



**Oregon**  
Theodore R. Kulongoski, Governor

**Department of Land Conservation and Development**

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**NOTICE OF ADOPTED AMENDMENT**

10/10/2011

**TO:** Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

**FROM:** Plan Amendment Program Specialist

**SUBJECT:** City of Salem Plan Amendment  
DLCD File Number 017-09

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

**DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL:** Monday, October 24, 2011

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

**\*NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

**Cc:** Kim Moreland, City of Salem  
Angela Lazarean, DLCD Urban Planning Specialist  
Steve Oulman, DLCD Regional Representative  
Bill Holmstrom, DLCD Transportation Planner

<paa> YA



FORM 2

DLCD

## Notice of Adoption

This Form 2 must be mailed to DLCD within 5-Working Days after the Final Ordinance is signed by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

|                     |                                                                                                        |
|---------------------|--------------------------------------------------------------------------------------------------------|
| DATE<br>STAMP       | <input type="checkbox"/> In person <input type="checkbox"/> electronic <input type="checkbox"/> mailed |
|                     | DEPT OF                                                                                                |
|                     | OCT 03 2011                                                                                            |
|                     | LAND CONSERVATION<br>AND DEVELOPMENT                                                                   |
| For Office Use Only |                                                                                                        |

Jurisdiction: **City of Salem**

Local file number: **CA09-2**

Date of Adoption: **9/26/2011**

Date Mailed: **9/29/2011**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date: 9/04/2009

☐ Comprehensive Plan Text Amendment

☐ Comprehensive Plan Map Amendment

☐ Land Use Regulation Amendment

☐ Zoning Map Amendment

☒ New Land Use Regulation

☐ Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Amending the Salem Revised Code to create SRC Chapter 532 (Neighborhood Center Mixed Use Zone) and SRC Chapter 215 (Neighborhood Center Master Plans) and amend SRC Chapter 113 (Land Use Zones) and SRC Chapter 300 (Procedures for Land Use Applications and Legislative Land Use).

Does the Adoption differ from proposal? Yes, Please explain below:

Yes, the Salem TSP was not amended nor was SRC Ch. 62 (Signs). The adopted chapters have been reformatted into the Unified Development Code (UDC) format. The prohibition on mixed-use centers being within 1/2 of each other was removed, drive-thru uses have been restricted, notification to neighborhood associations has been increased and the requirement for proximity to a major intersection has been reduced to 1/8 mile.

Plan Map Changed from: **N/A**

to:

Zone Map Changed from: **N/A**

to:

Location: **N/A**

Acres Involved:

Specify Density: Previous: **N/A**

New:

Applicable statewide planning goals:

|                                     |                                     |                                     |                                     |                                     |                                     |                                     |                                     |                                     |                                     |                                     |                                     |                                     |                                     |                          |                          |                          |                          |                          |
|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| 1                                   | 2                                   | 3                                   | 4                                   | 5                                   | 6                                   | 7                                   | 8                                   | 9                                   | 10                                  | 11                                  | 12                                  | 13                                  | 14                                  | 15                       | 16                       | 17                       | 18                       | 19                       |
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Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

☒ Yes ☐ No

If no, do the statewide planning goals apply?

☐ Yes ☐ No

If no, did Emergency Circumstances require immediate adoption?

☐ Yes ☐ No

DLCD File No. 017-09 (17789) [16789]



DLCD file No. \_\_\_\_\_

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

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Local Contact: **Glenn Gross, Planning Administrator** Phone: (503) 588-6173 Extension: 7506

Address: **555 Liberty St SE**

Fax Number: **503-588-6005** JK<sup>2</sup>

City: **Salem**

Zip: **97301**

E-mail Address: **ggross@cityofsalem.net**

1 **ENGROSSED**

2 **ORDINANCE BILL NO. 20-11**

3 AN ORDINANCE RELATING TO THE CREATION OF THE NEIGHBORHOOD CENTER  
4 MIXED USE ZONE, AND THE NEIGHBORHOOD CENTER MIXED USE MASTER  
5 PLANS CHAPTER; AMENDING SRC 113.010, AND SRC 300.100

6 *The City of Salem ordains as follows:*

7 **Section 1.** The following is added to and made part of the Salem Revised Code as Chapter 532:

8 **532.001. Purpose.** The purpose of this Chapter is to create the Neighborhood Center Mixed  
9 Use (NCMU) zone, in order to implement the Mixed-Use Comprehensive Plan designation,  
10 and to encourage the development of appropriately scaled, pedestrian friendly neighborhood  
11 center developments.

12 **532.005. Definitions.** Unless the context otherwise specifically requires, as used in this  
13 Chapter the following mean:

14 (a) Contiguous means touching along boundaries.

15 (b) Ground floor area means only the floor area of a building or structure devoted to a  
16 particular use, measured within the exterior walls that are at the grade plane of the  
17 building or structure.

18 (c) Major intersection means the intersection of two streets, one of which is designated in  
19 the Salem Area Transportation System Plan as a major arterial or minor arterial, and the  
20 other designated as a major arterial, minor arterial, or collector.

21 (d) Neighborhood Center Master Plan means a comprehensive development plan for a  
22 district approved pursuant to SRC Chapter 215.

23 (e) District means a lot or parcel, or contiguous lots or parcels that are zoned NCMU and  
24 that will be developed as a unit.

25 **532.010. Requirements for Application of Neighborhood Center Mixed Use Zone.** In  
26 addition to all other applicable criteria, proposals to zone land NCMU shall meet the  
27 following criteria:

28 (a) A district shall have an area that contains a minimum of three acres and a maximum  
29 of fifteen acres;

30 (b) Districts that are separated by public street right-of-way shall not be considered



1 contiguous; and

2 (c) A district shall be located within one-eighth of a mile of a major intersection, as  
3 measured from the center of the intersection to the point in the district that is nearest to  
4 the intersection.

5 **532.015. Uses, Generally.**

6 **(a) Classification of Uses.**

7 (1) For the purposes of this Chapter, uses within the NCMU zone are classified under  
8 use categories identified in subsection (b) of this section. Each use category includes  
9 a description of the characteristics of the use and a list of examples illustrating the  
10 scope of the use. The examples are not intended to be exhaustive. A specific use not  
11 identified as an example in a category and is considered included in the category if  
12 the specific use possesses the characteristics of the category.

13 (2) Accessory uses are not considered separate uses for the purposes of this Chapter,  
14 even though the accessory use might have characteristics that are included in the  
15 scope of another use category.

16 (3) Specific uses, which the Planning Administrator determines cannot be readily  
17 classified with reference to a particular use category, shall be referred to the Planning  
18 Commission for a formal interpretation pursuant to SRC 113.090(d).

19 (4) Upon classification pursuant to paragraph (3) of this subsection, a proposed use  
20 may be added to a use category without a text amendment if the proposed use would  
21 not result in materially greater impacts than the other uses included in the category.  
22 Any inclusion of a proposed use within a category that does not require a text  
23 amendment shall be entered in a registry of uses made available to the public and  
24 setting forth:

25 (A) The street address or other easily understood geographic reference to the  
26 property upon which the specific economic activity will occur;

27 (B) The date of the decision; and

28 (C) A description of the decision made.

29 **(b) Use Categories.**

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**(1) Residential.**

**(A) Characteristics.** Residential consists of the residential occupancy of a dwelling unit by a household. Tenancy may be on a month-to-month basis or for a longer term. Tenancies with a term shorter than month-to-month are not considered residential uses, but may be allowed under "Retail Sales and Service" as temporary lodging. In addition, residential homes and residential facilities, as defined in ORS 197.660, are included as types of residential use.

**(B) Examples.** Single family detached dwelling; single family attached dwelling (townhouse); manufactured home; two family dwelling (duplex); multiple family (apartments); residential home; and residential facility.

**(2) Senior Care Facility.**

**(A) Characteristics.** A Senior Care Facility consists of facilities that provide multi-family housing meeting the Federal Fair Housing Act definition of "housing for older persons," in conjunction with the provision of residential care, where medical care is not a major element.

**(B) Examples.** Assisted living.

**(3) Retail Sales and Service.**

**(A) Characteristics.** Retail Sales and Service consists of the sale, lease, or rental of new or used products to the general public or the provision of personal services, entertainment, or the repair or service of consumer and business goods.

**(B) Examples.** Retail Sales and Service permitted activities include the following activities:

**(i) Retail Sales-Oriented.** Stores selling, leasing, or renting consumer home and business goods including art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric, furniture, garden supplies, gifts, groceries, hardware and home improvements, household products, jewelry, pets, pet food, pharmaceuticals, plants, printed material, stationery, or video.

**(ii) Personal Service-Oriented.** Banks; urgent medical care; laundromats; photographic studios; photocopy and blueprint services; hair, tanning, and personal care services; business, martial arts, and other trade schools; dance or



1 music studios; and veterinarians and animal grooming.

2 **(iii) Entertainment-Oriented.** Restaurants, cafes, delicatessens, taverns, and  
3 bars; health clubs and gyms; membership clubs, lodges, and temporary  
4 lodging establishments with five or fewer guest rooms.

5 **(iv) Product Repair or Service Oriented.** Repair of TVs, bicycles, clocks,  
6 watches, shoes, guns, appliances and office equipment; quick printing; tailors;  
7 locksmiths; and upholsterers.

8 **(4) Office.**

9 **(A) Characteristics.** Office consists of uses conducted in an office setting and  
10 generally involves business, professional, medical, or financial services.

11 **(B) Examples.** Lawyers; accountants; engineers; architects; lenders; brokerage  
12 houses; bank headquarters; real estate agents; data processing; sales offices;  
13 medical and dental clinics; and medical and dental laboratories.

14 **(5) Institutional.**

15 **(A) Characteristics.** Institutional consists of activities of a public, nonprofit, or  
16 charitable nature generally providing a local service to people of the community.  
17 Generally, institutional provides the service on the site or has employees at the  
18 site on a regular basis. The service is ongoing, and not just for special events.

19 **(B) Examples.** Daycare, preschools, and nursery schools; adult daycare; public  
20 and private schools and colleges; senior centers; community centers; religious  
21 institutions; libraries; postal services; transit shelters; fire stations, police stations  
22 and other structures providing necessary municipal services.

23 **(6) Parks and Open Space.**

24 **(A) Characteristics.** Parks and Open Space consists of natural areas, large areas  
25 consisting mostly of vegetative landscaping or outdoor recreation features or  
26 facilities, community gardens, or public squares, used for public recreational  
27 activities or for the preservation or enhancement of areas having scenic, biological  
28 or ecological significance.

29 **(B) Examples.** Playgrounds; parks; public squares; plazas; recreational trails;  
30 botanical gardens; and nature preserves.

