

**CHAPTER 163**  
**SITE PLAN REVIEW**

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**163.010. Site Plan Review, Purpose.** The purpose of site plan review is to provide a unified, consistent and efficient means to review proposed development that requires a building permit, other than single-family residential, duplex residential development and installation of signs, to ensure that such development meets all requirements imposed by the Salem Revised Code, which include requirements related to access, pedestrian connectivity, setbacks, parking areas, external refuse storage areas, open areas, and landscaping; and requirements that transportation and utility infrastructure are adequate or will be adequate to serve the proposed development. (Ord No. 20-08)

**163.020. Site Plan Review, Applicability.**

- (a) All development that requires a building permit requires site plan review prior to issuance of the building permit, unless such development is exempt from site plan review under SRC 163.030.
- (b) Type I-Limited Site Plan Review is required for development that does not involve a land use or limited land use decision, as defined by ORS 197.015 and involves only interior construction or tenant improvements that include a change of use, but require no exterior improvements that would alter the existing parking, landscaping, or buffer yards required by the Salem Revised Code;
- (c) Type I Site Plan Review is required for development that does not involve a land use or limited land use decision, as those terms are defined in ORS 197.015.
- (d) Type II Site Plan Review is required for development that involves a land use or limited land use decision, as those terms are defined in ORS 197.015. As used in this subsection, land use and limited land use decisions include, but are not limited to:
  - (1) Any development application that requires a Transportation Impact Analysis pursuant to Transportation System Plan;
  - (2) Any development application that requires a geotechnical report or geologic assessment pursuant to SRC Chapter 69;
  - (3) Any development application that requires deviation from clear and objective development standards in the Salem Revised Code relating to streets, driveways or vision clearance areas;
  - (4) Any development application that proposes dedication of right-of-way which is less than the requirements of the Salem Transportation System Plan;
  - (5) Any development application that requires deviation from the clear and objective standards of the Salem Revised Code and where the Planning Administrator or Director of Public Works is granted the authority to use limited discretion in deviating from the established standard, including approval of a concurrent zoning adjustment, pursuant to SRC Chapter 116; or
  - (6) Any development that requires a variance or conditional use permit.
- (e) A site plan review application may be processed concurrently with an application for a

building permit; provided however, that a building permit shall not be issued until site plan review approval has been granted. (Ord No. 20-08)

**163.030. Site Plan Review, Exemptions.** The following development applications shall not require site plan review:

- (a) The construction of single-family or duplex dwellings on an individual lot, including the construction of accessory structures associated with such dwellings.
- (b) The installation of signs pursuant to SRC Chapter 62.
- (c) Regular and ordinary repair or maintenance of existing structures, utilities, landscaping, and impervious surfaces, and the installation or replacement of operational equipment or fixtures.
- (d) The alteration or regular and ordinary repair or maintenance of the front or face of an existing building.
- (e) Interior construction or tenant improvements that involve no change of use. (Ord No. 20-08)

**163.040. Site Plan Review, Minimum Application Requirements.** A complete application for site plan review shall consist of the following:

(a) **Type I-Limited Site Plan Review.**

- (1) A complete application on forms provided by the Planning Administrator, and signed by the property owner, or signed by a prospective purchaser, lessee, or agent, if written delegation of signature authority to such person is submitted with the application; and
- (2) Payment of all applicable fees.

(b) **Type I Site Plan Review.**

- (1) A complete application on forms provided by the Planning Administrator, and signed by the property owner, or signed by a prospective purchaser, lessee, or agent, if written delegation of signature authority to such person is submitted with the application;
- (2) Three copies of a site plan of a size and form, and including the information specified in SRC 163.050;
- (3) Three copies of an assessor's map with identification of the lot, block and tax lot number, or other legal description;
- (4) Three copies of an existing conditions plan drawn on the same scale as the site plan, which shall include, at a minimum, the following:
  - (A) The total site area, dimensions and orientation relative to north;
  - (B) The location of existing structures and other improvements on the site, including accessory structures, fences, walls and driveways, noting their distance from property lines;
  - (C) The location of the one-hundred-year flood plain, if applicable;
- (5) A completed Trip Generation Estimate for the proposed development, on forms provided by the Director of Public Works; and
- (6) Payment of all applicable fees.

