



# Oregon

John A. Kitzhaber, M.D., Governor

**Department of Land Conservation and Development**

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Salem, Oregon 97301-2540

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[www.oregon.gov/LCD](http://www.oregon.gov/LCD)



## **NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION**

Date: 10/24/2014  
Jurisdiction: City of Salem  
Local file no.: CA 14-04  
DLCD file no.: 013-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 10/23/2014. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office. This amendment was submitted without a signed ordinance.

Notice of the proposed amendment was submitted to DLCD 55 days prior to the first evidentiary hearing.

### Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

### DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or [plan.amendments@state.or.us](mailto:plan.amendments@state.or.us)



# NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

|                          |
|--------------------------|
| <b>FOR DLCD USE</b>      |
| File No.: 013-14 {22339} |
| Received: 10/23/2014     |

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See OR 660-018-0040). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use Form 4 for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use Form 5 for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use Form 6 with submittal of an adopted periodic review task.

Jurisdiction: City of Salem

Local file no.: CA14-04

Date of adoption: 10/13/2014 Date sent: 10/23/2014

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

- Yes: Date (use the date of last revision if a revised Form 1 was submitted): 06/25/2014  
 No

Is the adopted change different from what was described in the Notice of Proposed Change?  Yes  No  
 If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Eunice Kim, Planner II

Phone: 503-540-2308 E-mail: ekim@cityofsalem.net

Street address: 555 Liberty St SE, Rm 305 City: Salem Zip: 97301-

### PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

**For a change to comprehensive plan text:**

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

**For a change to a comprehensive plan map:**

Identify the former and new map designations and the area affected:

- Change from \_\_\_\_\_ to \_\_\_\_\_ acres.  A goal exception was required for this change.  
 Change from \_\_\_\_\_ to \_\_\_\_\_ acres.  A goal exception was required for this change.  
 Change from \_\_\_\_\_ to \_\_\_\_\_ acres.  A goal exception was required for this change.  
 Change from \_\_\_\_\_ to \_\_\_\_\_ acres.  A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): \_\_\_\_\_

- The subject property is entirely within an urban growth boundary  
 The subject property is partially within an urban growth boundary



**If the comprehensive plan map change is a UGB amendment** including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:

Non-resource – Acres:

Forest – Acres:

Marginal Lands – Acres:

Rural Residential – Acres:

Natural Resource/Coastal/Open Space – Acres:

Rural Commercial or Industrial – Acres:

Other: – Acres:

**If the comprehensive plan map change is an urban reserve amendment** including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:

Non-resource – Acres:

Forest – Acres:

Marginal Lands – Acres:

Rural Residential – Acres:

Natural Resource/Coastal/Open Space – Acres:

Rural Commercial or Industrial – Acres:

Other: – Acres:

**For a change to the text of an ordinance or code:**

Identify the sections of the ordinance or code that were added or amended by title and number:

Salem Revised Code Chapters:

613 Broadway-High Street Retail Overlay Zone, section 613.020

614 Broadway-High Street Housing Overlay Zone, section 614.020

615 Broadway-High Street Transition Overlay Zone, section 615.020

806 Off-Street Parking, Loading and Driveways, section 806.010

**For a change to a zoning map:**

Identify the former and new base zone designations and the area affected:

Change from        to        . Acres:

Change from        to        . Acres:

Change from        to        . Acres:

Change from        to        . Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:        . Acres added:        . Acres removed:

Location of affected property (T, R, Sec., TL and address):

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List affected state or federal agencies, local governments and special districts:

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

Staff report to City Council dated September 22, 2014 is attached.



COMMUNITY DEVELOPMENT DEPARTMENT

555 Liberty St. SE / Room 305 • Salem, OR 97301-3503 • (503) 588-6173 • (503) TTY 588-6353 • (503) Fax 588-6005

October 23, 2014

***Si necesita ayuda para comprender esta informacion, por favor llame 503-588-6173.***

**NOTICE OF FINAL DECISION: Ordinance No. 18-14  
Amending SRC Chapters 613, 614, 615 and 806**

YOU ARE HEREBY NOTIFIED that the City Council of the City of Salem adopted Ordinance No. 18-14 at the October 8, 2014 session. Ordinance No. 18-14 amends the above-referenced chapters relating to parking requirements in the Broadway/High Streets overlay zones. A copy of the ordinance is attached.

Any person with standing may appeal the City Council's decision by filing a "Notice of Intent to Appeal" with the Land Use Board of Appeals, 775 Summer St NE, Suite 330, Salem OR 97301-1283, **not later than 21 days after October 23, 2014**. Anyone with questions regarding filing an appeal with the Oregon Land Use Board of Appeals should contact an attorney.

The complete case file is available for review at the Community Development Department, 555 Liberty St SE, Room 305, Salem OR 97301. If you have any further questions, you may contact the City of Salem Planning Division at 503-588-6173.

Lisa Anderson-Ogilvie,  
Urban Planning Administrator

Attached: Ordinance No. 18-14



1 District may be used to satisfy 5 percent of the minimum number of required off-  
2 street parking spaces for building sites located within 400 feet of the transit stop  
3 or stops.

4 (2) Covered Bicycle Parking. Covered bicycle parking, provided at a ratio of 1  
5 bicycle space for each 10 vehicle parking spaces, may be used to satisfy 5 percent  
6 of the minimum number of required off-street parking spaces.

7 (3) Pedestrian Improvements. Pedestrian improvements, provided in an  
8 amount equal to or greater than 1 percent of the estimated construction cost of the  
9 proposed building(s), may be used to satisfy 10 percent of the minimum number  
10 of required off-street parking spaces. Construction cost estimates shall be  
11 prepared by a licensed architect, landscape architect, or other qualified  
12 professional and shall be subject to review and approval by the Planning  
13 Administrator.

14 (A) Pedestrian improvements include plazas, sidewalk extensions on  
15 development sites (e.g., sidewalk extensions with outdoor cafe space),  
16 street furnishings (e.g., benches, public art, pedestrian-scale lighting, water  
17 fountains, trash receptacles, transit shelters, or shade structures),  
18 wayfinding signs, or similar amenities, as approved by the Planning  
19 Administrator.