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| Table 532-1: NCMU Zone Uses with Master Plan |             |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|----------------------------------------------|-------------|--------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Use                                          | Status      |              | Limitations & Qualifications                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|                                              | Inside Core | Outside Core |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| All other Residential Uses                   | N           | N            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Senior Care Facility Use                     |             |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Senior Care Facility                         | P           | C            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Retail Sales and Service Use                 |             |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Retail Sales and Service                     | P           | N            | Retail Sales and Service uses are permitted within the core area, except for the following uses which are prohibited. <ul style="list-style-type: none"><li>▪ Outdoor facilities for the sale or leasing of consumer vehicles, including passenger vehicles, motorcycles, light and medium trucks, and other recreational vehicles;</li><li>▪ Vehicle services such as motor vehicle repair, gas station, or car wash;</li><li>▪ Recycling drop-off, except that recycling drop-off facilities that are accessory to a retail store shall be permitted;</li><li>▪ Taxidermists;</li><li>▪ Mortuaries;</li><li>▪ Kennels;</li><li>▪ Casinos;</li><li>▪ Temporary lodging establishments with more than 5 guest rooms;</li><li>▪ Recreational vehicle parks;</li><li>▪ Indoor firing ranges;</li><li>▪ Theaters greater than 5,000 square feet;</li><li>▪ Pool halls;</li><li>▪ Indoor or outdoor continuous entertainment activities such as bowling alleys, ice rinks, and game arcades.</li></ul> |
| Office Use                                   |             |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Office                                       | P           | N            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Institutional Use                            |             |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Institutional                                | P           | C            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| Parks and Open Space Use                     |             |              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |

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| Use                                                                                                                                           | Status      |              | Limitations & Qualifications                                                                                                                                                                                                                                                                                                                                                                 |
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|                                                                                                                                               | Inside Core | Outside Core |                                                                                                                                                                                                                                                                                                                                                                                              |
| Parks and Open Space                                                                                                                          | P           | P            | Parks and Open Space uses are permitted inside and outside the core area, except for the following uses which are prohibited: <ul style="list-style-type: none"><li>▪ Cemeteries;</li><li>▪ Open areas used for grazing.</li></ul>                                                                                                                                                           |
| Public Utilities Use                                                                                                                          |             |              |                                                                                                                                                                                                                                                                                                                                                                                              |
| Public Utilities                                                                                                                              | P/C         | P/C          | Public Utilities uses are permitted inside and outside the core area, except for the following uses that are allowed inside and outside the core area as a conditional use: <ul style="list-style-type: none"><li>▪ Public utility structures and buildings limited to pump stations, reservoirs, radio microwave relay stations, telephone substations, and electric substations.</li></ul> |
| <b>LEGEND</b>                                                                                                                                 |             |              |                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>P – Permitted Use; S – Special Use (Subject to SRC Chapter 119); C – Conditional Use (Subject to SRC Chapter 117); N – Prohibited Use.</b> |             |              |                                                                                                                                                                                                                                                                                                                                                                                              |

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**532.025. Uses Allowed in Lieu of Neighborhood Center Master Plan.** The uses set forth in Table 532-2 are allowed in the NCMU zone in lieu of development pursuant to a Neighborhood Center Master Plan and are subject to the development standards set forth in SRC 532.035.

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TABLE 532-2  
NCMU ZONE USES IN LIEU OF MASTER PLAN

| Table 532-2: NCMU Zone Uses In Lieu of Master Plan                                                                                            |        |                                                                                                                                                                                                                                                                             |
|-----------------------------------------------------------------------------------------------------------------------------------------------|--------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Use                                                                                                                                           | Status | Limitations & Qualifications                                                                                                                                                                                                                                                |
| <b>Residential Use</b>                                                                                                                        |        |                                                                                                                                                                                                                                                                             |
| Single Family Detached Dwelling                                                                                                               | P      | One single family dwelling, other than a manufactured home, per lot.                                                                                                                                                                                                        |
| Residential Home                                                                                                                              | P      |                                                                                                                                                                                                                                                                             |
| Single Family Attached Dwelling (Townhouse)                                                                                                   | N      |                                                                                                                                                                                                                                                                             |
| Manufactured Home                                                                                                                             | S      | One manufactured home per lot.                                                                                                                                                                                                                                              |
| Two Family Dwelling (Duplex)                                                                                                                  | N      |                                                                                                                                                                                                                                                                             |
| Multiple Family                                                                                                                               | N      |                                                                                                                                                                                                                                                                             |
| Residential Facility                                                                                                                          | N      |                                                                                                                                                                                                                                                                             |
| All other Residential Uses                                                                                                                    | N      |                                                                                                                                                                                                                                                                             |
| <b>Senior Care Facility Use</b>                                                                                                               |        |                                                                                                                                                                                                                                                                             |
| Senior Care Facility                                                                                                                          | N      |                                                                                                                                                                                                                                                                             |
| <b>Retail Sales and Service Use</b>                                                                                                           |        |                                                                                                                                                                                                                                                                             |
| Retail Sales and Service                                                                                                                      | N      |                                                                                                                                                                                                                                                                             |
| <b>Office Use</b>                                                                                                                             |        |                                                                                                                                                                                                                                                                             |
| Office                                                                                                                                        | N      |                                                                                                                                                                                                                                                                             |
| <b>Institutional Use</b>                                                                                                                      |        |                                                                                                                                                                                                                                                                             |
| Institutional                                                                                                                                 | N      |                                                                                                                                                                                                                                                                             |
| <b>Parks and Open Space Use</b>                                                                                                               |        |                                                                                                                                                                                                                                                                             |
| Parks and Open Space                                                                                                                          | P      |                                                                                                                                                                                                                                                                             |
| <b>Public Utilities Use</b>                                                                                                                   |        |                                                                                                                                                                                                                                                                             |
| Public Utilities                                                                                                                              | P/C    | Public Utilities uses are permitted, except for the following uses that are allowed as a conditional use:<br>Public utility structures and buildings limited to pump stations, reservoirs, radio microwave relay stations, telephone substations, and electric substations. |
| <b>LEGEND</b>                                                                                                                                 |        |                                                                                                                                                                                                                                                                             |
| <b>P – Permitted Use; S – Special Use (Subject to SRC Chapter 119); C – Conditional Use (Subject to SRC Chapter 117); N – Prohibited Use.</b> |        |                                                                                                                                                                                                                                                                             |

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1       **532.030. Development in a NCMU District.**

2           (a) Except for development undertaken pursuant to SRC 532.035, development within a  
3       district shall comply with the Neighborhood Center Master Plan.

4           (b) The following activities may be undertaken in a NCMU district without approval of  
5       the Neighborhood Center Master Plan:

- 6           (1) Site grading;  
7           (2) Environmental remediation;  
8           (3) Use or reuse of existing structures; or  
9           (4) Installation of utilities serving adjacent properties.

10       **532.035. Development Standards for Residential Development in Lieu of Neighborhood**  
11       **Center Master Plan.** In lieu of developing the property through a Neighborhood Center  
12       Master Plan, residential development that meets the standards set forth in this section and  
13       SRC Chapter 63 is permitted without a Neighborhood Center Master Plan approved in  
14       accordance with SRC Chapter 215. In the event of a conflict between SRC Chapter 63 and  
15       this section, the standards in this section shall control.

16           (a) **Lot Standards.** All lots shall comply with the standards set forth in Table 532-3.

17                               **TABLE 532-3**

18                               **LOT STANDARDS**

19                               **Table 532-3: Lot Standards**

| Requirement     | Standard                        | Limitations & Qualifications        |
|-----------------|---------------------------------|-------------------------------------|
| Lot Area        | Min. 7,000 sq. ft.              | Exclusive of any accessway.         |
| Lot Width       | Min. 70 ft.                     | Exclusive of any accessway.         |
| Lot Depth       | Min. 70 ft.                     | Exclusive of any accessway.         |
|                 | Min. 120 ft.                    | Exclusive of any accessway.         |
|                 | Max. 300% of average lot width. | Applicable to double frontage lots. |
| Street Frontage | Min. 70 ft.                     |                                     |

27  
28           (b) **Setbacks; Lot Coverage; Height.** All development shall comply with the setback,  
29       lot coverage, and building height requirements set forth in Table 532-4. For purposes of  
30       this subsection, setbacks shall be measured from the most interior of the following lines:

- (1) The property line; or
- (2) The most interior access easement line, if an access easement exists.

**TABLE 532-4**

**SETBACKS; LOT COVERAGE; HEIGHT**

| Table 532-4: Setbacks; Lot Coverage; Height |                            |                                                                                                                                                       |
|---------------------------------------------|----------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| Requirement                                 | Standard                   | Limitations & Qualifications                                                                                                                          |
| <b>Setbacks</b>                             |                            |                                                                                                                                                       |
| <b>Abutting Street</b>                      |                            |                                                                                                                                                       |
| Buildings                                   | Min. 12 ft.                | Applicable along streets other than collector or arterial streets.                                                                                    |
|                                             | Min. 20 ft.                | Applicable along collector or arterial streets.                                                                                                       |
| Accessory Structures                        | None.                      | Applicable to accessory structures extending no more than 4 feet above grade.                                                                         |
|                                             | Same as for Main Building. | Applicable to accessory structures extending more than 4 feet above grade.                                                                            |
| <b>Interior Front</b>                       |                            |                                                                                                                                                       |
| Buildings                                   | Min. 12 ft.                |                                                                                                                                                       |
| Accessory Structures                        | Min. 12 ft.                |                                                                                                                                                       |
| <b>Interior Side</b>                        |                            |                                                                                                                                                       |
| Buildings                                   | Min. 5 ft.                 |                                                                                                                                                       |
| Accessory Structures                        | Min. 5 ft.                 | Minimum setback does not apply to accessory structures having at least one wall which is an integral part of a fence.                                 |
| <b>Interior Rear</b>                        |                            |                                                                                                                                                       |
| Buildings                                   | Min. 14 ft.                | For any portion of a main building not more than one story in height.                                                                                 |
|                                             | Min. 20 ft.                | For any portion of a main building greater than one story in height.                                                                                  |
| Accessory Structures                        | Min. 0 ft.                 | Applicable to accessory structures not more than 9 feet in height.<br><br>Accessory structures shall be set back a minimum of one foot from an alley. |

| Table 532-4: Setbacks; Lot Coverage; Height |                                                                                    |                                                                                                                                                                                                                                    |
|---------------------------------------------|------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Requirement                                 | Standard                                                                           | Limitations & Qualifications                                                                                                                                                                                                       |
|                                             | Min. 0 ft., plus one foot for each one foot of height over 9 ft.                   | Applicable to accessory structures greater than 9 feet in height.<br><br>Accessory structures shall be set back a minimum of one foot from an alley, unless a greater setback is required based on the accessory structure height. |
| Lot Coverage                                |                                                                                    |                                                                                                                                                                                                                                    |
| Buildings                                   | Max. 60%                                                                           | Maximum lot coverage includes attached accessory structures.                                                                                                                                                                       |
| Accessory Structures                        | Max. 600 sq. ft.                                                                   | Applicable when main building contains a gross floor area not more than 1,200 square feet in size.                                                                                                                                 |
|                                             | Max. 50% of main building gross floor area or 1,000 square ft., whichever is less. | Applicable when main building contains a gross floor area greater than 1,200 square feet in size.                                                                                                                                  |
| Height                                      |                                                                                    |                                                                                                                                                                                                                                    |
| Buildings                                   | Max. 28 ft. or existing building height, whichever is greater.                     | Applicable to existing buildings.                                                                                                                                                                                                  |
|                                             | Max. 35 ft.                                                                        | Applicable to new buildings.                                                                                                                                                                                                       |
| Accessory Structures                        | Max. 15 ft.                                                                        |                                                                                                                                                                                                                                    |

(c) **Garages and Setbacks.**

(1) Each single family dwelling, other than manufactured homes on individual lots, shall have, at the time of construction, a garage that is constructed of the same materials and color as the dwelling, and that may be attached to, or detached from, the dwelling. Nothing in this paragraph shall prevent the removal or conversion of a garage, so long as the minimum number of on-site parking spaces required for the single family dwelling is provided. Exception to this requirement may be made if, at the time of the building permit review, the applicant shows the construction of the single family dwelling is being provided by a not-for-profit organization to families at or below the City's sixty percent median income level as defined by the U.S.