(c) **Type II Site Plan Review.** The Planning Administrator may waive the submittal requirement of any item in this section if the Planning Administrator determines that the item would not provide evidence of satisfaction of any of the applicable criteria.

- (1) All the items required for a Type I Site Plan Review under subsection (b) of this section;
- (2) The zoning district, comprehensive plan designation and land uses for all properties abutting the site, including, but not limited to, driveway locations, public and private streets, including bike paths, transit stops, sidewalks and other bike and pedestrian pathways, curbs, and easements;
- (3) The elevation of the site at two-foot contour intervals, with specific identification of slopes in excess of fifteen percent;
- (4) The location of drainage patterns and drainage courses, if applicable;

- (5) A preliminary utility plan showing capacity needs for municipal water and sewer service and schematic location of connection points to existing municipal water and sewer services;
- (6) Summary table which includes site zoning designation, total site area, gross floor area by use (i.e. manufacturing, office, retail, storage), building height, itemized number of full size, compact and handicapped parking stalls and the collective total number, total lot coverage proposed, including areas to be paved for parking and sidewalks;
- (7) A Geological Assessment or Geotechnical Report, if required by SRC Chapter 69, or a statement from an engineer certifying that landslide risk on the site is low, and that there is no need for further landslide risk assessment;
- (8) A Traffic Impact Analysis, if required for the development, shall be provided based on a format and thresholds specified in standards established by the Director of Public Works;
- (9) Additional information, as determined by the Planning Administrator, that may be required by any other provision or for any other permit elsewhere in Salem Revised Code and any other information that may be required to adequately review and analyze the proposed development plan as to its conformance to the applicable criteria; and
- (10) Payment of all applicable fees. (Ord No. 20-08)

**163.050. Site Plan Requirements.** All site plans required by this Chapter shall be on sheets not larger than twenty-four inches by thirty-six inches, unless otherwise allowed by the Planning Administrator. Site plans shall be drawn at a scale of one inch equals forty feet or larger, i.e., one inch equals thirty feet. All site plans shall also be submitted on eight inch by eleven inch or eleven inch by seventeen inch size paper. All site plans shall include:

- (a) The total site area, dimensions and orientation relative to north;
- (b) The location of all proposed primary and accessory structures and other improvements, including fences, walls and driveway locations, indicating distance to such structures from all property lines and adjacent on-site structures;
- (c) Loading areas, if included with proposed development;
- (d) The size and location of solid waste and recyclables storage and collection areas, and amount of overhead clearance above such enclosures, if included with proposed development;
- (e) An indication of future phases of development on the site, if applicable;
- (f) All proposed landscape areas on the site, with an indication of square footage and as a percentage of site area;
- (g) The location, height and material of fences, buffers, berms, walls and other proposed screening as they relate to buffer yard and landscaping required by SRC Chapter 132;
- (h) The location of all street trees, if applicable, or acknowledgment that planting of street trees will be required at time of development pursuant to SRC Chapter 86; and
- (i) Identification of vehicle, pedestrian and bicycle parking and circulation areas, including handicapped parking stalls, disembarking areas, accessible routes of travel, and proposed ramps. (Ord No. 20-08)

**163.060. Site Plan Review, Procedures.**

- (a) Type I-Limited and Type I Site Plan Review applications shall be reviewed by the Planning Administrator for compliance with the criteria as set forth in this Chapter. The Planning Administrator's decision for Type I-Limited and Type I Site Plan Review applications are final decisions and are not appealable to the City.
- (b) Type II - Notice of Application. Within ten days of determination that an application is deemed complete, but not less than twenty days before the review authority makes a decision, written notice of the application shall be mailed to all the following:
  - (1) Applicant;
  - (2) Owners and occupants of the subject property;

