
COMMUNITY DEVELOPMENT DEPARTMENT

TO: RECIPIENTS OF PUBLIC HEARING NOTICE
FROM: BRYCE BISHOP, PLANNER II
DATE: FEBRUARY 6, 2019
CASE FILE NO.: CA 19-01
SUBJECT: UNIFIED DEVELOPMENT CODE UPDATE

The public notice included with this mailing concerns an upcoming public hearing before the Planning Commission regarding proposed amendments to the Salem Revised Code (SRC) that address a variety of issues that have arisen since the last major update of the Unified Development Code (UDC) in 2016. This code amendment includes minor housing keeping amendments as well as policy-related changes that respond to concerns from the community and changes in State law.

For example, proposed changes include:

- Increasing public notice of development projects;
- Enhancing bike parking standards;
- Allowing bees and ducks more broadly in Salem; and
- Improving standards for pedestrian connections to and through development sites.

Other proposed changes clarify land use procedures, definitions, and development standards like setbacks. The code amendment also adds a limited number of allowed uses in a few zones.

<https://www.cityofsalem.net/meetingdocs/ca-19-01-udc-update-proposed-amendments-summary2019-02-26.pdf>

In 2014, the UDC was completed and adopted as part of the Salem Revised Code (SRC). The UDC was a complete reorganization and update of Salem's development codes. The UDC was adopted with the expectation that periodic updates and amendments would be made to ensure that any unanticipated concerns with the provisions of the UDC were regularly reviewed and addressed.

For Additional Information Contact: Bryce Bishop, Planner II
Salem Community Development Department
Planning Division
bbishop@cityofsalem.net
503-540-2399



NOTICE OF PUBLIC HEARING AUDIENCIA PÚBLICA

PURPOSE OF HEARING: The Salem Planning Commission will hold a public hearing to receive testimony on proposed amendments to Salem Revised Code (SRC) Chapters 50, 64, 111, 205, 210, 220, 225, 235, 240, 245, 250, 300, 400, 512, 521, 523, 524, 525, 531, 533, 534, 535, 551, 556, 603, 604, 605, 606, 612, 613, 614, 615, 616, 617, 619, 626, 631, 800, and 806, addressing a variety of issues that have arisen since the last major update of the Unified Development Code in 2016.

CASE FILE NUMBER: Code Amendment Case No. CA19-01

DATE AND TIME OF PUBLIC HEARING: Tuesday, February 26, 2019, at 5:30 p.m.

LOCATION OF PUBLIC HEARING: Council Chambers, Civic Center, 555 Liberty Street SE, Salem, Oregon 97301

STAFF CONTACT: Bryce Bishop, Planner II, (503) 540-2399 or bbishop@cityofsalem.net

PLEASE PROVIDE COMMENTS TO: City of **Salem Planning Division**, 555 Liberty Street SE, Room 305, Salem, Oregon 97301.

PLEASE PROVIDE COMMENTS BY: February 26, 2019 at 5:00 p.m.

APPROVAL CRITERIA:

Pursuant to SRC 110.085(b), an amendment to the Salem Revised Code may be made if:

- (1) The amendment is in the best interest of the public health, safety, and welfare of the City; and
- (2) 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.

Any person wishing to provide testimony either for or against the proposal may do so in person, by representative, or through submission of written testimony at the public hearing. Written testimony submitted prior to the public hearing may be filed with the **Salem Planning Division**, 555 Liberty Street SE, Room 305, Salem, OR 97301. Please include reference to the case file number in all correspondence. Only those who have participated in the hearing in person, by representative, or through submission of written testimony have the right to appeal the decision.

Subsequent to the close of the hearing, the Planning Commission will forward a recommendation to the City Council. Notice of the recommendation will be mailed to all neighborhood associations, anyone who participated in the hearing, and anyone who requested to receive notice. The City Council will make the final decision on the proposed amendments.

The case file is available for inspection at the office of the Salem Planning Division, City Hall, Room 305, at no cost and copies may be obtained at a reasonable cost. A copy of the staff report will be available for inspection one week prior to the hearing. The staff report will be available online no later than 5:00 p.m., February 19, 2019 at the following location:

<https://www.cityofsalem.net/Pages/salem-planning-commission.aspx>

It is the City of Salem's policy to assure that no person shall be discriminated against on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income, as provided by Salem Revised Code Chapter 97. The City of Salem also fully complies with Title VI of the Civil Rights Act of 1964, and related statutes and regulations, in all programs and activities. Special accommodations are available, upon request, for persons with disabilities or those needing sign language interpretation, or languages other than English. To request accommodations or services, please call 503-588-6173 (TTD/TTY 503-588-6439) at least two business days in advance.