1 Department of Housing and Urban Development; provided, however, that provisions  
2 shall be made for a minimum of four hundred and eighty cubic feet of storage in a  
3 portion of the single family dwelling or on-site in a detached accessory structure.  
4 Such exemption shall only be made for those single family dwellings built on lots  
5 created through a subdivision.

6 **(2) Setbacks.** Garages for single family dwellings, or garages or carports for  
7 manufactured homes on individual lots, that have a vehicle entrance facing a street or  
8 accessway shall be set back at least twenty feet from the following line that is closest  
9 to the entrance of the garage or carport:

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

12 (B) The outside curbline; or

13 (C) The edge of the sidewalk furthest from the street.

14 **(3) Paving.** Between the line specified in paragraph (2) of this subsection and the  
15 required garage or carport, there shall be a driveway serving the garage or carport for  
16 each dwelling with a minimum paved area of nine feet by twenty feet and available  
17 for the parking of a vehicle.

18 **(d) Signage.** Signage shall comply with SRC 62.360.

19 **532.040. Other Provisions.** Additional standards may apply to development in the NCMU  
20 zone as a result of regulations found in the following chapters. In the event of a conflict  
21 between the standards contained in the NCMU zone and those contained within other  
22 chapters of the SRC, the standards contained in the NCMU zone shall apply.

|    |                                          |                 |
|----|------------------------------------------|-----------------|
| 23 | (a) Signs                                | SRC Chapter 62  |
| 24 | (b) Preservation of Trees and Vegetation | SRC Chapter 68  |
| 25 | (c) Landslide Hazards                    | SRC Chapter 69  |
| 26 | (d) Trees and Shrubs                     | SRC Chapter 86  |
| 27 | (e) Home Occupations                     | SRC Chapter 124 |
| 28 | (f) Wetlands                             | SRC Chapter 126 |
| 29 | (g) General Development Standards        | SRC Chapter 130 |
| 30 | (h) Accessory Structures                 | SRC Chapter 131 |

- |   |                                                |                 |
|---|------------------------------------------------|-----------------|
| 1 | (i) Landscaping                                | SRC Chapter 132 |
| 2 | (j) Off-Street Parking, Loading, and Driveways | SRC Chapter 133 |
| 3 | (k) Flood Plain Overlay Zones                  | SRC Chapter 140 |

4 **Section 2.** The following is added to and made part of the Salem Revised Code as Chapter 215:

5     **215.001. Purpose.** The purpose of this Chapter is to encourage innovative planning in the  
6     Neighborhood Center Mixed Use zone through the use of a Neighborhood Center Master  
7     Plan that benefits the community through:

- (a) Innovative planning and design;
- (b) Appropriately scaled, pedestrian-friendly neighborhood center developments;
- (c) Compatible mixed-use development;
- (d) A core area of neighborhood-scaled retail sales and service, office, civic, or recreational uses conveniently located for neighborhood access;
- (e) Useable open space, landscaped areas, and/or protected natural areas;
- (f) Reduced reliance on vehicular travel by creating strong connections to available transit, encouraging pedestrian movement through better design, and allowing for housing in close proximity to employment and shopping; and
- (g) Consistent application of the standards in phased and subarea development to ensure that development is designed to function as an integral part of coherent vision for an entire district.

0     **215.005. Definitions.** Unless the context otherwise specifically requires, as used in this  
1     Chapter the following mean:

- (a) Concept Plan means the component of an NCMP that is comprised of a non-binding plan illustrating possible suitable development in a district.
- (b) Design Guidebook means the component of an NCMP that is comprised of a set of illustrative building elevations and other design elements establishing a pattern of architectural treatment for buildings and structures, other than single family detached dwellings, which ensures community character, visual interest and pedestrian scale in a district.
- (c) Detailed Plan means the component of an NCMP that is comprised of plans and elevations for buildings and structures, providing detailed information about proposed

1 development, other than single family detached dwellings, in a district.

2 (d) Development Plan means the component of an NCMP that illustrates features that  
3 will be part of the development, including, but not limited to, the natural features  
4 proposed to be retained, topography, the location of the Core Area, and collector streets  
5 within the district.

6 (e) District means an entire contiguous area zoned NCMU.

7 (f) Ground floor area means only the floor area of a building or structure devoted to a  
8 particular use, measured within the exterior walls that are at the grade plane of the  
9 building or structure.

10 (g) Major intersection means the intersection of two streets, one of which is designated  
11 in the Salem Area Transportation System Plan as a major arterial, or minor arterial, and  
12 the other designated as a major arterial, minor arterial or collector.

13 (h) Neighborhood Center Master Plan or NCMP means, collectively, the Development  
14 Plan, Detailed Plan, Design Guidebook, Phasing Plan, and Concept Plan, as required for  
15 the Class of Neighborhood Center Master Plan.

16 (i) NCMU means the Neighborhood Center Mixed Use zone.

17 (j) Open space means open areas that are landscaped or left with a natural vegetative  
18 cover. Open space does not include sidewalks in public right-of-way, bicycle paths  
19 within the public right-of-way, parking areas, driveways, streets and required parking lot  
20 landscaping or screening.

21 (1) Common open space means open space designated in the NCMP, permanently  
22 set aside for the common use of the public, and includes walkways and bicycle paths  
23 within common open space.

24 (2) Private open space means open space associated with individual residential  
25 dwellings.

26 (k) Pedestrian streets means those streets in the Core Area that are designated in the  
27 NCMP to provide direct access to key pedestrian attractions.

28 (l) Phasing Plan means the component of a Class 2 NCMP that illustrates and establishes  
29 the sequence of proposed future development of a district over a specified period of time.

30 (m) Subarea means the portion of a district designated in a Class 3 NCMP that is at least



1 three contiguous acres in size, and for which a Development Plan and a Detailed Plan has  
2 been prepared.

3 (n) Total floor area means the floor area of a building or structure devoted to a particular  
4 use, measured within the exterior walls of all stories of the building or structure.

5 **215.010. Neighborhood Center Master Plans.**

6 (a) **Applicability.** Except as specified in SRC Chapter 532, "Neighborhood Center  
7 Mixed Use Zone," an approved NCMP shall be required prior to development within a  
8 district for a Class 1 NCMP and Class 2 NCMP, and prior to development within each  
9 subarea for a Class 3 NCMP.

10 (b) **Classes.** There are three classes of neighborhood center master plans:

11 (1) **Class 1 NCMP:** A Class 1 NCMP is an NCMP for development of an entire  
12 district that will not be phased. A Class 1 NCMP is comprised of:

13 (A) A Development Plan for the entire district; and

14 (B) A Detailed Plan for the entire district.

15 (2) **Class 2 NCMP:** A Class 2 NCMP is an NCMP for development of an entire  
16 district that will be phased. NCMP approval is granted with the first phase.

17 Development of subsequent phases requires Detailed Plan approval for each  
18 subsequent phase.

19 (A) A Class 2 NCMP is comprised of:

20 (i) A Development Plan for the entire district;

21 (ii) A Phasing Plan for the entire district;

22 (iii) A Design Guidebook for the entire district; and

23 (iv) A Detailed Plan for the first phase, and, as approved, a Detailed Plan for  
24 each subsequent phase.

25 (3) **Class 3 NCMP:** A Class 3 NCMP is an NCMP for development of an entire  
26 district that will occur through development of subareas. NCMP approval is granted  
27 with the first subarea. Development of subsequent subareas requires subarea  
28 approval for each subsequent subarea.

29 (A) A Class 3 NCMP is comprised of:

30 (i) A Concept Plan for the entire district;

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

**Table 215-1**

**Neighborhood Center Master Plan Components**

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

(c) **Procedure Type.** A Class 1, Class 2, or Class 3 NCMP is processed as a Type III procedure under SRC Chapter 300.

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

- (1) A map in general schematic form containing:
  - (A) Topography of the district showing either contour lines or elevations at key locations;
  - (B) Proposed land uses for the district;
  - (C) Approximate location of existing buildings to be retained and approximate

- 1 location of proposed buildings to be constructed within the district;
- 2 (D) Land uses and approximate location of existing buildings, structures and uses
- 3 on the properties adjacent to the district;
- 4 (E) The approximate location of all proposed streets, walkways, and parking
- 5 facilities within the district;
- 6 (F) Public uses within the district, including, but not limited to, schools, parks,
- 7 playgrounds, open spaces and trails; and
- 8 (G) Public and private utilities that will serve the district.
- 9 (2) A preliminary written statement containing an explanation of:
- 10 (A) The character of the proposed development and the manner in which it will
- 11 take advantage of the master planned development concept;
- 12 (B) The names and addresses of all owners of land included within the district;
- 13 (C) The method proposed to maintain private common open areas, buildings,
- 14 private streets or other facilities, including, but not limited to, common space
- 15 maintenance agreements; and
- 16 (D) The proposed timing and schedule of development.
- 17 (e) **Notification to Neighborhood.** Within five City business days of the preapplication
- 18 conference, the neighborhood organization within whose boundary the proposed NCMP
- 19 is located shall be notified of the proposal.
- 20 (ef) **Submittal Requirements.** In addition to the submittal requirements for Type III
- 21 applications under SRC 300.610, an application for Class 1, 2, or 3 NCMP shall include
- 22 the following:
- 23 (1) **Applications for Class 1, 2, and 3 Neighborhood Center Master Plans.**
- 24 Applications of Class 1, 2, and 3 NCMPs shall include:
- 25 (A) An Existing Conditions Plan for the entire district, including, at a minimum,
- 26 the following:
- 27 (i) Total area, dimensions and its orientation relative to north;
- 28 (ii) Topography showing either contour lines or elevations at key locations;
- 29 (iii) Natural features of the site including, but not limited to, drainage
- 30 patterns, riparian areas, water bodies, wetlands, steep slopes and ravines;



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

4 (v) The location of the one-hundred-year flood plain, if applicable;

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

8 (B) A Geological Assessment or Geotechnical Report, if required by SRC  
9 Chapter 69, or a certification from an engineer that landslide risk is low, and that  
10 there is no need for further landslide risk assessment;

11 (C) A Traffic Impact Analysis, if required, shall be provided based on a format  
12 and thresholds specified in standards established by the Public Works Director;

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

14 (i) A designation of the riparian corridor boundary for each waterway, as  
15 defined in SRC 68.020;

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

17 (iii) A restoration plan for the riparian corridor that includes a tree and  
18 vegetation planting and replanting plan consistent with SRC 68.100.

