply to a new building if another building exists between a minimum of 50 percent of the street-facing façade of the new building and the street.</p> <p>b) For double frontage lots, the maximum setback abutting a street shall only apply to the street with the highest street classification or, where both streets have the same classification, the street designated by the applicant. No maximum setback is required abutting the other street.</p>
Accessory Structures		
All uses	Min. 10 ft.	
Vehicle Use Areas		
All uses	Per SRC chapter 806	The use of a berm under 806.035(c)(2)(B) is prohibited.
Interior Side		
Buildings		
All uses	Zone-to-zone	

	setback (Table 534-4)	
Accessory Structures		
All uses	Zone-to- zone setback (Table 534-4)	
Vehicle Use Areas		
All uses	Zone-to- zone setback (Table 534-4)	
Interior Rear		
Buildings		
All uses	Zone-to- zone setback (Table 534-4)	
Accessory Structures		
All uses	Zone-to- zone setback (Table 534-4)	
Vehicle Use Areas		
All uses	Zone-to- zone setback (Table 534-4)	

**TABLE 534-4
ZONE-TO-ZONE SETBACKS**

Table 534-4: Zone-to-Zone Setbacks			
Abutting Zone	Type of Improvement	Setback	Landscaping & Screening
EFU	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft. ⁽¹⁾	Type A
Residential zone	Buildings and accessory structures	Min. 10 ft. plus 1.5 feet for each 1 foot of building height above 15 feet ⁽²⁾	Type C

	Vehicle Use Areas	Min. 5 ft.	Type C
Mixed-use zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft. ⁽¹⁾	Type A
Commercial zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft. ⁽¹⁾	Type A
Public zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft. ⁽¹⁾	Type A
Industrial and employment zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft. ⁽¹⁾	Type A
Limitations & Qualifications			
(1) Zone-to-zone setbacks are not required abutting an alley.			
(2) The additional 1.5-feet for each 1-foot of building height above 15 feet does not apply abutting a creek.			

(d) *Lot coverage; height; building frontage.* Buildings and accessory structures within the MU-II zone shall conform to the lot coverage, height, and building frontage standards set forth in Table 534-5.

**TABLE 534-5
LOT COVERAGE; HEIGHT; BUILDING FRONTAGE**

Table 534-5: Lot Coverage; Height; Building Frontage		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
All uses	No Max.	
Rear Yard Coverage		
Buildings		
All uses	NA	
Accessory Structures		
All uses	No Max.	
Height		
Buildings and Accessory Structures		
All uses	Max. 45 ft.	Applicable to buildings on a lot or lots that are contiguous to a National Register Residential Historic District. For the purposes of this standard, contiguous shall include a lot or lots that are separated from a National Register Residential Historic District by an alley.
	Max. 55 ft.	Applicable to buildings on all other lots.
Building Frontage		

Buildings		
All uses	Min. 50%	(1) For corner lots, this standard must be met on the frontage of the street with the highest street classification. For the intersecting street, the building frontage standard is a minimum of 40%.
		(2) For corner lots where both streets have the same classification, the applicant may choose on which street to meet the minimum 50% building frontage standard and on which street to meet the minimum 40% building frontage standard.
		(3) For double frontage lots, this standard must only be met on the street with the highest classification. Where both streets have the same classification, the applicant may choose on which street the building frontage standard shall apply.
Accessory Structures		
All uses	Not applicable	Accessory structures shall be located behind or beside buildings.

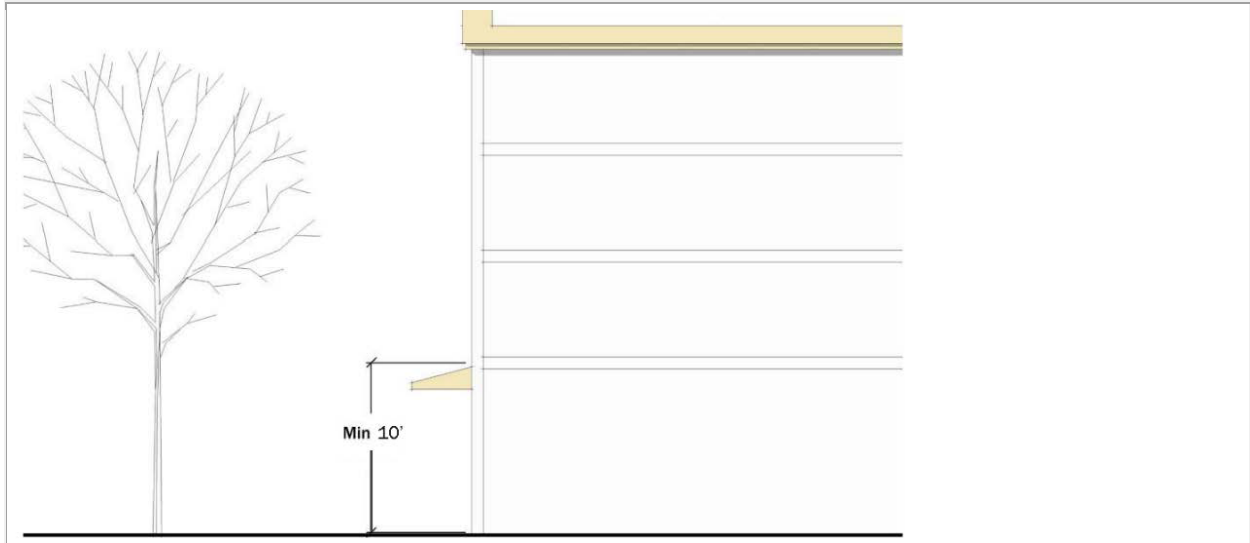
- (e) ~~Required~~ *Parking.* Off-street parking shall not be located on a new standalone surface parking lot in the MU-I zone or MU-II zone.
- (f) *Landscaping.*
- (1) *Setback areas.* Setbacks, except setback areas abutting a street that provide pedestrian amenities or horizontal separation pursuant to [SRC] 534.015(h), shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.
 - (2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapter 806 and SRC chapter 807.
- (g) *Continued development.* Buildings and structures existing within the MU-II zone on September 12, 2018, that would be made non-conforming development by this chapter are hereby deemed continued development. The owner shall have the burden to demonstrate continued development status under this subsection.
- (1) *Single family uses.*
 - (A) *Buildings.* Continued development housing a continued single family use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to development standards of the Single Family Residential (RS) zone set forth in SRC chapter 511 and to all other applicable provisions of the UDC, except for lot size and dimension standards in SRC chapter 511.
 - (B) *Accessory structures.* Existing accessory structures on the same property as a continued single family use may be structurally altered or enlarged, or rebuilt following damage or destruction, and new accessory structures to a continued use may be constructed, provided such alteration, enlargement, rebuilding, or new accessory structure construction conforms to the development standards of the Single Family Residential (RS) zone set forth in SRC chapter 511, except the lot size and dimensions standards, and to all other applicable provisions of the UDC.
 - (C) *Option to rebuild in same location.* Notwithstanding SRC 543.015(h)(1)(A) and (B), any continued development housing a continued single family use or associated accessory structure rebuilt following damage or destruction may either be located on the same location on the lot as the original building or structure, or in compliance with the setbacks of the Single Family Residential (RS) zone set forth in SRC 511.010(b).
 - (2) *All other uses.* Continued development, housing a use other than a continued single family use, may be structurally altered, enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to the following standards:
 - (A) *Minor alterations.* Exterior alterations to buildings that alter less than 20 percent of an existing building facade area facing a primary street are exempt from all of the

development standards in this chapter. Such alterations shall not increase the building facade's nonconformity to the pedestrian-oriented design standards in Table 534-6.

- (B) *Minor additions.* Additions to buildings that enlarge or alter an existing building facade area facing a primary street by less than 20 percent are exempt from all of the development standards in this chapter except for interior setbacks, parking, landscaping, and maximum height standards. Such additions shall not increase the building facade's nonconformity to the pedestrian-oriented design standards in Table 534-6.
- (C) *Major alterations.* Exterior alterations to buildings that alter between 20 percent and 60 percent of an existing building facade area facing a primary street shall decrease that building facade's nonconformity to all pedestrian-oriented design standards in Table 534-6 that are applicable to that alteration. Such alterations are exempt from all other development standards in this chapter.
- (D) *Major additions.* Additions to buildings that enlarge or alter an existing building facade area facing a primary street by between 20 percent and 60 percent shall:
 - (i) Comply with a minimum of three of the pedestrian-oriented design standards in Table 534-6; or
 - (ii) Comply with a minimum of one of the pedestrian-oriented design standards in Table 534-6 and add perimeter landscaping in vehicle use areas if such landscaping is not already required under SRC 534.015(f).
For the purposes of [SRC] 534.015(h)(2)(C)(i) and (ii), the pedestrian-oriented design standards in Table 534-6 shall apply to the addition. Major additions must meet all other development standards in this chapter except for building frontage and maximum setback abutting a street.
- (E) *Substantial alterations.* Exterior alterations to buildings that alter more than 60 percent of an existing building facade area facing a primary street shall meet all applicable pedestrian-oriented design standards in Table 534-6. Such alterations are exempt from all other development standards in this chapter.
- (F) *Substantial additions or redevelopment.* Additions to buildings that enlarge or alter an existing building facade area facing a primary street by more than 60 percent shall meet all applicable development standards in this chapter. Continued development that is rebuilt following damage or destruction shall meet all development standards in this chapter.
- (G) *Accessory structure.* Alterations and additions to accessory structures shall meet all applicable development standards in this chapter.
- (h) *Pedestrian-oriented design.* Development within the MU-II zone, excluding development requiring historic design review, shall conform to the pedestrian-oriented design standards set forth in Table 534-6. Any development requiring historic design review shall only be subject to design review according to the historic design review standards or the historic design review guidelines set forth in SRC chapter 230.

**TABLE 534-6
PEDESTRIAN-ORIENTED DESIGN**

Table 534-6: Pedestrian-Oriented Design		
Requirement	Standard	Limitations & Qualifications
Ground Floor Height		
This standard applies to building ground floors on primary streets.	Min. 10 ft.	For the purposes of this standard, ground floor height is measured from the floor to the ceiling of the first floor.
FIGURE 534-1 GROUND FLOOR HEIGHT		



Separation of Ground Floor Residential Uses

<p>This standard applies when a dwelling unit is located on the ground floor.</p>	<p>Vertical or horizontal separation shall be provided</p>	<p>For the purposes of this standard, separation is required between the public right-of-way and the residential entryway and any habitable room.</p>
	<p>Vertical Distance Min. 1.5 ft. Max. 3 ft.</p>	<p>Vertical separation shall take the form of several steps or a ramp to a porch, stoop, or terrace.</p>
	<p>Horizontal Distance Min. 5 ft. Max. 10 ft.</p>	<p>Horizontal separation shall take the form of a landscaped area such as private open space or hardscaped area such as a plaza.</p>

**FIGURE 534-2
HORIZONTAL SEPARATION**



Building Facade Articulation			
This standard applies to building facades facing primary streets.	Required	(1)	For buildings on corner lots, where the primary street intersects with a secondary street, these standards shall apply to the full length of the front facade and the portion of the side facade that extends a minimum of 50 feet from the corner where the primary street meets the secondary street, or to the edge of the building or the lot, whichever is shorter.
		(2)	Buildings shall incorporate vertical and horizontal articulation and shall divide vertical mass into a base, middle, and top.
		a)	Base: Ground floor facades shall be distinguished from middle facades by at least one of the following standards:
			1. Change in materials.
			2. Change in color.
			3. Molding or other horizontally-articulated transition piece.
		b)	Middle: Middle facades shall provide visual interest by incorporating at a minimum of every 50 feet at least one of the following standards:
			1. Recesses of a minimum depth of two feet.
			2. Extensions of a minimum depth of two feet.
			3. Vertically-oriented windows.
			4. Pilasters that project away from the building.
		c)	Top: Building tops shall be defined by at least one of the following standards:
			1. Cornice that is a minimum of eight inches tall and a minimum of three inches beyond the face of the facade.
			2. Change in material from the upper floors, with that material being a minimum of eight inches tall.
			3. Offsets or breaks in roof elevation that are a minimum of three feet in height.
			4. A roof overhang that is a minimum of eight inches beyond the face of the facade.

		(3) The repainting of a facade of an existing building is exempt from this standard.
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FIGURE 534-3
ARTICULATION



Ground Floor Windows

<p>This standard applies to building ground floors on primary streets.</p>	<p>Residential uses Min. 30%</p>	<p>(1) For the purposes of this standard, ground floor building facades shall include the minimum percentage of transparent windows. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum visible transmittance (VT) of 37 percent.</p>
	<p>Non-residential uses Min. 65%</p>	<p>(2) For buildings on corner sites, where the primary street intersects with a secondary street, this standards shall apply to the full length of the front facade and the portion of the side facade that extends a minimum of 50 feet from the corner where the primary street meets the secondary street, or to the edge of the building or the lot, whichever is shorter.</p>

FIGURE 534-4
GROUND FLOOR WINDOWS



Building Entrances

<p>This standard applies to building ground floors on primary streets.</p>	<p>Required</p>	<p>(1) For non-residential uses on the ground floor, a primary building entrance for each tenant space facing a primary street shall be located on the primary street. If a building has frontage on a primary street and any other street, a single primary building entrance for a non-residential tenant space at the corner of the building where the streets intersect may be provided at that corner.</p>
		<p>(2) For residential uses on the ground floor, a primary building entrance for each building facade facing a primary street shall be located on the primary street. If a building has frontage on a primary street and any other street, a single primary building entrance for a residential use on the ground floor may be provided at the corner of the building where the streets intersect.</p>
		<p>(3) Building entrances shall include weather protection.</p>

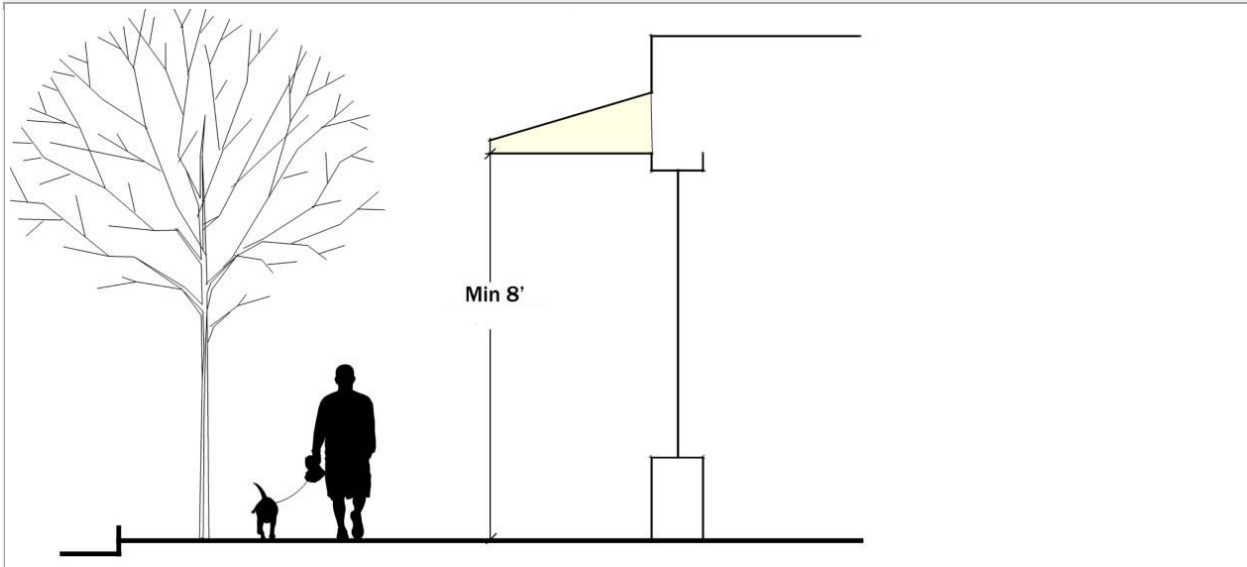
FIGURE 534-5
ENTRANCE AT BUILDING CORNER



Weather Protection

<p>This standard applies to building ground floors adjacent to a street.</p>	<p>Residential uses Min. 50%</p>	<p>(1) For the purposes of this standard, weather protection in the form of awnings or canopies shall be provided along the ground floor building facade for the minimum length required.</p>
	<p>Non-residential uses Min. 75%</p>	<p>(2) Awnings or canopies shall have a minimum clearance height above the sidewalk or ground surface of 8 feet and may encroach into the street right-of-way as provided in SRC 76.160.</p>

FIGURE 534-6
WEATHER PROTECTION

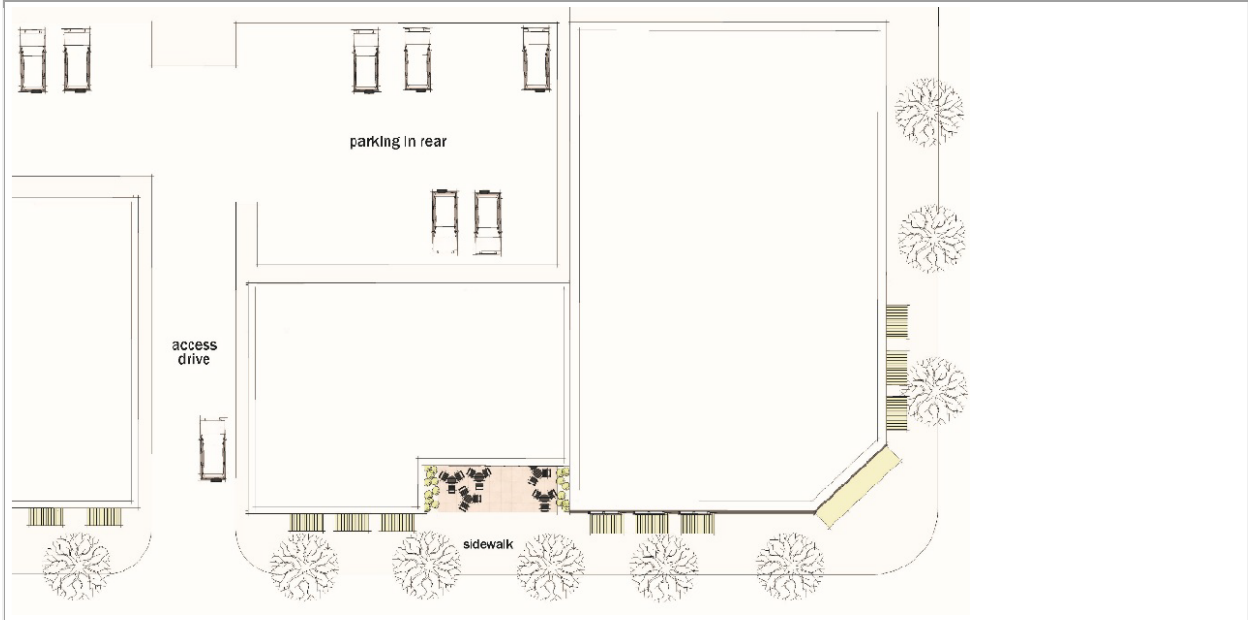


Parking Location

<p>This standard applies to off-street parking areas and vehicle maneuvering areas.</p>	<p>Required</p>	<p>Off-street surface parking areas and vehicle maneuvering areas shall be located behind or beside buildings and structures. Off-street surface parking areas and vehicle maneuvering</p>
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areas shall not be located between a building or structure and a street

**FIGURE 534-7
OFF-STREET PARKING**



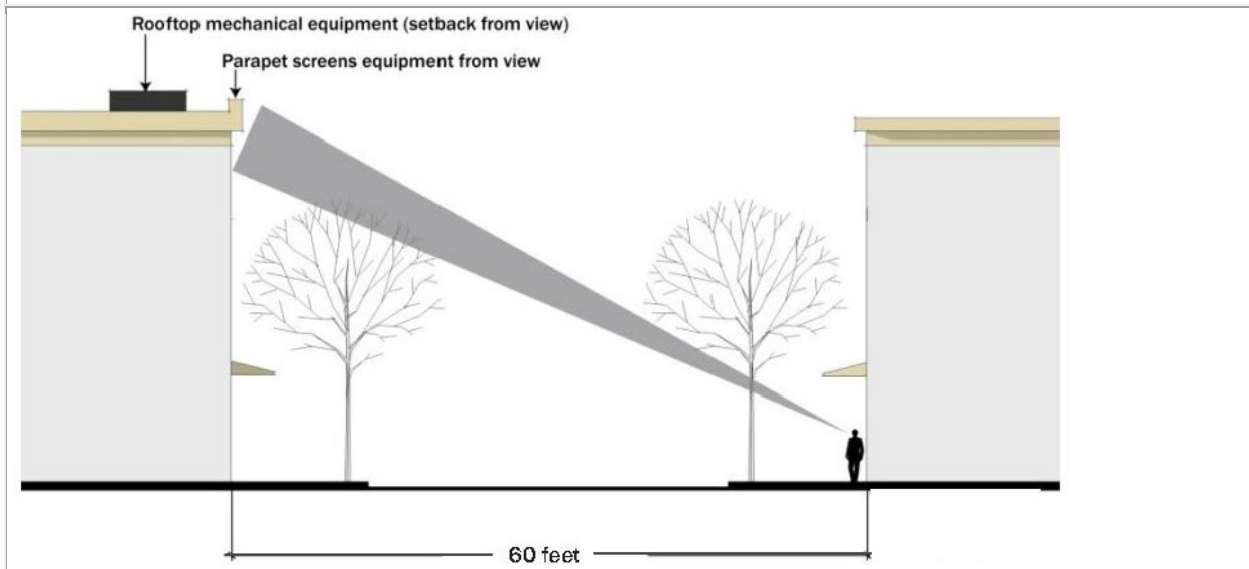
Mechanical and Service Equipment

<p>This standard applies to mechanical and service equipment.</p>	<p>Required</p>	<p>(1) Ground level mechanical and service equipment shall be screened with landscaping or a site-obscuring fence or wall. Ground level mechanical and service equipment shall be located behind or beside buildings.</p>
		<p>(2) Rooftop mechanical equipment, with the exception of solar panels and wind generators, shall be set back or screened so as to not be visible to a person standing at ground level 60 feet from the building.</p>

**FIGURE 534-8
GROUND-LEVEL MECHANICAL EQUIPMENT**



FIGURE 534-9
ROOFTOP MECHANICAL EQUIPMENT



Sec. 537.010. - Development standards.

Development within the ESMU zone must comply with the development standards set forth in this section.

(a) *Continued development.* Buildings and structures existing within the ESMU zone on June 13, 2018, but which would otherwise be made non-conforming development by this chapter, are hereby deemed continued development.

(1) *Single family uses.*

(A) *Buildings.* Continued development housing a single family use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to development standards of the Single Family Residential (RS) zone set forth in SRC [chapter 511](#) and to all other applicable provisions of the UDC, except for lot size and dimension standards in SRC [chapter 511](#).

(B) *Accessory structures.* Existing accessory structures on the same property as a single family use may be structurally altered or enlarged, or rebuilt following damage or

destruction, and new accessory structures may be constructed, provided such alteration, enlargement, rebuilding, or new accessory structure construction conforms to the development standards of the Single Family Residential (RS) zone set forth in SRC [chapter 511](#), except the lot size and dimensions standards.

(C) *Option to rebuild in same location.* Notwithstanding SRC [537.015\(a\)\(1\)\(A\)](#) and (B), any continued development housing a single family use or associated accessory structure rebuilt following damage or destruction may either be located on the same location on the lot as the original building or structure, or in compliance with the setbacks of the Single Family Residential (RS) zone set forth in SRC [511.010\(b\)](#).

(2) *All other uses.* Continued development housing a use other than a single family use may be structurally altered, enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to the following standards:

(A) *Minor alterations.* Exterior alterations to buildings that alter an existing building façade area facing a public street right-of-way by less than 20 percent are exempt from all of the development standards in this chapter. Such alterations and shall not increase the building façade's nonconformity to the design standards of SRC [537.020](#).

(B) *Minor additions.* Additions to buildings that expand or alter an existing building façade area facing a public street right-of-way by less than 20 percent are exempt from all of the development standards in this chapter except for street frontage, interior setbacks, parking for existing buildings, number of spaces required, landscaping, and maximum height standards. Such additions shall not increase the building façade's nonconformity to the design standards of SRC [537.020](#).

(C) *Major alterations.* Exterior alterations to buildings that alter an existing building façade area facing a public street right-of-way by between 20 percent and 60 percent shall decrease that building façade's nonconformity to all design standards of SRC [537.020](#). Such alterations are exempt from all other development standards in this chapter.