- (3) Owners of properties located within 250 feet of the perimeter of the subject property;
  - (4) Neighborhood Association(s) that includes the subject property;
  - (5) Community organizations, agencies, and interested persons that have submitted written requests for notification; and
  - (6) For modification applications, to persons who requested notice of the original application that is being modified.
- (c) The notice of a Type II application shall include all of the following:
- (1) The street address or other easily understood geographical reference to the subject property;
  - (2) The applicable criteria for the decision, listed by commonly used citation.
  - (3) The place, date, and time that comments are due;
  - (4) A statement that copies of all evidence relied upon by the applicant are available for review, and can be obtained at a reasonable cost;
  - (5) A statement that issues that may provide the basis for an appeal to the Land Use Board of Appeals must be raised in writing and with sufficient specificity to enable the applicant and the decision maker to respond to the issue;
  - (6) The name and phone number of a Staff contact; and
  - (7) A brief summary of the local decision making process for the decision being made.
- (d) The notice of a Type II application shall allow a fourteen-day period for the submission of written comments, starting from the date of mailing, and include a statement that comments received after the close of the comment period will not be considered by the review authority.
- (e) Type II Application Decision. The Planning Administrator shall approve, conditionally approve, or deny the application. The decision shall include a brief statement that explains the criteria and standards considered relevant to the decision, state the facts relied upon in rendering the decision and explain the justification for the decision based upon the criteria, standards and facts set forth.
- (f) Notice of Decision. Within five days after the Planning Administrator renders a decision, the City shall mail notice of the decision to the following:
- (1) Applicant;
  - (2) Owner and occupant of the subject property;
  - (3) All individuals who submitted timely comments;
  - (4) Neighborhood Association(s) that includes the subject property;
  - (5) Any group or individuals who requested notice of the decision; and
  - (6) Any person who submitted comments within the fourteen-day comment period prior to the decision.
- (g) The notice shall include all the following:
- (1) A description of the nature of the decision;
  - (2) An explanation of the nature of the application and the proposed use or uses that could be authorized;
  - (3) The street address or other easily understood geographical reference to the subject property;
  - (4) The name of a City representative to contact and the telephone number where additional information may be obtained;
  - (5) A statement that a copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost and will be provided at a reasonable cost;
  - (6) A statement that any person who participated in the decision by submitting oral or written comments during the fourteen-day comment period, the Neighborhood Association and the applicant may appeal the decision;
  - (7) A statement that the decision will not become final until the period for filing a local appeal

has expired; and

(8) An explanation that the decision cannot be appealed directly to the Land Use Board of Appeals.

(h) Unless appealed pursuant to this Chapter, the decision is effective on the sixteenth day after notice of the decision is mailed. (Ord No. 20-08)

**163.070. Site Plan Review, Criteria for Approval.**

(a) Approval of Type I-Limited or Type I Site Plan Review application shall be granted if the Planning Administrator finds that only clear and objective standards which do not require the exercise of discretion or legal judgment are applicable to the application, and that the applicant has met all the applicable standards.

(b) Approval of a Type II Site Plan Review application shall be granted if the Planning Administrator finds that:

(1) The application has met all applicable standards of the Salem Revised Code, or the application has met all standards requiring the exercise of discretion or legal judgment necessary to grant an appropriate deviation, including approval of a concurrent zoning adjustment consistent with SRC Chapter 116;

(2) The transportation system provides for the safe, orderly, and efficient circulation of traffic into and out of the proposed development, and negative impacts to the transportation system are mitigated adequately;

(3) Parking areas and driveways are designed to facilitate safe and efficient movement of vehicles, bicycles, and pedestrians; and

(4) The proposed development will be adequately served with City water, sewer, storm drainage, and other utilities appropriate to the nature of the development. (Ord No. 20-08)

**163.080. Site Plan Review, Conditions of Approval.** Conditions may be attached to a site plan review approval that are deemed necessary to more fully satisfy the criteria set forth in SRC 163.070, and may be considered in determining if the criteria set forth in SRC 163.070 have been met. Such conditions, once attached, shall be considered development standards applicable to the development. (Ord No. 20-08)

**163.090. Site Plan Review, Modifications.** Modification to an approved site plan shall follow the same procedure as the original approval, unless approval of the requested modification does not constitute a land use or limited land use decision, in which case the modification shall be processed as a Type I-Limited, or Type I Site Plan Review application, as applicable. (Ord No. 20-08)

**163.100. Site Plan Review, Expiration.**

(a) Site Plan approval shall be valid for a period of four years following the date of the final decision of the Planning Administrator. If no valid building permit application is on file with the City, consistent with the approved site plan within such time, the site plan approval will expire and a new application must be filed and approval granted prior to issuance of a building permit.

(b) If a valid building permit application is submitted, the site plan approval shall remain valid until the building permit expires. (Ord No. 20-08)

(CHAPTER 164 RESERVED FOR EXPANSION)