20 (B) Where a plaza adjoins a building entrance, pedestrian improvements  
21 include the incorporation of weather protection over that plaza in the form  
22 of a canopy, awning, pergola, or similar feature.

23 **Section 2.** SRC 614.020 is amended to read as follows:

24 **614.020. Development Standards.** Development within the Broadway/High Street Housing  
25 Overlay Zone must comply with the development standards applicable in underlying zone and  
26 the development standards set forth in this section. The development standards in this section  
27 are in addition to, and not in lieu of, all other applicable development standards in the underlying  
28 zone. Where the development standards in this section conflict with the development standards  
29 applicable in the underlying zone, the development standards in this section shall be the  
30 applicable development standard.

1 (a) **Dwelling Units Required.** A minimum of 50 percent of the floor area of each new  
2 building shall include dwelling units.

3 (b) **Location of Non-Residential Uses within Building.** All non-residential uses,  
4 except for Office uses, shall be limited to the ground floor of a building. Office uses  
5 may be located on the upper floors of a building.

6 (c) **Height.** Buildings and accessory structures within the Broadway/High Street  
7 Housing Overlay Zone shall conform to the height standards set forth in Table 614-3.

8 **TABLE 614-3**  
9 **HEIGHT**

10 **Table 614-3: Height**

| Requirements                | Standards   | Limitations & Qualifications |
|-----------------------------|-------------|------------------------------|
| <b>HEIGHT</b>               |             |                              |
| <b>Buildings</b>            |             |                              |
| All Uses                    | Max. 50 ft. |                              |
| <b>Accessory Structures</b> |             |                              |
| Accessory to All Uses       | Max. 50 ft. |                              |

16 (d) **Additional Development Standards for Uses in Mixed-Use Project with**  
17 **Twenty-Five or More Dwelling Units.** Uses in a mixed-use project with 25 or more  
18 dwelling units set forth in Table 614-2 shall conform to the following additional  
19 development standards:

20 (1) A minimum of 50 percent of the floor area of each building within a mixed-  
21 use project shall include dwelling units; except that Eating and Drinking  
22 Establishments may be housed in a separate building if the floor area of all non-  
23 residential uses within the mixed-use project, including the Eating and Drinking  
24 Establishments, total no more than 50 percent of the total floor area of the mixed-  
25 use project.

26 (2) All non-residential uses, except for Office uses, shall be limited to the ground  
27 floor of a building or buildings within a mixed-use project. Office uses may be  
28 located on upper floors.

29 (e) **Reductions to Required Off-Street Parking.** Within the Broadway/High Street  
30 **Retail Overlay Zone, the minimum number of off-street parking spaces required under**



1 SRC Chapter 806 shall be automatically reduced by 10 percent. Further reductions to  
2 the minimum number of required off-street parking spaces may be satisfied through one  
3 or more of the following alternative means, provided, however, the total number of off-  
4 street parking spaces reduced through such alternative means shall not exceed 20  
5 percent:

6 (1) Transit Stop. A transit stop or stops approved by the Salem-Keizer Transit  
7 District may be used to satisfy 5 percent of the minimum number of required off-  
8 street parking spaces for building sites located within 400 feet of the transit stop  
9 or stops.

10 (2) Covered Bicycle Parking. Covered bicycle parking, provided at a ratio of 1  
11 bicycle space for each 10 vehicle parking spaces, may be used to satisfy 5 percent  
12 of the minimum number of required off-street parking spaces.

13 (3) Pedestrian Improvements. Pedestrian improvements, provided in an  
14 amount equal to or greater than 1 percent of the estimated construction cost of the  
15 proposed building(s), may be used to satisfy 10 percent of the minimum number  
16 of required off-street parking spaces. Construction cost estimates shall be  
17 prepared by a licensed architect, landscape architect, or other qualified  
18 professional and shall be subject to review and approval by the Planning  
19 Administrator.

20 (A) Pedestrian improvements include plazas, sidewalk extensions on  
21 development sites (e.g., sidewalk extensions with outdoor cafe space),  
22 street furnishings (e.g., benches, public art, pedestrian-scale lighting, water  
23 fountains, trash receptacles, transit shelters, or shade structures),  
24 wayfinding signs, or similar amenities, as approved by the Planning  
25 Administrator.

26 (B) Where a plaza adjoins a building entrance, pedestrian improvements  
27 include the incorporation of weather protection over that plaza in the form  
28 of a canopy, awning, pergola, or similar feature.

29 **Section 3.** SRC 615.020 is amended to read as follows:  
30



1 **615.020. Development Standards.** Development within the Broadway/High Street Transition  
 2 Overlay Zone must comply with the development standards applicable in underlying zone and  
 3 the development standards set forth in this section. The development standards in this section  
 4 are in addition to, and not in lieu of, all other applicable development standards in the underlying  
 5 zone. Where the development standards in this section conflict with the development standards  
 6 applicable in the underlying zone, the development standards in this section shall be the  
 7 applicable development standard.

8 (a) **Height.** Buildings and accessory structures within the Broadway/High Street  
 9 Transition Overlay Zone shall conform to the height standards set forth in Table 615-4.

10 **TABLE 615-4**

11 **HEIGHT**

12 **Table 615-4: Height**

| Requirements                | Standards   | Limitations & Qualifications |
|-----------------------------|-------------|------------------------------|
| <b>HEIGHT</b>               |             |                              |
| <b>Buildings</b>            |             |                              |
| All Uses                    | Max. 50 ft. |                              |
| <b>Accessory Structures</b> |             |                              |
| Accessory to All Uses       | Max. 50 ft. |                              |

17

18 (b) **Additional Development Standards for Uses Permitted Only in a Mixed-Use**  
 19 **Project with Twenty-Five or More Dwelling Units.** Uses permitted only in a mixed-  
 20 use project with 25 or more dwelling units set forth in Table 615-2 shall conform to the  
 21 following additional development standards:

22 (1) A minimum of 50 percent of the floor area of each building within a mixed-  
 23 use project shall include dwelling units; except that Eating and Drinking  
 24 Establishments may be housed in a separate building if the floor area of all non-  
 25 residential uses within the mixed-use project, including the Eating and Drinking  
 26 Establishments, total no more than 50 percent of the total floor area of the mixed-  
 27 use project.