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

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

22 **(2) Class Specific Requirements**

23 **(A) Class 1 Submittal Requirements.** In addition to the submittal requirements  
24 required by this subsection, an application for Class 1 NCMP shall include:

25 (i) A Development Plan containing the following:

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

28 (bb) The proposed elevation at two-foot contour intervals, with specific  
29 identification of slopes in excess of fifteen percent;

30 (cc) Natural features of the district including, but not limited to, drainage

1 patterns, riparian areas, water bodies, wetlands, steep slopes and ravines,  
2 and significant stands of trees, proposed to be retained;

3 (dd) A designation of the size and location of the Core Area;

4 (ee) A traffic circulation plan for pedestrian, bicycle, and vehicular  
5 movement within and through the district. The circulation plan shall  
6 include the location of collector streets within the district;

7 (ff) A preliminary infrastructure plan showing capacity needs for  
8 municipal water and sewer service and schematic location of connection  
9 points to existing municipal water and sewer services; and

10 (gg) The proposed lot pattern, lot standards, and lot coverage  
11 requirements.

12 (ii) A Detailed Plan containing the following:

13 (aa) Elevation drawings showing architectural features and proposed  
14 colors and materials for all proposed buildings and structures, other than  
15 detached single family dwellings. The drawings shall be accurate and to  
16 scale but need not be the final working drawings;

17 (bb) The size and location of solid waste and recyclables storage and  
18 collection areas, and amount of overhead clearance above such enclosures;

19 (cc) The location of easements for water lines, fire hydrants, sewer lines,  
20 storm water facilities, and the location of the electric, gas, and telephone  
21 lines, television cable, and the lighting plans;

22 (dd) A landscaping and tree planting plan, including the location of street  
23 trees, with a notation indicating existing trees, and an indication of square  
24 footage and percentage of district area covered by the plan;

25 (ee) A tree conservation plan that complies with SRC 68.100;

26 (ff) The location, height and material of fences, buffers, berms, walls and  
27 other proposed screening as they relate to bufferyard and landscaping  
28 required by SRC Chapter 132;

29 (gg) The location and intended use of all proposed primary and accessory  
30 structures and other improvements, including, but not limited to, driveway

1 locations, indicating distance to such structures from all property lines and  
2 adjacent on-site structures, and the number of dwelling units in each  
3 residential building and gross floor area for each non-residential building;  
4 **(hh)** The location, intended use, and proposed maintenance method for all  
5 common open space;  
6 **(ii)** The location, intended use, and proposed maintenance method for all  
7 common improvements, including, but not limited to, buildings,  
8 structures, and private streets, and the method proposed to maintain them;  
9 **(jj)** The location of areas proposed to be conveyed, dedicated, or reserved  
10 for parks, scenic ways, playgrounds, schools, public buildings, and similar  
11 public and semipublic uses, and whether such areas are to be public or  
12 private;  
13 **(kk)** The location, layout, and the surfacing of all vehicle, pedestrian, and  
14 bicycle parking and loading areas, including identification of circulation  
15 areas, handicapped parking stalls, disembarking areas, accessible routes of  
16 travel, and proposed ramps; and  
17 **(ll)** A summary table that includes total district area, non-residential gross  
18 floor area by use (i.e. office, retail, institutional), parcel sizes, total number  
19 of dwelling units, gross residential density per acre, proposed acreage of  
20 undeveloped natural area, and the number of parking spaces provided,  
21 building height, and lot coverage proposed, including areas to be paved for  
22 parking and sidewalks.

23 **(B) Class 2 Submittal Requirements.** In addition to the submittal requirements  
24 required by this subsection, an application for a Class 2 NCMP shall include:

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



1 (bb) Acceptable materials;

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

9 (iii) A Development Phasing Plan that includes:

10 (aa) The area and intended use of each phase;

11 (bb) A demonstration of how a mix of uses will be provided through  
12 phasing, including the approximate locations, the amount in square  
13 footage of non-residential uses, and the number of residential dwelling  
14 units;

15 (cc) The general lot pattern and approximate building envelopes wherein  
16 future buildings will be located for each phase and/or identify the building  
17 setback standards that will be applied to future buildings;

18 (dd) Building orientation and relationship to the boundaries of each  
19 phase;

20 (ee) The general block pattern and location of streets, including  
21 designated pedestrian streets and walkways, their approximate widths and  
22 the nature of their improvement and whether they will be public or private;

23 (ff) A general description of how circulation, parking, landscaping and  
24 tree planting, lighting and other improvements will be designed to  
25 function after the completion of each phase and following complete build  
26 out of the district;

27 (gg) The timeframe, order, and method that proposed public utilities,  
28 public facilities and other improvements and amenities necessary to  
29 support the development will be constructed, dedicated or reserved; and

30 (hh) A development time schedule indicating the approximate date when

1 construction of each phase will begin and will be completed.

2 (iv) A Detailed Plan for each proposed phase that complies with paragraph  
3 (2)(A)(ii) of this subsection; provided, however, that if the a density bonus is  
4 proposed for the district pursuant to SRC 215.030(f)(2), the following shall be  
5 provided for the entire district:

6 (aa) A tree conservation plan;

7 (bb) The use and location of common open space;

8 (cc) Parks, scenic ways, playgrounds, schools, public buildings, and  
9 similar public and semipublic uses.

10 **(C) Class 3 Submittal Requirements.** In addition to the submittal requirements  
11 required by this subsection, an application for a Class 3 NCMP shall include:

12 (i) A Development Plan for the first subarea that complies with paragraph  
13 (2)(A)(i) of this subsection;

14 (ii) A Detailed Plan for the first subarea that complies with paragraph  
15 (2)(A)(ii) of this subsection, proposed for the district pursuant to SRC  
16 215.010(f)(2), the following shall be included for the entire district:

17 (aa) A tree conservation plan;

18 (bb) The use and location of common open areas and spaces; and

19 (cc) Parks, scenic ways, playgrounds, schools, public buildings, and  
20 similar public and semipublic uses.

21 (iii) A Design Guidebook for the entire district that complies with paragraph  
22 (2)(B)(ii) of this subsection, that shall be binding on each subsequent subarea;  
23 and

24 (iv) A Concept Plan showing general circulation patterns, location of land  
25 uses by general categories, the general location of the Core Area, the general  
26 location and amount of open space, the anticipated intensity of uses in each  
27 use category, and approximate acreage for uses in each use category.

28 Categories of land uses may be identified by any descriptive system or method  
29 generally acceptable by professionals engaged in the production of master  
30 plans.

1 (D) The Planning Administrator may require the submittal of additional  
2 information needed to review the proposed Development Plan, Detailed Plan,  
3 Design Guidebook, Phasing Plan, and Concept Plan for conformance to the  
4 applicable criteria.

5 (E) Submittals shall be of a size and form and in the number of copies meeting  
6 standards established by the Planning Administrator.

7 (g) **Criteria.** An NCMP shall be approved if the NCMP:

- 8 (1) Represents innovative urban design;
- 9 (2) Ensures logical and harmonious development of the district;
- 10 (3) Provides for efficient use of land and energy;
- 11 (4) Has development patterns that are at a human scale and meet the needs of  
12 pedestrians through the effective arrangement of buildings, circulation systems, land  
13 uses, and utilities;
- 14 (5) Has a Core Area that is compact, pedestrian friendly, and composed of  
15 neighborhood-scaled retail sales and service, office, civic or recreational uses that are  
16 conveniently located for access from residential areas;
- 17 (6) Locates housing in close proximity to employment and shopping;
- 18 (7) Has a transportation system that provides for the safe, orderly, and efficient  
19 circulation of traffic into and out of the proposed development, and that adequately  
20 mitigates negative impacts from the transportation system on the surrounding area;
- 21 (8) Has a pedestrian street design that encourages interaction among residents of the  
22 development and adjoining neighborhoods;
- 23 (9) Enhances pedestrian access and transit accessibility to and through the district  
24 through a street pattern with connectivity to and through the district and with adjacent  
25 areas;
- 26 (10) Emphasizes pedestrian mobility and accessibility and provides an effective and  
27 convenient system of pedestrian facilities leading into, and within the district;
- 28 (11) Creates strong connections to available transit;
- 29 (12) Has parking areas and driveways that are designed to facilitate safe and efficient  
30 movement of vehicles, bicycles, and pedestrians;



- 1 (13) Protects and enhances natural features, such as riparian areas and wetlands;  
2 (14) Is compatible with existing and reasonably anticipated future land uses;  
3 (15) Will be adequately served with City infrastructure;  
4 (16) Meets all applicable standards of this Chapter and the Salem Revised Code;  
5 (17) Has a Detailed Plan and/or Design Guidebook for buildings and structures, other  
6 than single family dwellings, that:  
7 (A) Ensures the design of buildings and structures is compatible with the  
8 neighboring buildings and structures in the district;  
9 (B) Ensures the design of buildings and structures will create community  
10 character and promote pedestrian scale;  
11 (C) Contains architectural treatments that create visual interest and community  
12 character and promote a sense of pedestrian scale; and  
13 (D) For Class 2 and Class 3 NCMPs, the Detailed Plan for each phase or subarea  
14 is consistent with the Design Guidebook.  
15 (18) If the proposal is for a Class 2 NCMP, the NCMP has a Phasing Plan that  
16 ensures that subsequent phases of development will be built in conformity with the  
17 NCMP;  
18 (19) If the proposal is for a Class 3 NCMP, the NCMP ensures that as development  
19 occurs within each subarea, the development is designed to function as an integral  
20 part of a coherent vision for the entire district and provides a benefit to the  
21 community through compatible mixed use development, improved protection of open  
22 spaces, and transportation options; and  
23 (20) For any proposed alternative to a guideline, that the proposed alternative to the  
24 guideline better meets the intent and purpose of this Chapter than the minimum  
25 established in the guideline.  
26 (h) **Expiration.** An NCMP shall expire within two years after the date of NCMP  
27 approval, unless a building permit has been issued in which case the NCMP approval  
28 shall remain valid for two years or until the date the building permit expires, whichever is  
29 later.  
30 /////

1           **(i) Recording.**

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

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

7           (3) Upon approval of the NCMP for a subarea in a Class 3 NCMP, the applicant shall  
8           record the NCMP for that subarea in the county land records.