(D) *Major additions.* Additions to buildings that enlarge an existing building façade area facing a public street right-of-way by between 20 percent and 60 percent shall comply with all applicable design review guidelines or standards of SRC [537.020](#), including the alternative standards for existing buildings if applicable, and all applicable development standards in this chapter except for setback abutting a street, building frontage, and the location of parking standards.

(E) *Substantial alterations.* Exterior alterations to buildings that alter an existing building façade area facing a public street right-of-way by more than 60 percent shall meet all applicable design review guidelines or standards of this chapter. Such alterations are exempt from all other development standards in this chapter.

(F) *Substantial additions or redevelopment.* Additions to buildings that enlarge an existing building façade area facing a public street right-of-way by more than 60 percent shall meet all applicable development standards and design review guidelines or standards in this chapter. Continued development that is rebuilt following damage or destruction shall meet all applicable development standards and design review guidelines or standards in this chapter.

(b) *Grade separated street frontage.* Portions of property street frontage that are separated from the grade of the street with a road ramp above the grade of the property line abutting the street are exempt from setbacks abutting a street, building frontage standards, off-street parking location standards, and design review guidelines and standards for building location, orientation, and design.

(c) *Lot standards.* Lots within the ESMU zone shall conform to the standards set forth in Table 537-2.

**TABLE 537-2
LOT STANDARDS**

Table 537-2: Lot Standards		
Requirement	Standard	Limitations and Qualifications
LOT AREA		
All uses	None	
LOT WIDTH		
All uses	None	
LOT DEPTH		
All uses	None	
STREET FRONTAGE		
All other uses	Min. 16 ft.	

(d) *Setbacks.* Setbacks within the ESMU zone shall be provided as set forth in Table 537-3.

**TABLE 537-3
SETBACKS**

Table 537-3: Setbacks		
Requirement	Standard	Limitations and Qualifications
ABUTTING STREET		
Buildings and Accessory Structures		
Single family, two family, three family, four family, and multiple family	None	
All other uses	0 ft.	Setback greater than 0 feet, up to a maximum setback of up to 10 feet, is permitted if the space is used for pedestrian amenities.
		Applicable to single family, two family, and multiple family that is part of a mixed-use development.
		Not applicable to transit stop shelters.
Vehicle Use Areas		

Table 537-3: Setbacks

Requirement	Standard	Limitations and Qualifications
All uses	Per SRC chapter 806	
INTERIOR FRONT		
Buildings		
Single family	None	
All other uses	Zone-to-zone setback (Table 537-4)	
Accessory Structures		
Accessory to single family	None	
Accessory to all other uses	Zone-to-zone setback (Table 537-4)	
Vehicle Use Areas		
All uses	Per SRC chapter 806	
INTERIOR SIDE		
Buildings		
Single family	None	
All other uses	Zone-to-zone setback (Table 537-4)	
Accessory Structures		
Accessory to single family	None	

Table 537-3: Setbacks		
Requirement	Standard	Limitations and Qualifications
Accessory to all other uses	Zone-to-zone setback (Table 537-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 537-4)	
INTERIOR REAR		
Buildings		
Single family	None	
All other uses	Zone-to-zone setback (Table 537-4)	
Accessory Structures		
Accessory to single family	None	
Accessory to all other uses	Zone-to-zone setback (Table 537-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 537-4)	

**TABLE 537-4
ZONE-TO-ZONE SETBACKS**

Table 537-4: Zone-to-Zone Setbacks

Abutting Zone	Type of Improvement	Setback (1)	Landscaping and Screening
EFU	Buildings and accessory structures	None	NA
	Vehicle use areas	Min. 5 ft.	Type A
Residential Zone	Buildings and accessory structures	Min. 20 ft. (2)	Type C
	Vehicle use areas	Min. 15 ft.	
Mixed-Use Zone	Buildings and accessory structures	None	NA
	Vehicle use areas	Min. 5 ft.	Type A
Commercial Zone	Buildings and accessory structures	None	NA
	Vehicle use areas	Min. 5 ft.	Type A
Public Zone	Buildings and accessory structures	None	NA
	Vehicle use areas	Min. 5 ft.	Type A
Industrial and Employment Zone: EC, IC, IBC, and IP	Buildings and accessory structures	Min. 5 ft.	Type A
	Vehicle use areas		
Industrial and Employment Zone: IG	Buildings and accessory structures	Min 10 ft.	Type C
	Vehicle use areas		

Limitations and Qualifications

(1) Zone-to-zone setbacks are not required abutting an alley.
 (2) Notwithstanding qualification (1) above, zone-to-zone setbacks for buildings and structures are required abutting an alley when the abutting zone across the alley is residential. Vehicle use areas remain under qualification (1), and do not require a zone-to-zone setback abutting an alley when the abutting zone across the alley is residential.

(e) *Lot coverage; height.* Buildings and accessory structures within the ESMU zone shall conform to the lot coverage, height, and building frontage standards set forth in Table 537-5.

**TABLE 537-5
LOT COVERAGE; HEIGHT**

Table 537-5: Lot Coverage; Height		
Requirement	Standard	Limitations and Qualifications
LOT COVERAGE		
Buildings and Accessory Structures		
All uses	No Max.	
REAR YARD COVERAGE		
Buildings		
All uses	No Max.	
Accessory Structures		
Accessory to all uses	No Max.	
HEIGHT		
Buildings		
All uses	Max. 50 ft.	
Accessory Structures		
Accessory to single family, two family, three family, four family, and multiple family	Max. 15 ft.	
Accessory to all other uses	Max. 50 ft.	
BUILDING FRONTAGE		
All uses	Min. 50%	Applies to development sites along Patterson Street, and along Edgewater Street and Second Street, between Rosemont Avenue and Wallace Road, except that where a development site has

Table 537-5: Lot Coverage; Height

Requirement	Standard	Limitations and Qualifications
		frontage on Edgewater Street, Second Street, or Patterson Street and a side street, the minimum building frontage requirement does not apply to the side street frontage.

(f) *Landscaping.* Landscaping within the ESMU zone shall be provided as set forth in this subsection.

(1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC [chapter 807](#).

(2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC [chapter 806](#) and SRC [chapter 807](#).

(3) *Development site.* A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC [chapter 807](#). Other required landscaping under the UDC, such as landscaping required for setbacks or vehicle use areas, may count towards meeting this requirement.

(g) *Project enhancements.* All development, other than development of single family and two family uses, shall include four or more of the following project enhancements:

(1) Closure of one driveway approach on Edgewater Street;

~~(2) Joint parking agreement under SRC 806.020(a)(5) or implementation of a plan to satisfy off-street parking requirements through alternative modes of transportation under SRC 806.015(e)(2);~~

~~(23)~~ Cast iron or wrought iron fencing adjacent to Edgewater Street, Second Street, or Patterson Street;

~~(34)~~ Pedestrian connections that are:

(A) Constructed with pavers, scored or colored cement, and/or stamped asphalt;

(B) Elevated above the parking area and driveway; or

(C) Defined with landscaping or building features such as canopies, awnings, or arcades;

~~(45)~~ Replacement of existing surface parking areas with new development of buildings or structures;

~~(56)~~ Provision of one or more of the following pedestrian-oriented design features on property adjacent to Edgewater Street, Second Street, or Patterson Street:

(A) Pedestrian scale lighting not more than 16 feet in height; or

(B) Plazas or other outdoor spaces open to the public;

~~(67)~~ A minimum of seven percent interior landscaping within parking areas not more than 50,000 square feet in size; or a minimum of ten percent interior landscaping within parking areas greater than 50,000 square feet in size;

~~(78)~~ Installation of landscaping and irrigation using a plan designed by an Oregon landscape architect;

~~(89)~~ Development of a mixed-use building;

~~(940)~~ Construction of a building where at least 75 percent of the building frontage is constructed contiguous to the minimum building setback line;

~~(104)~~ Provision of underground, structured, or tuck-under parking. For purposes of this paragraph, "tuck-under parking" means parking placed at grade with a building constructed above it;

~~(112)~~ Construction of one or more buildings at least two stories in height;

~~(123)~~ Construction of planter bays, each a minimum of 50 square feet in size, to meet minimum interior parking area landscaping requirements;

~~(134)~~ Construction of planter bays below the surface grade of parking areas to accommodate surface water runoff; or

~~(145)~~ Use of native plant materials to meet minimum landscaping requirements.

(h) *Dwelling unit density.* Dwelling unit density within the ESMU zone shall conform to the standards set forth in Table 537-6. Dwelling unit density cannot be varied or adjusted.

Table 537-6: Dwelling Unit Density			
Use	Standard		Limitations and Qualifications
	Minimum	Maximum	
Single family, two family, three family, four family, and multiple family	8 dwelling units per acre	None	
	1 dwelling unit per acre	None	Applicable to Single Family, Two Family, Three Family, Four Family, and Multiple Family within a mixed-use building.

(i) *Off-street parking.*

(1) *Locations of parking.* Off-street surface parking areas and vehicle maneuvering areas shall be located behind or beside buildings and structures. Off-street surface parking areas and vehicle maneuvering areas shall not be located between a building or structure and a street.

(2) *Parking for existing buildings.* ~~Except for new single family, two family, three family, four family, or multiple family uses, there is no minimum off-street parking requirement for development sites with buildings in existence as of June 13, 2018, and located between Rosomont Avenue and Wallace Road, provided there is no increase in building square footage and any existing parking is not reduced, except as necessary to comply with state and federal law, including the Americans with Disabilities Act.~~

(j) *Screening.* Concertina or barbed wire fencing shall not be located within 60 feet of the street right-of-way, unless such fencing is obstructed by a building or structure.

Sec. 552.010. - Development standards.

Development within the IBC zone must comply with the development standards set forth in this section. Where used in this section, the term "IBC Internal Street" means a street which is not an arterial or collector street, which has no or only one actual or proposed connection to an existing or proposed street at the boundaries of an IBC District, or which is a loop street entirely within the IBC District. The term "IBC District" means contiguous IBC zoned property.

(a) *Land division in IBC zone.* In addition to the approval criteria set forth in SRC chapter 205, no land shall be divided within the IBC zone unless the following criteria are met:

- (1) The configuration of the lots does not require the creation of other smaller lots as the only way to develop the remainder of the property within the IBC District;
- (2) The lots are complementary and compatible to other uses within the IBC District; and
- (3) The lots do not preclude expansion of existing industries.

(b) *Lot standards.* Lots within the IBC zone shall conform to the standards set forth in Table 552-2.

TABLE 552-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
All uses	None	

TABLE 552-2. LOT STANDARDS

Requirement	Standard	Limitations & Qualifications
Lot Width		
All uses	None	
Lot Depth		
All uses	None	
Street Frontage		
All uses	Min. 16 ft.	

(c) *Setbacks.*

(1) Setbacks within the IBC zone shall be provided as set forth in Tables 552-3 and 552-4.

TABLE 552-3. SETBACKS

Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	Min. 20 ft.	Applicable where abutting an IBC Internal Street.
	Min. 40 ft.	Applicable where abutting a street, other than an IBC Internal Street.
Accessory Structures		
Accessory to all uses	Min. 20 ft.	Applicable where abutting an IBC Internal Street.
	Min. 40 ft.	Applicable where abutting a street, other than an IBC Internal Street.
	None	Applicable to transit stop shelters.
Vehicle Use Areas		
All uses	Min. 20 ft.	
Interior Front		

TABLE 552-3. SETBACKS

Requirement	Standard	Limitations & Qualifications
Buildings		
All uses	Zone-to-zone setback (Table 552-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 552-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 552-4)	
Interior Side		
Buildings		
All uses	Zone-to-zone setback (Table 552-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 552-4)	
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 552-4)	
Interior Rear		
Buildings		
All uses	Zone-to-zone setback (Table 552-4)	
Accessory Structures		
Accessory to all uses	Zone-to-zone setback (Table 552-4)	

TABLE 552-3. SETBACKS

Requirement	Standard	Limitations & Qualifications
Vehicle Use Areas		
All uses	Zone-to-zone setback (Table 552-4)	

TABLE 552-4. ZONE-TO-ZONE SETBACKS

Abutting Zone	Type of Improvement	Setback ⁽¹⁾	Landscaping & Screening
EFU	Buildings and accessory structures	Min. 40 ft.	Type C
	Vehicle use areas	Min. 20 ft.	
Residential Zone	Buildings and accessory structures	Min. 40 ft.	Type C
	Vehicle use areas	Min. 20 ft.	
Mixed-Use Zone	Buildings and accessory structures	Min. 40 ft.	Type C
	Vehicle use areas	Min. 20 ft.	
Commercial Zone	Buildings and accessory structures	Min. 40 ft.	Type C
	Vehicle use areas	Min. 20 ft.	
Public Zone	Buildings and accessory structures	Min. 40 ft.	Type C
	Vehicle use areas	Min. 20 ft.	
Industrial and Employment Zone: IBC	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 10 ft.	Type A

TABLE 552-4. ZONE-TO-ZONE SETBACKS

Abutting Zone	Type of Improvement	Setback ⁽¹⁾	Landscaping & Screening
Industrial and Employment Zone: EC, IC, IP, and IG	Buildings and accessory structures	Min. 20 ft.	Type C
	Vehicle use areas		
Limitations and Qualifications ⁽¹⁾ Zone-to-zone setbacks are not required abutting an alley.			

(2) Driveway setbacks.

(A) Driveways shall be set back from property lines abutting a street as set forth in Tables 552-3 and 552-4, except where the driveway provides direct access to a street.

(B) Driveways shall be set back from interior property lines separating an IBC zoned property from a non-IBC zoned property as set forth in Tables 552-3 and 552-4, except where the driveway provides direct access to an abutting property or to a street.

(C) Driveways shall set back from interior property lines separating an IBC zoned property from another IBC zoned property as set forth in Tables 552-3 and 552-4, except where the driveway provides direct access to an abutting property or street, or where a common driveway is provided along a property line between separately owned IBC zoned properties. Where a common driveway is provided along a property line between separately owned IBC zoned properties, a minimum ten-foot wide landscaped area shall be provided parallel to and along each side of the common driveway.

(d) *Lot coverage; height.* Buildings and accessory structures within the IBC zone shall conform to the lot coverage and height standards set forth in Table 552-5.

TABLE 552-5. LOT COVERAGE; HEIGHT

Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
All uses	No Max.	
Height		
Buildings		
All uses	Max. 70 ft.	
Accessory Structures		

TABLE 552-5. LOT COVERAGE; HEIGHT

Requirement	Standard	Limitations & Qualifications
Accessory to all uses	Max. 70 ft.	

(e) *Off-street parking and loading.* Off-street parking and loading within the IBC zone shall, in addition to the off-street parking and loading requirements set forth in SRC chapter 806, conform to the following additional requirements:

(1) *Off-street parking.* Not more than ten percent of the ~~required~~ off-street parking spaces may be located in a required setback abutting a street. For purposes of this subsection, required setback means the setback required for a building abutting a street.

(2) *Loading.*

(A) All loading spaces shall be screened from adjacent property by a minimum six-foot-high sight-obscuring fence, wall, or hedge; or a berm a minimum of four feet in height.

(B) Loading docks and loading doors shall be offset from driveway approaches, and shall be screened from the street by landscaping.

(f) *Landscaping.*

(1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

(2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and 807.

(3) *Development site.* A minimum of 20 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicle use areas, may count towards meeting this requirement.

(g) *Outdoor storage.* Within the IBC zone, outdoor storage shall conform to the following standards:

(1) Storage areas shall not be located within required setbacks.

(2) Storage areas shall be enclosed by a minimum six-foot-high sight-obscuring fence, wall, or hedge; or a berm.

(3) Materials and equipment stored shall not exceed a maximum height of 14 feet above grade; provided, however, materials and equipment more than six feet in height above grade shall be screened by sight-obscuring landscaping.

(h) *Industrial performance standards.* Within the IBC zone, no land or structure shall be used or occupied unless maintained and operated in continuing compliance with all applicable standards adopted by the Oregon Department of Environmental Quality (DEQ), including the holding of all licenses and permits required by DEQ regulation, local ordinance, and state and federal law.

(i) *Additional development standards for uses allowed subject to SRC 552.005(b).* Uses within the IBC zone allowed subject to SRC 552.005(b) shall conform to the following additional development standards:

(1) Buildings fronting a street and within 50 feet of an abutting property shall have glass frontage not less than 35 percent of the area of the street front wall.

(2) Outdoor storage areas shall:

(A) Be no more than 3,000 square feet per building and shall not be aggregated with the storage of another building;

(B) Be enclosed with a minimum six-foot-high sight-obscuring fence or wall;

(C) Have at least one side conterminous with the building which it serves; and

(D) Have no opening within 50 feet and visible from any property boundary.

Sec. 603.020. - Development standards.

Development within the Portland/Fairgrounds Road Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) *Continued development.* Building and structures existing within the Portland/Fairgrounds Road Overlay Zone that conformed to the development standards existing on October 1, 2001, but which would otherwise be made nonconforming development by this chapter, are hereby deemed continued development. The owner shall have the burden to demonstrate continued development status under this subsection.

(1) Continued development may be enlarged, rebuilt, or the exterior altered, provided such enlargement, rebuilding, or exterior alteration complies with all applicable standards in the underlying zone.

(2) Continued development may be extended onto any contiguous vacant land under the same ownership if such land was held under the same ownership on October 1, 2001, and has been maintained under the same ownership continuously thereafter. The extension of continued development onto contiguous vacant land under the same ownership must comply with all applicable standards in the underlying zone.

(3) A determination by the Building Official that a continued development is derelict or dangerous, as defined in SRC 50.600 and 56.230, shall terminate the continued development status conferred by this subsection and the building or structure shall thereafter be deemed a nonconforming development.

(b) *Lot standards.* Lots for townhouses within the Portland/Fairgrounds Road Overlay Zone shall conform to the standards set forth in Table 603-2.

TABLE 603-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
Single family	Min. 1,500 sq. ft.	Applicable to townhouses.
Lot Width		
Single family	Min. 20 ft.	Applicable to townhouses.
Lot Depth		
Single family	Min. 65 ft.	Applicable to townhouses.

(c) *Dwelling unit density.* Dwelling unit density within the Portland/Fairgrounds Overlay Zone shall conform to the standards set forth in Table 603-3. Dwelling unit density cannot be varied or adjusted.

TABLE 603-3. DWELLING UNIT DENSITY

Use or Activity	Standard	Limitations & Qualifications
Single family, two family, three family, four family, and multiple family	Min. 20 dwelling units per acre	
	None	Applicable to mixed-use buildings where floors above the first floor are used entirely for dwelling units.

(d) *Setbacks.* Setbacks within the Portland/Fairgrounds Road Overlay Zone shall be provided as set forth in Table 603-4.

TABLE 603-4. SETBACKS

Requirements	Standards	Limitations & Qualifications
Abutting Street		
Buildings		
Single family, two family, three family, four family, and multiple family	Min. 12 ft., plus 1 ft. for each 1 ft. of height over 12 ft.	
	Max. 20 ft.	
Accessory Structures		
Accessory to single family, two family, three family, four family, and multiple family	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft., plus 1 ft. for each 1 ft. of height over 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
Interior Front		
Buildings		
Single family two family, three family, and four family	Min. 12 ft., plus 1 ft. for each 1 ft. of height over 12 ft.	
Accessory Structures		

TABLE 603-4. SETBACKS

Requirements	Standards	Limitations & Qualifications
Accessory to single family, two family, three family, and four family	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft., plus 1 ft. for each 1 ft. of height over 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
Interior Side		
Buildings		
Single family, two family, three family, and four family	Min. 5 ft.	
	None	Applicable to townhouses.
Accessory Structures		
Accessory to single family, two family, three family, and four family	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.
Interior Rear		
Buildings		
Single family, two family, three family, and four family	Min. 14 ft.	Applicable to any portion of a building not more than 1 story in height.
	Min. 20 ft.	Applicable to any portion of a building greater than 1 story in height.
Accessory Structures		
Accessory to single family, two family, three family, and four family	None	Applicable to accessory structures not more than 9 ft. in height.
	Min. 1 ft. for each 1 ft. of height over 9 ft.	Applicable to accessory structures greater than 9 ft. in height.
	Min. 1 ft.	Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure.

(e) *Landscaping.* Berms, mounds, raised beds, and grade drops shall not be allowed as a landscaping treatment, unless a bioswale treatment system or approved landscaping exists to adequately collect water runoff and the berms, mounds, raised beds, and grade drops do not exceed a 3:1 slope.

(f) *Off-street parking and loading areas.*

(1) Planter bays or islands shall have a minimum planting area of 50 square feet.

(2) A minimum of one tree per eight parking spaces is required, of which a maximum of 25 percent may be evergreen trees. Trees shall be planted within 20 feet of the parking lot perimeter. Trees within the public street right-of-way shall not count toward the tree planting requirements.

(3) Off-street parking may be provided no more than 800 feet from the edge of the lot, or contiguous lots, upon which the main building is located.

(4) Employee off-street parking may be provided no more than 2,000 feet from the edge of the lot, or contiguous lots, upon which the main building is located.

(5) Parking lot light structures shall not exceed 25 feet in height.

(g) *Screening.*

(1) Trash receptacles shall be screened from adjacent household living uses and streets by a sight-obscuring fence, wall, or hedge.

(2) Concertina or barbed wire fencing shall not be located within 60 feet of the street right-of-way, unless such fencing is obstructed by a building or structure.

(3) Concertina or barbed wire fencing shall be screened from public view and adjacent property by sight-obscuring landscaping.

(h) *Outdoor storage.*

(1) Outdoor storage areas shall not be located within required setbacks.

(2) Outdoor storage areas shall be enclosed by a minimum six-foot-high sight-obscuring fence, wall, hedge, or berm; provided, however, items more than six feet in height above grade shall be screened by sight-obscuring landscaping.

(3) Items stored within outdoor storage areas shall not exceed a maximum height of 14 feet above grade.

~~(i) *Pedestrian access.*~~

~~(1) A pedestrian connection shall be provided from the public sidewalk to the primary building entrance.~~

~~(2) A pedestrian connection through the parking area to the primary building entrance shall be provided when the parking area is greater than 60 feet in depth.~~

~~(3) Within shopping centers, office complexes, and mixed-use developments, pedestrian connections shall be provided to connect the buildings. Pedestrian connections shall be the most practical, direct route.~~

~~(4) Pedestrian connections shall be a minimum of five feet in width, and defined by visual contrast or tactile finish texture.~~

~~(5) Wheel stops or extended curbs shall be provided along required pedestrian connections to prevent the encroachment of vehicles onto pedestrian connections.~~

(ji) *Project enhancements.* Development within the Portland/Fairgrounds Road Overlay Zone shall include four or more of the following project enhancements:

(1) Closure of one driveway approach on Portland/Fairgrounds Road;

(2) Joint parking agreement under SRC 806.020(a)(5), or implementation of a plan to satisfy off-street parking requirements through alternative modes of transportation under SRC 806.015(e)(2);

~~(23)~~ Freestanding sign not more than five feet in height and placed upon a foundation;

~~(34)~~ Weather protection, in the form of awnings or canopies, along more than 50 percent of the length of the ground floor building facade adjacent to sidewalks or pedestrian connections;

~~(45)~~ Cast iron or wrought iron fencing adjacent to Portland/Fairgrounds Road;

~~(56)~~ Pedestrian connections that are:

(A) Constructed with pavers, scored or colored cement, and/or stamped asphalt;

(B) Elevated above the parking area and driveway; or

(C) Defined with landscaping or building features such as canopies, awnings, or arcades;

~~(67)~~ Development on surface parking lots existing on October 1, 2001;

~~(78)~~ Provision of one or more of the following pedestrian-oriented design features on private property adjacent to Portland/Fairgrounds Road:

(A) Pedestrian scale lighting not more than 16 feet in height; or

(B) Plazas or other outdoor spaces open to the public;

~~(89)~~ A minimum of seven percent interior landscaping within parking areas not more than 50,000 square feet in size; or a minimum of ten percent interior landscaping within parking areas greater than 50,000 square feet in size;

~~(94)~~ Installation of landscaping and irrigation using a plan designed by an Oregon landscape architect;

~~(104)~~ Development of a mixed-use building; or

~~(112)~~ Construction of a building where at least 50 percent of the building frontage is constructed contiguous to the minimum building setback line.

Sec. 700.020. - Home occupations.

Where designated as a special use, a home occupation shall comply with the additional standards set forth in this section. The standards in this section cannot be modified through conditional use approval.

(a) A home occupation shall only be conducted in the residence of the person engaged in the home occupation.

(b) A home occupation shall be restricted to lawfully-built fully enclosed structures, and shall not be conducted in a manner as to give the outward appearance of a business.