28 (2) All non-residential uses, except for Office uses, shall be limited to the ground  
 29 floor of a building or buildings within a mixed-use project. Office uses may be  
 30 located on upper floors.

1 (c) Reductions to Required Off-Street Parking. Within the Broadway/High Street  
2 Retail Overlay Zone, the minimum number of off-street parking spaces required under  
3 SRC Chapter 806 shall be automatically reduced by 10 percent. Further reductions to  
4 the minimum number of required off-street parking spaces may be satisfied through one  
5 or more of the following alternative means, provided, however, the total number of off-  
6 street parking spaces reduced through such alternative means shall not exceed 20  
7 percent:

8 (1) Transit Stop. A transit stop or stops approved by the Salem-Keizer Transit  
9 District may be used to satisfy 5 percent of the minimum number of required off-  
10 street parking spaces for building sites located within 400 feet of the transit stop  
11 or stops.

12 (2) Covered Bicycle Parking. Covered bicycle parking, provided at a ratio of 1  
13 bicycle space for each 10 vehicle parking spaces, may be used to satisfy 5 percent  
14 of the minimum number of required off-street parking spaces.

15 (3) Pedestrian Improvements. Pedestrian improvements, provided in an  
16 amount equal to or greater than 1 percent of the estimated construction cost of the  
17 proposed building(s), may be used to satisfy 10 percent of the minimum number  
18 of required off-street parking spaces. Construction cost estimates shall be  
19 prepared by a licensed architect, landscape architect, or other qualified  
20 professional and shall be subject to review and approval by the Planning  
21 Administrator.

22 (A) Pedestrian improvements include plazas, sidewalk extensions on  
23 development sites (e.g., sidewalk extensions with outdoor cafe space),  
24 street furnishings (e.g., benches, public art, pedestrian-scale lighting, water  
25 fountains, trash receptacles, transit shelters, or shade structures),  
26 wayfinding signs, or similar amenities, as approved by the Planning  
27 Administrator.

28 **Section 4.** SRC 806.010 is amended to read as follows:  
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1 **806.010. Proximity of Off-Street Parking to Use or Activity Served.** Required off-street  
2 parking shall be located on the same development site as the use or activity it serves or in the  
3 following locations:

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

6 (b) **Non-Residential Zones.** Within commercial, mixed-use, public, and industrial and  
7 employment zones, other than the CB and SWMU zones, required off-street parking  
8 may be located within 500 feet of the development site containing the use or activity it  
9 serves.

10 (c) **Central Business District Zone.** Within the Central Business (CB) zone:

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

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

15 (d) **South Waterfront Mixed-Use Zone.** Within the South Waterfront Mixed Use  
16 (SWMU) zone, required off-street parking may be located anywhere within the South  
17 Waterfront Mixed Use (SWMU) zone. Required off-street parking shall not be located  
18 in a different zone.

19 (e) **Broadway/High Street Retail Overlay Zone, Broadway/High Street Housing**  
20 **Overlay Zone and Broadway/High Street Transition Overlay Zone.** Within the  
21 Broadway/High Street Retail Overlay Zone, Broadway/High Street Housing Overlay  
22 Zone and Broadway/High Street Transition Zone, required off-street parking may be  
23 located within 800 feet of the development site containing the use or activity it serves.

24 **(e)(f) Exception.** Notwithstanding subsections (a) through (e) of this section, where  
25 required off-street parking is to be located off-site from the use or activity it serves, it  
26 shall only be located in a zone where the use or activity it serves is allowed, or where  
27 Commercial Parking is allowed.

28 **Section 5. Severability.** Each section of this ordinance, and any part thereof, is severable, and  
29 if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of  
30 this ordinance shall remain in full force and effect.

1 PASSED by the City Council this 13 day of October, 2014.

2 ATTEST: Audie Madrin

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City Recorder

Approved by City Attorney: [Signature]


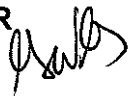
9 Checked by: E. Kim

10 G:\Group\legal\COUNCIL\2014\092214 Proposed Amendments to SRC Chapters 613, 614, 615, and 806 ord 18-14.docx

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FUTURE REPORT: September 15, 2014  
FOR COUNCIL MEETING OF: September 22, 2014  
AGENDA ITEM NO.: 8.1 (a)

TO: MAYOR AND CITY COUNCIL  
THROUGH:  LINDA NORRIS, CITY MANAGER  
FROM: GLENN W. GROSS, DIRECTOR   
COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: PROPOSED AMENDMENTS TO SALEM REVISED CODE CHAPTERS 613, 614, 615 AND 806 TO MAKE PARKING REGULATIONS MORE FLEXIBLE IN THE BROADWAY/HIGH STREET OVERLAY ZONES

**ISSUE:**

Should City Council enact Ordinance Bill No. 18-14 amending SRC Chapter 613 (Broadway/High Street Retail Overlay Zone), Chapter 614 (Broadway/High Street Housing Overlay Zone), Chapter 615 (Broadway/High Street Transition Overlay Zone), and Chapter 806 (Off-Street Parking, Loading, and Driveways) to make parking regulations more flexible in the Broadway/High Street overlay zones?

**RECOMMENDATION:**

Advance Ordinance Bill No. 18-14, amending SRC Chapters 613, 614, 615, and 806 to make parking regulations more flexible in the Broadway/High Street overlay zones, to second reading for enactment.

**SUMMARY AND BACKGROUND:**

The proposed code amendments will make parking regulations more flexible in the Broadway/High Street overlay zones, as recommended in the North Broadway/High Street Parking Management Plan (PMP). The City of Salem, working with consultants, completed the PMP in December 2012. The PMP's purpose was to develop parking management solutions for the Broadway/High Street area that would result in:

- A more efficient use of parking resources
- Flexible, market responsive parking standards that more accurately reflect the different demands for new development and redevelopment
- Minimized conflicts between the commercial areas and adjacent residential neighborhoods
- A reduction in the need for parking variances
- Increased bicycle and pedestrian use

The PMP resulted in 24 recommendations for parking management, including code amendments that would provide greater flexibility in parking regulations in the

Broadway/High Street area. The code amendments were reviewed by the project's Citizen Advisory Committee (CAC).