9           **215.015. Class 2 Neighborhood Center Master Plan Detailed Plan Approval for**  
10          **Subsequent Phases.**

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

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

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

18               (1) A Detailed Plan for the proposed phase that complies with SRC  
19               215.010(f)(2)(A)(ii); provided, however, that if the a density bonus is proposed for  
20               the district pursuant to SRC 215.010(f)(2), the following shall be provided for the  
21               entire district:

22                     (A) A tree conservation plan;

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

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

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

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

30               (1) Conforms to the development standards in this Chapter; and

- 1 (2) Conforms to the approved NCMP, including any applicable conditions included  
2 as part of the earlier approved components of the NCMP.

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

4 (a) **Applicability.** No development within a subsequent subarea of a Class 3 NCMP  
5 shall occur without receiving subsequent subarea approval for that subarea, as provided  
6 in this section.

7 (b) **Procedure Type.** A subsequent subarea of a Class 3 NCMP is processed as a Type  
8 III procedure under SRC Chapter 300.

9 (c) **Submittal Requirements.** In addition to the submittal requirements for a Type III  
10 application under SRC Chapter 300, a subsequent subarea of a Class 3 NCMP shall  
11 include:

12 (1) The general application submittal requirements under SRC 215.010(f)(1);

13 (2) An updated Concept Plan for the entire district that complies with SRC  
14 215.010(f)(2)(C)(iv);

15 (3) A Development Plan for the proposed subarea that complies with SRC  
16 215.010(f)(2)(A)(i); and

17 (4) A Detailed Plan for the proposed subarea that complies with SRC  
18 215.010(f)(2)(A)(ii).

19 (d) **Criteria.** A Development Plan and Detailed Plan for the subsequent subarea of a  
20 Class 3 NCMP shall be approved if the Development Plan and Detailed Plan for the  
21 subsequent subarea:

22 (1) Comply with the criteria for NCMP approval under SRC 215.010(g); and

23 (2) Comply with the Design Guidebook.

24 **215.025. Neighborhood Center Master Plan with Land Division.**

25 (a) If the NCMP proposes to create lots or parcels in the district, an application for a  
26 partition or subdivision may be consolidated or processed concurrently with, or processed  
27 subsequent to, the application for NCMP.

28 (b) The partition or subdivision shall comply with the standards in SRC Chapter 63,  
29 other than SRC 63.145 and SRC 63.155.

30 /////

1       **215.030. Site Plan Review under an approved Neighborhood Center Master Plan.**

2       (a) **Applicability.** No building permit shall be issued for development within an  
3       approved NCMP without receiving Type I Site Plan Review approval as provided under  
4       SRC Chapter 163 and this section.

5       (b) **Additional Criteria for Approval for Type I Site Plan Review.** An application for  
6       Type I Site Plan Review for development within an approved NCMP shall be approved if  
7       the application meets the approval criteria in SRC 163.070 and conforms to the approved  
8       NCMP.

9       **215.035. Amendments to Neighborhood Center Master Plans.**

10      (a) **Applicability.** No amendment to an NCMP shall be made without receiving  
11      approval as provided in this section.

12      (b) **Classes.**

13          (1) **Minor Amendment.** A minor amendment is any amendment to an NCMP that  
14          does not substantially deviate from the approved NCMP.

15          (2) **Major Amendment.** A major amendment is any amendment, other than a minor  
16          amendment, including but not limited to the following:

17              (A) A change in the overall appearance and character of the development;

18              (B) A change that would result in a change in the amount of parking by twenty  
19              percent or more;

20              (C) An increase in density by more than twenty percent, provided the resulting  
21              density does not exceed that allowed in the NCMU zone or development  
22              standards;

23              (D) A change in setbacks or lot coverage by more than twenty percent;

24              (E) A change in the location of accessways affecting traffic outside of the  
25              district;

26              (F) An increase in the floor area proposed for non-residential use by more than  
27              fifteen percent;

28              (G) A relocation of the Core Area or a change in the area by more than ten  
29              percent;

30              (H) A reduction of the area reserved for common open space by more than ten



- 1 percent; or
- 2 (I) A change to a condition of approval, or a change similar to any other
- 3 provision in this paragraph that will have a detrimental impact on adjoining
- 4 properties. The planning administrator shall have discretion in determining
- 5 detrimental impacts warranting a major amendment.
- 6 (c) **Procedure Type.**
- 7 (1) **Minor Amendment.** A minor amendment is processed as a Type II procedure
- 8 under SRC Chapter 300.
- 9 (2) **Major Amendment.** A major amendment is processed as a Type III procedure
- 10 under SRC Chapter 300.
- 11 (d) **Additional Submittal Requirements.** In addition to the submittal requirements for
- 12 Type II or Type III applications under SRC 300, an application for a minor or major
- 13 amendment to an NCMP shall include:
- 14 (1) A narrative statement describing how the proposed amendment meets the
- 15 applicable criteria;
- 16 (2) An amended NCMP using the same format as the original approval; and
- 17 (3) Any other relevant information the Planning Administrator requires, as necessary,
- 18 to evaluate the request.
- 19 (e) **Criteria.**
- 20 (1) **Minor Amendment.** A minor amendment shall be approved if all of the
- 21 following are met:
- 22 (A) The number of dwelling units is within ten percent of those shown on the
- 23 approved NCMP. In no case shall any change in the number of residential units
- 24 exceed the maximum density limits established by this Chapter. Amendment of a
- 25 phase of a Class 2 NCMP, or a subarea of a Class 3 NCMP, shall not limit a
- 26 reduction in the number of dwelling units, provided that if a reduction is approved
- 27 for one phase or subarea, the number of dwelling units shall not be transferred to
- 28 another phase or subarea;
- 29 (B) The setbacks and distances between buildings are within ten percent of those
- 30 shown on the approved NCMP;

1 (C) The amount of open space is equal to or more than the amount approved in  
2 the NCMP. Amendment of a phase of a Class 2 NCMP, or a subarea of a Class 3  
3 NCMP, shall not limit an increase in the amount of open space, provided that if an  
4 increase is approved for one phase or subarea, the amount of open space shall not  
5 be reduced below that permitted in the NCMP for another phase or subarea;  
6 (D) The total interior square footage of building does not vary by more than ten  
7 percent from the square footage shown on the approved NCMP, but in no case  
8 shall any change exceed the maximum square footage allowed by this Chapter;  
9 (E) There have been no material alternations to the transportation system;  
10 (F) The proposed amendment is not substantially inconsistent with the NCMP  
11 and the conditions of the original approval; and  
12 (G) The proposed amendment will not result in significant changes to the  
13 physical appearance of the development, the use of the site, and the impacts on  
14 surrounding properties.

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

17 (f) **Recording.** An amended NCMP shall be recorded in the same manner as the original  
18 NCMP.

19 **215.040. Development Standards, Generally.** There are three types of development  
20 standards applicable to an NCMP: (1) Standards; (2) Guidelines; and (3) Applicant  
21 Determined Standards. Not every development standard will have all three, in which case  
22 the NCMP must comply with the development standard or standards set forth in the  
23 particular subsection, or with the development standard established by the applicant.  
24 Standards are mandatory requirements for an NCMP, but may, unless specifically noted in  
25 the standard, be varied or adjusted. Guidelines establish a development standard that is  
26 mandatory, unless the applicant proposes and receives approval for an alternative  
27 development standard. Guidelines are not subject to variances or adjustments, because the  
28 applicant may propose and receive approval of an alternative development standard by the  
29 Planning Commission as part of NCMP approval. The Planning Commission shall approve  
30 an alternative development standard, if the development standard better meets the purpose

1 stated in SRC 215.001. Applicant Determined Standards are mandatory requirements, but  
2 are applicant-proposed and approved as part of the NCMP. Applicant Determined Standards  
3 are not subject to variances or adjustments, because the applicant established the  
4 development standard.

5 **215.045. Development Plan Standards.** A Development Plan shall comply with the  
6 following standards:

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

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

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

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

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

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

28 (A) **Standards.** None.

29 (B) **Guidelines.** At a minimum, twenty percent of the district shall be provided  
30 as common open space, landscaped areas, and/or protected natural areas. As used



1 in this guideline, common open space, landscaped areas and protected areas do  
2 not include private open space.

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

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

8 **(A) Standards.**

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

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

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

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

21 (iii) Except where precluded by existing development, natural features or  
22 topography, block lengths shall not exceed three hundred thirty feet between  
23 public or private streets, and pedestrian pathways, as measured along the  
24 nearside curbline of the public or private street or the centerline of the  
25 pedestrian pathway.

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

29 (v) Pedestrian connections shall be provided to existing and planned public  
30 transit routes and stops. If transit service to or through the district is planned,



- 1 provisions for the future improvement of such facilities and improvements to  
2 facilitate public transit shall be made.
- 3 **(B) Guidelines.** None.
- 4 **(C) Applicant Determined Standard.** None.
- 5 **(4) Lot Standards.**
- 6 **(A) Standards.** None.
- 7 **(B) Guidelines.** None
- 8 **(C) Applicant Determined Standards.** The NCMP shall establish minimum lot  
9 size, dimension, and coverage requirements for the district.
- 10 **(b) Outside the Core Area.** None.
- 11 **(c) Inside the Core Area.** None.
- 12 **215.050. Detailed Plan Standards.** A Detailed Plan shall comply with the following  
13 standards:
- 14 **(a) District.** The following development standards apply throughout the entire district:
- 15 **(1) Transportation and Circulation.**
- 16 **(A) Standards.**
- 17 (i) Pedestrian scale street lighting shall be provided along all streets.
- 18 (ii) Except as otherwise provided in this subsection, all streets shall be  
19 designed and constructed in conformance with Public Works Street Design  
20 Standards.
- 21 **(B) Guidelines.** Pedestrian scale street lights shall be no taller than twenty feet.
- 22 **(C) Applicant Determined Standards.** None allowed.
- 23 **(2) Residential Density.**
- 24 **(A) Standards.**
- 25 (i) **Maximum Density.** Maximum residential density for the district,  
26 including the Core Area, shall be six dwelling units per acre, unless a density  
27 bonus is granted pursuant to subparagraph (A)(ii) of this paragraph, in which  
28 case the maximum residential density shall be eight dwelling units per acre.  
29 The maximum residential density may not be varied or adjusted.
- 30 /////

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

10                   **(aa) Additional Riparian Area Protection.** The riparian corridor  
11 boundary is increased from fifty feet to seventy five feet horizontally from  
12 the top of the bank on each side of a waterway as defined in SRC 68.020,  
13 is platted as a separate lot or parcel, and dedicated as a natural area in  
14 perpetuity.

