

CHAPTER 148

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148.150. Classification of Uses. Some permitted, special and conditional uses are classified with reference to the Standard Industrial Classification (SIC) Manual (See SRC 113.090). A number in parentheses following a use designation indicates that the use is listed and described under that number in the SIC. Where particular activities otherwise included under an SIC category are excluded from the permitted, special or conditional use, those particular activities are listed, preceded by the words "BUT EXCLUDING" following the more general category from which they are excluded. Particular activities thus excluded may or may not be listed in other sections of this chapter. (Ord No. 92-98)

148.160. RM1 Permitted Uses. The following uses, when developed under the general development standards in this zoning code applicable to the RM1 district and to all such uses, generally are permitted in the RM1 district

- (a) One single family dwelling or townhouse as defined in SRC 139.020 (c) other than a manufactured home, per lot.
- (b) Manufactured dwelling parks developed pursuant to SRC Chapter 123;
- (c) Apartment houses, court apartments, condominiums, duplexes, and room and board facilities serving five or fewer persons;
- (d) Bed and breakfast establishments;
- (e) Residential care (836), except homeless shelters;
- (f) Planned unit developments approved under SRC Chapter 121;
- (g) Playgrounds and parks;
- (h) Public buildings and structures, such as libraries and fire stations;
- (i) Rights-of-way for:
 - (1) Electric service lines;
 - (2) Gas mains, oil and gas transmission lines;
 - (3) Communications lines;
 - (4) Water lines;
 - (5) Sewer lines;
- (j) Transit stop shelters
- (k) Public utility structures and buildings such as pump stations and reservoirs, radio microwave relay stations, telephone substations, and electric substations;
 - (1) Accessory uses and structures such as:
 - (1) Customary residential accessory buildings and structures for private use of property and its occupants;
 - (2) Swimming pools for the use of residents and guests only;
 - (3) Home occupations;
 - (4) The taking of boarders or leasing of rooms by a resident family, providing the total number of boarders and roomers does not exceed two in any dwelling unit;
 - (5) A private garage or parking area;
 - (m) Community or neighborhood club buildings, including swimming pools and similar recreation facilities, when operated by a nonprofit community club.
 - (n) Child day care homes and baby sitting.
 - (o) Adult day care home.
 - (p) On-site response actions in accordance with applicable law to discharges of oil and release of hazardous substances, pollutants and contaminants.

(q) Transitional uses: Where the side of a lot abuts property other than a street in any C or I district, and the entire lot is within 165 feet of the C or I district; (1) Public parking areas when developed as provided in SRC Chapter 133 (Ord No. 92-98; Ord No. 32-2000; Ord No. 57-2000)

148.170. RM1 Special Uses.

(a) The following uses, when restricted, developed and conducted as required in SRC chapter 119, are permitted in the RM1 district:

- (1) Nursing and personal care facilities
- (2) Elementary and secondary schools
- (3) Religious organizations
- (4) Zero side yard dwellings
- (5) Manufactured homes on individual lots, provided the minimum density requirements of SRC RM1 148.220 are met

- (6) Adult day care center
- (7) Keeping of miniature swine
- (8) Residential Sales/Development Office
- (9) Antennas attached to existing or approved structures

(b) In lieu of establishing any use listed in subsection (a) of this section as a special use under SRC chapter 119, the developer may elect to apply for conditional use approval pursuant to SRC chapter 117 or 118. (Ord No. 92-98)

148.180. RM1 Administrative Conditional Uses.

(a) The following uses, with administrative conditional use approval as provided in SRC chapter 116, are permitted in the RM1 district:

(1) Freestanding support structures less than 35 feet in height and equipment enclosures. (Ord No. 92-98)

148.190. RM1 Conditional Uses. The following uses, with conditional use approval as provided in SRC chapter 117 or 118, as applicable, are permitted in the RM1 district:

(a) Those uses listed in SRC 148.170, at the developer's option, as provided in subsection (b) of that section.