City Council accepted the PMP on September 9, 2013 and directed staff to initiate the code amendments recommended in the PMP. The code amendments were put on hold until the Unified Development Code (UDC) became effective May 14, 2014.

The proposed code amendments only affect the Broadway/High Street Retail Overlay Zone, the Broadway/High Street Housing Overlay Zone, and the Broadway/High Street Transition Overlay Zone (**Attachment 1**). (The UDC separated the former Broadway/High Street Overlay Zone into these three overlay zones.)

The PMP can be viewed online at:  
[www.cityofsalem.net/NorthBroadway-HighStreetParkingManagementPlan](http://www.cityofsalem.net/NorthBroadway-HighStreetParkingManagementPlan).

## **FACTS AND FINDINGS:**

### ***Procedural Findings***

1. The Planning Commission initiated the proposed code amendments on June 17, 2014 with the approval of Resolution No. 14-03.
2. A public hearing was held before the Planning Commission on August 19, 2014 to receive testimony and consider the proposed amendments. The Planning Commission then voted to approve the proposed amendments and recommended that City Council accept first reading of an ordinance bill for the purpose of amending the code.

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

3. The PMP found that the Broadway/High Street area does not have a shortage of parking, but it made recommendations to help the City avoid parking issues in the future as redevelopment continues to occur in the area. The PMP specifically noted that property owners were seeking variances in the Broadway/High Street area to reduce the amount of required parking.
4. The PMP recommended near-term code amendments that would make parking regulations more flexible in the Broadway/High Street area and would reduce the need for parking variances. The code amendments are described below.
  - a) **Automatic Parking Reduction:** This amendment to SRC Chapters 613, 614, and 615 would automatically reduce by 10 percent the minimum number of required off-street parking spaces for uses in the three Broadway/High Street overlay zones.

The Broadway/High Street area is an urban, pedestrian-friendly, mixed-use area that is well served by transit. A 10 percent district-wide parking reduction

would recognize these characteristics and allow for more efficient use of the land. It may also reduce the need for variances or adjustments to parking requirements and therefore make it easier for properties to be reused.

- b) **Alternative Modes of Transportation:** This amendment to SRC Chapters 613, 614, and 615 would allow up to 20 percent in additional parking reductions (e.g., a potential 20 percent reduction in addition to the automatic 10 percent district-wide reduction described above) when one or more of the following amenities are provided:
- 1) *Transit Stop:* 5 percent reduction for building sites located within 400 feet of a transit stop(s).
  - 2) *Covered Bicycle Parking:* 5 percent reduction for covered bicycle parking, provided at a ratio of 1 bicycle space for each 10 vehicle parking spaces.
  - 3) *Pedestrian Improvements.* 10 percent reduction for pedestrian improvements (e.g., sidewalk extensions with outdoor café space, benches or transit shelter) provided in an amount equal to or greater than 1 percent of the estimated construction cost of the proposed building(s).

Currently, applicants can reduce their parking requirements only by applying for an adjustment or variance, which are land use processes involving public notice, public comment, and in the case of a variance, a public hearing. Applicants can also submit a plan that shows how the use of alternative modes of transportation decreases the need for off-street parking; such a plan is reviewed administratively as an adjustment. This latter option is rarely used.

A parking adjustment or variance adds time and cost to a proposed development, and there is no guarantee that the land use application will be approved. The proposed code amendments would allow applicants to reduce parking requirements without having to go through a land use process to review the proposed reduction. Instead, they would be able to meet clear and objective standards.

Additionally, these code amendments would encourage the development of covered bicycle parking and pedestrian improvements in the Broadway/High Street overlay zones. These improvements would help make the area more bicycle- and pedestrian-friendly, which is consistent with the intent of the overlay zones.

- c) **Distance to Off-Site Parking:** The amendment to SRC Chapter 806 would increase the distance allowed between off-site parking spaces and the uses they serve in the three Broadway/High Street overlay zones. Currently, in non-residential zones, parking required by the zoning code must be located within 500 feet of the development site that contains the use it serves. This amendment would increase that distance to 800 feet.

This change would increase opportunities for businesses to share parking in the Broadway/High Street area. If a public parking lot or parking structure were to be developed in the area in the future, as recommended in the PMP, this amendment would allow more businesses to benefit from the parking lot or structure.

### ***Testimony Received***

A resident of South Central Association of Neighbors, Curt Fisher, submitted testimony in support of the PMP and its recommendations. The testimony included concerns that the code amendments recommended in the PMP would lead to buildings being demolished and replaced by parking lots. The proposed code amendments will enable businesses to make better use of existing parking lots and allow greater flexibility in meeting minimum parking requirements.

### ***Substantive Findings***

5. SRC 110.085 establishes the following approval criteria which must be met in order for a code amendment to be approved:

a) *The amendment is in the best interest of the public health, safety, and welfare of the City; and*

**Finding:** The proposed code amendments are in the best interest of the public health, safety, and welfare of the City because it will make parking regulations more flexible in the Broadway/High Street overlay zones and will therefore make it easier for properties in the area to be reused and redeveloped. Increased flexibility will help the area continue to transform into a mixed-use area that provides a variety of services and amenities to the public.

The proposed amendments will also promote safe and convenient travel by pedestrians and bicyclists by encouraging the development of amenities for these alternative modes of transportation. This is consistent with the intent of the Broadway/High Street overlay zones, which seek to promote a pedestrian-oriented, mixed-use area.

b) *The amendment conforms with the Salem Area Comprehensive Plan, applicable Statewide Planning Goals, and applicable administrative rules adopted by the Department of Land Conservation and Development.*

**Finding:** The Salem Area Comprehensive Plan (SACP) is the long-range plan for guiding development in the Salem urban area. SACP's overall goal is to accommodate development in a timely, orderly, and efficient arrangement of land uses and public facilities and services that meet the needs of present and future residents of the Salem urban area.