15                   **(bb) Additional Tree Conservation.** At least fifty percent of all trees, as  
16 defined in SRC Chapter 68, on the property will be preserved, and the  
17 trees will receive continued protection through methods, including, but not  
18 limited to, covenants, conditions and restrictions included in the deeds of  
19 lots and parcels that are sold.

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

30                   **(B) Guidelines.** None.

- 1 (C) **Applicant Determined Standards.** None allowed.
- 2 (3) **Setbacks.**
- 3 (A) **Standards.** None.
- 4 (B) **Guidelines.** The minimum setback from adjacent property zoned Residential
- 5 Agriculture (RA) or Single Family Residential (RS) is thirty feet.
- 6 (C) **Applicant Determined Standards.** The NCMP shall establish minimum
- 7 front, rear and side yard setbacks for development within the district.
- 8 (4) **Building Design.**
- 9 (A) **Standards.**
- 10 (i) **Height.** The height of buildings or structures, other than accessory
- 11 structures, shall not exceed thirty-five feet. The height of accessory structures
- 12 shall comply with SRC Chapter 131.
- 13 (ii) **Architectural Features.**
- 14 (aa) Buildings and structures in the district shall have design character
- 15 that is compatible with other buildings and structures in the district.
- 16 (bb) All buildings and structures, other than detached single family
- 17 dwellings, shall incorporate architectural features, including, but not
- 18 limited to, cornices, bases, fenestration, fluted masonry, bays, recesses,
- 19 arcades, display windows, unique entry areas or other architectural
- 20 treatments to create visual interest, community character, and a sense of
- 21 pedestrian scale. Simple relief provided by window cutouts or sills on an
- 22 otherwise flat facade, in and of itself, does not within the overall design of
- 23 buildings or structures create visual interest, community character or sense
- 24 of pedestrian scale.
- 25 (B) **Guidelines.** None
- 26 (C) **Applicant Determined Standards.** None allowed.
- 27 (5) **Parking and Loading.**
- 28 (A) **Standards.**
- 29 (i) Off-street parking and loading shall comply with SRC Chapter 133.
- 30 Because parking requirements in SRC Chapter 133 are established by

1 reference to the Standard Industrial Classification (SIC) manual, the Planning  
2 Administrator shall determine the most appropriate SIC classification, based  
3 on comparison with uses and examples listed in this Chapter.

4 (ii) Each single family dwelling shall have, at the time of construction, a  
5 garage that is constructed of the same materials and color as the dwelling, and  
6 that may be attached to, or detached from, the dwelling. Nothing in this  
7 subclause shall prevent the removal or conversion of a garage, so long as the  
8 minimum number of on-site parking spaces required for the single family  
9 dwelling is provided. Exception to this requirement may be made if, at the  
10 time of the building permit review, the applicant shows that the construction  
11 of the single family dwelling is being provided by a not-for-profit  
12 organization to families at or below the City's sixty percent median income  
13 level as defined by the U.S. Department of Housing and Urban Development;  
14 provided, however, that provisions shall be made for a minimum of four  
15 hundred and eighty cubic feet of storage in a portion of the single family  
16 dwelling or on-site in a detached accessory structure. Such exemption shall  
17 only be made for those single family dwellings built on lots created through a  
18 subdivision.

19 (B) **Guidelines.** None.

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

21 (6) **Private Open Space.**

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

24 (i) For dwelling units located at or within five feet of finished grade, a  
25 minimum of ninety-six square feet of private open space per dwelling unit  
26 shall be provided, with no dimension that is less than six feet.

27 (ii) For dwelling units located more than five feet above finished grade, a  
28 minimum of forty-eight square feet of private open space per dwelling unit  
29 shall be provided, with no dimension that is less than six feet.

30 (iii) For each dwelling unit, a direct and accessible route to all private open



space by a doorway on the same level as the private open space shall be provided.

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

**(B) Guidelines.** None

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

**(7) Landscaping.**

**(A) Standards.** None

**(B) Guidelines.**

(i) For every two thousand square feet of gross district area, at least one tree shall be planted, or one existing tree retained.

(ii) Trees shall be of a variety that will, within fifteen years of planting, provide at least one-third canopy coverage of common open space, private open space, and setbacks.

(iii) A minimum of two plant units, as defined in SRC Chapter 132, shall be planted adjacent to the primary entry way of each dwelling unit.

(iv) Provide new trees, or retain existing trees, at a minimum density of ten plant units per linear foot of each building's exterior wall and not more than twenty-five feet from each of the exterior walls.

(v) Plant shrubs at a minimum density of one plant unit per fifteen linear feet of each building's exterior walls and not more than twenty-five feet from each of the exterior walls.

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

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

**(8) Street Trees.**

**(A) Standards.**

(i) Street trees shall be planted in planting strips in public street rights-of-way, unless the area is subject to one or more utility easements, in which case

1 the street trees shall be placed outside utility easements, or in sidewalk tree  
2 wells on public streets without planting strips.

3 (ii) The planting area for street trees shall contain not less than sixteen square  
4 feet. Typical dimensions for a planting area are four feet by four feet.

5 (iii) The minimum caliper size for street trees at the time of planting shall be  
6 two inches, measured four feet above grade.

7 (iv) Spacing of street trees shall be based upon the type of trees selected and  
8 the canopy size at maturity. Generally, street trees should be spaced no more  
9 than thirty feet apart, unless the spacing would conflict with existing trees,  
10 retaining walls, utilities and similar features, in which case the trees should be  
11 spaced as close to thirty feet apart as practicable.

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

14 (i) One canopy tree in each fifty feet of street frontage or fraction thereof; or

15 (ii) One columnar tree in each thirty feet of street frontage or fraction thereof.

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

17 (9) **Signage.**

18 (A) **Standards.**

19 (i) Except as allowed below, signage shall conform with SRC 62.360, "Signs  
20 Permitted in Residential Districts."

21 (ii) Signage for non-residential uses shall conform with SRC 62.372.

22 (B) **Guidelines.** None.

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

24 (10) **Subarea Size.**

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

27 (B) **Guidelines.** None.

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

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

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**(1) Garages and Carports.**

**(A) Standards.**

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

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

**(bb)** The outside curbline; or

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

**(ii) Paving.** Between the line specified in subclause (i) of this clause, the required garage or carport, there shall be a driveway serving the garage or carport for each dwelling with a minimum paved area of nine feet by twenty feet and available for the parking of a vehicle.

**(B) Guidelines.** None.

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

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

**(1) Transportation and Circulation.**

**(A) Standards.**

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

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

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

**(iv)** One or more pedestrian-scale amenities shall be provided at every one hundred feet in the sidewalk area. Pedestrian amenities include, but are not limited to, street furniture, plantings, distinctive paving, drinking fountains,

- 1 public plazas, sitting areas, covered walkways, public art, and significant  
2 water features (i.e., creek and fountain).
- 3 (v) Pedestrian streets shall have minimum sidewalk widths of eight feet.
- 4 (vi) Pedestrian amenities shall be proportionately scaled to the surrounding  
5 walkways, landscaping and buildings.
- 6 (vii) Except as otherwise provided in this subsection, streets shall be designed  
7 and constructed in conformance with Public Works Street Design standards  
8 and specifications.
- 9 (B) **Guidelines.** None.
- 10 (C) **Applicant Determined Standards.** None allowed.
- 11 (2) **Setbacks.**
- 12 (A) **Standards.** None.
- 13 (B) **Guidelines.** The minimum setback for the Core Area from adjacent property  
14 zoned Single Family Residential (RS) or Residential Agriculture (RA) is fifty  
15 feet.
- 16 (C) **Applicant Determined Standards.** None allowed.
- 17 (3) **Building Orientation.**
- 18 (A) **Standards.**
- 19 (i) Buildings shall be located as close to the edge of pedestrian streets as  
20 practicable, given final topographic contours and the location and size of  
21 vehicular accessways, or shall have their entries oriented towards abutting  
22 public streets.
- 23 (ii) Primary building entrances shall be oriented to maximize pedestrian  
24 access and connectivity.
- 25 (iii) Direct and convenient pedestrian pathways shall be provided from  
26 parking areas to building entrances.
- 27 (B) **Guidelines.** None.
- 28 (C) **Applicant Determined Standards.** None allowed.
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**(4) Building Design.**

**(A) Standards.**

- (i) The height of buildings or structures, other than accessory structures, shall not exceed thirty five feet. Height may be increased to a maximum of forty feet, provided the visual impact of the additional height is mitigated by the location's unique physical attributes, including, but not limited to, changes in topography or significant stands of trees.
- (ii) Along pedestrian streets, buildings shall be designed to provide protection from sun and rain through canopies, arcades, pergolas or similar features.

**(B) Guidelines.**

- (i) **Ground Floor Area.** The ground floor area of each individual building or structure shall be not greater than thirty thousand square feet.
- (ii) **Drive-through facilities.** Drive-through facilities, except for pharmacies, are prohibited.

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

**(5) Hours of Operation.**

**(A) Standards.** None.

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

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

**215.055. Additional Standards.** Additional standards may apply to development in the NCMU zone as a result of regulations found in the following chapters. In the event of a conflict between the standards contained in the NCMU zone and those contained within other chapters of the SRC, the standards contained in the NCMU shall apply.

|                                          |                |
|------------------------------------------|----------------|
| (a) Signs                                | SRC Chapter 62 |
| (b) Preservation of Trees and Vegetation | SRC Chapter 68 |
| (c) Landslide Hazards                    | SRC Chapter 69 |
| (d) Trees and Shrubs                     | SRC Chapter 86 |

|   |                                                |                 |
|---|------------------------------------------------|-----------------|
| 1 | (e) Home Occupations                           | SRC Chapter 124 |
| 2 | (f) Wetlands                                   | SRC Chapter 126 |
| 3 | (g) General Development Standards              | SRC Chapter 130 |
| 4 | (h) Accessory Structures                       | SRC Chapter 131 |
| 5 | (i) Landscaping                                | SRC Chapter 132 |
| 6 | (j) Off-Street Parking, Loading, and Driveways | SRC Chapter 133 |
| 7 | (k) Flood Plain Overlay Zones                  | SRC Chapter 140 |

8 **Section 3.** SRC 113.010 is amended to read as follows:

9 **113.010. Establishment of Zoning Districts.**

10 (a) For the purposes expressed in SRC 110.020, the City is hereby divided into certain  
11 distinctive land use categories which may be applied to geographic areas of the City and  
12 recorded on an official zoning map. The zoning district names, their respective zone map  
13 designations ~~(symbols)~~, and the chapters in which their respective special regulations are  
14 set forth are as follows:

| 15 | Zoning District Name         | Designation | Chapter |
|----|------------------------------|-------------|---------|
| 16 | Flood Plain Overlay Floodway | FW          | 140     |
| 17 | Floodway Fringe              | FF          | 140     |
| 18 | Willamette Greenway Overlay  | WG          | 141     |
| 19 | Residential Agriculture      | RA          | 145     |
| 20 | Single Family Residential    | RS          | 146     |
| 21 | Duplex Residential           | RD          | 147     |
| 22 | Multiple Family Residential  | RM          | 148     |
| 23 | High Rise Multiple Family    |             |         |
| 24 | Residential                  | RH          | 149     |
| 25 | Commercial Office            | CO          | 150     |
| 26 | Neighborhood Commercial      | CN          | 151     |
| 27 | Retail Commercial            | CR          | 152     |
| 28 | General Commercial           | CG          | 153     |
| 29 | Central Business             | CB          | 154     |
| 30 | Industrial Commercial        | IC          | 155     |

|    |                                      |             |            |
|----|--------------------------------------|-------------|------------|
| 1  | Industrial Business Campus           | IBC         | 156        |
| 2  | Industrial Park                      | IP          | 157        |
| 3  | General Industrial                   | IG          | 158        |
| 4  | Intensive Industrial                 | II          | 159        |
| 5  | <del>Public Use Amusement and</del>  |             |            |
| 6  | <del>Recreation</del>                | PA          | 160        |
| 7  | Public and Private Cemeteries        | PC          | 160        |
| 8  | Public and Private Educational       |             |            |
| 9  | Facilities                           | PE          | 160        |
| 10 | Public and Private HospitalsHealth   |             |            |
| 11 | Services                             | PH          | 160        |
| 12 | Public Service                       | PS          | 160        |
| 13 | Capitol Mall Area                    | PM          | 160        |
| 14 | Employment Center                    | EC          | 161        |
| 15 | South Waterfront Mixed-Use           | SWMU        | 162        |
| 16 | <u>Neighborhood Center Mixed-Use</u> | <u>NCMU</u> | <u>215</u> |

17 (b) Whenever the terms "R" districts, "C" districts, "I" districts, or "P" districts are used  
18 in this Code, they shall be deemed to refer to all districts containing that letter as the first  
19 letter designation in their names. For example, the term "R districts" shall include all  
20 residential districts, including RA, RS, RD, RM, and RH. R districts are also referred to  
21 as "residential," C districts as "commercial," I districts as "industrial" and P districts as  
22 "public" or "public use."

23 (c) The above ordering of districts does not rank them as to their desirability or need to  
24 be included within the City. All districts are hereby deemed to be appropriate as offering  
25 a range of available use classifications which may be applied in individual cases to  
26 promote the health, safety, and general welfare of the City and its people and to  
27 implement the objectives set forth in the comprehensive plan.

28 (d) ~~Certain of the above listed districts~~ listed above are intended to overlay or combine  
29 with others. They are listed by a title followed by the word "overlay." They are designed  
30 to be combined with non-overlay districts to satisfy certain natural conditions or stated

community objectives and needs.

**Section 4.** SRC 300.100 is amended to read as follows:

**300.100. Procedure Types.**

(a) All land use actions required under the Salem Revised Code are classified as one of four procedure types in Table 300.100-1. The procedure type governs the decision-making process for the specific land use application.

**Table 300.100-1: Land Use Procedure Types**

| Procedure Type | Decision Process | Decision Type    | Process Description                                                                                                                                                                                                                                                                                                                                                                               |
|----------------|------------------|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Type I         | Ministerial      | Permit           | Type I procedure is used when there are clear and objective standards and criteria that do not require interpretation or the exercise of policy or legal judgment in their application. Decisions on Type I applications are made by the staff. Public notice and hearing are not required.                                                                                                       |
| Type II        | Administrative   | Limited Land Use | Type II procedure is used when the standards and criteria require limited discretion or legal judgment in their application. Decisions on Type II applications are made by staff. Public notice and opportunity to comment prior to the issuance of a decision is provided. A public hearing is not required unless the decision is appealed.                                                     |
| Type III       | Quasi-Judicial   | Land Use         | The Type III procedure is used when the standards and criteria require discretion or legal judgment in their application. Decisions on Type III applications are made by the Hearings Officer, Historic Landmarks Commission, or Planning Commission. Public notice and hearing are required. The decision may be appealed.                                                                       |
| Type IV        | Quasi-Judicial   | Land Use         | The Type IV procedure is used for site-specific land use actions initiated by an applicant, the Historic Landmarks Commission, Planning Commission, or City Council. Type IV applications result in a recommendation from the Planning Commission or Historic Landmarks Commission to the City Council, which then makes the final decision. Public notice and hearings are required for both the |



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|  |  |  | initial hearing making recommendation and subsequent hearing taking final action. |
|--|--|--|-----------------------------------------------------------------------------------|

- (b) The specific procedure type assigned to a land use application is specified in Table 300.100-2.
- (c) When the procedure type for a land use application is not identified in Table 300.100-2, specified elsewhere in the Salem Revised Code, or otherwise required by law, the Planning Administrator shall determine the applicable procedure based on the guidelines in this subsection. Questions as to the appropriate procedure shall be resolved in favor of the procedure type providing the greatest notice and opportunity to participate by the public.
- (1) Type I procedures shall be used when the land use action will be based on standards and criteria that do not require interpretation or the exercise of policy or legal judgment.
- (2) Type II procedures shall be used when the land use action will be based on standards or criteria that require only limited discretion or legal judgment.
- (3) Type III procedures shall be used when the land use action will be based on standards and criteria that require the exercise of discretion or legal judgment.
- (4) Type IV procedures shall be used when the land use action will be based on standards and criteria that require the exercise of discretion or legal judgment, and where the land use application must first be referred to an advisory body for review and recommendation to the City Council, which then makes the decision.
- (d) Notwithstanding any other provision in this section, and upon payment of the applicable fee, an applicant may choose to process a land use application that would be a Type I procedure as a Type II or Type III procedure, or to process a land use application that would be a Type II procedure as a Type III procedure.

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|    |                                                                 |                       |                          |                                       |               |                                   |
|----|-----------------------------------------------------------------|-----------------------|--------------------------|---------------------------------------|---------------|-----------------------------------|
| 1  | <b>Table 300.100-2: Land Use Applications by Procedure Type</b> |                       |                          |                                       |               |                                   |
| 2  |                                                                 |                       |                          | <b>Review Authority</b>               |               |                                   |
| 3  | <b>Application</b>                                              | <b>Procedure Type</b> | <b>Pre-App. Required</b> | <b>Decision</b>                       | <b>Appeal</b> | <b>Applicable Code Chapter(s)</b> |
| 4  |                                                                 |                       |                          |                                       |               |                                   |
| 5  | ADJUSTMENT                                                      | II                    | N                        | PA                                    | HO            | SRC 116                           |
| 6  | ADMINISTRATIVE CONDITIONAL USE                                  | II                    | N                        | PA                                    | HO            | SRC 116                           |
| 7  | CODE INTERPRETATION                                             | III                   | N                        | PC                                    | CC            | SRC 110                           |
| 8  | COMPREHENSIVE PLAN CHANGE                                       |                       |                          |                                       |               |                                   |
| 9  |                                                                 |                       |                          |                                       |               |                                   |
| 10 | -Minor Plan Change (Applicant Initiated)                        | III                   | Y                        | PC                                    | CC            | SRC 64                            |
| 11 | -Minor Plan Change (City Initiated)                             | IV                    | N                        | PC – Recommendation;<br>CC – Decision | -             | SRC 64                            |
| 12 | CONDITIONAL USE                                                 | III                   | Y                        | HO                                    | PC            | SRC 117                           |
| 13 | DESIGN REVIEW                                                   |                       |                          |                                       |               |                                   |
| 14 |                                                                 |                       |                          |                                       |               |                                   |
| 15 | -Administrative - Standards                                     | I                     | Y                        | PA                                    | -             | SRC 120                           |
| 16 | -Discretionary - Guidelines                                     | III                   | Y                        | PC                                    | CC            | SRC 120                           |
| 17 | FAIRVIEW MIXED-USE ZONE                                         |                       |                          |                                       |               |                                   |
| 18 |                                                                 |                       |                          |                                       |               |                                   |
| 19 | -Fairview Plan                                                  | III                   | Y                        | PC                                    | CC            | SRC 143C                          |
| 20 | -Fairview Plan Amendment – Minor                                | II                    | Y                        | PA                                    | PC            | SRC 143C                          |
| 21 | -Fairview Plan Amendment – Major                                | III                   | Y                        | PC                                    | CC            | SRC 143C                          |
| 22 | -Refinement Plan                                                | III                   | Y                        | PC                                    | CC            | SRC 143C                          |
| 23 | -Refinement Plan Amendment – Minor                              | II                    | Y                        | PA                                    | PC            | SRC 143C                          |
| 24 | -Refinement Plan Amendment – Major                              | III                   | Y                        | PC                                    | CC            | SRC 143C                          |
| 25 | FLOOD PLAIN OVERLAY ZONE                                        |                       |                          |                                       |               |                                   |
| 26 |                                                                 |                       |                          |                                       |               |                                   |
| 27 | -Floodplain Development Permit                                  | I                     | N                        | BO & PWD                              | -             | SRC 140                           |
| 28 | -Floodplain Overlay Zone Variance                               | III                   | N                        | HO                                    | CC            | SRC 140                           |
| 29 | HISTORIC REVIEW                                                 |                       |                          |                                       |               |                                   |
| 30 |                                                                 |                       |                          |                                       |               |                                   |
|    | -Historic Design Review (Minor)                                 | I                     | N                        | PA                                    | HLC           | SRC 230                           |