- (b) Electric services (491)
- (c) Water supply (494)
- (d) Membership sports and recreation clubs (7997)
- (e) Swimming pools opened to the public, with or without charge
- (f) Historically or architecturally significant buildings as specific conditional uses

under SRC chapter 118.

(g) Child day care centers as specific conditional uses under SRC chapter 118.

(h) Homeless shelters and room and board facilities serving six to ten persons. (Ord No. 92-98)

148.200. RM1 Prohibited Uses. Within the RM1 district, no building, structure or land shall be used, erected, structurally altered or enlarged for any use not permitted under SRC 148.160 to 148.190, except as provided in SRC 113.090(c). (Ord No. 92-98)

148.210. RM1 Design Approval. Developments subject to SRC 148.160-148.300 shall meet either the development design standards contained in the City of Salem Development Design Handbook or shall be reviewed and approved by the Historic Landmarks and Design Review Commission pursuant to the guidelines contained in the adopted Development Design Handbook. Development design guidelines and standards are in addition to all development standards contained in this chapter. (Ord No. 92-98; Ord No. 15-06)

148.220. RM1 Dwelling Unit Density. The number of dwelling units permitted on property shall be calculated by dividing the lot area in square feet by 43,560 and multiplying that figure by the minimum or maximum density allowed. Any fractional number shall be rounded to the next highest whole number.

(a) The minimum residential density in the RM1 district shall be eight (8) dwellings per acre; the minimum density is variable pursuant to the requirements of SRC 115. Manufactured dwelling parks developed pursuant to SRC Chapter 123 shall have a minimum density of six (6) dwellings per acre; the minimum density is variable pursuant to the requirements of SRC 115.

(b) The maximum residential density in the RM1 district shall be fourteen (14) dwellings per acre. The maximum density is a non-variable standard. (Ord No. 92-98; Ord No. 32-2000)

148.230. RM1 Height. Within the RM1 district:

(a) Dwellings and duplexes, apartment houses, lodging houses, and hotels, residential care facilities (836), nursing and personal care facilities (805), erected, altered, or enlarged shall not exceed 35 feet in height. No other building or structure erected, altered or enlarged shall exceed a height of 70 feet.

(b) Heights of accessory structures shall meet the requirements of SRC chapter 131.030. (Ord No. 92-98)

148.240. RM1 Lot Area and Dimensions.

(a) **Lot Area.** The minimum lot area requirement for attached townhouses is 1,500 square feet per unit. The minimum lot area for all other permitted uses is 4,000 square feet.

(b) **Lot Dimensions.** The minimum lot depth is seventy (70) feet. The minimum lot width for townhouses is twenty (20) feet. The minimum lot width for all other uses is forty (40) feet.

(c) **Land Divisions.** Lots subdivided or partitioned after January 1, 1999 shall not be smaller than 20,000 square feet, unless the lots created after such date are restricted to contain two or more attached units per lot, are used for townhouse development, or are used for non-residential permitted uses. (Ord No. 92-98)

148.250. RM1 Front Yards and Yards Adjacent to Streets. Within the RM1 district:

(a) **Dwellings.** Yards for dwellings shall meet the requirements of SRC 146.080 for the type of dwelling; provided that single family dwellings converted to duplexes shall be considered single family dwellings for the purpose of determining such requirements.

(b) **Apartment Houses, Court Apartments, Condominiums, Residential Care Facilities and Other uses.** Along the full extent of each front lot line and each lot line adjacent

to a street there shall be a required yard one foot in depth for each one foot of building height, but in no event shall the yard be less than 12 feet but no more than 20 feet in depth required.

Apartment houses, court apartments, condominiums, and residential care facilities are also subject to the requirements contained in the City of Salem Development Design Handbook.

(c) **Accessory structures.** Setbacks for accessory structures shall meet the requirements of SRC 131.040.

(d) **Zero side yard.** Zero side yard development shall meet the requirements of SRC 119.550.

