

CHAPTER 139
COMPACT DEVELOPMENT OVERLAY ZONE

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139.010. Intent and Purpose. The Compact Development (CD) Overlay Zone is intended to provide for efficient residential development within single-family zoned areas within the urban growth boundary. The overlay district allows for the development of vacant and underutilized properties which increases the efficient use of land, provides home ownership opportunities, and encourages the cost-effective use of public facilities. The overlay district is intended to allow a variety of housing types while assuring that new development conforms to the established character of existing neighborhoods. Housing types subject to this chapter are limited to single family dwellings, duplexes, triplexes, townhouses, and accessory dwelling units. (Ord No. 93-98)

139.020. Definitions. For the purposes of the chapter:

- (a) "**Development**" means the addition or construction of one or more dwelling units.
- (b) "**Single family detached unit**" means one dwelling unit in a single structure.
- (c) "**Townhouse**" means a single family dwelling unit constructed in a row of attached units, with each unit separated by property lines with yard on at least two sides. (Ord No. 93-98; Ord No. 86-2002)

139.030. Establishment of Compact Development Overlay Zone. The compact development (CD) overlay zone is hereby created and may apply along arterial and collector streets and along local streets identified in special district and urban renewal plans, residential in-fill studies and neighborhood plans. Property designated for compact development shall be shown on the city's official zoning map.

(a) Where a portion of a compact development zoned property is located outside an established CD area, the entire property shall be considered as being within the CD overlay when both of the following conditions are met:

- (1) The property's vehicle access is to a street located within the CD area; and
- (2) Fifty-one percent or more of the lot area is located within the CD area.

(b) Maximum Lot Area. Compact Development Overlay District permitted land uses and standards apply only to development sites five (5) acres or less in size. (Ord No. 93-98; Ord No. 86-2002)

139.040. Permitted Uses. The following uses are permitted in the compact development overlay district:

- (a) Any permitted, special, administrative conditional use, or conditional uses allowed in the RS, (Single Family Residential) district.

(b) Any combination of single family detached, duplex or triplex units, up to a maximum of three (3) units on a lot subject to the per lot density requirements of SRC 120.060 and development design guidelines or standards contained in the City of Salem Development Design Handbook. Three or more units on a lot shall also comply with SRC 139.150.

(c) Townhouses on individual lots subject to the per lot density requirements of SRC 120.060 and development design guidelines or standards contained in the Development Design Handbook. (Ord No. 93-98; Ord No. 86-2002)

139.050. Conforming Uses. Multiple Family Residential uses and structures existing within an area designated for Compact Development that conform to the zoning code prior to the effective date of this ordinance are deemed allowed uses and conforming structures under the zoning code. Such structures may be altered, enlarged or rebuilt and such uses may be extended or intensified; provided such alteration, enlargement, rebuilding, expansion or intensification otherwise complies with the regulations specified by the chapter of the zoning ordinance in which the use is permitted. Abandonment, as defined by SRC 112.030(b), shall remove the use or structure, and the legal lot associated with such use or structure, from the scope of this section. Upon an administrative determination of abandonment, all subsequent uses and structures must comply with the regulations of the Compact Development Overlay Zone. (Ord No. 93-98)

139.060. Dwelling Unit Density. The number of dwelling units permitted on a property shall be calculated by dividing the lot area in square feet by 43,560 and multiplying that figure by the maximum density identified below. A calculation of density resulting in a fraction shall be rounded to the next highest whole number.

(a) There is no minimum density in the compact development overlay zone.

(b) The maximum residential density of the compact development overlay zone shall be fourteen (14) dwelling units per acre; maximum density is a non-variable standard. No more than five dwellings units may be attached in a single building or structure within the compact development overlay district. (Ord No. 93-98)

139.070. Lot Area and Dimensions.

(a) **Lot Area.** The minimum lot area per attached residential unit is 1,500 square feet per unit. The minimum lot area for detached residential units is 3,000 square feet.

(b) **Lot dimensions.** The minimum lot depth is 65 feet. The minimum lot width is 20 feet. (Ord No. 93-98)

139.080. Building Height. Building heights shall meet the requirements of the underlying zone. (Ord No. 93-98)

139.090. Front Yards, Yards Adjacent to Streets, and Building Setbacks. Yards shall meet the requirements of the underlying zone. (Ord No. 93-98)

139.100. Interior Side Yards.

(a) Each lot occupied by a single family detached dwelling, duplex or triplex shall meet the side yard requirements of the underlying zone.

(b) Where a compact development abuts any single family designated or zoned property, there shall be a minimum side yard of not less than five feet.

(c) Any building which contains dwelling units shall be set back a minimum of ten (10) feet from other buildings containing dwelling units, located on the same lot. (Ord No. 93-98)

139.110. Interior Rear Yards. Rear yards shall meet the requirements of the underlying zone. (Ord No. 93-98)

139.120. Lot Coverage. Lot coverage shall meet the requirements of the underlying zone. (Ord No. 93-98)

139.130. Required Parking.

(a) Parking shall meet the requirements of SRC 133 except that:

(1) Property that is zoned for compact development that abuts an alley shall provide access to parking from the alley. (Ord No. 93-98)

139.140. Driveways for Dwellings. Within the required front yard, no driveway shall be more than one-half the width of the property frontage on the street, or twenty feet, whichever is less, except for driveways serving flag lots, which shall meet the standards of SRC Table 63-1. (Ord No. 93-98)

139.150. Design Approval. Development subject to the provisions of this chapter shall meet either the design standards or guidelines contained in the Development Design Handbook. One detached single family dwelling unit or one duplex unit on an individual lot shall be exempt from these design approval requirements. Development design guidelines and standards are in addition to all other development standards contained in the zoning code. (Ord No. 93-98)

139.160. Variances. The hearings officer may grant a variance from certain standards contained in this chapter, subject to the provisions of SRC Chapter 115. Standards contained in this chapter which are identified as non-variable shall not be granted a variance. (Ord No. 93-98)