The proposed amendments were reviewed for conformance with the applicable SACP goals and policies. The following SACP mixed-use development and transportation goals and policies relate to the proposed code amendments:

***Mixed-Use Development Goal:*** *To provide a mixture of complementary land uses that may include housing, retail, offices, services, industrial and civic uses, to create economic and social vitality.*

**Development**

- *Encourage efficient use of land by facilitating compact, high-density development and minimizing the amount of land that is needed to accommodate automobile parking.*

**Priorities for Mobility and Access**

- *Facilitate development (land use mix, density, connectivity, design, and orientation) that reduces the need for, and frequency of, SOV (single occupancy vehicle) trips and supports public transit, where applicable.*
- *Reinforce streets as public places that encourage pedestrian and bicycle travel.*

**Design**

- *Develop commercial and mixed-use areas that are safe, comfortable and attractive to pedestrians.*
- *Provide flexibility in the siting and design of new developments, facilities, and redevelopment to respond to changes in the marketplace and infrastructure systems.*

***Transportation Goal:*** *To provide a balanced, multimodal transportation system for the Salem Urban Area that supports the safe and efficient movement of goods and people.*

**Decreased Reliance on the SOV**

- *Local governments within the Salem Urban Area shall develop multimodal plans, services, and programs that decrease reliance on the SOV as the dominant means of travel.*

The proposed code amendments conform to the SACP mixed-use policies because the amendments minimize the amount of land needed for parking by allowing parking reductions and increasing opportunities for shared parking. The amendments also support and encourage transit, pedestrian, and bicycle use by allowing property owners and developers to provide amenities for these alternative modes of transportation in exchange for parking reductions. By providing more flexibility in parking regulations overall, the proposed

amendments will allow developments to more easily “respond to changes in the marketplace” as called for in the SACP mixed-use policies.

The proposed amendments also conform to the SACP transportation policy to decrease “reliance on the SOV” by encouraging multimodal travel and reducing parking requirements. As mentioned above, the creation of transit, pedestrian, and bicycle amenities, such as covered bicycle parking, will be incentivized.

The proposed code amendments were also reviewed for conformance with the applicable Statewide Planning Goals and administrative rules adopted by the Department of Land Conservation and Development. The following goals are applicable to the proposed code amendment:

**Goal 1 – Citizen Involvement:** *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

The proposed code amendments conform to this goal because the PMP and its recommendations included several opportunities for the public to review and provide comments. For example, the PMP’s Citizens Advisory Committee was comprised of area business owners, property owners, residents, neighborhood association representatives, a Planning Commissioner, and a City Councilor. The CAC reviewed the PMP and its recommendations, including the proposed code amendments. The CAC’s meetings were advertised and open to the public. The PMP’s recommendations were also presented to the public at a community workshop. Additional outreach for the PMP included a project website, stakeholder interviews, and a postcard that was mailed to property owners, residents and businesses in the project area.

In addition, the process to adopt these proposed amendments requires public notice and affords the public an opportunity to review, comment, and take part in the approval process.

**Goal 12 – Transportation:** *To provide and encourage a safe, convenient, and economic transportation system.*

The Salem Transportation System Plan (TSP), a component of the SACP, promotes the safe and efficient movement of goods and people and provides increased services and facilities for all modes of travel. The proposed code amendments are consistent with the SACP and encourage the use of alternative modes of transportation. They give property owners and developers an incentive – reduced parking – to provide amenities such as plazas, sidewalk extensions, and covered bicycle parking. These kinds of amenities will make the transportation system safer and more convenient for pedestrians, bicyclists, and transit riders.

**Goal 14 – Urbanization:** *To provide for an orderly and efficient transition*

*from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.*

The proposed code amendments conform to this goal because they promote the efficient use of land in the Broadway/High Street overlay zones. Specifically, they decrease the amount of land needed in the area to accommodate cars by reducing parking requirements and increasing opportunities for shared parking. The proposed code amendments also

facilitate the redevelopment of underutilized properties, therefore supporting a more efficient use of urban land.

**ALTERNATIVES:**

City Council may:

1. Advance Ordinance Bill No. 18-14 to second reading for enactment.
2. Set a public hearing on the proposed amendments.
3. Take no action.



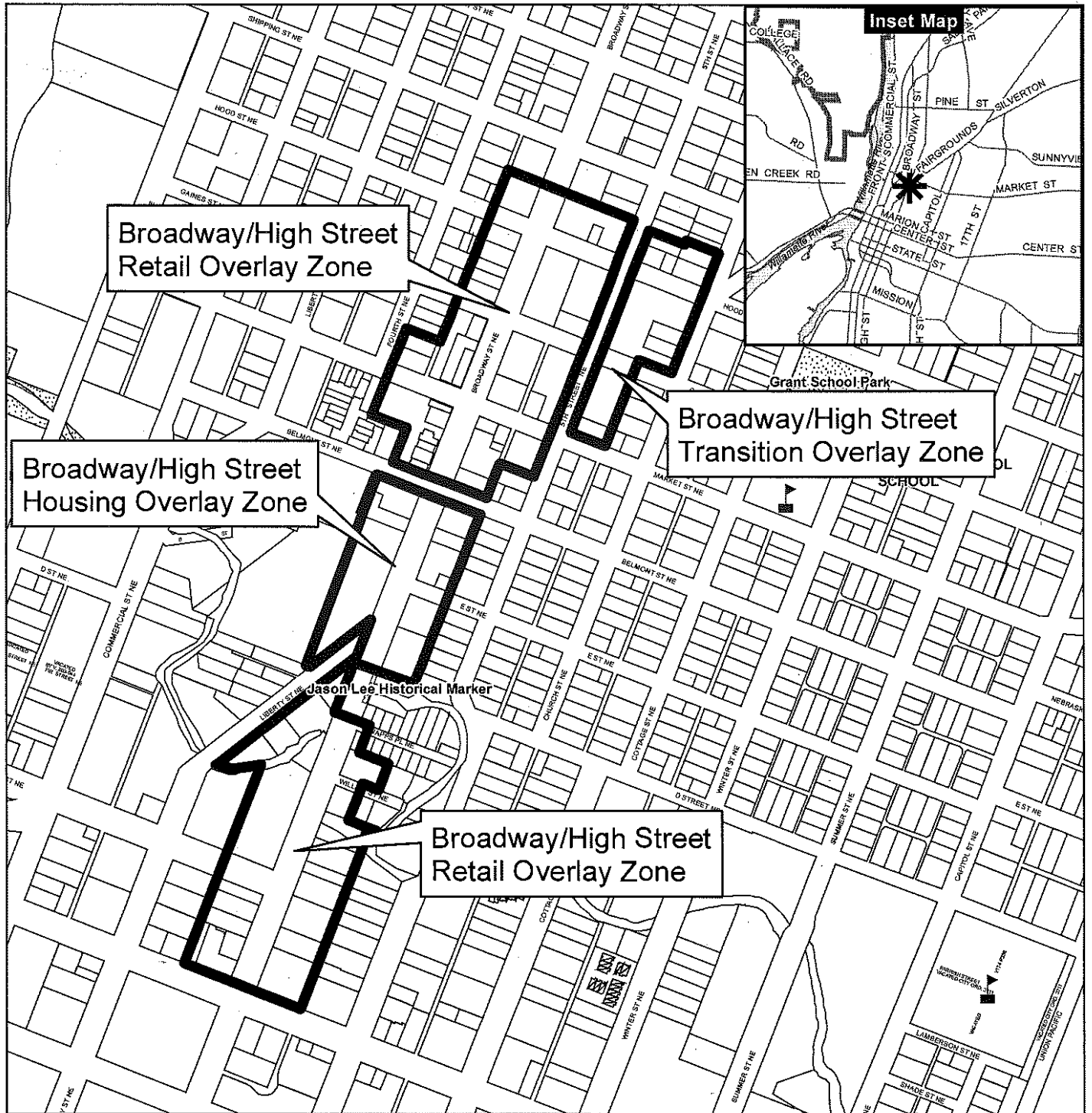
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Lisa Anderson-Ogilvie,  
Urban Planning Administrator