(e) **Parking areas.** Carports, garages or parking areas for apartment houses, court apartments, condominiums and residential care facilities that are adjacent to a street or property zoned RA or RS are regulated through the Development Design Handbook. All other parking areas adjacent to a street shall have a minimum required yard of 12 feet. Parking and vehicular use areas in front yards not adjacent to a street shall be set back, landscaped, and screened as required by SRC Chapter 132. (Ord No. 92-98; Ord No. 79-05)

148.260. RM1 INTERIOR SIDE AND REAR YARDS.

(a) **Dwellings.** Yards for dwellings shall meet the requirements under SRC 146.090 and SRC 146.100 for the type of dwelling; provided that single family dwellings converted to duplexes shall be considered single family dwellings for the purpose of determining such requirements.

(b) **Apartment Houses, Court Apartments, Condominiums and Residential Care Facilities.** The minimum setback for interior side and rear yards for apartment houses, court apartments, condominiums and residential care facilities within the RM1 zone shall be the buffer yard requirement established pursuant to SRC 132.220. Additional setbacks are required consistent with the Development Design Handbook for developments adjacent to property zoned RA or RS.

(c) **Other uses.** The setback for all other buildings or structures in the RM1 zone shall be the greater of the following:

(1) Five feet in depth for a building or structure not more than 35 feet in height,

(2) For buildings or structures exceeding 35 feet in height, five feet in depth plus one foot in depth for each one foot of additional height or fraction thereof, but need not exceed 20 feet in depth; or

(3) The buffer yard established pursuant to SRC 132.220.

(d) **Accessory structures.** Setbacks for accessory structures shall meet the requirements of SRC 131.050.

(e) **Zero side yard.** Zero side yard development shall meet the requirements of SRC 119.550.

(f) **Parking areas.** Carports, garages or parking areas adjacent to interior side and rear property lines shall be setback, landscaped, and screened as required under SRC Chapter 132 and the Development Design Handbook. (Ord No. 92-98; Ord No. 86-2002; Ord No. 79-05)

148.270. RM1 Lot COVERAGE. Total lot coverage by all buildings including accessory buildings shall not be more than 50 percent of the lot area. (Ord No. 92-98)

148.280. RM1 Landscaping. Within the RM1 district all required yards, except required rear yards which are part of an alley, and all required buffer yards and vehicular use areas, shall be landscaped and screened as required in SRC Chapter 132. (Ord No. 92-98)

148.290. RM1 Storage. Within the RM1 district, open outdoor storage shall be screened from view from the street and adjacent properties by a sight-obscuring fence, wall, berm, or hedge. (Ord No. 92-98)

148.300. RM1 Reference to Additional Standards. Additional or alternative use and development standards may be found in the following chapters:

Landslide Hazards	SRC Chapter 69
Planned Unit Development	SRC Chapter 121
Mobile Homes Parks	SRC Chapter 123
Home Occupations	SRC Chapter 124
Lot Development Standards	SRC Chapter 130
Accessory Structures	SRC Chapter 131
Landscaping	SRC Chapter 132
Off-Street Parking, Loading, and Driveways	SRC Chapter 133
Flood Plain Overlay Zones	SRC Chapter 141
Development Design Review Board	SRC Chapter DB
Development Design Review Process	SRC Chapter DR
City of Salem Development Design Handbook	

(Ord No. 59-2000)

148.310. RM2 Permitted Uses. The following uses, when developed under the general development standards in this zoning code applicable to the RM2 district and to all such uses, generally, are permitted in the RM2 district:

- (a) Replacement of one existing single-family dwelling, other than a manufactured home, per lot;
- (b) New single-family dwelling, other than a manufactured home, on a lot of record less than 6,000 square feet in area. For purposes of this Chapter “lot of record” means a lot or parcel created through the subdivision or partition of land prior to January 1, 2008, or a lot or parcel that meets the requirements of SRC 112.065.
- (c) Manufactured dwelling parks developed pursuant to SRC Chapter 123;
- (d) Townhouses as defined in SRC 139.020 (c), apartment houses, court apartments, condominiums, duplexes and room and board facilities serving five or fewer persons;
- (e) Bed and breakfast establishments;
- (f) Residential care (836), except homeless shelters serving more than five people;
- (g) Planned unit developments approved under SRC Chapter 121.
- (h) The following agricultural uses:
 - (1) Agricultural production - crops (01) with no retail sales area;
 - (2) Timber tracts (081);
 - (3) Forest Nurseries and tree seed gathering and extracting.
- (i) Playgrounds and parks.