|    |                                                                 |                       |                          |                                     |               |                                   |
|----|-----------------------------------------------------------------|-----------------------|--------------------------|-------------------------------------|---------------|-----------------------------------|
| 1  | <b>Table 300.100-2: Land Use Applications by Procedure Type</b> |                       |                          |                                     |               |                                   |
| 2  |                                                                 |                       |                          | <b>Review Authority</b>             |               |                                   |
| 3  | <b>Application</b>                                              | <b>Procedure Type</b> | <b>Pre-App. Required</b> | <b>Decision</b>                     | <b>Appeal</b> | <b>Applicable Code Chapter(s)</b> |
| 4  |                                                                 |                       |                          |                                     |               |                                   |
| 5  | -Historic Design Review (Major)                                 | III                   | N                        | HLC                                 | HO            | SRC 230                           |
| 6  | -Historic Resource Adaptive Reuse                               | III                   | N                        | HO                                  | PC            | SRC 230                           |
| 7  | -Historic Resource DEMOLITION                                   | III                   | N                        | HLC                                 | CC            | SRC 230                           |
| 8  |                                                                 |                       |                          |                                     |               |                                   |
| 9  | -Local Historic Resource Designation                            | IV                    | N                        | HLC – Recommendation; CC – Decision | -             | SRC 230                           |
| 10 |                                                                 |                       |                          |                                     |               |                                   |
| 11 | -Local Historic Resource Designation Removal (Class 1)          | I                     | N                        | PA                                  | -             | SRC 230                           |
| 12 |                                                                 |                       |                          |                                     |               |                                   |
| 13 | -Local Historic Resource Designation Removal (Class 2)          | IV                    | N                        | HLC – Recommendation; CC – Decision | -             | SRC 230                           |
| 14 |                                                                 |                       |                          |                                     |               |                                   |
| 15 | MANUFACTURED DWELLING PARK PERMIT                               | II                    | Y                        | PA                                  | HO            | SRC 123                           |
| 16 |                                                                 |                       |                          |                                     |               |                                   |
| 17 | MASTER PLAN                                                     | III                   | Y                        | PC                                  | CC            |                                   |
| 18 | NEIGHBORHOOD CENTER MASTER PLAN                                 |                       |                          |                                     |               |                                   |
| 19 |                                                                 |                       |                          |                                     |               |                                   |
| 20 | -Class 1 NCMP                                                   | III                   | Y                        | PC                                  | CC            | SRC 215                           |
| 21 | -Class 2 NCMP                                                   | III                   | Y                        | PC                                  | CC            | SRC 215                           |
| 22 | -Class 2 NCMP Detailed Plan (Subsequent Phases)                 | II                    | N                        | PA                                  | PC            | SRC 215                           |
| 23 | -Class 3 NCMP (First Subarea)                                   | III                   | Y                        | PC                                  | CC            | SRC 215                           |
| 24 | -Class 3 NCMP (Subsequent Subareas)                             | III                   | Y                        | PC                                  | CC            | SRC 215                           |
| 25 |                                                                 |                       |                          |                                     |               |                                   |
| 26 | -NCMP Minor Amendment                                           | II                    | N                        | PA                                  | PC            | SRC 215                           |
| 27 | -NCMP Major Amendment                                           | III                   | N                        | PC                                  | CC            | SRC 215                           |
| 28 |                                                                 |                       |                          |                                     |               |                                   |
| 29 | NEIGHBORHOOD PLANS                                              |                       |                          |                                     |               |                                   |
| 30 | -Neighborhood Plan Change (Applicant)                           | III                   | Y                        | PC                                  | CC            | SRC 64                            |



|    |                                                                 |                       |                          |                                       |               |                                   |
|----|-----------------------------------------------------------------|-----------------------|--------------------------|---------------------------------------|---------------|-----------------------------------|
| 1  | <b>Table 300.100-2: Land Use Applications by Procedure Type</b> |                       |                          |                                       |               |                                   |
| 2  |                                                                 |                       |                          | <b>Review Authority</b>               |               |                                   |
| 3  | <b>Application</b>                                              | <b>Procedure Type</b> | <b>Pre-App. Required</b> | <b>Decision</b>                       | <b>Appeal</b> | <b>Applicable Code Chapter(s)</b> |
| 4  |                                                                 |                       |                          |                                       |               |                                   |
| 5  | Initiated)                                                      |                       |                          |                                       |               |                                   |
| 6  |                                                                 |                       |                          |                                       |               |                                   |
| 7  | -Neighborhood Plan Change (City Initiated)                      | IV                    | N                        | PC – Recommendation;<br>CC – Decision | -             | SRC 64                            |
| 8  | PARTITION                                                       |                       |                          |                                       |               |                                   |
| 9  | -Tentative Plan                                                 | II                    | N                        | PA                                    | PC            | SRC 63                            |
| 10 | -Final Plat                                                     | Exempt                | N                        | PA                                    | -             | SRC 63                            |
| 11 | PLANNED UNIT DEVELOPMENT                                        |                       |                          |                                       |               |                                   |
| 12 | -Tentative Plan                                                 | III                   | Y                        | PC                                    | CC            | SRC 121                           |
| 13 | -Tentative Plan w/ Subdivision                                  | III                   | Y                        | PC                                    | CC            | SRC 121                           |
| 14 | -Final Plan                                                     | I                     | N                        | PA                                    | -             | SRC 121                           |
| 15 | PROPERTY LINE ADJUSTMENT                                        | I                     | N                        | PA                                    | -             | SRC 63                            |
| 16 | PROPERTY LINE VERIFICATION                                      | I                     | N                        | PA                                    | -             | SRC 63                            |
| 17 | REPLAT                                                          | II                    | N                        | PA                                    | PC            | SRC 63                            |
| 18 | SIGNS                                                           |                       |                          |                                       |               |                                   |
| 19 | -Sign Permit                                                    | I                     | N                        | CDD                                   | -             | SRC 62                            |
| 20 | -Sign Adjustment                                                | II                    | N                        | CDD                                   | -             | SRC 62                            |
| 21 | -Sign Conditional Use Permit                                    | III                   | N                        | HO                                    | PC            | SRC 62                            |
| 22 | -Sign Variance                                                  | III                   | N                        | HO                                    | PC            | SRC 62                            |
| 23 | SITE PLAN REVIEW                                                |                       |                          |                                       |               |                                   |
| 24 | -Type I Limited                                                 | I                     | N                        | PA                                    | -             | SRC 163                           |
| 25 | -Type I                                                         | I                     | N                        | PA                                    | -             | SRC 163                           |
| 26 | -Type II                                                        | II                    | N                        | PA                                    | HO            | SRC 163                           |
| 27 | SPECIFIC CONDITIONAL USE                                        | III                   | Y                        | HO                                    | PC            | SRC 118                           |
| 28 | SUBDIVISION                                                     |                       |                          |                                       |               |                                   |
| 29 | -Tentative Plan                                                 | II                    | N                        | PA                                    | PC            | SRC 63                            |
| 30 | -Final Plat                                                     | Exempt                | N                        | PA                                    | -             | SRC 63                            |
|    | -Subdivision of Manufactured Dwelling Park                      | II                    | N                        | PA                                    | PC            | SRC 63                            |
|    | TREE & VEGETATION                                               |                       |                          |                                       |               |                                   |



|    |                                                                      |                       |                          |                                       |               |                                   |
|----|----------------------------------------------------------------------|-----------------------|--------------------------|---------------------------------------|---------------|-----------------------------------|
| 1  | <b>Table 300.100-2: Land Use Applications by Procedure Type</b>      |                       |                          |                                       |               |                                   |
| 2  |                                                                      |                       |                          | <b>Review Authority</b>               |               |                                   |
| 3  | <b>Application</b>                                                   | <b>Procedure Type</b> | <b>Pre-App. Required</b> | <b>Decision</b>                       | <b>Appeal</b> | <b>Applicable Code Chapter(s)</b> |
| 4  |                                                                      |                       |                          |                                       |               |                                   |
| 5  | REMOVAL                                                              |                       |                          |                                       |               |                                   |
| 6  | -Tree Conservation Plan                                              | I                     | N                        | PA                                    | -             | SRC 68                            |
| 7  | -Tree Conservation Plan Adjustment                                   | I                     | N                        | PA                                    | -             | SRC 68                            |
| 8  | -Tree & Vegetation Removal Permit                                    | I                     | N                        | PA                                    | -             | SRC 68                            |
| 9  | -Hardship Variance                                                   | II                    | N                        | PA                                    | HO            | SRC 68                            |
| 10 | -Economical Use Variance                                             | II                    | N                        | PA                                    | HO            | SRC 68                            |
| 11 | URBAN GROWTH MANAGEMENT                                              |                       |                          |                                       |               |                                   |
| 12 |                                                                      |                       |                          |                                       |               |                                   |
| 13 | -Urban Service Area Amendment                                        | IV                    | N                        | CC                                    | -             | SRC 66                            |
| 14 | -UGA Development Permit Preliminary Declaration                      | II                    | N                        | PA                                    | CC            | SRC 66                            |
| 15 |                                                                      |                       |                          |                                       |               |                                   |
| 16 | -UGA Development Permit                                              | I                     | N                        | PWD                                   | -             | SRC 66                            |
| 17 |                                                                      |                       |                          |                                       |               |                                   |
| 18 | VALIDATION OF UNITS OF LAND                                          | III                   | Y                        | HO                                    | PC            | SRC 63                            |
| 19 | VARIANCE                                                             | III                   | Y                        | HO                                    | PC            | SRC 115                           |
| 20 | WILLAMETTE GREENWAY                                                  |                       |                          |                                       |               |                                   |
| 21 |                                                                      |                       |                          |                                       |               |                                   |
| 22 | -Greenway Development Permit – Outside Compatibility Review Boundary | II                    | N                        | PA                                    | HO            | SRC 141                           |
| 23 |                                                                      |                       |                          |                                       |               |                                   |
| 24 | -Greenway Development Permit – Inside Compatibility Review Boundary  | III                   | Y                        | HO                                    | PC            | SRC 141                           |
| 25 |                                                                      |                       |                          |                                       |               |                                   |
| 26 | ZONE CHANGE                                                          |                       |                          |                                       |               |                                   |
| 27 |                                                                      |                       |                          |                                       |               |                                   |
| 28 | -Zone Change (Applicant Initiated)                                   | III                   | Y                        | HO                                    | PC            | SRC 113                           |
| 29 |                                                                      |                       |                          |                                       |               |                                   |
| 30 | -Zone Change (City Initiated)                                        | IV                    | N                        | PC – Recommendation;<br>CC – Decision | -             | SRC 113                           |

| Table 300.100-2: Land Use Applications by Procedure Type                                                                                                                                                                        |                |                   |                  |        |                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|-------------------|------------------|--------|----------------------------|
| Application                                                                                                                                                                                                                     | Procedure Type | Pre-App. Required | Review Authority |        | Applicable Code Chapter(s) |
|                                                                                                                                                                                                                                 |                |                   | Decision         | Appeal |                            |
| ZONE CHANGE W/ COMPREHENSIVE PLAN CHANGE                                                                                                                                                                                        | III            | Y                 | PC               | CC     | SRC 113; SRC 64            |
| <b>LEGEND</b>                                                                                                                                                                                                                   |                |                   |                  |        |                            |
| PA – Planning Administrator; BO – Building Official; CDD – Community Development Director; PWD – Public Works Director; HO – Hearings Officer; HLC – Historic Landmarks Commission; PC – Planning Commission; CC – City Council |                |                   |                  |        |                            |

**Section 5. Codification.** In codifying this ordinance the City Recorder may change the word “ordinance,” “code,” “section,” “chapter” and other similar words to reflect the proper terminology; may renumber sections, subsections, paragraphs and clauses to reflect proper sequencing; may correct cross-references; and may correct any typographical errors which do not affect the meaning of text.

**Section 6. 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 26<sup>th</sup> day of September, 2011.

ATTEST:

*Kathryn Hall*

City Recorder

Approved by City Attorney: *[Signature]*

Checked by: B. Bishop

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CITY OF SALEM  
PLANNING DIVISION  
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SALEM, OR 97301-3503

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DEPT OF  
OCT 03 2011  
LAND CONSERVATION  
AND DEVELOPMENT

Land Conservation & Development  
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