(c) A home occupation shall not create a public or private nuisance, including, but not limited to, noise, odors, vibration, fumes, smoke, fire hazard, or electrical, electronic, or electromagnetic interference.

(d) A home occupation shall be limited to the provision of services, and shall not include on-site sales.

(e) Nonresident persons engaged in home occupation.

(1) Not more than one nonresident person engaged in the home occupation shall work at the subject property. Additional persons may be employed by or associated with the home occupation, so long as they do not report to work or pick up/deliver at the subject property.

(2) The subject property shall not be used as a gathering place for nonresident persons who work off-site from the home occupation.

(f) Vehicles, parking, and traffic.

(1) Parking of customer's or client's vehicles shall not create a hazard or excessive congestion.

(2) Delivery and pick-up of materials in connection with the home occupation shall be made by vehicles not exceeding two axles in size.

(g) Storage.

(1) On-site storage of hazardous materials not normally incidental to household living, including, but not limited to, those that are toxic, explosive, noxious, combustible, or flammable, is prohibited.

(2) Outside storage or display of materials, equipment, or merchandise used in or produced in connection with the home occupation is prohibited.

(h) The total floor area of all accessory structures used in connection with the home occupation shall cover no more than five percent of the total lot area.

(i) The total floor area of all buildings and accessory structures used in connection with the home occupation shall not exceed 25 percent of the habitable space of the dwelling.

(j) No alterations shall be made to the building or premises that would prevent its future use exclusively for household living.

~~(k) No alterations to or use of the premises shall be made that would reduce the number of off-street parking spaces required for the household living use under SRC chapter 806.~~

Sec. 700.021. - Live work.

Where designated as a special use, a live-work unit shall comply with the additional standards set forth in this section.

(a) Live-work units shall only be permitted on lots that are located on major or minor arterials and meet the minimum frontage requirements on such streets.

- (b) Live-work units shall be no greater than 3,000 square feet in size.
- (c) Persons engaged in nonresidential use.
 - (1) The nonresidential use in the live-work unit shall only be conducted by the person who lives in that live-work unit.
 - (2) Not more than three nonresident persons engaged in the live-work unit shall work at the subject property at any one time. Additional persons may be employed by or associated with the nonresidential use, so long as they do not report to work or pick up/deliver at the subject property.
 - (3) The subject property shall not be used as a gathering place for nonresident persons who work off-site from the nonresidential use.
- (d) The nonresidential use in the live-work unit shall be limited to the provision of services and retail sales.
- (e) If customers are served on site, a primary entrance to the nonresidential use shall be oriented toward the street, with direct pedestrian access from that street.
- (f) Limitations on nonresidential use in live-work unit.
 - (1) The nonresidential area shall not exceed 50 percent of the area of the live-work unit.
 - (2) The nonresidential area shall be limited to the first or main floor only of the live-work unit.
- (g) Establishments shall not be open for business earlier than 7:00 a.m. and shall close no later than 9:00 p.m.
- (h) A live-work unit shall be restricted to lawfully-built fully enclosed structures and shall comply with all applicable requirements of the Americans with Disabilities Act.
- (i) A live-work unit shall not create a public or private nuisance, including, but not limited to, noise, odors, vibration, fumes, smoke, fire hazard, or electrical, electronic, or electromagnetic interference.
- (j) Delivery and pick-up of materials in connection with the home occupation shall be made by vehicles not exceeding two axles in size and shall be prohibited earlier than 7:00 a.m. and later than 7:00 p.m.
- (k) Storage.
 - (1) On-site storage of hazardous materials not normally incidental to household living, including, but not limited to, those that are toxic, explosive, noxious, combustible, or flammable, is prohibited.
 - (2) Outside storage or display of materials, equipment, or merchandise used in or produced in connection with the home occupation is prohibited.
- (l) No alterations shall be made to the building or premises that would prevent its future use exclusively for household living.
- ~~(m) No alterations to or use of the premises shall be made that would reduce the number of off-street parking spaces required for the household living use under SRC chapter 806.~~
- (mn) Live-work units shall be prohibited from being combined with a home occupation on the same lot.

Sec. 701.030. - Managed temporary village.

Managed temporary villages shall comply with the following:

- (a) *Temporary use permit required.* Managed temporary villages shall require either a Class 1 or Class 2 temporary use permit.
 - (1) A Class 1 temporary use permit shall be required for a managed temporary village with ten or fewer shelter units.
 - (2) A Class 2 temporary use permit shall be required for a managed temporary village with 11 to 40 shelter units.
- (b) *Submittal requirements.* In addition to the submittal requirements set forth under SRC [chapter 300](#), an application for a Class 1 or Class 2 temporary use permit for managed temporary village shall include the following:
 - (1) A site plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:
 - (A) The total size area, dimensions, and orientation relative to north;
 - (B) The proposed layout of the site, including the location of all proposed shelter units and structures, the separation between shelter units, and the setbacks of all shelter units and structures to perimeter property lines;

- (C) The location of the following as applicable:
- (i) Space for on-site manager;
 - (ii) Toilet, handwashing, and shower facilities;
 - (iii) Food preparation and dining facilities;
 - (iv) Laundry facilities, or, if laundry services will not be provided on-site, an explanation of how laundry services will be provided in the operation and management plan;
 - (v) Trash collection area(s);
 - (vi) Secured covered storage area(s) for resident's personal belongings;
 - (vii) Common gathering area(s);
 - (viii) The area where residents can receive medical care, casework, counseling, and other support services;
 - (ix) Secured storage area for any flammable or explosive materials, such as propane tanks used in food preparation, that will be used in the operation of the shelter;
 - (x) The location, height, and material of required perimeter fencing and screening; and
 - (xi) The location of proposed off-street parking and vehicle use areas, driveway approaches, and driveways.

(2) Written authorization from the owner of the property to use it as a managed temporary camping area.

(3) Proof of management entity's experiencing operating non-profit shelters.

(4) An operation and management plan setting for the rules for shelter use and provisions for facility operation and maintenance.

(5) For sites within a floodplain, a flood warning and response plan that includes advance flood warning coordination and an evacuation plan.

(6) For publicly owned sites or publicly funded projects on private property within a known archaeological resource, proof that the proposed use has received an archaeological certificate of clearance.

(c) *Standards.* Managed temporary villages shall comply with the standards set forth in this subsection.

(1) *Period of use.*

(A) A managed temporary village may operate at the location approved under a temporary use permit for a period not to exceed one year.

(B) The temporary use permit may be renewed annually, provided the applicant demonstrates that the facts upon which the temporary use permit was originally granted have not materially changed and the shelter has maintained conformance with the standards set forth in this section. Notwithstanding subsection (c)(2)(B)(ii) of this subsection, subsequent establishment of a basic education use on an abutting property shall not be reason for the denial of the renewal of an application. The maximum cumulative total period for all renewals shall not exceed nine years.

(2) *Location.*

(A) A managed temporary village shall only be located:

- (i) In a zone where the use is allowed; and
- (ii) On property abutting an arterial or collector street or on property abutting a street and located within one-half mile of a transit route.

(B) Notwithstanding subsection (c)(2)(A) of this section, a managed temporary village shall not be located:

- (i) On property used for residential use;
- (ii) On property abutting a basic education use;
- (iii) Within an area with moderate or high landslide hazard risk pursuant to SRC [chapter 810](#);
- (iv) Within a mapped floodway;
- (v) Within a mapped flood plain, except as approved under SRC [chapter 601](#);
- (vi) Within a wetland or riparian corridor; or
- (vii) On property with a known archaeological resource, except as approved under SRC [chapter 230](#).

(3) *Maximum number and types of shelter units allowed.*

(A) The maximum total number of shelter units within a managed temporary village shall not exceed 40. The maximum number of shelter units does not include any shelter units provided within a building on the same site.

(B) Any of the following, either individually or in combination, are allowed as shelter units within a managed temporary village provided the maximum number of allowed shelter units is not exceeded:

- (i) Pre-fabricated, non-permanent, portable structures such as tiny homes, yurts, Conestoga huts, and similar structures;
- (ii) Tents and similar non-permanent portable structures designed specifically for camping; and
- (iii) Vehicles such as cars, trucks, vans, motorized or towable recreational vehicles, and similar conveyances.

(C) Improvised camps are not allowed.

(4) *Maximum number of residents per shelter unit.* Except for vehicles, not more than two adults, 18 years of age or older, shall be allowed per shelter unit. Within a vehicle, either a family consisting of an individual or two or more persons related by blood, marriage, domestic partnership, legal adoption, or guardianship or not more than two unrelated adults, 18 years of age or older, shall be allowed per vehicle.

(5) *Operational standards.*

(A) *Operation and management.* A managed temporary village must be operated and managed by:

- (i) A local government, as defined in ORS 174.116;
- (ii) An organization with a minimum of two years' experience operating an emergency shelter or providing shelter and support services to the homeless that is:
 - (aa) A local housing authority, as defined in ORS 456.375;
 - (bb) A religious corporation, as defined in ORS 65.001; or
 - (cc) A public benefit corporation, as defined in ORS 65.001, whose charitable purpose includes the support of homeless individuals and that has been recognized as exempt from income tax under section 501(a) of the Internal Revenue Code on or before January 1, 2017; or
- (iii) A non-profit corporation partnering with any other entity described in this subsection.

(B) *Staffing.* An on-site manager shall be present at all times when the shelter is in operation.

(C) *Required support services and facilities.* A managed temporary village shall include the following on-site support services and facilities for the health, safety, and support of residents:

- (i) *Support services and facilities required for all managed temporary villages.* All managed temporary villages shall provide at a minimum the following support services and facilities:
 - (aa) A minimum of one toilet per 10 occupants~~two restrooms~~;
 - (bb) Handwashing facilities;
 - (cc) A secure covered storage area for resident's personal belongings; and
 - (dd) A solid waste collection and servicing area, meeting the vehicle operation area requirements of SRC [800.055](#)(f), that includes at least one solid waste receptacle a minimum of six cubic yards in in size.
- (ii) *Additional support services and facilities required for managed temporary villages with more than ten shelter units.* Managed temporary villages with more than ten shelter units shall provide the following additional support services and facilities:
 - (aa) A minimum of two showers or, if showers will not be provided on-site, an explanation of how access to off-site showers will be provided;
 - (bb) A designated covered dining area;

- (cc) A laundry facility or, if laundry service will not be provided on-site, an explanation of how access to off-site laundry service will be provided;
- (dd) A designated common area for gathering;
- (ee) A designated area where residents can meet with social workers and health care professionals to receive case management, counseling, and support services, as well as needed medical treatment or examinations; and
- (ff) A secure covered storage area for supplies needed to operate the shelter.

(D) *Fees for accommodations and services.* The operator of a managed temporary village may not charge residents a fee for any of the accommodations or services required under this section.

(E) *Operation and management plan.* A managed temporary village shall include an operation and management plan that shall at a minimum identify:

- (i) Rules for shelter use and a code of conduct for governing resident behavior.
- (ii) Provisions for supervision, safety, and security.
- (iii) The proposed operational period for the shelter.
- (iv) The hours that people may stay at the site.
- (v) The number of continuous days an individual may reside at the shelter.
- (vi) Provisions for shelter operation and maintenance including:
 - (aa) Garbage pickup and disposal;
 - (bb) Sewage and grey water pickup and disposal;
 - (cc) Pest control services; and
 - (dd) How the site will be kept free of trash and debris.

(vii) The support services and facilities that will be provided to shelter residents.

(6) *Development standards.* A managed temporary village shall conform to the following development standards:

(A) *Setbacks.* Setbacks for managed temporary villages shall be provided as follows:

- (i) *Abutting street.* A minimum 15-foot setback shall be provided from any property line abutting a street.
- (ii) *Interior front, side, and rear.*
 - (aa) *Abutting industrial and employment zones.* A minimum five-foot setback shall be provided from any interior front, side, or rear property line abutting an industrial and employment zone.
 - (bb) *Abutting all other zones.* A minimum 15-foot setback shall be provided from any interior front, side, or rear property line abutting all other zones.

(iii) No shelter units, storage areas, sanitation facilities, off-street parking and vehicle use areas, or any other structures or areas associated with the managed temporary village shall be located within the required setback area.

(iv) Notwithstanding subsection (c)(6)(A)(iii) of this section:

- (aa) Existing paved off-street parking and vehicle use areas on a site may be used for the placement of shelter units and the parking and maneuvering of vehicles regardless of setback.
- (bb) Required perimeter fencing/screening may be located within the required setback.

(B) *Height.* No structure within a managed temporary village shall exceed a maximum height of 15 feet. Maximum structure height does not apply to vehicles.

(C) *Permitted structure type.* All structures within a managed temporary village shall be portable non-permanent structures.

(D) *Shelter unit standards.*

- (i) Shelter units shall not exceed a maximum 120 square feet in size and may, except for shelter units in tents, vehicles, or other structures not suitable for attachment, be attached in larger structures. Maximum shelter unit size shall not apply to vehicles.

(ii) A minimum six-foot-wide clear open area/separation shall be maintained around each shelter unit and any structure containing attached shelter units to allow for unobstructed pedestrian access throughout the site and to individual shelter units.

(iii) Except for vehicles, shelter units may be located on either a paved or unpaved surface. Shelter units provided in vehicles shall be located on a paved or compacted gravel surface.

(iv) Shelter units shall only be located on areas of a site that are flat and well drained.

(v) All shelter units shall be numbered and arranged sequentially on-site in order to facilitate efficient emergency response.

(vi) When shelter units are provided in tents or similar non-permanent portable structures designed specifically for camping, they shall be located under a separate canopy or similar structure in order to provide weather protection from the sun and rain.

(vii) When shelter units are provided in vehicles, any vehicles possessing a septic system must be emptied and free of leaks prior to admittance to the site.

(E) *Bicycle parking.* A minimum of 0.25 bicycle parking spaces shall be provided per shelter unit. Bicycle parking is exempt from the bicycle parking development standards included under SRC [806.060](#).

(F) *Vehicle use area surfacing.* All areas of the site used for vehicle access, parking, and maneuvering shall be paved with a hard surface material meeting the Public Works Design Standards or shall be located on a compacted gravel surface. When compacted gravel is utilized:

(i) The first ten feet of driveway length leading into the property, as measured from the property line, shall be paved with a hard surface material meeting the Public Works Design Standards.

(ii) Upon expiration or termination of the temporary use permit, compacted gravel areas shall be closed to vehicle access and parking by installation of a physical barrier.

(G) *Perimeter fencing/screening.* A minimum six-foot-tall sight-obscuring fence with gate shall be provided around the perimeter of the managed temporary village.

(H) Managed temporary villages shall not be located in a manner which obstructs required pedestrian connections, fire lanes or emergency access areas, or required vision clearance areas; ~~or in a manner that reduces the off-street parking for any other use on the property below the minimum required number of spaces.~~

(I) *Alterations to existing property.*

(i) Existing trees and existing landscaping within required setbacks shall not be removed in order to accommodate a proposed managed temporary village.

(ii) If an existing off-street parking or vehicle use area is proposed to be expanded to accommodate a proposed managed temporary village, the expanded off-street parking or vehicle use area shall comply with the applicable standards of SRC [Chapter 806](#).

(7) *Additional applicable codes and standards.* In addition to all other applicable laws and regulations, a managed temporary village shall be developed, maintained, and operated in compliance with the applicable provisions of the following:

(A) SRC [chapter 50](#) (Property Maintenance);

(B) SRC [chapter 56](#) (Building Code);

(C) SRC [chapter 58](#) (Fire Prevention Code);

(D) SRC [chapter 93](#) (Noise);

(E) SRC [chapter 97](#) (Human Rights).

(d) *Criteria.* A Class 1 or Class 2 temporary use permit for a managed temporary village shall be granted if all of the applicable standards set forth in this section are met.

Sec. 800.040. - Special setbacks.

(a) *Generally.* To afford better light, air, and vision on public streets and to permit the eventual widening of streets without creating nonconforming structures, special setbacks are hereby established. No structures or paving, other than those identified under subsection (d) of this section, shall be placed within a special setback.

(b) *Setback distance required; how measured.* The special setback shall equal one-half of the right-of-way width specified in the Salem Transportation System Plan for the street's applicable classification. Special setbacks shall be measured at right angles to the centerline of the street, or, where there is no street, from the centerline of the right-of-way. Where the centerline is not designated, the Director shall designate the location of the centerline.

(c) *Relationship to other required setbacks.* The special setback shall apply in addition to other setbacks required under the UDC. Setbacks required elsewhere under the UDC shall be measured from the special setback line.

(d) *Permitted structures and paving within special setbacks.* The following structures and paving are permitted within a special setback with a removal agreement as set forth in subsection (e) of this section:

- (1) Transit stop shelters.
- (2) Signs and their supporting members.
- (3) Fences.
- (4) Off-street parking, ~~other than minimum required off-street parking,~~ provided such parking is developed in conformance with the setback and landscaping requirements set forth in SRC chapter 806.

(e) *Removal agreement.* Where structures or paving, as permitted under subsection (d) of this section, are proposed to be placed within a special setback, a removal agreement shall be required as provided in this subsection.

(1) The removal agreement shall be entered into by:

- (A) The owner of the property and the local transit operator, for transit stop shelters located within a special setback. The local transit operator shall have the obligation to remove the shelter when required.
- (B) The owner of the property and/or owner of the sign, for signs and their supporting members located within a special setback.
- (C) The owner of the property, for fences and off-street parking, ~~other than minimum required off-street parking,~~ located within a special setback.

(2) The removal agreement shall be in a form approved by the City Attorney and shall provide that:

- (A) Within six months after notice by the City, any structure, paving, or portion thereof that extends into the special setback shall be completely removed at no expense to the City;
- (B) Where off-street parking set forth in subsection (d) of this section is removed, any remaining portion of the parking area located outside of the special setback shall be brought into conformance with the setback and landscaping requirements set forth in SRC chapter 806 at no expense to the City;
- (C) If the owner or transit operator fails or refuses to make the removal, or fails or refuses to make required improvements to any remaining portion of the parking area located outside of the special setback, the City may cause the removal, or the required parking area improvement, to be made, and the costs incurred shall:
 - (i) Be a lien against the property if the removal agreement was entered into by the owner of the property, which may be foreclosed in the manner provided by law;
 - (ii) Be the obligation of the transit operator if the removal agreement was entered by the owner and the local transit operator, and that, in the event an action must be brought to enforce the obligation, that the City shall be entitled to its attorney's fees and costs incurred in enforcing the obligation.

(D) The property owner, sign owner, or transit operator shall not be entitled to damages or compensation as the result of City's exercise of its rights under the removal

agreement; provided, however, the property owner shall retain his or her right to just compensation for the unimproved value of any land taken for the widening of the street.

(3) The removal agreement shall be recorded with the county in which the property is located. Notice to remove any structure, paving, or portion thereof shall not be given until the City or the State proceeds with a project to widen the street in front of the property.

Sec. 800.065. - Pedestrian access.

Except where pedestrian access standards are provided elsewhere under the UDC, and unless otherwise provided in this section, all developments, other than development of single family, two family, three family, and four family uses, and multiple family uses subject to SRC Chapter 702, shall include an on-site pedestrian circulation system developed in conformance with the standards in this section. For purposes of this section development means the construction of, or addition to, a building or accessory structure or the construction of, or alteration or addition to, an off-street parking or vehicle use area. Development does not include construction of, or additions to, buildings or accessory structures that are less than 200 square feet in floor area. Development also does not include the installation of electric vehicle charging stations in existing approved parking lots or vehicle use areas.

- (a) *Pedestrian connections required.* The on-site pedestrian circulation system shall provide pedestrian connectivity throughout the development site as follows:
- (1) *Connection between building entrances and streets.*
- (A) Except as otherwise provided in this subsection, a pedestrian connection shall be provided between the primary building entrance of each building on the development site and each adjacent street. Where a building has more than one primary building entrance, a single pedestrian connection from one of the building's primary entrances to each adjacent street is allowed; provided each of the building's primary entrances are connected, via a pedestrian connection, to the required connection to the street (see Figure 800-11).
- (B) Where an adjacent street is a transit route and there is an existing or planned transit stop along street frontage of the development site, at least one of the required pedestrian connections shall connect to the street within 20 feet of the transit stop (see Figure 800-12).
- (C) A pedestrian connection is not required between the primary building entrance of a building and each adjacent street if:
- (i) The development site is a corner lot and the building has a primary building entrance that is located within 20 feet of, and has a pedestrian connection to, the property line abutting one of the adjacent streets; or
- (ii) The building is a service, storage, maintenance, or similar type building not primarily intended for human occupancy.

FIGURE 800-11. PEDESTRIAN CONNECTIONS BETWEEN BUILDING ENTRANCES AND STREET

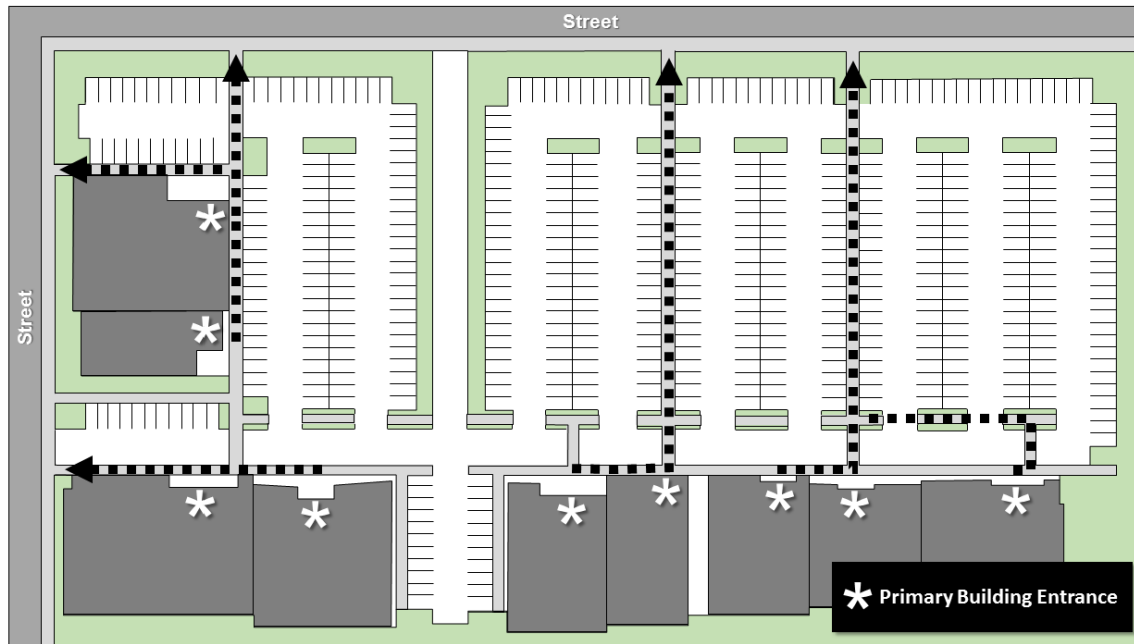
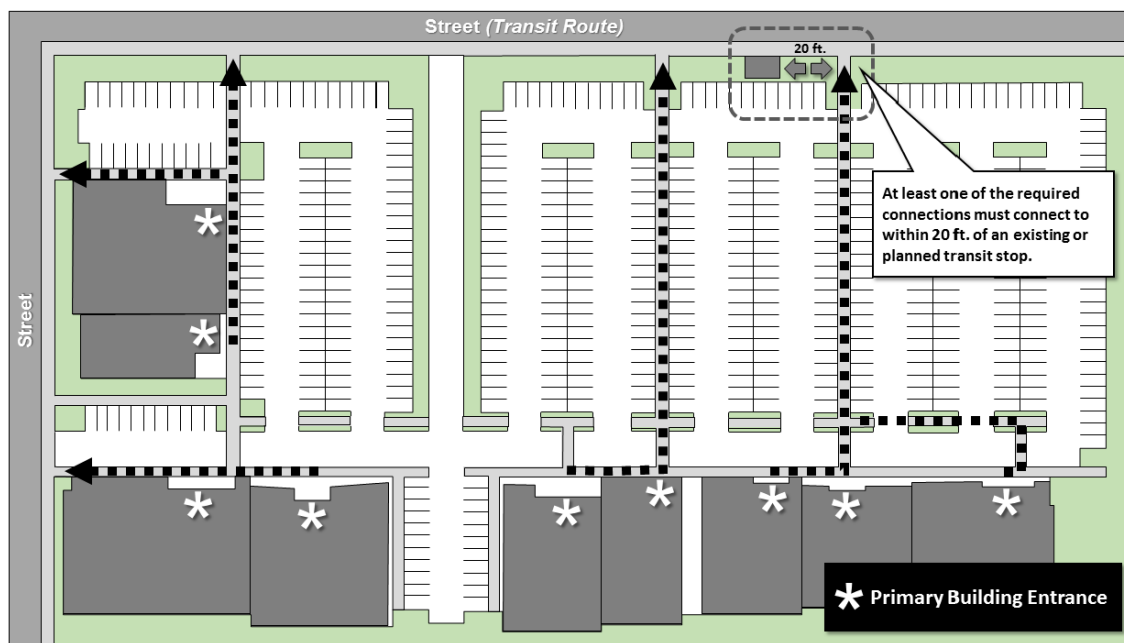