- (j) Public buildings and structures, such as libraries, and fire stations.
- (k) Rights-of-way for:
 - (1) Electric service lines;
 - (2) Gas mains, oil and gas transmission lines;
 - (3) Communications and CATV lines;
 - (4) Water lines;
 - (5) Sewer lines.
- (l) Public utility structures and buildings such as pump stations, reservoirs, radio microwave relay stations, telephone substations, and electric substations.
- (m) Transit stop shelters.
- (n) Accessory uses and structures such as:
 - (1) Customary residential accessory buildings and structures for private use of the property and its occupants;
 - (2) Storage for not more than one commercial vehicle per dwelling unit;
 - (3) Sleeping quarters for domestic employees of the resident of the main building;
 - (4) Guest houses and guest quarters not in the main building;
 - (5) Swimming pools for the use of residents and guests only;
 - (6) Home occupations;
 - (7) The taking of boarders or leasing of rooms by a resident family, providing the total number of boarders and roomers does not exceed two in any dwelling unit;
 - (8) A private garage or parking area.
- (o) Community or neighborhood club buildings, including swimming pools and similar recreation facilities, when operated by a nonprofit community club.
- (p) Accessory retail and service uses: An apartment house or lodging house having more than twenty-five dwelling units or guest rooms may have therein a newsstand, barber shop, beauty parlor, food shop, and dining rooms when conducted and entered only from within the building.
- (q) Transitional uses: Where the side of a lot abuts property other than a street or alley in any C or I district, and the entire lot is within 165 feet of the C or I district:
 - (1) Public parking areas when developed as provided in SRC Chapter 133.
 - (r) Child day care homes and babysitting.
 - (s) Adult day care. (Ord No. 92-98; Ord No. 32-2000; Ord No. 57-2000; Ord No. 13-08)

148.320. RM2 Special Uses.

- (a) The following uses, when restricted, developed, and conducted as required in SRC chapter 119, are permitted in the RM2 district:
 - (1) Membership sports and recreation clubs (7997) having golf courses;
 - (2) Funeral service (726) except crematories; and cemetery subdividers and developers (6553);
 - (3) Nursing and personal care facilities (805);
 - (4) Elementary and secondary schools (821);
 - (5) Religious organizations (866);
 - (6) Boat and recreational vehicle storage area;
 - (7) Zero side yard dwellings;

- (8) Replacement of one existing manufactured home on an individual lot;
- (9) Adult day care center;
- (10) Ambulance Station.
- (b) In lieu of establishing any use listed in subsection (a) of this section as a special use under SRC chapter 119, the developer may elect to apply for conditional use approval pursuant to SRC chapter 117. (Ord No. 92-98; Ord No. 57-2000; Ord No. 43-06)

148.330. RM2 Administrative Conditional Uses.

(a) The following uses, with administrative conditional use approval as provided in SRC chapter 116, are permitted in the RM2 district:

- (1) Freestanding support structures less than 70 feet in height and equipment enclosures. (Ord No. 92-98)

148.340. RM2 Conditional Uses. The following uses, with conditional use approval as provided in SRC chapter 117 or 118, as applicable, are permitted in the RM2 district:

- (a) Those uses listed in SRC 148.320, at the developer's option, as provided in subsection (b) of that section.
- (b) Electric services (491).
- (c) Water supply (494).
- (d) Beauty shop (723).
- (e) Barber shop (724).
- (f) Membership sports and recreation clubs (7997).
- (g) Civic, social, and fraternal organizations (864).
- (h) Swimming pools opened to the public, with or without charge.
- (i) Historically or architecturally significant buildings as specific conditional uses under SRC chapter 118.
- (j) Child day care centers as specific conditional uses under SRC chapter 118.
- (k) Homeless shelters and room and board facilities serving six to ten persons. (Ord No. 92-98)

