

TO: MAYOR AND CITY COUNCIL  
THROUGH: *Linda Davis*  
ROBERT G. WELLS, CITY MANAGER  
FROM: VICKIE HARDIN WOODS, DIRECTOR *VHW*  
COMMUNITY DEVELOPMENT DEPARTMENT

SUBJECT: PLANNED UNIT DEVELOPMENT WORK SESSION FOLLOW-UP

**ISSUE:**

Should the City amend Salem Revised Code Chapter 121, Planned Unit Development, to address recent concerns regarding neighborhood compatibility?

**RECOMMENDATION**

Staff recommends that the City Council direct an amendment to SRC Chapter 121, Planned Unit Development (PUD), to restrict the maximum residential density to nine dwelling units per acre for all PUDs in the Residential Agriculture (RA) and Single Family Residential (RS) zone districts.

**BACKGROUND:**

On December 4, 2006, the City Council held a work session to discuss Planned Unit Developments (PUD) in Salem and the general merits of such developments, both in Salem and other communities. Staff presented examples of recent PUDs in Salem that raised concerns from the neighborhoods and surrounding property owners. Staff acknowledged that the PUD chapter and the City would benefit from a comprehensive re-write to address such concerns, as well as others. However, staff resources are currently not available to undergo such a task in light of larger work program issues, specifically the comprehensive re-write of the entire development code. Staff presented three potential "quick-fixes" that would be focused on the most apparent issues related to PUD development, specifically density and open space. These "quick-fixes" included:

- (1) Re-evaluating and re-instating a maximum allowed density for PUDs in the RA and RS zoning district;
- (2) Requiring a minimum percent open space for all PUDs; and
- (3) Allowing a density bonus, above the maximum, if environmentally sensitive areas are further protected.

These "quick-fix" ideas, at the time of the work session, had not gone through any level of community review or comment. City Council directed staff to conduct focused outreach with the Home Builders Association and neighborhood association representatives,

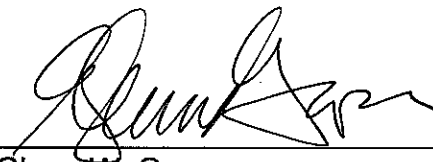
specifically those neighborhoods that have been directly impacted by recent PUD development.

### **FACTS AND FINDINGS:**

1. In 2004, SRC Chapter 121, Planned Unit Development, was amended to repeal the provision for a maximum density of six dwelling units per gross acre in the Residential Agriculture (RA) and Single Family Residential (RS) zone districts. The action of removing the maximum density from SRC 121 allowed the residential density to default to the underlying zone given a minimum lot area of 4,000 square feet. Whereas prior to 2004 the maximum density was six dwelling units per acre, the current code allows for up to eleven dwelling units per acre, where density is calculated dividing 43,560 (square feet in an acre) by 4,000 (square feet lot size minimum in RS and RA zones).
2. Within a standard subdivision, 15 to 20 percent of the site area is normally dedicated to public streets. Therefore, the attainable and realistic maximum density of a standard subdivision is about nine (9) units per acre.
3. The multi-year work program of the Community Development Department, Planning Division, includes a significant task to re-write, re-format and clarify all of the existing land use and development regulations in the form of a Unified Development Code (UDC). This task will be accomplished using existing limited staff resources. Therefore, any significant detraction from this task, in the form of interim code amendments requiring considerable community involvement, would prolong the completion of the UDC.
4. On December 4, 2006, as an outcome of a work session, City Council directed staff to conduct focused outreach and inquiry with the Home Builders Association of Marion and Polk Counties and Neighborhood Associations recently impacted by PUDs as to the recent issues of density and open space, including reaction to proposed "quick-fixes."
5. Staff met with members of the Home Builders Association of Marion and Polk Counties (HBA) on January 3, 2007. The HBA members agreed that a comprehensive re-write of the PUD Chapter would be of great benefit, in addition to the full re-write of the development code. The HBA members were amenable to a density cap for PUDs in the RA and RS zones, but expressed concern with regard to setting a fixed minimum percentage of open space on all PUDs, as this would reduce the degree of flexibility on hard-to-develop sites. The HBA members were also amenable to consideration of more discretionary review of PUDs, where creativity is worthy of additional flexibility.
6. Staff met with land use chairs or association chairs from the following neighborhood groups: South Central Association of Neighbors (SCAN), West Salem Neighborhood Association, Northgate Neighborhood Association, Croisan-Illahe Neighborhood Association, East Lancaster Neighborhood Association (ELNA), Morningside Neighborhood Association, and Northeast Salem Community Action Association (NESCA). All expressed concern over neighborhood compatibility, especially for small infill-type PUDs. Of the persons that staff spoke with, all agreed that any

interim amendments to the PUD chapter should not detract from the full re-write of the development code. All persons agreed that re-instating a density cap in the RA and RS zones was a good start in making PUDs more compatible with existing single-family neighborhoods, but would want to see more comprehensive changes with the full code re-write. Some of the changes mentioned include: an open space or amenity requirement; a better definition of what can be included as open space or amenities; clarifying the intent and purpose of PUD development; minimum site size standards; higher design standards in exchange for flexibility; and the option for design review of PUD developments.

7. Based on focused outreach with the two primary stakeholder groups, staff concludes that adoption of two of the three "quick-fixes," minimum open space and density bonus, would be difficult to accomplish with a minimum amount of time and process; clearly, additional outreach would be required to reach a consensus between the two groups. Without a design review process, with discretionary criteria, setting a one-size-fits-all standard for minimum open space would require more outreach efforts, which would detract, resource- and time-wise, from the larger Unified Development Code project.
8. Staff proposes a maximum of nine dwelling units per acre as a residential density for Planned Unit Developments in the RA and RS zone districts based on the minimum lot area of the underlying zone, and excluding fifteen percent for rights-of-way, which could be accomplished through the construction of private streets.



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