Prepared by Eunice Kim, Planner II

- Attachments:
1. Map of the Broadway/High Street Retail Overlay Zone, Broadway/High Street Housing Overlay Zone, and Broadway/High Street Transition Overlay Zone
  2. Planning Commission Recommendation

# Broadway/High Street Retail, Housing and Transition Overlay Zones



**Legend**

- Taxlots
- Urban Growth Boundary
- City Limits
- Outside Salem City Limits
- Historic District
- Schools
- Parks

CITY OF *Salem*  
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 Community Development Dept.

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*Si necesita ayuda para comprender esta informaci  
503-588-6173*

**NOTICE OF  
RECOMMENDATION**

**RECOMMENDATION OF THE PLANNING COMMISSION  
CODE AMENDMENT CASE NO. CA14-04**

CODE AMENDMENT CASE NO. CA14-04

WHEREAS, on June 17, 2014 the amendments to the Salem Revised Code (SRC) were initiated by the Salem Planning Commission to update parking requirements in the Broadway/High Street Retail, Housing and Transition Overlay Zones (SRC Chapters 613, 614, 615 and 806); and

WHEREAS, after due notice, a public hearing on the proposed code amendments was held before the Planning Commission on August 19, 2014, at which time witnesses were heard and testimony received; and

WHEREAS, the Planning Commission having carefully considered the entire record of this proceeding, including the testimony presented at the hearing, and after due deliberation and being fully advised; NOW THEREFORE

BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF SALEM, OREGON:

Section 1. FINDINGS:

The Planning Commission hereby adopts as its findings of fact the staff report on this matter dated August 19, 2014, herewith attached and by this reference incorporated herein.

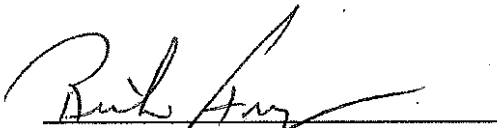
Section 2. ORDER:

Based upon the foregoing findings and conclusions, the Planning Commission RECOMMENDS the City Council take the following action:

Adopt the facts and findings of this staff report and recommend that the City Council accept first reading of an ordinance bill for the purpose of amending SRC Chapters 613, 614, 615, and 806 (Off-Street Parking, Loading, and Driveways) to make parking regulations more flexible in the Broadway/High Street Overlay Zones.

**PLANNING COMMISSION VOTE**

YES 5      NO 1 (McKinley)      ABSENT 1 (Blasi)

  
Rich Fry, President  
Salem Planning Commission

PLANNING DIVISION  
555 LIBERTY ST. SE, RM 305  
SALEM, OREGON 97301  
PHONE: 503-588-6173  
FAX: 503-588-6005



Pursuant to SRC 300.1110(h) the City Council may proceed with adoption of an ordinance, hold a public hearing to receive additional evidence and testimony, refer the proposal back to the Planning Commission for additional deliberation, or abandon the proposal.

The City Council will make a final decision on the proposal. The appeal of the Council decision would be to the Oregon Land Use Board of Appeals. The appeal period is 21 days from the mailing date of the Council decision.

The case file and copies of the staff report are available upon request at Room 305, Civic Center, during City business hours, 8:00 a.m. to 5:00 p.m. Contact Eunice Kim, Case Manager, at 503-540-2308 or [ekim@cityofsalem.net](mailto:ekim@cityofsalem.net) to review the case file.

**To Learn More about Planning in Salem, visit our website:**

**<http://www.cityofsalem.net/planning>**

**ORDINANCE BILL NO. 18-14**

AN ORDINANCE RELATING TO THE BROADWAY/HIGH STREET OVERLAY ZONES AND OFF-STREET PARKING; AMENDING SRC 613.020, 614.020, 615.020 AND 806.010.

*The City of Salem ordains as follows:*

**Section 1.** SRC 613.020 is amended to read as follows:

**613.020. Development Standards.** Development within the Broadway/High Street Retail Overlay Zone must comply with the development standards applicable in underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

**(a) Height.** Buildings and accessory structures within the Broadway/High Street Retail Overlay Zone shall conform to the height standards set forth in Table 613-2.