148.350. RM2 Prohibited Uses. Within the RM2 district, no building, structure or land shall be used, erected, structurally altered or enlarged for any use not permitted under SRC 148.310 to 148.330, except as provided in SRC 113.090(c). (Ord No. 92-98)

148.360. RM2 Design Approval. Developments subject to SRC 148.310-148.450 shall meet either the development design standards contained in the City of Salem Development Design Handbook or shall be reviewed and approved by the Historic Landmarks and Design Review Commission pursuant to the guidelines contained in the Development Design Handbook. Development design guidelines and standards are in addition to all development standards contained in this chapter. (Ord No. 92-98; Ord No. 15-06)

148.370. RM2 Dwelling Unit Density. The number of dwelling units permitted on property shall be calculated by dividing the lot area in square feet by 43,560 and multiplying that figure by the minimum or maximum density allowed. Any fractional number shall be rounded to the next highest whole number.

(a) The minimum residential density in the RM2 zone shall be twelve (12) dwellings per gross acre; the minimum density is variable pursuant to the requirements of SRC 115. Manufactured dwelling parks developed pursuant to SRC Chapter 123 shall have a minimum density of six (6) dwellings per acre; the minimum density is variable pursuant to the requirements of SRC 115.

(b) The maximum residential density in the RM2 zone shall be twenty-eight (28) dwellings per gross acre; the maximum density is a non-variable standard.

(c) There is no minimum residential density requirement for a new single-family dwelling located on lot of record less than 6,000 square feet in area. (Ord No. 92-98; Ord No. 32-2000; Ord No. 13-08)

148.380. RM2 Height. Within the RM2 district:

(a) Dwellings and duplexes erected, altered, or enlarged shall not exceed 35 feet in height. Apartment houses, lodging houses, and hotels, residential care facilities (836), nursing and personal care facilities (805), erected, altered, or enlarged shall not exceed 50 feet in height. No other building or structure erected, altered, or enlarged shall exceed a height of 70 feet.

(b) Heights of accessory structures shall meet the requirements of SRC chapter 131. (Ord No. 92-98)

148.390. RM2 Lot Area and Dimensions.

(a) Lot dimension, dwellings: A lot of record used for a single-family dwelling shall conform to all yard dimensions and all other development standards, except for lot depth and width. Each single-family dwelling shall be located on a lot having a minimum width of 40 feet and an average lot depth between the front and rear lot lines of not less than 70 feet and not more than 300 percent of the average width between the side lot lines.

(b) Land Divisions: Lots subdivided or partitioned, after adoption of this ordinance, shall not be smaller than 20,000 square feet unless the lots are restricted to three or more attached units per lot, are used for townhouse development, or are used for non-residential permitted uses.

(c) Lot area: The minimum lot area requirement for townhouses is 1,500 square feet per unit. The lot area for new single-family dwellings, other than a manufactured home, located on lot of record shall be less than 6,000 square feet in area. The minimum lot area for all other uses except those specified in SRC 148.310(f) is 6,000 square feet unless otherwise specifically provided in this zoning code.

(d) Lot dimension, non-residential uses: The minimum lot depth requirement is 80 feet, and the minimum lot width requirement is 40 feet, providing the minimum lot area is met.

(e) See SRC 130.260 for street frontage requirements. (Ord No. 92-98; Ord No. 57-2000; Ord No. 13-08)

148.400. RM2 Front Yards and Yards Adjacent to Streets. Within the RM2 district:

(a) **Dwellings.** Yards for dwellings shall meet the requirements of SRC 146.080 for the type of dwelling; provided that single family dwellings converted to duplexes shall be considered single family dwellings for the purpose of determining such requirements.