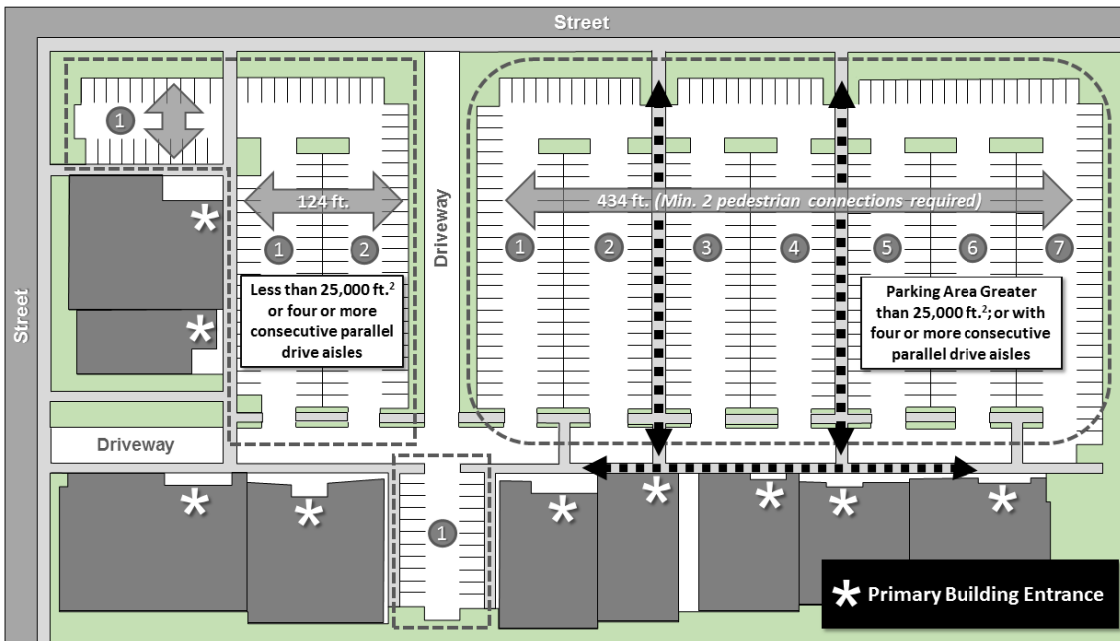
FIGURE 800-12. PEDESTRIAN CONNECTIONS ABUTTING TRANSIT ROUTE



- (2) *Connection between buildings on the same development site.*
 - (A) Except as otherwise provided in this subsection, where there is more than one building on a development site, a pedestrian connection, or pedestrian connections, shall be provided to connect the primary building entrances of all of the buildings.
 - (B) A pedestrian connection, or pedestrian connections, is not required between buildings on the same development site if:
 - (i) The buildings have a primary building entrance that is located within 20 feet of, and has a pedestrian connection to, the property line abutting a street; and
 - (ii) A public sidewalk within the adjacent street right-of-way provides pedestrian access between the primary building entrances; or

- (iii) The buildings are service, storage, maintenance, or similar type buildings not primarily intended for human occupancy.
- (3) *Connection through off-street parking areas.*
 - (A) Surface parking areas. Except as provided under subsection (a)(3)(A)(iii) of this section, off-street surface parking areas greater than 25,000 square feet in size or including four or more consecutive parallel drive aisles shall include pedestrian connections through the parking area to the primary building entrance or where there is no building, through the parking area as provided in this subsection.
 - (i) The pedestrian connections shall be:
 - (aa) Provided in a minimum amount of either one connection for every four drive aisles or one connection for every 250 feet (See Figure 800-13); provided, however, in no case shall less than one pedestrian connection be provided. Where the pedestrian connection requirements of this subsection result in a fractional number, any fractional number greater than 0.5 shall be round up to require an additional pedestrian connection;
 - (bb) Spaced a minimum of two drive aisles apart; and
 - (cc) Connected to a pedestrian connection, or pedestrian connections, that lead to the primary building entrance. Where there is no building, the pedestrian connections shall connect to the street either at the sidewalk or at the public street right-of-way when there is no sidewalk.
 - (ii) Where the off-street surface parking area is adjacent to a street that is a transit route and there is an existing or planned transit stop along the street frontage of the development site, at least one of the required pedestrian connections shall connect to the street within 20 feet of the transit stop.
 - (iii) A pedestrian connection provided between a primary building entrance and a street may be counted as a required connection through an off-street surface parking area.
 - (iv) Regardless of the size of the off-street parking area, pedestrian connections are not required through off-street surface parking areas that have a depth, in all locations, of not more than 124 feet. For purposes of this subsection, parking area depth is measured through the parking area from its outside edge towards the building.
 - (v) For purposes of this subsection, off-street surface parking area means:
 - (aa) An off-street surface parking area that is separated from other off-street surface parking areas on the development site by either a driveway, which begins at the street and extends into the site, or other physical separation; or
 - (bb) An off-street surface parking area located in a separate location on the development site from other off-street surface parking areas.

FIGURE 800-13. PEDESTRIAN CONNECTIONS THROUGH OFF-STREET PARKING AREAS



- (B) Parking structures and parking garages. Where an individual floor of a parking structure or parking garage exceeds 25,000 square feet in size, a pedestrian connection shall be provided through the parking area on that floor to an entrance/exit.
- (4) *Connection to existing or planned paths and trails.* Where an existing or planned path or trail identified in the Salem Transportation System Plan (TSP) or the Salem Comprehensive Parks System Master Plan passes through a development site, the path or trail shall:
 - (A) Be constructed, and a public access easement or dedication provided; or
 - (B) When no abutting section of the trail or path has been constructed on adjacent property, a public access easement or dedication shall be provided for future construction of the path or trail.
- (5) *Connection to abutting properties.* Whenever a vehicular connection is provided from a development site to an abutting property, a pedestrian connection shall also be provided. A pedestrian connection is not required, however:
 - (A) To abutting properties used for activities falling within the following use classifications, use categories, and uses under SRC Chapter 400:
 - (i) Single family;
 - (ii) Two family;
 - (iii) Group living;
 - (iv) Industrial;
 - (v) Infrastructure and utilities; and
 - (vi) Natural resources.
 - (B) Where the use of an abutting property has specific security needs that make providing a connection impractical or undesirable;
 - (C) Where on-site activities on abutting properties, such as the operation of trucks, forklifts, and other equipment and machinery would present safety conflicts with pedestrians;
 - (D) Where buildings or other improvements on abutting properties physically preclude a connection now or in the future; or
 - (E) Where physical conditions of the land, such as topography or existing natural resource areas, including, but not limited to, wetlands, ponds, lakes, streams, or rivers, make providing a connection impractical.
- (b) *Design and materials.* Required pedestrian connections shall be in the form of a walkway, or may be in the form of a plaza. Where a path or trail identified in the Salem Transportation System

Plan (TSP) or Salem Comprehensive Parks System Master Plan is required, the path or trail shall conform to the applicable standards of the TSP or Salem Comprehensive Parks System Master Plan in-lieu of the standards in this subsection.

- (1) Walkways shall conform to the following:
 - (A) Material and width. Walkways shall be paved with a hard-surface material meeting the Public Works Design Standards, and shall be a minimum of five feet in width.
 - (B) Where a walkway crosses driveways, parking areas, parking lot drive aisles, and loading areas, the walkway shall be visually differentiated from such areas through the use of elevation changes, a physical separation, speed bumps, a different paving material, or other similar method. Striping does not meet this requirement, except when used in a parking structure or parking garage.
 - (C) Where a walkway is located adjacent to an auto travel lane, the walkway shall be raised above the auto travel lane or separated from it by a raised curb, bollards, landscaping or other physical separation. If the walkway is raised above the auto travel lane it must be raised a minimum of four inches in height and the ends of the raised portions must be equipped with curb ramps. If the walkway is separated from the auto travel lane with bollards, bollard spacing must be no further than five feet on center.
- (2) Wheel stops or extended curbs shall be provided along required pedestrian connections to prevent the encroachment of vehicles onto pedestrian connections.
- (c) *Lighting.* The on-site pedestrian circulation system shall be lighted to a level where the system can be used at night by employees, customers, and residents.
- (d) *Applicability of standards to development sites comprised of lots under separate ownership.*
 - (1) When a development site is comprised of lots under separate ownership, the pedestrian access standards set forth in this section shall apply only to the lot, or lots, proposed for development, together with any additional contiguous lots within the development site that are under the same ownership as those proposed for development.
 - (2) Where the pedestrian access standards of this section would otherwise require additional pedestrian connections throughout the development site beyond just the lot, or lots, proposed for development and any contiguous lots under the same ownership, the required pedestrian connections shall be extended to the boundaries of the lot, or lots, proposed for development and any contiguous lots under the same ownership in order to allow for future extension of required pedestrian connections through the other lots within the development site in conformance with the standards in this section.

Sec. 804.060. - Driveway approach closure.

(a) *General.* The Director may require the closure of a driveway approach where:

- (1) The driveway approach is not constructed in conformance with this chapter and the Public Works Design Standards;
- (2) The driveway approach is not maintained in a safe manner;
- (3) A public street improvement project is being constructed, and closure of the driveway approach will more closely conform to the current driveway approach standards;
- (4) A new building or driveway is constructed on the property;
- (5) A comprehensive plan change or zone change is proposed for the property served by the driveway;
- ~~(6) A change of use or activity in an existing building increases the amount of required parking;~~
- ~~(6) The driveway approach has been abandoned; or~~
- ~~(7) There is a demonstrated safety issue.~~

(b) *Notice.* Notice of driveway approach closure shall be given, in writing, to the property owner and any affected tenants stating the grounds for closure, the date upon which the closure becomes effective, and the right to appeal.

(c) *Appeals.* Any person entitled to notice under subsection (b) of this section may appeal the decision to the Hearings Officer by following the process set forth in SRC 20J.220. The hearing on the appeal shall follow the contested case procedures set forth in SRC 20J.240 through 20J.430.

(d) *Effect.* Closure shall be effective immediately upon the mailing of notice. Unless otherwise provided in the notice, closure terminates all rights to continue the use of the driveway approach for which the notice of closure has been issued.

(e) *Failure to close driveway.* If the owner fails to close the driveway approach to conform to the notice within 90 days, the Director may cause the closure to be completed and all expenses will be assessed against the property owner.

~~Sec. 806.005. Off street parking; when required.~~

~~(a) *General applicability.* Except as otherwise provided in this section, off-street parking shall be provided and maintained as required under this chapter for:~~

~~(1) Each proposed new use or activity.~~

~~(2) Any change of use or activity, when such change of use or activity results in a parking ratio requiring a greater number of spaces than the previous use or activity.~~

~~(3) Any intensification, expansion, or enlargement of a use or activity.~~

~~(b) *Applicability to Downtown Parking District.* Within the Downtown Parking District, off-street parking shall not be required.~~

~~(c) *Applicability to mixed uses in the MU-I, MU-II, MU-III, and MU-R zones.* Off-street parking shall not be required for any uses in the MU-I, MU-II, MU-III, and MU-R zones, provided the property is located within one-quarter mile of the Core Network and is developed with multiple family. The one-quarter-mile distance shall be measured along a route utilizing public or private streets that are existing or will be constructed with the development.~~

~~(d) *Applicability to uses near frequent transit service.* Off-street parking shall not be required for any uses located within one-half mile of a transit route that has 15-minute transit service as measured along a route utilizing public or private streets that are existing or will be constructed with the development.~~

~~(e) *Applicability to nonconforming off-street parking areas.*~~

~~(1) When off-street parking is required to be added to an existing off-street parking area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.~~

~~(2) Notwithstanding subsection (1) of this section, when a property is changed in use to any of the following uses or activities, or any of the following uses or activities are added to a property, any existing deficiency in the number of off-street parking spaces shall not be required to be remedied and only those additional spaces required for the change of use or addition of the new use shall be required:~~

~~(A) Accessory dwelling unit.~~

~~(B) Mobile food unit located in the Neighborhood Hub zone.~~

~~Sec. 806.010. Proximity of off street parking to use or activity served.~~

Required off-street parking shall be located on the same development site as the use or activity it serves or in the following locations:

~~(a) *Residential zones.* Within residential zones, required off-street parking may be located within 200 feet of the development site containing the use or activity it serves.~~

~~(b) *Nonresidential zones.* Within commercial, mixed-use, public, and industrial and employment zones, other than the CB, WSCB, and SWMU zones, required off-street parking may be located within 500 feet of the development site containing the use or activity it serves.~~

~~(c) *Central business district zone.* Within the Central Business (CB) Zone:~~

~~(1) Off-street parking for customers may be located within 800 feet of the development site containing the use or activity it serves; and~~

~~(2) Off-street parking for employees or residents may be located within 2,000 feet of the development site containing the use or activity it serves.~~

- ~~(d) South waterfront mixed-use zone. Within the South Waterfront Mixed Use (SWMU) Zone, required off-street parking may be located anywhere within the South Waterfront Mixed Use (SWMU) Zone. Required off-street parking shall not be located in a different zone.~~
- ~~(e) West Salem Central Business District Zone. Within the West Salem Central Business (WSCB) Zone, required off-street parking may be located within 800 feet of the development site containing the use or activity it serves.~~
- ~~(f) Mixed Use I (MU-I) and Mixed Use II (MU-II). Within the Mixed Use I (MU-I) and Mixed Use II (MU-II) zones, required off-street parking may be located within 800 feet of the development site containing the use or activity it serves.~~
- ~~(g) Exception. Notwithstanding subsections (a) through (g) of this section, where required off-street parking for non-residential uses is to be located off-site from the use or activity it serves, it shall only be located within a non-residential zone or in a zone where the use or activity it serves is allowed. Parking located off-site from the use or activity it serves cannot be used to exceed maximum parking requirements set forth under SRC 806.015(d).~~

Sec. 806.015. - Amount off-street parking.

- ~~(a) Minimum required off-street parking. Unless otherwise provided under the UDC, off-street parking shall be provided in amounts not less than those set forth in Table 806-1.~~

TABLE 806-1. MINIMUM OFF-STREET PARKING		
Use	Minimum Number of Spaces Required ⁽¹⁾	Limitations & Qualifications
Household Living		
Single family	None	Applicable to the following single family activities: <ul style="list-style-type: none"> ■ Townhouses. ■ Single family dwelling units that are affordable.⁽²⁾ ■ Manufactured homes that are affordable in manufactured home parks.⁽²⁾ ■ Single family dwelling units smaller than 750 square feet.
	1	Applicable to single family, other than townhouses, located within the CSDP area.
	2	Applicable to all other single family
Two family	None	
Three family	None	
Four family	None	
Multiple family ⁽²⁾	None	Applicable to cottage clusters.
	None	Applicable to the following multiple family activities: <ul style="list-style-type: none"> ■ Multiple family dwelling units smaller than 750 square feet. ■ Multiple family that is affordable.⁽²⁾ ■ Multiple family that is publicly supported.⁽⁴⁾ ■ Multiple family located within the CSDP area or one quarter mile of the Core Network.⁽⁵⁾

	1 per 4 dwelling units	Applicable to the following multiple family activities: <ul style="list-style-type: none"> ■ Low income elderly housing. ■ Housing for people with intellectual and developmental disabilities, as defined under OAR 411-320.
	1 per dwelling unit	Applicable to all other multiple family.
Group Living		
Room and board facilities	None	
Residential care	None	
Nursing care	1 per 3 beds	
Lodging		
Short term commercial lodging	1 per guest room or suite	
Long term commercial lodging		
Nonprofit shelters	None	
Retail Sales and Service		
Eating and drinking establishments	1 per 250 sq. ft.	
Retail sales	1 per 900 sq. ft.	Applicable to the following retail sales activities: <ul style="list-style-type: none"> ■ Building materials, hardware, nurseries, and lawn and garden supply stores. ■ Auto supply stores. ■ Furniture and home furnishing stores. ■ Household appliance and radio, television, music, and consumer electronics stores.
	1 per 400 sq. ft.	Applicable to all other retail sales located within the MU I zone or MU II zone.
	1 per 250 sq. ft.	Applicable to all other retail sales located within all zones except the MU I zone or MU II zone.
Personal services	1 per 1,000 sq. ft.	Applicable to laundry, dry cleaning, and garment services.
	1 per 350 sq. ft.	Applicable to all other personal services.
Postal services and retail financial services	1 per 500 sq. ft.	
Shopping center	1 per 250 sq. ft.	
Business and Professional Services		
Office	1 per 350 sq. ft.	
Audio/visual media production		
Laboratory research and testing		

Office complex		
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Motor vehicle and manufactured dwelling and trailer sales	1 per 900 sq. ft.	
Motor vehicle services		
Taxicabs and car services		
Heavy vehicle and trailer sales		
Heavy vehicle and trailer service and storage		
Commercial parking	N/A	
Park and ride facilities		
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	1 per 5 seats or 10 feet of bench length	Applicable to theaters.
	3 per court, plus additional 1 per 5 seats or 10 feet of bench length	Applicable to tennis, racquetball, and handball courts.
	1 per 300 sq. ft.	Applicable to all commercial entertainment—indoor.
Commercial entertainment—outdoor	3 per court, plus additional 1 per 5 seats or 10 feet of bench length	Applicable to tennis, racquetball, and handball courts.
	4 per tee	Applicable to golf courses.
	1 per 2,000 sq. ft. of gross site area	Applicable to all other commercial entertainment—outdoor.
Major event entertainment	The greater of the following: 1 per 5 seats or 10 feet of bench length; or 1 per 25 sq. ft. of floor area of assembly space.	
Recreational and cultural community services	4 per tee	Applicable to golf courses.
	1 per 350 sq. ft.	Applicable to all other indoor Recreational and cultural community services.
	1 per 2,000 sq. ft. of gross site area	Applicable to all other outdoor Recreational and cultural community services.
Parks and open space	None	
Nonprofit membership assembly	1 per 350 sq. ft.	

Religious assembly	1 per 5 seats or 10 feet of bench length within the principle worship area; or 1 per 80 sq. ft. within the principal worship area, when no fixed seating or benches are provided.	
Health Services		
Medical centers/hospitals	1.5 per bed	
Outpatient medical services and laboratories	1 per 350 sq. ft.	
Education Services		
Day care	None	
Basic education	2 per classroom	Applicable to elementary schools.
	1 per 6 students	Applicable to secondary schools. The number of students shall be calculated based on the total number of students the school is designed to accommodate.
Post secondary and adult education	1 per 350 sq. ft.	Applicable to vocational and trade schools.
	1 per 4 students	Applicable to all other post-secondary and adult education. The number of students shall be calculated based on the total number of students the school is designed to accommodate.
Civic Services		
Governmental services	1 per 500 sq. ft.	
Social services	1 per 350 sq. ft.	
Governmental maintenance services and construction	The greater of the following: 0.75 per employee; or 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.) 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Public Safety		

Emergency services	1 per employee, plus 1 additional space per ambulance	Applicable to ambulance stations.
	1 per 500 sq. ft.	Applicable to all other emergency services.
Detention facilities	1 per 2,000 sq. ft.	
Military installations	1 per 500 sq. ft.	
Funeral and Related Services		
Cemeteries	1 per 350 sq. ft.	
Funeral and cremation services	1 per 5 seats or 10 feet of bench length in the chapel	
Construction Contracting, Repair, Maintenance, and Industrial Services		
Building and grounds services and construction contracting	The greater of the following: 0.75 per employee; or	
Industrial services	1 per 5,000 sq. ft. (Less than 50,000 sq. ft.)	
	1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.)	
	1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
General repair services	1 per 350 sq. ft.	
Cleaning plants	1 per 1,000 sq. ft.	
Wholesale Sales, Storage, and Distribution		
General wholesaling	1 per 1,500 sq. ft.	
Heavy wholesaling		
Warehousing and distribution	The greater of the following: 0.75 per employee; or	
Self-service storage	1 per 5,000 sq. ft. (Less than 50,000 sq. ft.)	
	1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.)	
	1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Manufacturing		
General manufacturing	The greater of the following: 0.75 per employee; or	
Heavy manufacturing		
Printing	1 per 5,000 sq. ft. (Less than 50,000 sq. ft.)	

	1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.)	
	1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Transportation Facilities		
Aviation facilities	The greater of the following: 0.75 per employee; or	
Passenger ground transportation facilities;	1 per 5,000 sq. ft. (Less than 50,000 sq. ft.)	
	1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.)	
	1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
	1 per boat berth or docking space.	Applicable to marinas.
Marine facilities	The greater of the following: 0.75 per employee; or	
	1 per 5,000 sq. ft. (Less than 50,000 sq. ft.)	
	1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.)	
	1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	Applicable to all other marine facilities.
Utilities		
Basic utilities	The greater of the following: 0.75 per employee; or	
Drinking water treatment facilities	1 per 5,000 sq. ft. (Less than 50,000 sq. ft.)	
Power generation facilities	1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.)	
Data center facilities	1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Waste related facilities	None	
Wireless communication facilities	1 per 200 sq. ft.	
Fuel dealers		
Mining and Natural Resource Extraction		

Petroleum and natural gas production	The greater of the following: 0.75 per employee; or	
Surface mining	1 per 5,000 sq. ft. (Less than 50,000 sq. ft.)	
	1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.)	
	1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Farming, Forestry, and Animal Services		
Agriculture	5	Applicable when retail sales are involved.
Forestry		
Agriculture and forestry services	The greater of the following: 0.75 per employee; or	
	1 per 5,000 sq. ft. (Less than 50,000 sq. ft.)	
	1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.)	
	1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Keeping of livestock and other animals	1 per 400 sq. ft.	
Animal services	1 per 400 sq. ft.	
Other Uses		
Accessory short-term rentals	None	
Temporary uses	Per SRC chapter 701	
Home occupations	1 per nonresident employee	Parking requirement applies in addition to spaces required for the dwelling unit.
Accessory dwelling units	None	
<p>⁽¹⁾ Unless otherwise provided, when required off-street parking is expressed in terms of a number of spaces per a square footage, the square footage shall equal the gross floor area.</p> <p>⁽²⁾ Affordable means the dwelling units are available for rent or purchase by households who meet applicable maximum income limits, not to exceed 80 percent of the area median income, adjusted for family size, as determined based on data from the United States Department of Housing and Urban Development or its successor agency.</p> <p>⁽³⁾ Affordable means the manufactured homes are located on spaces in manufactured home parks available for rent by households who meet applicable maximum income limits, not to exceed 100 percent of the area median income, adjusted for family size, as determined based on data from the United States Department of Housing and Urban Development or its successor agency.</p> <p>⁽⁴⁾ Publicly supported means the multiple family housing receives or benefits from government assistance under either a contract for rent assistance from the United States Department of Housing and Urban Development, the United States Department of Agriculture or the Housing and Community Services Department that contains an affordability restriction; or a contract that is for any other type of government assistance or subsidy that includes an affordability restriction and that is</p>		

identified in rules adopted by the Housing and Community Services Department.

(6) The distance shall be measured along a route utilizing public or private streets that are existing or will be constructed with the development.

(a) Maximum off-street parking.

(1) Except as otherwise provided in this section, and unless otherwise provided under the UDC, off-street parking shall not exceed the amounts set forth in Table 806-1. For the purposes of calculating the maximum amount of off-street parking allowed, driveways shall not be considered off-street parking spaces.