**TABLE 613-2**

**HEIGHT**

| Table 613-2: Height         |             |                              |
|-----------------------------|-------------|------------------------------|
| Requirements                | Standards   | Limitations & Qualifications |
| <b>HEIGHT</b>               |             |                              |
| <b>Buildings</b>            |             |                              |
| All Uses                    | Max. 50 ft. |                              |
| <b>Accessory Structures</b> |             |                              |
| Accessory to All Uses       | Max. 50 ft. |                              |

**(b) Reductions to Required Off-Street Parking.** Within the Broadway/High Street Retail Overlay Zone, the minimum number of off-street parking spaces required under SRC Chapter 806 shall be automatically reduced by 10 percent. Further reductions to the minimum number of required off-street parking spaces may be satisfied through one or more of the following alternative means, provided, however, the total number of off-street parking spaces reduced through such alternative means shall not exceed 20 percent:

**(1) Transit Stop.** A transit stop or stops approved by the Salem-Keizer Transit

1 District may be used to satisfy 5 percent of the minimum number of required off-  
2 street parking spaces for building sites located within 400 feet of the transit stop  
3 or stops.

4 (2) Covered Bicycle Parking. Covered bicycle parking, provided at a ratio of 1  
5 bicycle space for each 10 vehicle parking spaces, may be used to satisfy 5 percent  
6 of the minimum number of required off-street parking spaces.

7 (3) Pedestrian Improvements. Pedestrian improvements, provided in an  
8 amount equal to or greater than 1 percent of the estimated construction cost of the  
9 proposed building(s), may be used to satisfy 10 percent of the minimum number  
10 of required off-street parking spaces. Construction cost estimates shall be  
11 prepared by a licensed architect, landscape architect, or other qualified  
12 professional and shall be subject to review and approval by the Planning  
13 Administrator.

14 (A) Pedestrian improvements include plazas, sidewalk extensions on  
15 development sites (e.g., sidewalk extensions with outdoor cafe space),  
16 street furnishings (e.g., benches, public art, pedestrian-scale lighting, water  
17 fountains, trash receptacles, transit shelters, or shade structures),  
18 wayfinding signs, or similar amenities, as approved by the Planning  
19 Administrator.

20 (B) Where a plaza adjoins a building entrance, pedestrian improvements  
21 include the incorporation of weather protection over that plaza in the form  
22 of a canopy, awning, pergola, or similar feature.

23 **Section 2.** SRC 614.020 is amended to read as follows:

24 **614.020. Development Standards.** Development within the Broadway/High Street Housing  
25 Overlay Zone must comply with the development standards applicable in underlying zone and  
26 the development standards set forth in this section. The development standards in this section  
27 are in addition to, and not in lieu of, all other applicable development standards in the underlying  
28 zone. Where the development standards in this section conflict with the development standards  
29 applicable in the underlying zone, the development standards in this section shall be the  
30 applicable development standard.

1 (a) **Dwelling Units Required.** A minimum of 50 percent of the floor area of each new  
2 building shall include dwelling units.

3 (b) **Location of Non-Residential Uses within Building.** All non-residential uses,  
4 except for Office uses, shall be limited to the ground floor of a building. Office uses  
5 may be located on the upper floors of a building.

6 (c) **Height.** Buildings and accessory structures within the Broadway/High Street  
7 Housing Overlay Zone shall conform to the height standards set forth in Table 614-3.

8 **TABLE 614-3**  
9 **HEIGHT**

10 **Table 614-3: Height**

| Requirements                | Standards   | Limitations & Qualifications |
|-----------------------------|-------------|------------------------------|
| <b>HEIGHT</b>               |             |                              |
| <b>Buildings</b>            |             |                              |
| All Uses                    | Max. 50 ft. |                              |
| <b>Accessory Structures</b> |             |                              |
| Accessory to All Uses       | Max. 50 ft. |                              |

16 (d) **Additional Development Standards for Uses in Mixed-Use Project with**  
17 **Twenty-Five or More Dwelling Units.** Uses in a mixed-use project with 25 or more  
18 dwelling units set forth in Table 614-2 shall conform to the following additional  
19 development standards:

20 (1) A minimum of 50 percent of the floor area of each building within a mixed-  
21 use project shall include dwelling units; except that Eating and Drinking  
22 Establishments may be housed in a separate building if the floor area of all non-  
23 residential uses within the mixed-use project, including the Eating and Drinking  
24 Establishments, total no more than 50 percent of the total floor area of the mixed-  
25 use project.

26 (2) All non-residential uses, except for Office uses, shall be limited to the ground  
27 floor of a building or buildings within a mixed-use project. Office uses may be  
28 located on upper floors.

29 (e) **Reductions to Required Off-Street Parking.** Within the Broadway/High Street  
30 Retail Overlay Zone, the minimum number of off-street parking spaces required under

1 SRC Chapter 806 shall be automatically reduced by 10 percent. Further reductions to  
2 the minimum number of required off-street parking spaces may be satisfied through one  
3 or more of the following alternative means, provided, however, the total number of off-  
4 street parking spaces reduced through such alternative means shall not exceed 20  
5 percent:

6 (1) Transit Stop. A transit stop or stops approved by the Salem-Keizer Transit  
7 District may be used to satisfy 5 percent of the minimum number of required off-  
8 street parking spaces for building sites located within 400 feet of the transit stop  
9 or stops.

10 (2) Covered Bicycle Parking. Covered bicycle parking, provided at a ratio of 1  
11 bicycle space for each 10 vehicle parking spaces, may be used to satisfy 5 percent  
12 of the minimum number of required off-street parking spaces.

13 (3) Pedestrian Improvements. Pedestrian improvements, provided in an  
14 amount equal to or greater than 1 percent of the estimated construction cost of the  
15 proposed building(s), may be used to satisfy 10 percent of the minimum number  
16 of required off-street parking spaces. Construction cost estimates shall be  
17 prepared by a licensed architect, landscape architect, or other qualified  
18 professional and shall be subject to review and approval by the Planning  
19 Administrator.

20 (A) Pedestrian improvements include plazas, sidewalk extensions on  
21 development sites (e.g., sidewalk extensions with outdoor cafe space),  
22 street furnishings (e.g., benches, public art, pedestrian-scale lighting, water  
23 fountains, trash receptacles, transit shelters, or shade structures),  
24 wayfinding signs, or similar amenities, as approved by the Planning  
25 Administrator.

26 (B) Where a plaza adjoins a building entrance, pedestrian improvements  
27 include the incorporation of weather protection over that plaza in the form  
28 of a canopy, awning, pergola, or similar feature.