(b) **Apartment Houses, Court Apartments, Condominiums, Residential Care Facilities and Other Uses.** Along the full extent of each front lot line and each lot line adjacent to a street, there shall be a required yard one foot in depth for each one foot of building height,

but in no event less than 12 feet but no more than 20 feet in depth required. Apartment houses, court apartments, condominiums, and residential care facilities are also subject to the requirements contained in the City of Salem Development Design Handbook.

(c) **Accessory Structures.** Setbacks for accessory structures shall meet the requirements of SRC 131.040.

(d) **Zero Side Yard.** Zero side yard development shall meet the requirements of SRC 119.550.

(e) **Parking Areas.** Carports, garages or parking areas for apartment houses, court apartments, condominiums, and residential care facilities that are adjacent to a street or property zoned RA or RS are regulated through the Development Design Handbook. All other parking areas adjacent to a street shall have a minimum required yard of 12 feet. Parking and vehicular use areas in front yards not adjacent to a street shall be set back, landscaped, and screened as required under SRC Chapter 132. (Ord No. 92-98; Ord No. 79-05)

148.410. RM2 Interior Side and Rear Yards.

(a) **Dwellings.** Yards for dwellings shall meet the requirements of SRC 146.090 and SRC 146.100 for the type of dwelling; provided that single family dwellings converted to duplexes shall be considered single family dwellings for the purpose of determining such requirements.

(b) **Apartment Houses, Court Apartments, Condominiums and Residential Care Facilities.** The minimum setback for interior side and rear yards within the RM2 zone shall be the buffer yard requirement established pursuant to SRC 132.220. Additional setbacks are required consistent with the Development Design Handbook for developments adjacent to property zoned RA or RS.

(c) **Other Uses.** The setback for all other buildings or structures in the RM2 zone shall be the greater of the following:

(1) Five feet in depth for a building or structure not more than 35 feet in height;

(2) For buildings or structures exceeding 35 feet in height, five feet in depth plus one foot in depth for each one foot of additional height or fraction thereof, but need not exceed 20 feet in depth; or

(3) The buffer yard established pursuant to SRC 132.220.

(d) **Accessory Structures.** Setbacks for accessory structures shall meet the requirements of SRC 131.050.

(e) **Zero Side Yard.** Zero side yard development shall meet the requirements of SRC 119.550.

(f) **Parking Areas.** Carports, garages or parking areas adjacent interior side and rear property lines shall be setback, landscaped, and screened as required by SRC Chapter 132 and the Development Design Handbook. (Ord No. 92-98; Ord No. 57-2000; Ord No. 86-2002; Ord No. 79-05)

148.420. RM2 Lot Coverage. Total lot coverage by all buildings including accessory buildings shall not be more than 50 percent of the lot area. (Ord No. 92-98)

148.430. RM2 Landscaping. Within the RM2 district all required yards, except required rear yards which are part of an alley, and all required buffer yards and vehicular use areas, shall be landscaped and screened as required in SRC chapter 132. (Ord No. 92-98)

148.440. RM2 Storage. Within the RM2 district open outdoor storage shall be screened from view from the street and adjacent properties by a sight-obscuring fence, wall or hedge. (Ord No. 92-98)

148.450. RM2 Reference to Additional Standards. Additional or alternative use and development standards may be found in the following chapters:

Landslide Hazards	SRC Chapter 69
Planned Unit Development	SRC Chapter 121
Mobile Home Parks	SRC Chapter 123
Home Occupations	SRC Chapter 124
Lot Development Standards	SRC Chapter 130
Accessory Structures	SRC Chapter 131
Landscaping	SRC Chapter 132
Off-Street Parking, Loading and Driveways	SRC Chapter 133
Flood Plain Overlay Zones	SRC Chapter 140
Willamette Greenway Overlay Zones	SRC Chapter 141
Development Design Review Board	SRC Chapter DB
Development Design Review Process	SRC Chapter DR
City of Salem Design Review Handbook	

(Ord No. 92-98; Ord No. 59-2000)