TABLE 806-1. MAXIMUM OFF-STREET PARKING

Use	Maximum Number of Spaces Allowed ¹	Limitations & Qualifications
Household Living		
Single family	3 per dwelling unit	
Two family, three family, and four family	1.75 per dwelling unit	
Multiple family	1.2 per dwelling unit	Applicable to studio units
	1.75 per dwelling unit	Applicable to all other dwelling units
Group Living		
Room and board facilities	1 per guest room or suite	
Residential care	1 per 250 sq. ft.	
Nursing care	1 per 2 beds	
Lodging		
Short-term commercial lodging	1.5 per guest room or suite	
Long-term commercial lodging		
Nonprofit shelters	1 per 200 sq. ft.	
Retail Sales and Service		
Eating and drinking establishments	1 per 175 sq. ft.	
Retail sales	1 per 200 sq. ft.	
Personal services	1 per 250 sq. ft.	
Postal services and retail financial services	1 per 350 sq. ft.	
Shopping center	1 per 200 sq. ft.	
Business and Professional Services		
Office	1 per 250 sq. ft.	
Audio/visual media production		
Laboratory research and testing		
Office complex		

Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
<u>Motor vehicle and manufactured dwelling and trailer sales</u>		
<u>Motor vehicle services</u>		
<u>Taxicabs and car services</u>	<u>1 per 600 sq. ft.</u>	
<u>Heavy vehicle and trailer sales</u>		
<u>Heavy vehicle and trailer service and storage</u>		
<u>Commercial parking</u>	<u>N/A</u>	
<u>Park-and-ride facilities</u>		
Recreation, Entertainment, and Cultural Services and Facilities		
<u>Commercial entertainment—indoor</u>	<u>1 per 4 seats or 15 feet of bench length</u>	<u>Applicable to theaters.</u>
	<u>4 per court, plus additional 1 per 4 seats or 15 feet of bench length</u>	<u>Applicable to tennis, racquetball, and handball courts.</u>
	<u>1 per 200 sq. ft.</u>	<u>Applicable to all commercial entertainment—indoor.</u>
<u>Commercial entertainment—outdoor</u>	<u>4 per court, plus additional 1 per 4 seats or 15 feet of bench length</u>	<u>Applicable to tennis, racquetball, and handball courts.</u>
	<u>6 per tee</u>	<u>Applicable to golf courses.</u>
	<u>1 per 1,400 sq. ft. of gross site area</u>	<u>Applicable to all other commercial entertainment—outdoor.</u>
<u>Major event entertainment</u>	<u>The lesser of the following: 1 per 4 seats or 15 feet of bench length; or 1 per 20 sq. ft. of floor area of assembly space.</u>	
<u>Recreational and cultural community services</u>	<u>6 per tee</u>	<u>Applicable to golf courses.</u>
	<u>1 per 250 sq. ft.</u>	<u>Applicable to all other indoor Recreational and cultural community services.</u>
	<u>1 per 1,400 sq. ft. of gross site area</u>	<u>Applicable to all other outdoor Recreational and cultural community services.</u>
<u>Parks and open space</u>	<u>1 per 2,700 sq. ft. of gross site area</u>	
<u>Nonprofit membership assembly</u>	<u>1 per 250 sq. ft.</u>	
<u>Religious assembly</u>	<u>1 per 4 seats or 15 feet of bench length within the principle worship area; or 1 per 60 sq. ft. within the</u>	

	<u>principal worship area, when no fixed seating or benches are provided.</u>	
Health Services		
<u>Medical centers/hospitals</u>	<u>2.25 per bed</u>	
<u>Outpatient medical services and laboratories</u>	<u>1 per 250 sq. ft.</u>	
Education Services		
<u>Day care</u>	<u>1 per 250 sq. ft.</u>	
<u>Basic education</u>	<u>3 per classroom</u>	<u>Applicable to elementary schools.</u>
	<u>1 per 4 students</u>	<u>Applicable to secondary schools.</u> <u>The number of students shall be calculated based on the total number of students the school is designed to accommodate.</u>
<u>Post-secondary and adult education</u>	<u>1 per 250 sq. ft.</u>	<u>Applicable to vocational and trade schools.</u>
	<u>1 per 3 students</u>	<u>Applicable to all other post-secondary and adult education.</u> <u>The number of students shall be calculated based on the total number of students the school is designed to accommodate.</u>
Civic Services		
<u>Governmental services</u>	<u>1 per 350 sq. ft.</u>	
<u>Social services</u>	<u>1 per 250 sq. ft.</u>	
<u>Governmental maintenance services and construction</u>	<u>1 per 1,000 sq. ft.</u>	
Public Safety		
<u>Emergency services</u>	<u>1 per 350 sq. ft.</u>	
<u>Detention facilities</u>	<u>1 per 1,400 sq. ft.</u>	
<u>Military installations</u>	<u>1 per 350 sq. ft.</u>	
Funeral and Related Services		
<u>Cemeteries</u>	<u>1 per 250 sq. ft.</u>	
<u>Funeral and cremation services</u>	<u>1 per 4 seats or 15 feet of bench length in the chapel</u>	

Construction Contracting, Repair, Maintenance, and Industrial Services		
<u>Building and grounds services and construction contracting</u>	<u>1 per 1,000 sq. ft.</u>	
<u>Industrial services</u>		
<u>General repair services</u>	<u>1 per 250 sq. ft.</u>	
<u>Cleaning plants</u>	<u>1 per 700 sq. ft.</u>	
Wholesale Sales, Storage, and Distribution		
<u>General wholesaling</u>	<u>1 per 1,000 sq. ft.</u>	
<u>Heavy wholesaling</u>		
<u>Warehousing and distribution</u>	<u>1 per 1,000 sq. ft.</u>	
<u>Self-service storage</u>		
Manufacturing		
<u>General manufacturing</u>		
<u>Heavy manufacturing</u>	<u>1 per 1,000 sq. ft.</u>	
<u>Printing</u>		
Transportation Facilities		
<u>Aviation facilities</u>		
<u>Passenger ground transportation facilities;</u>	<u>1 per 1,000 sq. ft.</u>	
<u>Marine facilities</u>	<u>1.5 per boat berth or docking space.</u>	<u>Applicable to marinas.</u>
	<u>1 per 1,000 sq. ft.</u>	<u>Applicable to all other marine facilities.</u>
Utilities		
<u>Basic utilities</u>		
<u>Drinking water treatment facilities</u>		
<u>Power generation facilities</u>	<u>1 per 1,000 sq. ft.</u>	
<u>Data center facilities</u>		
<u>Waste related facilities</u>		
<u>Wireless communication facilities</u>	<u>0</u>	
<u>Fuel dealers</u>	<u>1 per 140 sq. ft.</u>	
Mining and Natural Resource Extraction		
<u>Petroleum and natural gas production</u>	<u>1 per 1,000 sq. ft.</u>	
<u>Surface mining</u>		
Farming, Forestry, and Animal Services		
<u>Agriculture</u>	<u>7</u>	

Forestry		Applicable when retail sales are involved.
Agriculture and forestry services	1 per 1,000 sq. ft.	
Keeping of livestock and other animals	1 per 300 sq. ft.	
Animal services	1 per 300 sq. ft.	
Other Uses		
Accessory short-term rentals	0	
Temporary uses	0	
Home occupations	1 per dwelling unit	
Accessory dwelling units	1 per dwelling unit	
(1) For land uses with more than 65,000 square feet of floor area, surface off-street parking shall not exceed the floor area of the building. For the purposes of measuring the area of surface off-street parking, loading areas and other paved areas not for use by passenger vehicles shall not be counted.		

- (b) *Compact parking.* Up to 75 percent of the minimum off-street parking spaces required provided on a development site under this chapter may be compact parking spaces.
- (c) *Carpool and vanpool parking.* New developments with 60 or more required off-street parking spaces, and falling within the public services and industrial use classifications, and the business and professional services use category, shall designate a minimum of five percent of their total off-street parking spaces for carpool or vanpool parking.
- (d) *Required electric vehicle charging spaces.* For any newly constructed building with five or more dwelling units on the same lot, including buildings with a mix of residential and nonresidential uses, a minimum of 40 percent of the off-street parking spaces provided on the site for the building shall be designated as spaces to serve electrical vehicle charging. In order to comply with this subsection, such spaces shall include provisions for electrical service capacity, as defined in ORS 455.417.
- ~~(e) *Maximum off-street parking.*~~
 - ~~(1) Maximum off-street parking is based upon the minimum number of required off-street parking spaces. Except as otherwise provided in this section, and unless otherwise provided under the UDC, off-street parking shall not exceed the amounts set forth in Table 806-2A.~~

TABLE 806-2A. MAXIMUM OFF-STREET PARKING	
Minimum Number of Off-Street Parking Spaces Required (From Table 806-1)	Maximum Number of Off-Street Parking Spaces Allowed
20 spaces or less	2.5 times minimum number of spaces required.
More than 20 spaces	1.75 times minimum number of spaces required.

- ~~(2) *Maximum off-street parking where no minimum off-street parking is required.* Where an activity does not require a minimum number of off-street parking spaces based on the requirements of Table 806-1, or because it is located in an area where no minimum off-street parking is required for the activity, off-street parking shall not exceed the amounts set forth in Table 806-2B. Parks and open space are exempt from maximum off-street parking standards.~~

TABLE 806-2B. MAXIMUM OFF-STREET PARKING WHERE NO MINIMUM OFF-STREET PARKING IS REQUIRED

No Minimum Off-Street Parking Required:	Maximum Off-Street Parking	Limitations & Qualifications
Based on requirements of Table 806-1	1.75 per dwelling unit	Applicable to townhouses, two family, three family, four family, and cottage clusters
	1.75 per dwelling unit	Applicable to multiple family located within the CSDP area or one quarter mile of the Core Network
	1 per 900 sq. ft.	Applicable to all other uses
Because activity is located in area where no minimum off-street parking is required for the activity	The maximum off-street parking otherwise allowed for the activity if it were located in an area where minimum off-street parking was required.	

- (f) ~~Reductions to required off-street parking through alternative modes of transportation.~~
- (1) ~~Construction of transit related improvements. When adjacent to transit service, minimum required off-street parking may be reduced by up to ten percent for redevelopment of an existing off-street parking area for transit related improvements, including transit stops, pullouts and shelters, park and ride lots, transit oriented developments, and similar facilities.~~
 - (2) ~~Satisfaction of off-street parking through implementation of a plan for alternative modes of transportation. Minimum required off-street parking for uses or activities other than household living may be reduced through implementation of a plan providing for the use of alternative modes of transportation to decrease the need for off-street parking. The plan shall be reviewed as a Class 2 Adjustment under SRC chapter 250.~~
- (g) ~~Reductions to required off-street parking for multiple family developments.~~
- (1) ~~For multiple family developments, the minimum number of required off-street parking spaces may be reduced through one or more of the following options, provided that the total number of off-street parking spaces reduced shall not exceed 25 percent:~~
 - (A) ~~Transit access.~~ The minimum number of required off-street parking spaces may be reduced by:
 - (i) ~~10 percent where developments are located within one quarter mile of a transit stop as measured along a route utilizing public or private streets that are existing or will be constructed with the development; or~~
 - (ii) ~~20 percent where developments are located within one quarter mile of a transit stop that has 15 minute transit service as measured along a route utilizing public or private streets that are existing or will be constructed with the development.~~
 - (B) ~~Covered bicycle parking.~~ The minimum number of required off-street parking spaces may be reduced by one space for every four covered bicycle parking spaces provided in addition to the minimum number of bicycle parking spaces required as set forth in SRC 806.055. The additional covered bicycle parking spaces must meet the standards of SRC 806.060 and must be located on site either outdoors or in a bike storage room that is accessible to all residents of the multiple family development.
 - (C) ~~Shared car or van.~~ The minimum number of required off-street parking spaces may be reduced by four spaces for every shared car or shuttle van that is provided on site and available for use by all residents.

Sec. 806.020. - Method of providing off-street parking.

- (a) ~~General.~~ If provided, Off-street parking shall be accommodated provided through one or more of the following methods:
- (1) ~~Ownership.~~ Ownership in fee by the owner of the property served by the parking;

- (2) *Easement.* A permanent and irrevocable easement appurtenant to the property served by the parking;
- (3) *Lease Agreement.* A lease agreement; ~~with a minimum term of five years; such agreement may be utilized for:~~
 - (A) ~~Uses or activities other than single family and two family in all zones other than the Central Business (CB) Zone; and~~
 - (B) ~~All uses in the Central Business (CB) Zone;~~
- (4) *Lease or rental agreement in parking structure.* A lease or rental agreement in an off-street parking facility established pursuant to ORS 223.805 to 223.845; ~~such agreement may be utilized for:~~
 - (A) ~~Uses or activities other than single family and two family in all zones other than the Central Business (CB) Zone; and~~
 - (B) ~~All uses in the Central Business (CB) Zone;~~
- ~~(5) *Joint parking agreement.* A joint parking agreement between the owners of two or more uses or activities, buildings or structures, or lots may be approved by the City. Joint use of required off-street parking spaces through a joint parking agreement may occur where two or more uses or activities on the same or separate development sites are able to share the same parking spaces because their parking demands occur at different times. Joint parking shall meet the following standards:~~
 - (A) ~~Proximity of joint parking to uses or activities served. Joint parking areas shall be located as set forth in SRC 806.010.~~
 - (B) ~~Compatible hours of operation. The hours of operation for the uses or activities subject to a joint parking agreement shall not substantially overlap and there shall be no substantial conflict in the principal operating hours.~~
- (b) *Review and filing of agreement.* Prior to execution of any lease, ~~or rental, or joint parking agreement~~ set forth in this section, the form of such agreement shall be reviewed by the City Attorney. An executed copy of the approved agreement shall be filed with the Planning Administrator.
- ~~(c) *Effect of expiration or termination of agreement.* Upon expiration or termination of any lease, rental, or joint parking agreement set forth in this section, the parking requirements set forth in this chapter shall be fully met within 60 days of the date of such expiration or termination or the use or activity discontinued until the parking requirements are met.~~

Sec. 806.025. - Off-street parking and vehicle storage area development standards for single family, two family, three family, and four family uses or activities.

Unless otherwise provided under the UDC, off-street parking and vehicle storage areas for single family, two family, three family, and four family uses or activities shall be developed and maintained as provided in this section.

- (a) *Location within yards.*
 - (1) *Front yard abutting street.* Within a front yard abutting a street, off-street parking and vehicle storage shall be allowed only:
 - (A) Within a garage or carport;
 - (B) On a driveway leading to:
 - (i) A garage or carport;
 - (ii) A garage that has been legally converted to another use subsequent to its construction as a garage;
 - (iii) A screened off-street parking area; or
 - (iv) A screened vehicle storage area; or
 - (C) On a circular driveway meeting the standards set forth in SRC 806.030(e).
 - (2) *Side and rear yards abutting street.* Within side and rear yards abutting a street, off-street parking and vehicle storage shall be allowed only:
 - (A) Within a garage or carport;
 - (B) Within an off-street parking area or vehicle storage area that is screened as set forth in SRC 806.025(f); or

- (C) On a driveway leading to:
 - (i) A garage or carport;
 - (ii) A garage that has been legally converted to another use subsequent to its construction as a garage;
 - (iii) A screened off-street parking area; or
 - (iv) A screened vehicle storage area; or
- (D) On a circular driveway meeting the standards set forth in SRC 806.030(e).
- (3) *Interior front, side, and rear yards.* Within interior front, side, and rear yards, off-street parking and vehicle storage shall be allowed only:
 - (A) Within a garage or carport;
 - (B) Within an off-street parking area or vehicle storage area that is screened as set forth in SRC 806.025(f); or
 - (C) On a driveway leading to:
 - (i) A garage or carport;
 - (ii) A garage that has been legally converted to another use subsequent to its construction as a garage;
 - (iii) A screened off-street parking area; or
 - (iv) A screened vehicle storage area.
- (b) *Garage or carport vehicle entrance setback abutting street or flag lot accessway.* The vehicle entrance of a garage or carport facing a street or flag lot accessway shall be setback a minimum of 20 feet.
- (c) *Dimensions.* Off-street parking spaces shall conform to the minimum dimensions set forth in Table 806-23.

TABLE 806-23. MINIMUM OFF-STREET PARKING SPACE DIMENSIONS		
Type of Space	Width	Depth
Compact	8 ft.	15 ft.
Standard	9 ft.	19 ft.

- (d) *Maneuvering.* Where access to off-street parking is taken from an alley, a minimum maneuvering depth of 24 feet shall be provided between the back of the parking space and the opposite side of the alley.
- (e) *Surfacing.* Off-street parking areas and vehicle storage areas shall be paved with a hard surface material meeting the Public Works Design Standards.
- (f) *Screening.* Off-street parking areas and vehicle storage areas shall be screened as follows:
 - (1) Off-street parking areas located within a garage or carport or on a driveway are not required to be screened. All other off-street parking areas shall be screened from all public areas, public streets, and abutting residential uses by a minimum six-foot-tall sight-obscuring fence, wall, or hedge.
 - (2) Vehicle storage areas within an enclosed structure or on a driveway are not required to be screened. All other vehicle storage areas shall be screened from all public areas, public streets, and abutting residential uses by a minimum six-foot-tall sight-obscuring fence, wall, or hedge.
- (g) *Standards for more than four parking spaces.* Except as provided in subsection (1) of this section, an off-street parking area with more than four parking spaces shall comply with the standards set forth in SRC 806.035.
 - (1) *Exceptions:* An off-street parking area with more than four parking spaces that are located in a garage, driveway leading to a garage or carport, or driveway leading to a garage that has been legally converted to another use subsequent to its construction as a garage shall comply with the standards set forth in this section SRC 806.025.

Sec. 806.030. - Driveway development standards for single family, two family, three family, and four family uses or activities.

Unless otherwise provided under the UDC, driveways for single family, two family, three family, and four family uses or activities shall be developed and maintained as provided in this section.

- (a) *Location.* Driveways crossing from the lot line to a permitted off-street parking area by the shortest direct route and circular driveways meeting the standards set forth in subsection (e) of this section shall be permitted within yards abutting streets.
- (b) *Dimensions.* Driveways shall conform to the minimum dimensions set forth in Table 806-4. The minimum width of a driveway serving more than one parking space must meet the standard set forth in Table 806-34 for only the first 20 feet of depth behind the parking spaces served; beyond 20 feet, the minimum width may be reduced to ten feet.

TABLE 806-34. MINIMUM DRIVEWAY DIMENSIONS		
Number of Parking Spaces Served	Width	Depth⁽¹⁾
1 space	10 ft.	20 ft.
2 spaces	16 ft.	20 ft.
3 or more spaces	22 ft.	20 ft.
Limitations and Qualifications		
(1) Minimum driveway depth does not apply to parking spaces located within a screened off-street parking area.		

- (c) *Surfacing.*
 - (1) All driveways, except those serving developments on parcels within approved partitions located more than 300 feet from an available sewer, shall be paved with a hard surface material meeting the Public Works Design Standards. Driveways serving developments on parcels within approved partitions located more than 300 feet from an available sewer are not required to be paved.
 - (2) Access to vehicle storage areas shall be paved with a hard surface material meeting the Public Works Design Standards.
- (d) *Turnaround.* Where a driveway is allowed onto an arterial street, the driveway shall be configured as a circular driveway or an on-site hammer-head turnaround shall be provided.
- (e) *Circular driveways.* Circular driveways are allowed subject to the following additional standards:
 - (1) The driveway shall provide access to a lot that abuts an arterial or collector street;
 - (2) The driveway shall be a minimum width of ten feet and shall not exceed a maximum width of 15 feet; and
 - (3) The area of the lot located on the inside curve of the driveway between the driveway and the street shall be landscaped.

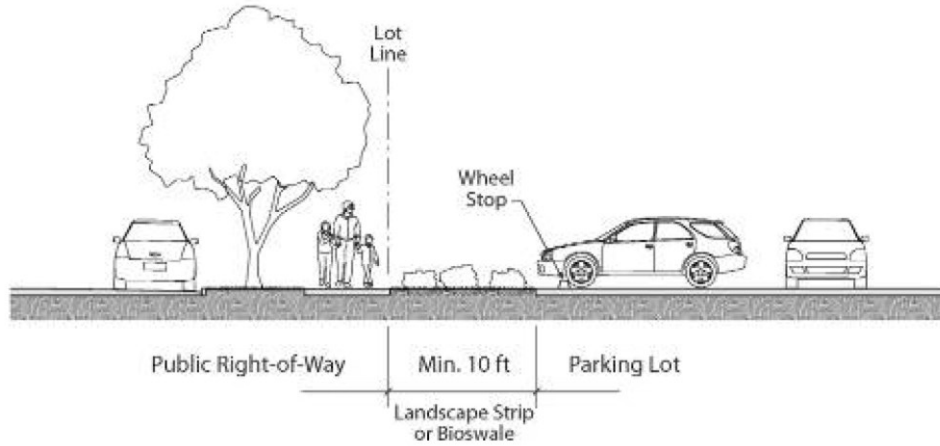
Sec. 806.035. - Off-street parking and vehicle use area development standards for uses or activities other than single family, two family, three family, and four family.

Unless otherwise provided under the UDC, off-street parking and vehicle use areas, other than driveways and loading areas, for uses or activities other than single family, two family, three family, and four family shall be developed and maintained as provided in this section.

- (a) *General applicability.* The off-street parking and vehicle use area development standards set forth in this section shall apply to:
 - (1) The development of new off-street parking and vehicle use areas;
 - (2) The expansion of existing off-street parking and vehicle use areas, where additional paved surface is added;

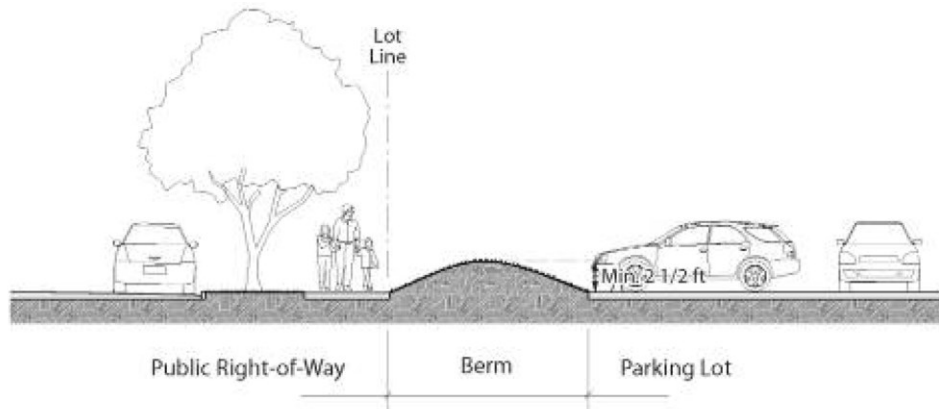
- (3) The alteration of existing off-street parking and vehicle use areas, where the existing paved surface is replaced with a new paved surface; and
- (4) The paving of an unpaved area.
- (b) *Location.*
 - (1) *Generally.* Off-street parking and vehicle use areas shall not be located within required setbacks.
 - (2) *Carpool and vanpool parking.* Carpool and vanpool parking shall be located so it is the closest employee parking to the building entrance normally used by employees; provided, however, it shall not be located closer than any parking designated for disabled parking.
 - (3) *Underground parking.* Off-street parking may be located underground in all zones, except the RA and RS zones. Such underground parking may be located beneath required setbacks; provided, however, no portion of the structure enclosing the underground parking shall project into the required setback, and all required setbacks located above the underground parking structure shall be landscaped as otherwise required under the UDC.
- (c) *Perimeter setbacks and landscaping.*
 - (1) *Perimeter setbacks and landscaping, generally.*
 - (A) *Perimeter setbacks.* Perimeter setbacks, as set forth in this subsection, shall be required for off-street parking and vehicle use areas abutting streets, abutting interior front, side, and rear property lines, and adjacent to buildings and structures. Perimeter setbacks for parking garages are set forth under subsection (c)(5) of this section. Perimeter setbacks are not required for:
 - (i) Off-street parking and vehicle use areas abutting an alley.
 - (ii) Vehicle storage areas within the IG zone.
 - (iii) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701, abutting nonresidential zones, uses or activities other than household living, or local streets.
 - (iv) Gravel off-street parking areas, approved through a conditional use permit, abutting nonresidential zones, uses or activities other than household living, or local streets.
 - (v) Underground parking.
 - (B) *Perimeter landscaping.* Required perimeter setbacks for off-street parking and vehicle use areas shall be landscaped as set forth in this subsection.
 - (2) *Perimeter setbacks and landscaping abutting streets.* Unless a greater setback is required elsewhere within the UDC, off-street parking and vehicle use areas abutting a street shall be setback and landscaped according to one the methods set forth in this subsection. Street trees located along an arterial street may be counted towards meeting the minimum required number of plant units.
 - (A) *Method A.* The off-street parking and vehicle use area shall be setback a minimum of ten feet (see Figure 806-1). The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807.