29 **Section 3.** SRC 615.020 is amended to read as follows:  
30

1 **615.020. Development Standards.** Development with the Broadway/High Street Transition  
 2 Overlay Zone must comply with the development standards applicable in underlying zone and  
 3 the development standards set forth in this section. The development standards in this section  
 4 are in addition to, and not in lieu of, all other applicable development standards in the underlying  
 5 zone. Where the development standards in this section conflict with the development standards  
 6 applicable in the underlying zone, the development standards in this section shall be the  
 7 applicable development standard.

8 (a) **Height.** Buildings and accessory structures within the Broadway/High Street  
 9 Transition Overlay Zone shall conform to the height standards set forth in Table 615-4.

10 **TABLE 615-4**  
 11 **HEIGHT**

| Table 615-4: Height         |             |                              |
|-----------------------------|-------------|------------------------------|
| Requirements                | Standards   | Limitations & Qualifications |
| <b>HEIGHT</b>               |             |                              |
| <b>Buildings</b>            |             |                              |
| All Uses                    | Max. 50 ft. |                              |
| <b>Accessory Structures</b> |             |                              |
| Accessory to All Uses       | Max. 50 ft. |                              |

18 (b) **Additional Development Standards for Uses Permitted Only in a Mixed-Use**  
 19 **Project with Twenty-Five or More Dwelling Units.** Uses permitted only in a mixed-  
 20 use project with 25 or more dwelling units set forth in Table 615-2 shall conform to the  
 21 following additional development standards:

- 22 (1) A minimum of 50 percent of the floor area of each building within a mixed-  
 23 use project shall include dwelling units; except that Eating and Drinking  
 24 Establishments may be housed in a separate building if the floor area of all non-  
 25 residential uses within the mixed-use project, including the Eating and Drinking  
 26 Establishments, total no more than 50 percent of the total floor area of the mixed-  
 27 use project.
- 28 (2) All non-residential uses, except for Office uses, shall be limited to the ground  
 29 floor of a building or buildings within a mixed-use project. Office uses may be  
 30 located on upper floors.



1 (c) Reductions to Required Off-Street Parking. Within the Broadway/High Street  
2 Retail Overlay Zone, the minimum number of off-street parking spaces required under  
3 SRC Chapter 806 shall be automatically reduced by 10 percent. Further reductions to  
4 the minimum number of required off-street parking spaces may be satisfied through one  
5 or more of the following alternative means, provided, however, the total number of off-  
6 street parking spaces reduced through such alternative means shall not exceed 20  
7 percent:

8 (1) Transit Stop. A transit stop or stops approved by the Salem-Keizer Transit  
9 District may be used to satisfy 5 percent of the minimum number of required off-  
10 street parking spaces for building sites located within 400 feet of the transit stop  
11 or stops.

12 (2) Covered Bicycle Parking. Covered bicycle parking, provided at a ratio of 1  
13 bicycle space for each 10 vehicle parking spaces, may be used to satisfy 5 percent  
14 of the minimum number of required off-street parking spaces.

15 (3) Pedestrian Improvements. Pedestrian improvements, provided in an  
16 amount equal to or greater than 1 percent of the estimated construction cost of the  
17 proposed building(s), may be used to satisfy 10 percent of the minimum number  
18 of required off-street parking spaces. Construction cost estimates shall be  
19 prepared by a licensed architect, landscape architect, or other qualified  
20 professional and shall be subject to review and approval by the Planning  
21 Administrator.

22 (A) Pedestrian improvements include plazas, sidewalk extensions on  
23 development sites (e.g., sidewalk extensions with outdoor cafe space),  
24 street furnishings (e.g., benches, public art, pedestrian-scale lighting, water  
25 fountains, trash receptacles, transit shelters, or shade structures),  
26 wayfinding signs, or similar amenities, as approved by the Planning  
27 Administrator.

28 **Section 4.** SRC 806.010 is amended to read as follows:  
29  
30

1 **806.010. Proximity of Off-Street Parking to Use or Activity Served.** Required off-street  
2 parking shall be located on the same development site as the use or activity it serves or in the  
3 following locations:

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

6 (b) **Non-Residential Zones.** Within commercial, mixed-use, public, and industrial and  
7 employment zones, other than the CB and SWMU zones, required off-street parking  
8 may be located within 500 feet of the development site containing the use or activity it  
9 serves.

10 (c) **Central Business District Zone.** Within the Central Business (CB) zone:

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

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

15 (d) **South Waterfront Mixed-Use Zone.** Within the South Waterfront Mixed Use  
16 (SWMU) zone, required off-street parking may be located anywhere within the South  
17 Waterfront Mixed Use (SWMU) zone. Required off-street parking shall not be located  
18 in a different zone.

19 **(e) Broadway/High Street Retail Overlay Zone, Broadway/High Street Housing**  
20 **Overlay Zone and Broadway/High Street Transition Overlay Zone.** Within the  
21 **Broadway/High Street Retail Overlay Zone, Broadway/High Street Housing Overlay**  
22 **Zone and Broadway/High Street Transition Zone,** required off-street parking may be  
23 located within 800 feet of the development site containing the use or activity it serves.

24 **(e)(f) Exception.** Notwithstanding subsections (a) through (e) of this section, where  
25 required off-street parking is to be located off-site from the use or activity it serves, it  
26 shall only be located in a zone where the use or activity it serves is allowed, or where  
27 Commercial Parking is allowed.

28 **Section 5. Severability.** Each section of this ordinance, and any part thereof, is severable, and  
29 if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of  
30 this ordinance shall remain in full force and effect.

1 PASSED by the City Council this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

2 ATTEST:

3

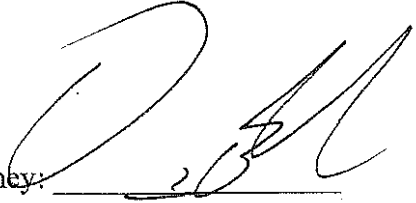
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City Recorder

7

Approved by City Attorney: 

8

9 Checked by: E. Kim

10 G:\Group\legal\COUNCIL\2014\092214 Proposed Amendments to SRC Chapters 613, 614, 615, and 806 ord 18-14.docx

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