FIGURE 806-1. PERIMETER SETBACKS AND LANDSCAPING ABUTTING STREETS - METHOD A



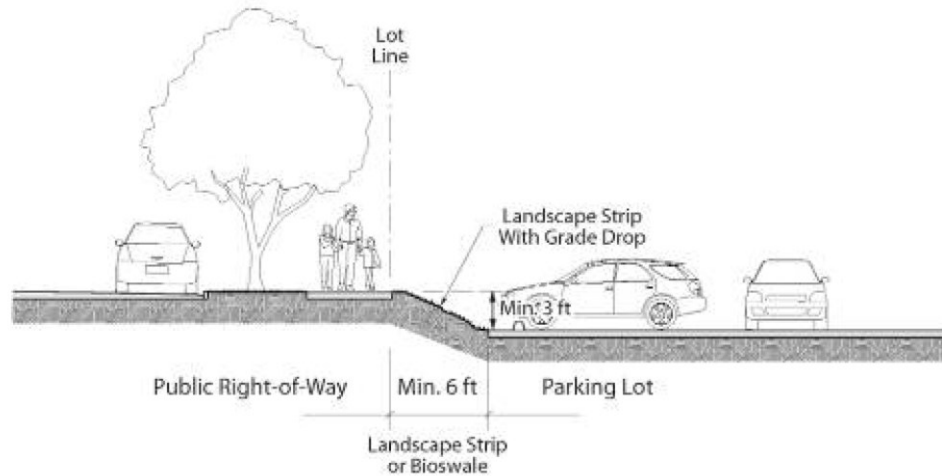
- (B) *Method B.* The off-street parking and vehicle use area shall be setback to accommodate a berm, the top of which shall be a minimum of 2.5 feet higher than the elevation of the abutting off-street parking or vehicle use area (see Figure 806-2). The berm shall have a slope no steeper than a 3:1 on all sides, and shall be landscaped according to the Type A standard set forth in SRC chapter 807 with plant materials to prevent erosion. The berm shall not alter natural drainage flows from abutting properties. Any portion of the berm that encroaches into a vision clearance area set forth in SRC chapter 805 shall have a height no greater than the maximum allowed under SRC 805.010.

FIGURE 806-2. PERIMETER SETBACKS AND LANDSCAPING ABUTTING STREETS- METHOD B



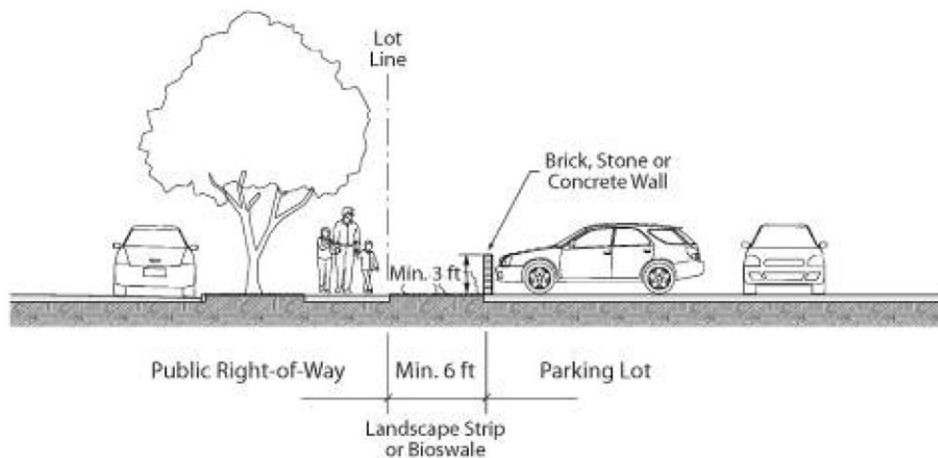
- (C) *Method C.* The off-street parking and vehicle use area shall be setback a minimum six feet to accommodate a minimum three-foot drop in grade from the elevation at the right-of-way line to the elevation of the abutting off-street parking or vehicular use area (see Figure 806-3). The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807.

FIGURE 806-3. PERIMETER SETBACKS AND LANDSCAPING ABUTTING STREETS - METHOD C



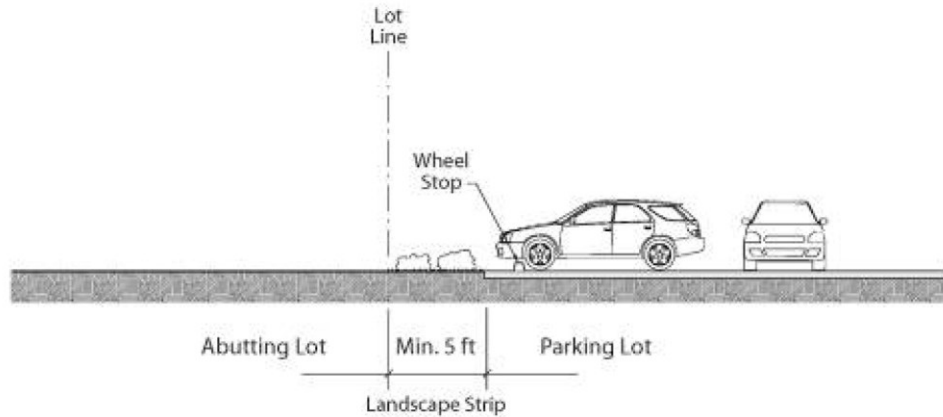
- (D) *Method D.* The off-street parking and vehicle use area shall be setback a minimum six feet in conjunction with a minimum three-foot-tall brick, stone, or finished concrete wall (see Figure 806-4). The wall shall be located adjacent to, but entirely outside, the required setback. The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807. Any portion of the wall that encroaches into a vision clearance area set forth in SRC chapter 805 shall have a height no greater than the maximum allowed under SRC 805.010.

FIGURE 806-4. PERIMETER SETBACKS AND LANDSCAPING ABUTTING STREETS - METHOD D



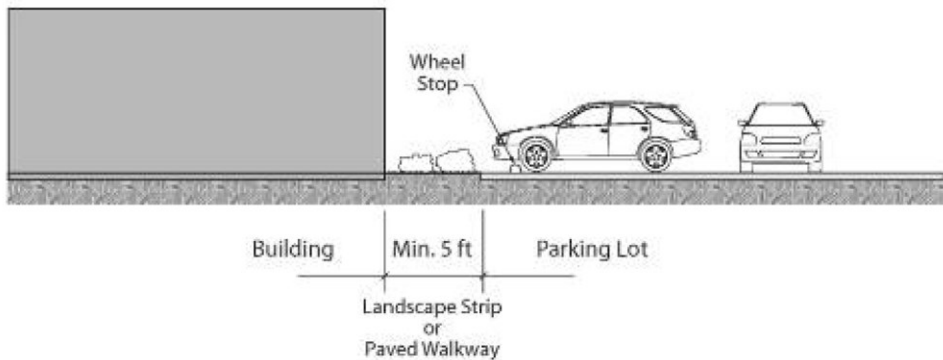
- (E) *Method E.* The off-street parking and vehicle use area shall be setback a minimum of six feet to accommodate green stormwater infrastructure meeting the Public Works Design Standards.
- (3) *Perimeter setbacks and landscaping abutting interior front, side, and rear property lines.* Unless a greater setback is required elsewhere within the UDC, off-street parking and vehicle use areas abutting an interior front, side, or rear property line shall be setback a minimum of five feet (see Figure 806-5). The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807.

FIGURE 806-5. LANDSCAPING ADJACENT TO AN ADJACENT LOT



- (4) *Setback adjacent to buildings and structures.* Except for drive-through lanes, where an off-street parking or vehicular use area is located adjacent to a building or structure, the off-street parking or vehicular use area shall be setback from the exterior wall of the building or structure by a minimum five-foot-wide landscape strip, planted to the Type A standard set forth in SRC chapter 807, or by a minimum five-foot-wide paved pedestrian walkway (see Figure 806-6). A landscape strip or paved pedestrian walkway is not required for drive-through lanes located adjacent to a building or structure.

FIGURE 806-6. LANDSCAPING ADJACENT TO A BUILDING



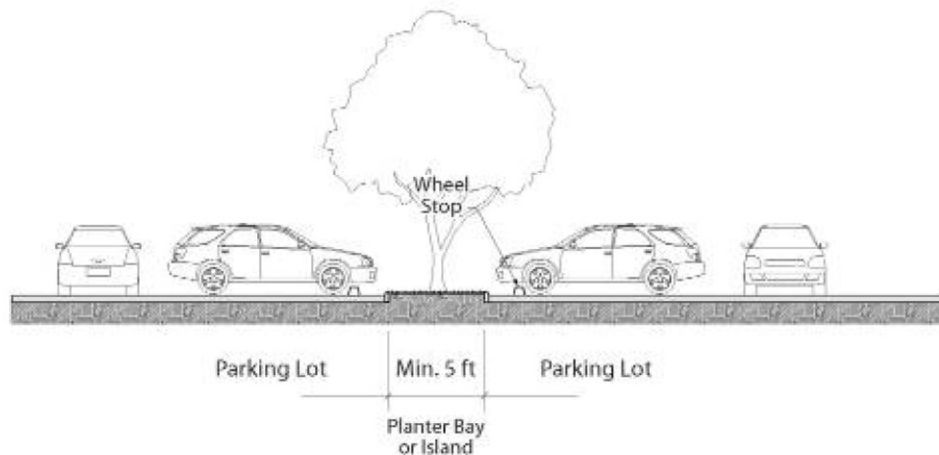
- (5) *Perimeter setbacks and landscaping for parking garages.* Perimeter setbacks and landscaping as set forth in subsection (c) of this section shall be required for parking garages; provided, however, perimeter setbacks and landscaping are not required for:
- (A) Any portion of a parking garage with frontage on a street and containing ground floor uses or activities other than parking.
 - (B) Any parking garage within an industrial zone, public zone, or commercial zone, other than a CO zone, that abuts an interior front, side, or rear property line where there is no required building setback.
 - (C) Any parking garage abutting an alley.
- (d) *Interior landscaping.*
- (1) *Interior landscaping, generally.* Interior landscaping, as set forth in this subsection, shall be required for off-street parking areas 5,000 square feet or greater in size; provided, however, interior landscaping is not required for:
- (A) Vehicle storage areas.
 - (B) Vehicle display areas.
 - (C) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701.
 - (D) Gravel off-street parking areas, approved through a conditional use permit.
 - (E) Underground parking.
 - (F) Parking garages.

- (2) *Minimum percentage of interior landscaping required.* Interior landscaping shall be provided in amounts not less than those set forth in Table 806-45. For purposes of this subsection, the total interior area of an off-street parking area is the sum of all areas within the perimeter of the off-street parking area, including parking spaces, aisles, planting islands, corner areas, and curbed areas, but not including interior driveways. Perimeter landscaped setbacks and required landscape strips separating off-street parking areas from buildings and structures shall not count towards satisfying minimum interior landscaping requirements.

TABLE 806-45. INTERIOR OFF-STREET PARKING AREA LANDSCAPING	
Total Interior Area of Off-Street Parking Area	Percentage Required to be Landscaped
Less than 50,000 sq. ft.	Min. 5%
50,000 sq. ft. and greater	Min. 8%

- (3) *Trees.* A minimum of one deciduous shade tree shall be planted for every 12 parking spaces within an off-street parking area. Trees may be clustered within landscape islands or planter bays, and shall be distributed throughout the off-street parking area to create a canopy effect and to break up expanses of paving and long rows of parking spaces.
- (4) *Landscape islands and planter bays.* Landscape islands and planter bays shall have a minimum planting area of 25 square feet, and shall have a minimum width of five feet (see Figure 806-7).

FIGURE 806-7. INTERIOR LANDSCAPING



- (e) *Off-street parking area dimensions.* Off-street parking areas shall conform to the minimum dimensions set forth in Table 806-56; provided, however, minimum off-street parking area dimensions shall not apply to:
- (1) Vehicle storage areas.
 - (2) Vehicle display areas.

TABLE 806-56. MINIMUM OFF-STREET PARKING AREA DIMENSIONS							
Parking Angle A ⁽³⁾	Type of Space	Stall Width B ⁽³⁾	Stall to Curb C ⁽³⁾	Aisle Width ^{(1),(2)} D ⁽³⁾	Curb Length E ⁽³⁾	Front of Stall to Front of Stall F1 ⁽³⁾	Overlap Front of Stall to Front of Stall F2 ⁽³⁾
	Compact	8'0"	8.0	12.0	22.0	28.0	-

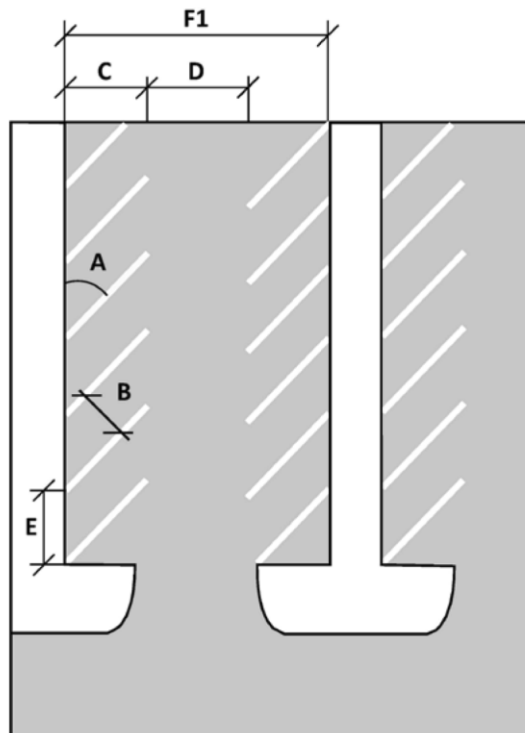
0° (Parallel)	Standard	8'0"	8.0	12.0	22.0	28.0	-
20°	Compact	8'0"	12.6	11.0	23.4	36.2	28.7
	Standard	8'6" (4)	14.5	11.0	24.9	40.0	32.0
		9'6"	15.5	11.0	27.8	42.0	33.1
30°	10'0"	15.9	11.0	19.2	42.8	33.4	
	Compact	8'0"	14.4	11.0	16.0	39.8	32.9
	Standard	8'6" (4)	16.9	11.0	17.0	44.8	37.4
		9'0"	17.3	11.0	18.0	45.6	37.8
9'6"		17.8	11.0	19.0	46.6	38.4	
40°	10'0"	18.2	11.0	20.0	47.4	38.7	
	Compact	8'0"	15.8	12.0	12.4	43.6	37.5
	Standard	8'6" (4)	18.7	12.0	13.2	49.4	42.9
		9'0"	19.1	12.0	14.0	50.2	43.3
9'6"		19.5	12.0	14.8	51.0	43.7	
45°	10'0"	19.9	12.0	15.6	51.8	44.1	
	Compact	8'0"	16.3	13.5	11.3	46.1	40.5
	Standard	8'6" (4)	19.4	13.5	12.0	52.3	46.3
		9'0"	19.8	13.0	12.7	52.6	46.2
9'6"		20.1	13.0	13.4	53.2	46.5	
50°	10'0"	20.5	13.0	14.1	54.0	46.9	
	Compact	8'0"	16.6	15.5	10.4	48.7	43.6
	Standard	8'6" (4)	20.0	15.5	11.1	55.5	50.0
		9'0"	20.4	15.0	11.7	55.8	50.0
9'6"		20.7	15.0	12.4	56.4	50.3	
60°	10'0"	21.0	15.0	13.1	57.0	50.6	
	Compact	8'0"	17.0	18.5	9.2	52.5	48.5
	Standard	8'6" (4)	20.7	18.5	9.8	59.9	55.6
		9'0"	21.0	18.0	10.4	60.0	55.7
9'6"		21.2	18.0	11.0	60.4	55.6	
70°	10'0"	21.5	18.0	11.5	61.0	56.0	
	Compact	8'0"	16.8	19.5	8.5	53.1	50.4
	Standard	8'6" (4)	20.8	19.5	9.0	61.1	58.2
		9'0"	21.0	19.0	9.6	61.0	57.9
9'6"		21.2	18.5	10.1	60.9	57.7	
10'0"	21.2	18.0	10.6	60.4	57.0		

80°	Compact	8'0"	16.2	22.0	8.1	56.4	55.0
	Standard	9'0"	20.3	24.0	9.1	64.3	62.7
		9'6"	20.4	24.0	9.6	64.4	62.7
		10'0"	20.5	24.0	10.2	65.0	63.3
90°	Compact	8'0"	15.0	22.0	8.0	54.0	-
		8'6" ⁽⁵⁾	15.0	22.0	8.0	54.0	-
	Standard	9'0"	19.0	24.0	9.0	62.0	-
		9'6"	19.0	24.0	9.5	62.0	-
		10'0"	19.0	24.0	10.0	62.0	-

Limitations and Qualifications

- (1) For two-way circulation the width of an aisle shall be a minimum of 22 feet.
- (2) The width of an aisle serving both standard and compact parking spaces 80 degrees or more shall be a minimum of 24 feet.
- (3) See Figure 806-8 for corresponding off-street parking area layout requirements.
- (4) Minimum 8'6" standard stall width applies within parking structures of two or more stories.
- (5) Minimum 8'6" compact stall width applies when the side of the parking space abuts a wall or post.

FIGURE 806-8. OFF-STREET PARKING AREA LAYOUT REQUIREMENTS



- (f) *Off-street parking area access and maneuvering.* In order to ensure safe and convenient vehicular access and maneuvering, off-street parking areas shall:
- (1) Be designed so that vehicles enter and exit the street in a forward motion with no backing or maneuvering within the street; and

- (2) Where a drive aisle terminates at a dead-end, include a turnaround area as shown in Figure 806-9. The turnaround shall conform to the minimum dimensions set forth in Table 806-67.

FIGURE 806-9. OFF-STREET PARKING AREA TURNAROUND

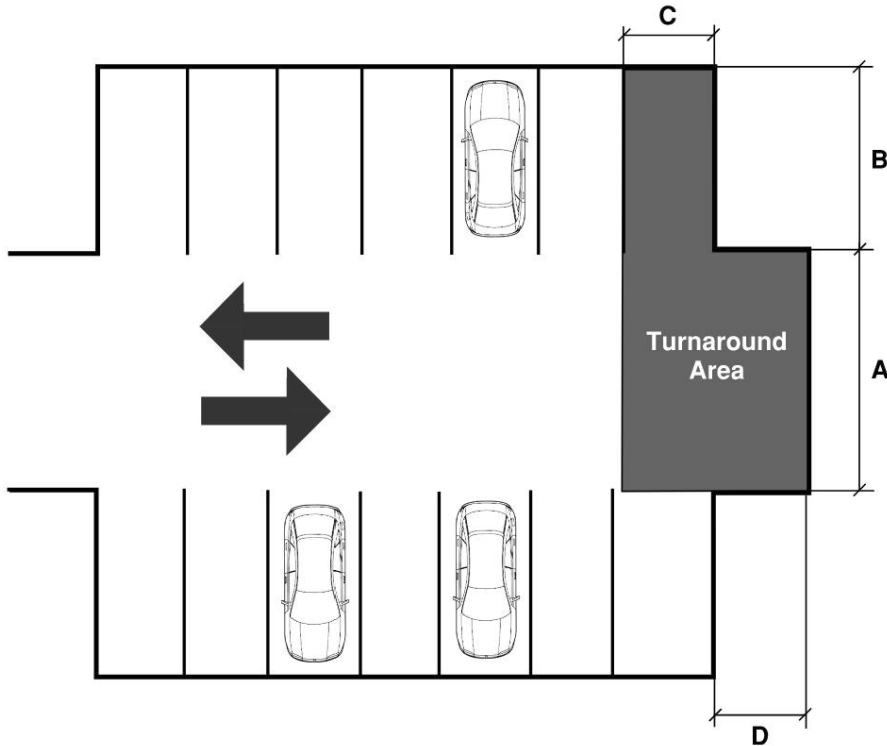


TABLE 806-67. MINIMUM OFF-STREET PARKING AREA TURNAROUND DIMENSIONS

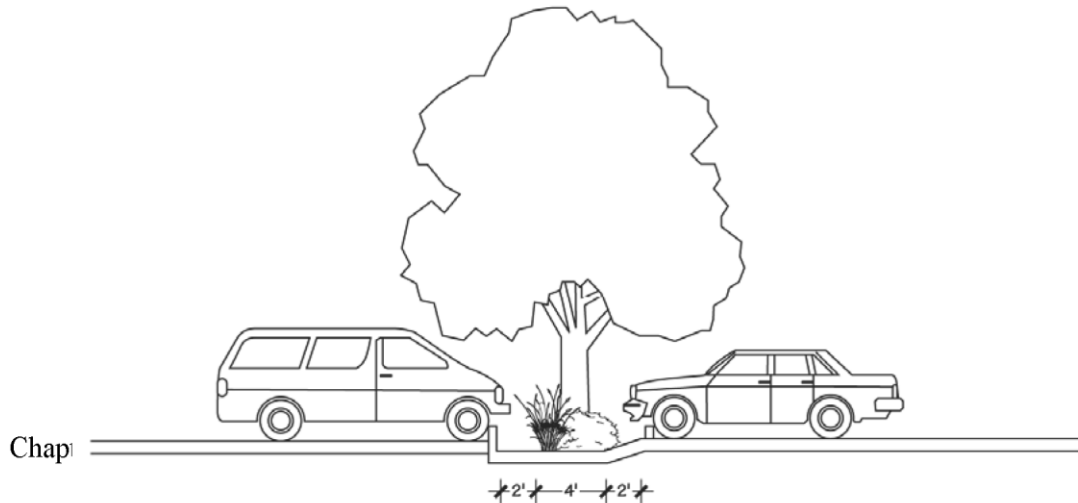
Aisle Width A	Turnaround Dimensions		
	B	C	D
24 ft. or less	15 ft.	9 ft.	6 ft.
25 ft.	15 ft.	9 ft.	5 ft.
26 ft.	15 ft.	9 ft.	4 ft.
27 ft.	15 ft.	9 ft.	3 ft.
28 ft.	15 ft.	9 ft.	2 ft.
29 ft.	15 ft.	9 ft.	1 ft.
30 ft. or more	15 ft.	9 ft.	0 ft.

- (g) *Grade.* Off-street parking and vehicle use areas shall not exceed a maximum grade of ten percent. Ramps shall not exceed a maximum grade of 15 percent.
- (h) *Surfacing.* Off-street parking and vehicle use areas shall be paved with a hard surface material meeting the Public Works Design Standards; provided, however, up to two feet of the front of a parking space may be landscaped with ground cover plants (see Figure 806-10). Such two-foot landscaped area counts towards meeting interior off-street parking area landscaping

requirements, but shall not count towards meeting perimeter setbacks and landscaping requirements. Paving is not required for:

- (1) Vehicle storage areas within the IG zone.
- (2) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701.
- (3) Gravel off-street parking areas, approved through a conditional use permit.

FIGURE 806-10. LANDSCAPED FRONT PORTION OF PARKING STALL



- (i) **Drainage.** Off-street parking and vehicle use areas shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.
- (j) **Bumper guards or wheel barriers.** Off-street parking and vehicle use areas shall include bumper guards or wheel barriers so that no portion of a vehicle will overhang or project into required setbacks and landscaped areas, pedestrian accessways, streets or alleys, or abutting property; provided, however, bumper guards or wheel barriers are not required for:
 - (1) Vehicle storage areas.
 - (2) Vehicle sales display areas.
- (k) **Off-street parking area striping.** Off-street parking areas shall be striped in conformance with the off-street parking area dimension standards set forth in Table 806-6; provided, however, off-street parking area striping shall not be required for:
 - (1) Vehicle storage areas.
 - (2) Vehicle sales display areas.
 - (3) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701.
 - (4) Gravel off-street parking areas, approved through a conditional use permit.
- (l) **Marking and signage.**
 - (1) **Off-street parking and vehicle use area circulation.** Where directional signs and pavement markings are included within an off-street parking or vehicle use area to control vehicle movement, such signs and marking shall conform to the Manual of Uniform Traffic Control Devices.
 - (2) **Compact parking.** Compact parking spaces shall be clearly marked indicating the spaces are reserved for compact parking only.
 - (3) **Carpool and vanpool parking.** Carpool and vanpool parking spaces shall be posted with signs indicating the spaces are reserved for carpool or vanpool use only before 9:00 a.m. on weekdays.
- (m) **Lighting.** Lighting for off-street parking and vehicle use areas shall not shine or reflect onto adjacent residentially zoned property, or property used for uses or activities falling under household living, or cast glare onto the street.

- (n) *Off-street parking area screening.* Off-street parking areas with more than six spaces shall be screened from abutting residentially zoned property, or property used for uses or activities falling under household living, by a minimum six-foot-tall sight-obscuring fence, wall, or hedge; provided, however, screening is not required for vehicle storage areas within the IG zone.

Sec. 806.040. - Driveway development standards for uses or activities other than single family, two family, three family, or four family.

Unless otherwise provided under the UDC, driveways for uses or activities other than single family, two family, three family, or four family shall be developed and maintained as provided in this section.

- (a) *Access.* Off-street parking and vehicle use areas shall have either separate driveways for ingress and egress, a single driveway for ingress and egress with an adequate turnaround that is always available, or a loop to the single point of access. The driveway approaches to the driveways shall conform to SRC chapter 804.
- (b) *Location.* Driveways shall not be located within required setbacks except where:
 - (1) The driveway provides direct access to the street, alley, or abutting property.
 - (2) The driveway is a shared driveway located over the common lot line and providing access to two or more uses.
- (c) *Setbacks and landscaping.*
 - (1) *Perimeter setbacks and landscaping, generally.* Perimeter setbacks and landscaping as set forth in this subsection shall be required for driveways abutting streets and abutting interior front, side, and rear property lines; provided, however, perimeter setbacks and landscaping are not required where:
 - (A) The driveway provides direct access to the street, alley, or abutting property.
 - (B) The driveway is a shared driveway located over the common lot line and providing access to two or more uses.
 - (2) *Perimeter setbacks and landscaping abutting streets.* Unless a greater setback is required elsewhere within the UDC, driveways abutting a street shall be setback and landscaped according to the off-street parking and vehicle use area perimeter setbacks and landscaping standards set forth under SRC 806.035(c)(2).
 - (3) *Perimeter setbacks and landscaping abutting interior front, side, and rear property lines.* Unless a greater setback is required elsewhere within the UDC, driveways abutting an interior front, side, or rear property line shall be setback a minimum of five feet. The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807.
- (d) *Dimensions.* Driveways shall conform to the minimum width set forth in Table 806-78.

TABLE 806-78. MINIMUM DRIVEWAY WIDTH		
Type of Driveway	Width	Inside Radius of Curves & Corners
One-way driveway	12 ft.	25 ft., measured at curb or pavement edge
Two-way driveway	22 ft.	25 ft., measured at curb or pavement edge

- (e) *Surfacing.* All driveways, other than access roads required by the Public Works Design Standards to provide access to City utilities, shall be paved with a hard surface material meeting the Public Works Design Standards. Access roads required by the Public Works Design Standards to provide access to City utilities shall be an all-weather surface material meeting the Public Works Design Standards; provided, however, the first ten feet of the access road leading into the property, as measured from the property line, shall be paved with a hard surface material.
- (f) *Drainage.* Driveways shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.
- (g) *"No Parking" signs.* Driveways shall be posted with one "no parking" sign for every 60 feet of driveway length, but in no event shall less than two signs be posted.

Sec. 806.045. - Bicycle parking; when required.

- (a) *General applicability.* Bicycle parking shall be provided as required under this chapter for:
 - (1) Each proposed new use or activity.
 - (2) Any change of use or activity.
 - (3) Any intensification, expansion, or enlargement of a use or activity.
- (b) *Applicability to change of use of existing building in Central Business District (CB), West Salem Central Business District (WSCB), Mixed Use-I (MU-I), Mixed Use-II (MU-II), Mixed Use-III (MU-III), Mixed Use-Riverfront (MU-R), and Edgewater/Second Street Mixed-Use Corridor (ESMU) zones.* Notwithstanding any other provision of this chapter, the bicycle parking requirements for a change of use of an existing building within the CB, WSCB, MU-I, MU-II, MU-III, MU-R, and ESMU zones where at least 75 percent of the width of the lot at the front setback line is occupied by existing buildings shall be met if there are a minimum of eight bicycle parking spaces located within the public right-of-way of the block face adjacent to the primary entrance of the building. If the minimum number of required bicycle parking spaces are not present within the block face, the applicant shall be required to obtain a permit to have the required number of spaces installed. For purposes of this subsection, "block face" means the area within the public street right-of-way located along one side of a block, from intersecting street to intersecting street.
- (c) *Applicability to nonconforming bicycle parking area.* When bicycle parking is required to be added to an existing bicycle parking area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.

Sec. 806.055. - Amount of bicycle parking.

- (a) *Minimum required bicycle parking.* Unless otherwise provided under the UDC, bicycle parking shall be provided in amounts not less than those set forth in Table 806-89.

TABLE 806-89. BICYCLE PARKING			
Use	Minimum Number of Spaces Required^{(1), (2)}	Maximum Percentage of Long-Term Spaces Allowed⁽³⁾	Limitations & Qualifications
Household Living			
Single family	None	N/A	
Two family			
Three family			
Four family			
Multiple family	None	N/A	Applicable to cottage clusters.
	1 space per dwelling unit	100%	Applicable to multiple family located within the CSDP area or one quarter mile of the Core Network. ⁽⁴⁾
	The greater of 4 spaces or 0.1 spaces per dwelling unit.	100%	Applicable to all other multiple family.
Group Living			
Room and board facilities	The greater of 4 spaces or 1 space per 50 rooms.	100%	

Residential care	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	100%	
Nursing care	1 per 30 beds	75%	
Lodging			
Short-term commercial lodging	The greater of 4 spaces or 1 space per 50 rooms.	75%	
Long-term commercial lodging			
Nonprofit shelters	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	75%	
Retail Sales and Service			
Eating and drinking establishments	The greater of 4 spaces or 1 space per 1,000 sq. ft.	25%	
Retail sales	The greater of the following: 4 spaces; or 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	25%	
Personal services	1 per 10,000 sq. ft.	25%	Applicable to laundry, dry cleaning, and garment services.
	The greater of 4 spaces or 1 space per 3,500 sq. ft.	25%	Applicable to all other personal services.
Postal services and retail financial services	The greater of 4 spaces or 1 space per 3,000 sq. ft.	25%	
Shopping center	The greater of 4 spaces or 1 space per 5,000 sq. ft.	25%	
Business and Professional Services			
Office	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	25%	
Laboratory research and testing			
Office complex			
Audio/visual media production	The greater of the following: 4 spaces; or 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000	25%	Applicable to broadcasting studios.

	sq. ft. for remaining square footage over 100,000 sq. ft.		
	The greater of 4 spaces or 1 per 3,500 sq. ft.	25%	Applicable to all other audio/visual media production.
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service			
Motor vehicle and manufactured dwelling and trailer sales	1 per 9,000 sq. ft.	0%	
Motor vehicle services			
Taxicabs and car services			
Heavy vehicle and trailer sales			
Heavy vehicle and trailer service and storage			
Commercial parking	1 per 30 vehicle parking spaces	75%	
Park-and-ride facilities			
Recreation, Entertainment, and Cultural Services and Facilities			
Commercial entertainment—indoor	The greater of 4 spaces or 1 space per 50 seats or 100 feet of bench length	25%	Applicable to theaters.
	The greater of 4 spaces or 1 space per court.	25%	Applicable to tennis, racquetball, and handball courts.
	The greater of 4 spaces or 1 space per 500 sq. ft.	25%	Applicable to all other commercial entertainment—indoor.
Commercial entertainment—outdoor	The greater of 4 spaces or 1 space per court	25%	Applicable to tennis, racquetball, and handball courts.
	4	25%	Applicable to golf courses.
	None	N/A	Applicable to drive-in movie theaters.
	The greater of 4 spaces or 1 space per 30 vehicle parking spaces	25%	Applicable to all other commercial entertainment—outdoor.
Major event entertainment	The greater of 4 spaces or 1 space per 50 seats or 100 ft. of bench length	25%	
Recreational and cultural community services	4	25%	Applicable to golf courses.
	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	25%	Applicable to all other indoor recreational and cultural community services.

	The greater of 4 spaces or 1 space per 30 vehicle parking spaces.	25%	Applicable to all other outdoor recreational and cultural community services.
Parks and open space	The greater of 4 spaces or 1 space per 30 vehicle parking spaces.	0%	
Nonprofit membership assembly	1 per 30 vehicle parking spaces.	0%	
Religious assembly			
Health Services			
Medical centers/hospitals	The greater of 4 spaces or 1 per 30 beds	75%	
Outpatient medical services and laboratories	The greater of 4 spaces or 1 per 3,500 sq. ft.	75%	
Education Services			
Day care	4	100%	
Basic education	2 per classroom	25%	
Post-secondary and adult education	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	25%	Applicable to vocational and trade schools.
	The greater of 4 spaces or 1 per 10,000 sq. ft.	25%	Applicable to all other post-secondary and adult education.
Civic Services			
Governmental services	1 per 5,000 sq. ft.	25%	
Social services	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	25%	
Governmental maintenance services and construction	4	100%	
Public Safety			
Emergency services	None	N/A	Applicable to ambulance stations.
	1 per 5,000 sq. ft.	25%	Applicable to all other emergency services.
Detention facilities	1 per 50 beds	75%	
Military installations	1 per 5,000 sq. ft.	100%	
Funeral and Related Services			

Cemeteries	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	0%	
Funeral and cremation services	1 per 50 seats or 100 feet of bench length in the chapel	75%	
Construction Contracting, Repair, Maintenance, and Industrial Services			
Building and grounds services and construction contracting	4	100%	
General repair services	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	50%	
Cleaning plants	1 per 10,000 sq. ft.	100%	
Industrial services	The greater of the following: 4 spaces; or 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	100%	
Wholesale Sales, Storage, and Distribution			
General wholesaling	1 per 15,000 sq. ft.	100%	
Heavy wholesaling			
Warehousing and distribution	The greater of the following: 4 spaces; or: 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	100%	
Self-service storage	None	N/A	
Manufacturing			
General manufacturing	The greater of the following: 4 spaces; or: 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	75%	
Heavy manufacturing			
Printing			
Transportation Facilities			
Aviation facilities	None	[N/A]	

Passenger ground transportation facilities	The greater of the following: 4 spaces; or: 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	75%	
Marine facilities	2	0%	Applicable to marinas.
	The greater of the following: 4 spaces; or: 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	75%	Applicable to all other marine facilities.
Utilities			
Basic utilities	The greater of the following: 4 spaces; or: 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	100%	
Drinking water treatment facilities			
Power generation facilities			
Data center facilities			
Waste related facilities			
Fuel dealers			
Wireless communication facilities	None	N/A	
Mining and Natural Resource Extraction			
Petroleum and natural gas production	4	100%	
Surface mining			
Farming, Forestry, and Animal Services			
Agriculture	2	50%	Applicable when retail sales are involved.
Forestry			
Agriculture and forestry services	The greater of the following: 4 spaces; or: 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	100%	
Keeping of livestock and other animals	2	50%	Applicable when retail sales are involved.
Animal services			
Other Uses			
Accessory short-term rentals	None	N/A	

Temporary uses	Per SRC chapter 701	Per SRC chapter 701	
Home occupations	None	N/A	
Accessory dwelling unit	None	N/A	
(1) Unless otherwise provided, when required bicycle parking is expressed in terms of a number of spaces per a square footage, the square footage shall equal the gross floor area.			
(2) The minimum bicycle parking spaces required in this table shall be developed as short-term spaces except when the applicant chooses to designate an allowed percentage of those spaces as long-term bicycle parking spaces.			
(3) The maximum percentage of long-term bicycle parking spaces is based only on the minimum required number of bicycle parking spaces, not the actual number of bicycle parking spaces provided.			
(4) The distance shall be measured along a route utilizing public or private streets that are existing or will be constructed with the development.			

- (b) *Long-term bicycle parking.* Long-term bicycle parking may be provided to satisfy a percentage of the minimum bicycle parking spaces required under this chapter. Such long-term bicycle parking shall not exceed the amounts set forth in Table 806-8. The maximum percentage of long-term bicycle parking allowed is based solely on the minimum number of bicycle parking spaces required. This standard shall not be construed to prohibit the provision of additional long-term bicycle parking spaces provided the minimum number of required spaces is met. *(Example: A restaurant requiring a minimum of four bicycle parking spaces may, but is not required to, designate one of the required spaces as a long-term space. Additional short-term and longterm spaces may be provided as long as the minimum required three short-term spaces are maintained).*

Sec. 806.060. - Bicycle parking development standards.

Unless otherwise provided under the UDC, bicycle parking shall be developed and maintained as set forth in this section. The standards set forth in this section shall not apply to City approved bike share stations which utilize bike docking stations.

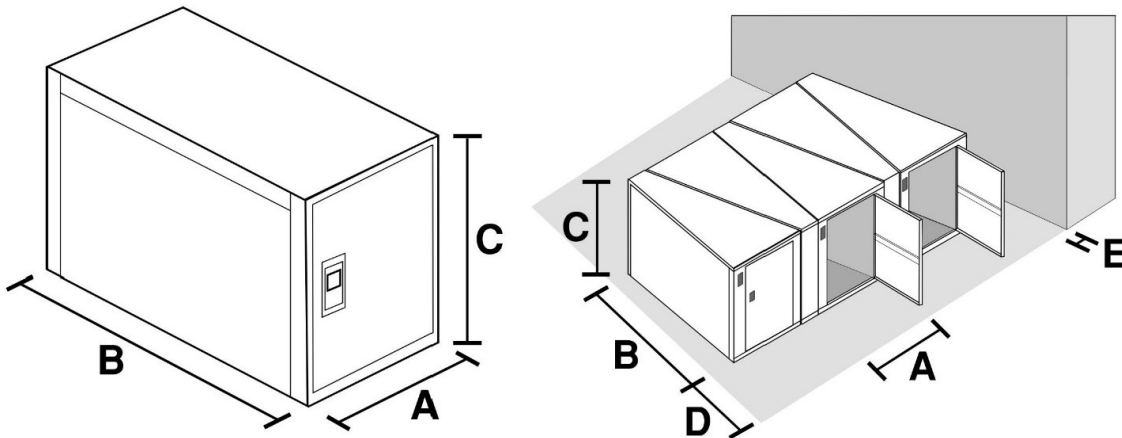
(a) *Location.*

- (1) *Short-term bicycle parking.* Short-term bicycle parking shall be located outside a building within a convenient distance of, and clearly visible from, the primary building entrance. In no event shall bicycle parking be located more than 50 feet from the primary building entrance, as measured along a direct pedestrian access route.
- (2) *Long-term bicycle parking.*
 - (A) *Generally.* Long-term bicycle parking shall be located:
 - (i) Within a building, on the ground floor or on upper floors when the bicycle parking areas are easily accessible by an elevator; or
 - (ii) On-site, outside of a building, in a well-lighted secure location that is sheltered from precipitation and within a convenient distance of the primary entrance.
 - (B) *Long-term bicycle parking for residential uses.* Long-term bicycle parking spaces for residential uses shall be located within:
 - (i) A residential dwelling unit;
 - (ii) A lockable garage;
 - (iii) A restricted access lockable room serving an individual dwelling unit or multiple dwelling units;
 - (iv) A lockable bicycle enclosure; or
 - (v) A bicycle locker.
 - (C) *Long-term bicycle parking for non-residential uses.* Long-term bicycle parking spaces for non-residential uses shall be located within:
 - (i) A restricted access lockable room;

- (ii) A lockable bicycle enclosure; or
 - (iii) A bicycle locker.
- (b) **Access.** All bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance that is free of obstructions and any barriers, such as curbs or stairs, which would require users to lift their bikes in order to access the bicycle parking area.
- (c) **Dimensions.** All bicycle parking areas shall meet the following dimension requirements:
- (1) **Bicycle parking spaces.** Bicycle parking spaces shall conform to the minimum dimensions set forth in Table 806-940.
 - (2) **Access aisles.** Bicycle parking spaces shall be served by access aisles conforming to the minimum widths set forth in Table 806-940. Access aisles serving bicycle parking spaces may be located within the public right-of-way.

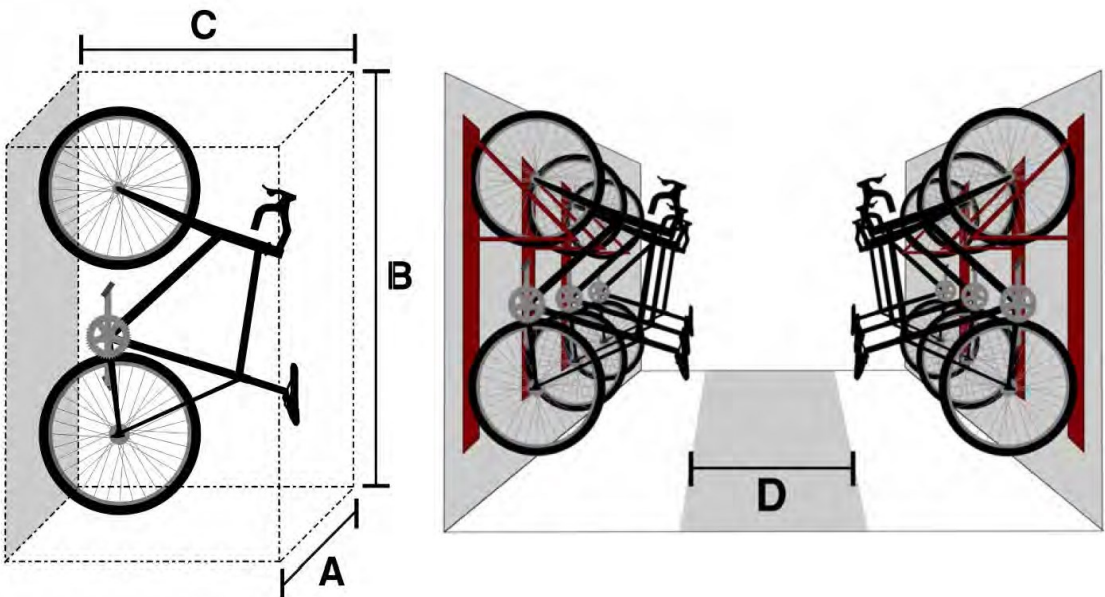
TABLE 806-940. MINIMUM BICYCLE PARKING SPACE & ACCESS DIMENSIONS

Space Type	Space Width A	Space Length B	Space Height C	Access Aisle Width D	Clearance Between Rack & Wall E
Horizontal Spaces⁽¹⁾					
Standard	2 ft.	6 ft.	4 ft.	4 ft.	2 ft.
Side-by-side ⁽²⁾	1.5 ft.				
Wall mounted	2 ft.	6 ft.	4 ft.	4 ft.	1 ft.
Bicycle locker (standard)	2 ft.	6 ft.	4 ft.	4 ft.	N/A
Bicycle locker (pie shaped)	30 in. (at widest end)				



Vertical Spaces

Standard	2 ft.	6 ft.	4 ft.	5 ft.	N/A
Side-by-side ⁽²⁾	1.5 ft.				



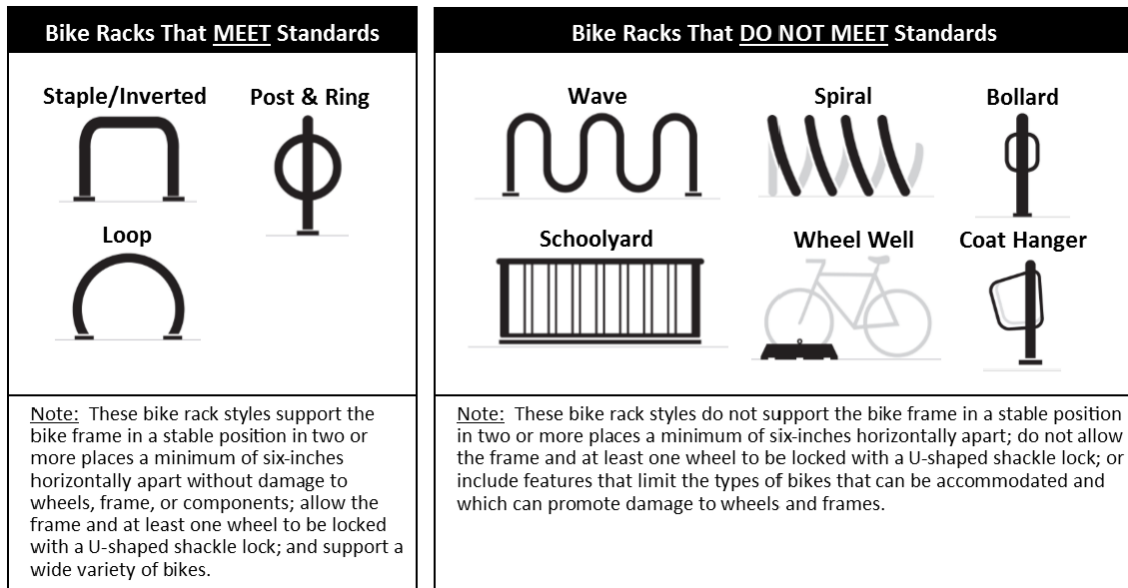
Limitations and Qualifications

- (1) For horizontal spaces, the bike rack shall be centered along the long edge of the bicycle parking space.
- (2) Applies where bike racks are located side-by-side. For vertical spaces, the alternative 1.5 ft. space width requires a minimum vertical stagger of 8 inches between each space.

- (d) *Surfacing.* Where bicycle parking is located outside a building, the bicycle parking area shall consist of a hard surface material, such as concrete, asphalt pavement, pavers, or similar material, meeting the Public Works Design Standards.
- (e) *Bicycle racks.* Where bicycle parking is provided in racks, the racks may be horizontal or vertical racks mounted to the ground, floor, or wall. Bicycle racks shall meet the following standards:

- (1) Racks must support the bicycle in a stable position.
 - (A) For horizontal racks, the rack must support the bicycle frame in a stable position in two or more places a minimum of six inches horizontally apart without damage to the wheels, frame, or components.
 - (B) For vertical racks, the rack must support the bicycle in a stable vertical position in two or more places without damage to the wheels, frame, or components.
- (2) Racks must allow the bicycle frame and at least one wheel to be locked to the rack with a high security, U-shaped shackle lock;
- (3) Racks shall be of a material that resists cutting, rusting, and bending or deformation; and
- (4) Racks shall be securely anchored.
- (5) Examples of types of bicycle racks that do, and do not, meet these standards are shown in Figure 806-11.
- (f) *Bicycle lockers.* Where bicycle parking is provided in lockers, the lockers shall meet the following standards:
 - (1) Lockers shall conform to the minimum dimensions set forth in Table 806-940.
 - (2) Lockers shall be served by an access aisle conforming to the minimum width set forth in Table 806-940 in front of each locker opening.
 - (3) Lockers shall be securely anchored.

FIGURE 806-11. EXAMPLES OF BIKE RACKS THAT DO AND DO NOT MEET STANDARDS



Sec. 806.075. - Amount of off-street loading.

Unless otherwise provided under the UDC, off-street loading shall be provided in amounts not less than those set forth in Table 806-104.

TABLE 806-104. MINIMUM OFF-STREET LOADING; DIMENSIONS					
Use Category/Use	Minimum Number of Spaces Required ⁽¹⁾	Dimensions			Limitations & Qualifications
		Width	Length	Height	
<p><u>Use:</u></p> <ul style="list-style-type: none"> ■ Single family ■ Two family 	None	N/A	N/A	N/A	

<ul style="list-style-type: none"> ■ Three family ■ Four family ■ Commercial parking ■ Park-and-ride facility ■ Parks and open space ■ Cemeteries ■ Basic utilities ■ Wireless communication facilities ■ Agriculture ■ Forestry ■ Accessory short-term rentals ■ Home occupations ■ Accessory dwelling units 						
<p>Use:</p> <ul style="list-style-type: none"> ■ Temporary uses 	Per SRC chapter 701	-	-	-		
<p>Use:</p> <ul style="list-style-type: none"> ■ Multiple family 	None	5 to 49 dwelling units	N/A	N/A	N/A	If a recreational or service building is provided, at least 1 of the required loading spaces shall be located in conjunction with the recreational or service building.
	1	50 to 99 dwelling units	12 ft.	19 ft.	12 ft.	
	2	100 to 199 dwelling units	12 ft.	19 ft.	12 ft.	
	3	200 or more dwelling units	12 ft.	19 ft.	12 ft.	
<p>Use Category:</p> <ul style="list-style-type: none"> ■ Business and professional services <p>Use:</p> <ul style="list-style-type: none"> ■ Outpatient medical services and laboratories ■ Governmental services ■ Social services ■ Keeping of livestock and 	None	Less than 5,000 sq. ft.	N/A	N/A	N/A	
	1	5,000 to 60,000 sq. ft.	12 ft.	19 ft.	12 ft.	
	2	60,001 to 250,000 sq. ft.	12 ft.	19 ft.	12 ft.	
	Additional spaces required	Greater than 250,000 sq. ft.	12 ft.	19 ft.	12 ft.	For each additional 100,000 square feet, or any portion thereof, of building area over 250,000 sq. ft., 1 additional loading space is required.

<ul style="list-style-type: none"> other animals ■ Animal services 						
<p>Use Category:</p> <ul style="list-style-type: none"> ■ Group living ■ Lodging ■ Retail sales and service ■ Education services <p>Use:</p> <ul style="list-style-type: none"> ■ Commercial entertainment indoor ■ Commercial entertainment—outdoor ■ Major event entertainment ■ Recreation and cultural community services ■ Nonprofit membership assembly ■ Religious assembly ■ Medical centers/hospitals ■ Emergency services ■ Funeral and cremation services ■ General repair services ■ Agriculture and forestry services 	None	Less than 5,000 sq. ft.	N/A	N/A	N/A	
	1	5,000 to 60,000 sq. ft.	12 ft.	30 ft.	14 ft.	
	2	60,001 to 250,000 sq. ft.	12 ft.	30 ft.	14 ft.	
	Additional Spaces Required	Greater than 250,000 sq. ft.	12 ft.	30 ft.	14 ft.	For each additional 100,000 square feet, or any portion thereof, of building area over 250,000 sq. ft., 1 additional loading space is required.
<p>Use Category:</p> <ul style="list-style-type: none"> ■ Wholesale sales, storage, and distribution ■ Manufacturing ■ Transportation facilities ■ Mining and 	None	Less than 5,000 sq. ft.	N/A	N/A	N/A	
	1	5,000 to 100,000 sq. ft.	12 ft.	40 ft.	14 ft.	
	3	100,001 to 240,000 sq. ft.	12 ft.	40 ft.	14 ft.	
	5	240,001 to 320,000 sq. ft.	12 ft.	40 ft.	14 ft.	

natural resource extraction <u>Use:</u> <ul style="list-style-type: none"> ■ Motor vehicle and manufactured dwelling and trailer sales; ■ Motor vehicle services ■ Taxicabs and car services ■ Heavy vehicle and trailer sales ■ Heavy vehicle and trailer service and storage ■ Governmental maintenance services and construction ■ Detention facilities ■ Military installations ■ Building and grounds services and construction contracting ■ Cleaning plants ■ Industrial services ■ Drinking water treatment ■ Power generation facilities ■ Data center facilities ■ Fuel dealers ■ Waste-related facilities 	6	320,001 to 400,000 sq. ft.	12 ft.	40 ft.	14 ft.	
	7	400,000 to 490,000 sq. ft.	12 ft.	40 ft.	14 ft.	
	8	490,001 to 580,000 sq. ft.	12 ft.	40 ft.	14 ft.	
	9	580,001 to 670,000 sq. ft.	12 ft.	40 ft.	14 ft.	
	10	670,001 to 760,000 sq.	12 ft.	40 ft.	14 ft.	
	Additional Spaces Required	Buildings greater than 760,000 sq. ft.	12 ft.	40 ft.	14 ft.	For each additional 100,000 square feet, or any portion thereof, of building area over 760,000 sq. ft., 1 additional loading space is required.
⁽¹⁾ Unless otherwise provided, when required loading is expressed in terms of a number of spaces per a square footage, the square footage shall equal the gross floor area.						

(a) *Off-street parking used for loading.* An off-street parking area meeting the requirements of this chapter may be used in place of a required off-street loading space when the use or activity does not require a delivery vehicle which exceeds a maximum combined vehicle and load rating of 8,000 pounds and the off-street parking area is located within 25 feet of the building or the use or activity that it serves.

Sec. 806.080. - Off-street loading development standards.

Unless otherwise provided under the UDC, off-street loading shall be developed and maintained as set forth in this section.

- (a) *Location*. Off-street loading areas shall not be located within required setbacks.
- (b) *Perimeter setbacks and landscaping*. Perimeter setbacks and landscaping, as set forth in this subsection, shall be required for off-street loading areas abutting streets and abutting interior front, side, and rear property lines. Perimeter setbacks and landscaping are not required for off-street loading areas abutting an alley.
 - (1) *Perimeter setbacks and landscaping abutting streets*. Unless a greater setback is required elsewhere within the UDC, off-street loading areas abutting a street shall be setback and landscaped according to the off-street parking and vehicle use area perimeter setback and landscaping standards set forth under SRC 806.035(c)(2).
 - (2) *Perimeter setbacks and landscaping abutting interior front, side, and rear property lines*. Unless a greater setback is required elsewhere within the UDC, off-street loading areas abutting an interior front, side, or rear property line shall be setback a minimum of five feet. The setback shall be landscaped according to the Type A landscaping standard of SRC chapter 807.
- (c) *Dimensions*. Loading areas shall conform to the minimum dimensions set forth in Table 806-~~109~~.
- (d) *Maneuvering*. Off-street loading areas shall be of sufficient size, and all curves and corners of sufficient radius, to accommodate the safe operation of a delivery vehicle.
- (e) *Surfacing*. All loading areas shall be paved with a hard surface material meeting the Public Works Design Standards; provided, however, paving is not required for:
 - (1) Temporary and seasonal gravel loading areas, approved pursuant to SRC chapter 701.
 - (2) Gravel loading areas, approved through a conditional use permit.
- (f) *Drainage*. Loading areas shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.
- (g) *Lighting*. Lighting for off-street loading areas shall not shine or reflect onto adjacent residentially zoned property, or property used for uses or activities falling under household living, or cast glare onto the street.

Exhibit B
FINDINGS FOR ORDINANCE BILL NO. 4-23

**AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE
TO ELIMINATE MINIMUM OFF-STREET PARKING REQUIREMENTS CITYWIDE**

(CODE AMENDMENT CASE NO. CA23-01)

Substantive Findings

SRC 110.085 establishes the following approval criteria which must be met in order for a code amendment to be approved:

1. *The amendment is in the best interest of the public health, safety, and welfare of the City; and*

Finding: The proposed code amendment is in the best interest of the public health, safety, and welfare of the City because it removes potential barriers to development, helps reduce greenhouse gas emissions from transportation, supports more walkable areas, and can help the City meet its housing and employment needs. Specifically, eliminating minimum off-street parking requirements means the City would no longer require a specific number of spaces per use. This removes a potential barrier to development by allowing the developer or property owner to determine how much parking is actually needed, which can be influenced by the market, the specific location, site constraints, and other factors. Sites that do not need as much parking as would have otherwise been required by the City would no longer need to apply for a zoning adjustment, which is an application that can add time and money to a development or project.

Instead, space not needed for parking on a property could accommodate other uses. This would create more opportunities for housing, services, and other uses to be developed in the community through infill, redevelopment, and new development. This, in turn, would help Salem meet its housing and employment needs. In addition, by allowing buildings and uses to be closer together – not separated by large parking lots – areas could become more walkable, as pedestrians could more easily access multiple uses in an area. This would reduce the need to drive from place to place, which would reduce greenhouse gas emissions from transportation.

In addition, the proposed code amendment revises parking maximums, including in areas near frequent transit service. This helps limit the amount of land in Salem that can be solely dedicated to parking, thus potentially freeing up space for other uses.

2. *The amendment conforms with the Salem Area Comprehensive Plan, applicable Statewide Planning Goals, and applicable administrative rules adopted by the Department of Land Conservation and Development.*

Finding: The Salem Area Comprehensive Plan (Comprehensive Plan) is the long-range plan for guiding future growth and development in the Salem area. The Comprehensive Plan

establishes a framework to guide all land use and related activities in line with the community's vision, and it aims to ensure orderly and efficient development that meets the community's needs. The Comprehensive Plan was updated by the City of Salem and acknowledged by the Department of Land Conservation and Development (DLCD) in August of 2022.

Comprehensive Plan: The proposed code amendment was reviewed for conformance with the applicable goals and policies of the Comprehensive Plan. The following goals and policies relate to the proposed code amendment:

H 2.5 Regulations and incentives: Regulations and incentives should be periodically updated to reduce the impacts that development standards, processes, and fees have on housing affordability, including parking requirements and tax relief programs.

The proposed code amendment is consistent with the above policy because it updates City regulations to reduce the impacts that minimum off-street parking requirements have on housing affordability. Specifically, the elimination of minimum parking requirements allows housing developers to determine the amount of parking they want to provide. That decisions, removed from City mandates, can factor in impacts that providing parking may have on the affordability of the housing being developed, among other considerations.

E 2 Land Supply Goal: Maintain an adequate supply of land to meet Salem's economic and employment needs.

H 3 Land Supply Goal: Provide a supply of residential land that accommodates the amounts and types of housing needed to meet the population forecast for the Salem Urban Area.

The proposed code amendment is consistent with the above goals because it potentially frees up land that would have been used for required parking spaces, in many cases, under current regulations. That space could be used to develop housing, offices, services, and other employment uses. This helps to increase the potential amount of land in the city that can be used to accommodate Salem's housing and employment needs.

L 1.10 Infill: Development of vacant and underutilized land with existing urban services should be encouraged before converting urbanizable lands to urban uses and extending services beyond presently served areas.

The proposed code amendment is consistent with the above policy because it allows for infill development on existing parking lots. For example, a large parking lot that supports a commercial plaza today could be redeveloped to accommodate housing or other development under the proposed code amendment. This allows for more properties already served by utilities and infrastructure to be redeveloped; this in turn could lessen the pressure to extend services to vacant, unserved lands on the fringes of the community.

L 4.2 State and federal regulations: The Comprehensive Plan and its implementation tools shall remain consistent with all applicable state and federal regulation.

The proposed code amendment is consistent with the above policy because it implements

the new Oregon Administrative Rules (OARs) that were developed through the Climate Friendly and Equitable Communities rulemaking project. Specifically, the proposed code amendment implements OAR 660-012-400(3) and OAR 660-012-0450(1), both of which require the City to eliminate all minimum off-street parking requirements citywide or complete other parking reforms. The proposal also implements OAR 660-012-0415, which requires cities with populations more than 100,000 to revise parking maximum standards. (See more detailed discussion below.)

L 3.8 Parking requirements: *Parking requirements should be reviewed and set at the lowest standards that will meet the community's needs in order to reduce land utilized for parking, allow the market to determine parking needs, reduce the cost of development, and encourage a more walkable development pattern.*

The proposed code amendment is consistent with the above policy because it eliminates all minimum off-street parking requirements, which is the lowest standards that could be established. The amendment continues to allow parking to be built – with parking maximums still in place – as determined by the market. As stated earlier, the proposed code amendment potentially reduces the cost of development and encourages a more walkable development pattern.

CC 1.1 Land use and transportation: *The City shall facilitate and support changes in land use patterns and the transportation system to reduce single-occupancy vehicle trips and mobile emissions, which are the largest source of greenhouse gas emissions produced in Salem.*

The proposed code amendment is consistent with the above policy because it allows buildings and uses to be built closer together instead of being separated by mandated parking lots. Compact development makes it easier for pedestrians to access multiple places in one area. This could reduce the need for single-occupancy vehicle trips and thus reduce greenhouse gas emissions from transportation. People might also be discouraged from driving if less parking was provided overall. (The amendment does not eliminate parking maximums.)

T 9 Parking Management Goal: *Design and manage on- and off-street parking to ensure an appropriate supply of parking facilities for all modes, while protecting Salem's neighborhoods and environment.*

The proposed code amendment is consistent with the above goal because it allows the market to determine the appropriate supply of parking spaces, as opposed to relying on the City's regulations, which generally tend to be more one-size-fit-all based on use.

Statewide Planning Goals: The proposed code amendment was also reviewed for conformance with the applicable Statewide Planning Goals and administrative rules adopted by the Department of Land Conservation and Development. The following goals and OARs are applicable to the proposed code amendment:

Goal 1 – Citizen Involvement: *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

The process to adopt this proposed code amendment requires public notice and affords the public an opportunity to review, comment, and take part in the approval process.

Goal 14 – Urbanization: *To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.*

The proposed code amendment conforms to this goal because it promotes the efficient use of land by helping accommodate Salem’s urban population within its portion of the UGB. It does this by allowing higher density development and encouraging infill or redevelopment of properties that may be underutilized (e.g., over supply of parking). This means urban lands can accommodate more housing and employment uses than today when the City mandates that land be used for off-street parking spaces.

Goal 12 – Transportation and the Transportation Planning Rule (TPR):

OAR 660-012-0400(3): Parking Management

Cities and counties shall remove parking mandates as directed under OAR 660-012-0420. In lieu of removing parking mandates, cities and counties may amend their comprehensive plans and land use regulations to implement the provisions of OAR 660-012-0425, OAR 660-012-0430, OAR 660-012-0435, OAR 660-012-0440, OAR 660-012-0445, and OAR 660-012-0450.

OAR 660-012-0450(1): Parking Management in More Populous Communities

(1) Cities with populations over 100,000 shall either:

- (a) Adopt land use regulations without parking mandates; or
- (b) Price at least 10 percent of on-street parking spaces, and report the percentage of on-street parking spaces that are priced as provided in OAR 660-012-0900. Residential parking permits priced at lower than \$15 per month, 50 cents per day per space, or equivalent amounts do not count towards this total.

The proposed code amendment conforms to this goal and TPR by implementing OAR 660-012-0400(3) and OAR 660-012-0450(1). Specifically, the proposal eliminates minimum off-street parking requirements citywide.

OAR 660-012-0415: Parking Maximums and Evaluation in More Populous Communities

(1) Cities with populations over 100,000, counties with populations over 100,000 outside city limits but within the urban growth boundary, and cities with populations over 25,000 within the Portland Metropolitan Area, shall set parking maximums in climate-friendly areas and in regional centers and town centers, designated under the Metro Title 6, Centers, Corridors, Station Communities and Main Streets, Adopted Boundaries map. Those cities and counties shall also set parking maximums on lots or parcels within the transit corridors and rail stop areas listed in OAR 660-012-0440.

- (a) Parking maximums shall be no higher than 1.2 off-street parking spaces per studio unit and two off-street parking spaces per non-studio residential unit in a multi-unit development in climate-friendly areas and within one-half mile walking distance of priority transit corridors. These maximums shall include visitor parking;
- (b) Parking maximums shall be no higher than five spaces per 1,000 square feet of floor space for all commercial and retail uses other than automobile sales and repair, eating and drinking establishments, and entertainment and commercial recreation uses;
- (c) For land uses with more than 65,000 square feet of floor area, surface parking may not consist of more area than the floor area of the building;
- (d) In setting parking maximums, cities and counties shall consider setting maximums equal to or less than 150 percent of parking mandates in their adopted land use regulations in effect as of January 1, 2020. A city or county that sets a higher parking maximum must adopt findings for doing so. In no case shall the city or county exceed the limits in subsections (a) through (c) in climate-friendly areas and for developments on parcels or lots within one-half mile of transit corridors and three-quarters mile of rail transit stops listed in OAR 660-012-0440;

The proposed code amendment conforms to this goal and TPR by implementing most of OAR 660-012-0415. Specifically, the code amendment revises parking maximums to meet subsections OAR 660-012-0415(a), (b), and (c). For example, the proposed parking maximum for studio units in multifamily housing developments is 1.2 spaces per unit, which complies with the State rules. The rules also establish a maximum of 2 spaces per unit for other unit types in multifamily housing developments. The City's existing parking maximum for middle housing and multifamily housing is 1.75 spaces per unit in locations where no minimum off-street parking is required today. The proposed code amendment retains that parking maximum (except for studio units in multifamily projects as mentioned previously).

For other uses, the code amendment revises the City's parking maximums so that they are no more than 150 percent of the minimum parking requirements that were in place in Salem on January 1, 2020 (OAR 660-012-0415(d)). For retail uses, the proposed code amendment establishes a parking maximum of 1 space per 200 square feet. For a small subsection of retail uses such as home furnishing stores and for two specific mixed-use zones, this proposed maximum is more than 150 percent of the minimum parking requirement. However, establishing one consistent parking maximum streamlines and simplifies parking standards, which reduces potential confusion in the development process. The proposed parking maximum of 1 space per 200 square feet also meets OAR 660-012-0145(b).

There are some uses for which the City currently bases parking requirements on number of employees or building square footage, whichever is *greater*. This applies to warehousing and distribution, general manufacturing, and similar uses. Due to the challenges of estimating or determining number of employees – the number is not always known or can fluctuate over time – the proposed code amendment removes the reliance on employee counts. However, in many cases or projects, the minimum parking requirement is significantly higher when based on number employees (e.g., 0.75 spaces

per employee) versus building square footage. The proposed code amendment therefore establishes a maximum parking requirement for those uses of 1 space per 1,000 square feet. That is based on a review of recent warehousing, distribution, and manufacturing projects. For several projects, the number of employees per parking space provided was roughly 1 space per 1,500 square feet or higher. Based on the 150 percent requirement in OAR 660-012-0145(d), the proposed parking maximum can be 1 space per 1,000 square feet. This also matches the proposed parking maximum for similar uses such as general and heavy wholesaling.

The proposed code amendment establishes a parking maximum for parks and open space of 1 space per 2,700 square feet of gross site area. Currently, there is no maximum for parks and open space. The proposed maximum considers the number of parking spaces currently provided per sports field as well as future park development plans. For example, Wallace Marine Park Sports Complex, which has five fields, provides 340 parking spaces or 68 spaces per field. If this is translated to what could be developed at Hazelgreen Road Park Property – potentially a large sports field complex with 10 fields – then 680 parking spaces would be needed; that is below the proposed maximum, which would be 703 parking spaces. For a smaller, 2.5-acre future community skate park, the proposed maximum would be 40 parking spaces. Overall, the proposed parking maximum for parks and open space is less than the proposed parking maximum for outdoor recreational and cultural community services (e.g., 1 space per 1,400 square feet).



Parking Reform Summary

November 16, 2022

Rules Implementing

OAR 660-012-0400 through 0450 (see also definitions in 0005 and deadlines and processes in 0012)

Who do the rules apply to, and when is action needed?

The parking reforms apply to the 48 Oregon cities in Oregon's eight metropolitan areas (Albany, Bend, Corvallis, Eugene/Springfield, Grants Pass, Portland Metro, Rogue Valley, Salem/Keizer), and counties in these areas with more than 5,000 people inside the urban growth boundary but outside city limits with urban sewer and water services (Clackamas, Marion, Washington).

Some of the rules take effect December 31, 2022; others require action by March 31, 2023 or June 30, 2023.

Why reform costly parking mandates?

Parking mandates, also known as minimum parking requirements, are a one-size-fits-all approach that ends up hiding the costs of parking in other goods, from housing to business costs to wages. That means the costs of car ownership and use are subsidized, leading people to own more cars and drive more than they would if they were aware of the true costs. Providing 300 square-feet of parking lot for each car that wants a parking spot is a significant cost – in the thousands, and often tens of thousands, of dollars.

Because of the cookie-cutter approach of mandates, parking is often over-built, adding unnecessary costs, while pushing apart buildings and making areas less walkable. That means more driving, and more pollution.

A better approach, one that has been used by communities around the world for decades, is to let the free market provide parking where there is demand. Experience shows lenders usually require sufficient off-street parking, and developers will build it, especially when the on-street parking is properly managed.

How do cities and counties amend their codes to meet the requirements in the rules?

The cleanest path to meet rules requirements is to update local zoning and development codes to meet the requirements in OAR 660-012-0405 through 0415, and repeal all parking mandates. The provisions of 0425 through 0450 do not apply to communities without parking mandates.

Many of the requirements in 0405 through 0415 may already be in city code, as some of those provisions have been required by the Transportation Planning Rules for many years.

If a community prefers to keep some mandates, the provisions in 0425 through 0450 reduce the mandates and the negative impacts of remaining mandates.

Questions?

Evan Manvel

Climate Mitigation Planner

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971-375-5979

Parking A – Reform Near Transit; Certain Uses by December 31, 2022

Apply to development applications submitted after December 31, 2022 (amend code or directly apply these rules)

0430 Cannot mandate more than 1 space/unit for residential developments with more than 1 unit
No mandates for small units, affordable units, child care, facilities for people with disabilities, shelters

0440 No parking mandates allowed within ¼ mile of rail stations or ½ mile of frequent transit corridors

0410 Electric Vehicle Charging **due March 31, 2023*

- New private multi-family residential or mixed-use developments install conduit to serve 40% of units

Parking B – More Reform, Choose an Approach by June 30, 2023 or alternative date

0405 Parking Regulation Improvement

- Preferential placement of carpool/vanpool parking
- Allow redevelopment of any portion of a parking lot for bike or transit uses
- Allow and encourage redevelopment of underused parking
- Allow and facilitate shared parking
- New developments with parking lots more than ¼ acre in size must install 50% tree canopy OR solar panels; requires street trees and street-like facilities along driveways
- Parking maximums in appropriate locations (in existing TPR)

0415 Provisions Specific to More Populous Cities

- Cities >25,000 in metro or >100,000 outside set certain parking maximums in specified areas
(additional provisions for 200,000+ population cities, i.e. Portland, are not listed here)

0420-0450 Three options for parking reform

Option 1 660-012-0420	Options 2 and 3 660-012-0425 through 0450	
Repeal parking mandates	Reduce parking burdens – reduced mandates based on shared parking, solar panels, EV charging, car sharing, parking space accessibility, on-street parking, garage parking. Must unbundle parking for multifamily units near frequent transit. May not require garages/carports.	
	Climate-friendly area parking – remove mandates in and near climate-friendly areas or adopt parking management policies; unbundle parking for multifamily units	
	Cities pop. 100,000+ adopt on-street parking prices for 5% of on-street parking spaces by September 30, 2023 and 10% of spaces by September 30, 2025	
No additional action needed	Option 2 enact at least three of five policies	Option 3 all of the below
	1. Unbundle parking for residential units 2. Unbundle leased commercial parking 3. Flexible commute benefit for businesses with more than 50 employees 4. Tax on parking lot revenue 5. No more than ½ parking space/unit mandated for multifamily development	No mandates for a variety of specific uses, small sites, vacant buildings, studios/one bedrooms, historic buildings, LEED or Oregon Reach Code developments, etc. No additional parking for changes in use, redevelopments, expansions of over 30%. Adopt parking maximums. No mandates within ½ mile walking distance of Climate-Friendly Areas. Designate district to manage on-street residential parking.

From: [Mocaby, Breanne](#)
To: [CityRecorder](#)
Subject: Public Comment for Ordinance 4-23, Item 7.1a 23-76
Date: Monday, March 13, 2023 1:21:10 PM

Black & Veatch, an industry leader in the engineering, procurement and construction of nationwide charging networks, is writing in support of City of Salem Ordinance Bill # 4-23. Minimum parking count standards are a major obstacle for the construction of Electric Vehicle Charging Stations (EVCS). Electric Vehicle (EV) adoption is heavily dependent upon the charging infrastructure being accessible and convenient. The most efficient and climate friendly way to provide this network is to use existing commercial parking lots. Commercial property owners are interested in installing EVCS as a benefit to their customers. When Code requires parking minimums, EVCS installations are forced into existing landscaping areas or to less convenient sites. Also, burdensome zoning code requirements and process discourage private property owners from installing EVCS. Ordinance Bill #4-23 will benefit the City of Salem by encouraging climate friendly infrastructure on existing developments.

Breanne Mocaby

Land Services Specialist

Environmental & Land Services – Engineering & Development Services

Black & Veatch

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From: [Haley Lehman](#)
To: [CityRecorder](#)
Subject: Oppose the Elimination of Off Street Parking Requirement
Date: Sunday, March 12, 2023 7:34:24 AM

Hello,

I'd like to write to the city council to express my opposition to the elimination of off street parking requirements. I have a hard enough time finding parking for small businesses in the Salem area. Eliminating the need to provide off street parking will make it harder and more inconvenient for people to buy local and support small businesses/restaurants. If I have to hunt for parking, honestly, I will probably just not go. I know providing parking is still an option, but if it's not required, many developers will likely opt out.

Thank you,
Haley Lehman

--

Haley Lehman

March 13, 2023

To the Salem City Council:

The proposal to eliminate minimum off-street parking requirements in Salem is at best naïve. At worst, it is bowing to commercial interests at the expense of those of the public. Allowing “the market to determine parking amounts” is ludicrous, for the “market” always chooses the path of least expense, not one benefiting the public. Current downtown parking is already limited, especially during peak usage, to the point where I often prefer to have downtown experiences in Independence or Corvallis. Why should less parking be needed for new businesses? “Green” policies will not result in more mass transit use or fewer people, which would be the only reasons to change new parking provisions. Electric vehicles still need parking spaces. If any change should be made, it should be that many of the new spaces must have charging stations to accommodate this technology. Downtown Salem continues to be plagued by the triple whammies of Internet commerce, the Pandemic, and the ongoing homeless crisis. Allowing new businesses to provide fewer or no additional parking will only discourage downtown visitation, further eroding Salem’s economy and quality of life.

Sincerely,

James R. LaBonte
1570 Kenard Street NW
Salem, OR. 97304