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

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UDC Chapters Proposed for Amendment	Page Number(s)
SRC Chapter 50 (Property Maintenance)	1 - 3
<ul style="list-style-type: none"> ▪ Amendments establish provisions for keeping of ducks and bees. 	
SRC Chapter 64 (Comprehensive Planning)	3 - 5
<ul style="list-style-type: none"> ▪ Amendments streamline neighborhood plan adoption process and conform it to the legislative procedures of SRC Chapter 300. 	
SRC Chapter 111 (Definitions)	6 - 7
<ul style="list-style-type: none"> ▪ Amendments establish new and revised definitions for various terms. 	
SRC Chapter 205 (Land Division & Reconfiguration)	7 - 12
<ul style="list-style-type: none"> ▪ Amendments: <ul style="list-style-type: none"> ❖ Modify review procedure and approval criteria for post-decision modifications. ❖ Modify the review procedure and submittal requirements for applications to validate units of land; ❖ Modify the approval criteria for property line adjustments; and ❖ Establish grading plan as submittal requirement for partition, subdivision, and phased subdivision applications. 	
SRC Chapter 210 (Planned Unit Development)	12 - 14
<ul style="list-style-type: none"> ▪ Amendments: <ul style="list-style-type: none"> ❖ Establish grading plan as submittal requirement for planned unit developments; and ❖ Modify approval criteria for post-decision modifications of PUD tentative plan and PUD final plan applications. 	
SRC Chapter 220 (Site Plan Review)	15 - 19
<ul style="list-style-type: none"> ▪ Amendments: <ul style="list-style-type: none"> ❖ Establish grading plan as submittal requirement for Class 2 and Class 3 site plan review applications; and ❖ Modify the review procedure for Class 3 site plan review applications; and ❖ Modify the approval criteria for post-decision modifications of Class 1, Class 2, and Class 3 site plan review applications. 	
SRC Chapter 225 (Design Review)	19 - 20
<ul style="list-style-type: none"> ▪ Amendments modify the approval criteria for post-decision modifications of Class 2 and Class 3 design review applications. 	
SRC Chapter 235 (Manufactured Dwelling Parks)	20
<ul style="list-style-type: none"> ▪ Amendments modify the approval criteria for post-decision modifications of manufactured dwelling park applications. 	
SRC Chapter 240 (Conditional Use)	21

<ul style="list-style-type: none"> ▪ Amendments modify the approval criteria for post-decision modifications of conditional use applications. 	
SRC Chapter 245 (Variances)	21
<ul style="list-style-type: none"> ▪ Amendments modify the approval criteria for post-decision modifications of variance applications. 	
SRC Chapter 250 (Adjustments)	22
<ul style="list-style-type: none"> ▪ Amendments modify the approval criteria for post-decision modifications of Class 1 and Class 2 adjustment applications. 	
SRC Chapter 300 (Procedures for Land Use Applications & Legislative Land Use Proposals)	22 - 51
<ul style="list-style-type: none"> ▪ Amendments: <ul style="list-style-type: none"> ❖ Clarify Review Authorities for post-decision modifications of various land use application types; ❖ Clarify requirements for withdrawal of applications and withdrawal of appeals; ❖ Establish requirement for applicants to contact neighborhood association prior to applying for certain land use application types; ❖ Establish requirement for applicant sponsored open house prior to applying for certain land use application types; ❖ Establish requirement for notice of land use applications to be provided to tenants of property within 250 feet of the subject property; ❖ Establish requirement applicants to prepare public notice signs when posted public notice is required as part of a land use application review process; ❖ Establish a 100-day state mandated local decision deadline for certain types of affordable housing applications in conformance with State law; and ❖ Establish a prohibition on conditions of approval reducing the density or height on applications for certain types of housing development. 	
SRC Chapter 400 (Use Classifications)	52
<ul style="list-style-type: none"> ▪ Amendments add massage therapy to the list of examples under the Outpatient Medical Services & Laboratories use category 	
SRC Chapter 512 (Duplex Residential – RD Zone)	53
<ul style="list-style-type: none"> ▪ Amendments remove restriction preventing the RD zone from being applied to other land within the City. 	
SRC Chapter 521 (CO Zone)	53 - 58
<ul style="list-style-type: none"> ▪ Amendments add Post-Secondary and Adult Education as a permitted use within the zone. 	
SRC Chapter 523 (General Commercial – CG Zone)	58 - 63
<ul style="list-style-type: none"> ▪ Amendments add marijuana production as a conditional use within the zone. 	
SRC Chapter 524 (Central Business District – CB Zone)	63 - 68

<ul style="list-style-type: none"> ▪ Amendments add retail sales of cannabidiol (CBD) products as a permitted use within the zone. 	
<p>Relationship of Historic Design Review to Design Review (<i>Various SRC Chapters</i>)</p>	<p>68 - 70; and 76 - 81</p>
<ul style="list-style-type: none"> ▪ Amendments revise the following zone and overlay zone chapters to clarify the relationship between design review and historic design review: <ul style="list-style-type: none"> ❖ SRC Chapter 525 (West Salem Central Business District – WSCB Zone); ❖ SRC Chapter 531 (South Waterfront Mixed-Use – SWMU Zone); ❖ SRC Chapter 533 (Mixed Use-I – MU-I Zone); ❖ SRC Chapter 534 (Mixed Use-II – MU-II Zone); ❖ SRC Chapter 535 (Edgewater/Second Street Mixed-Use Corridor – ESMU Zone); ❖ SRC Chapter 556 (Second Street Craft Industrial Corridor – SCI Zone); ❖ SRC Chapter 603 (Portland-Fairgrounds Road Overlay Zone); ❖ SRC Chapter 604 (Pine Street Mixed-Use Overlay Zone); ❖ SRC Chapter 605 (Northgate Mixed-Use Overlay Zone); ❖ SRC Chapter 606 (Wallace Road Corridor Overlay Zone); ❖ SRC Chapter 612 (Walker School Residential Area Overlay Zone); ❖ SRC Chapter 613 (Broadway-High Street Retail Overlay Zone); ❖ SRC Chapter 614 (Broadway-High Street Housing Overlay Zone); ❖ SRC Chapter 615 (Broadway-High Street Transition Overlay Zone); ❖ SRC Chapter 616 (Riverfront High Density Residential Overlay Zone); ❖ SRC Chapter 617 (Riverfront Overlay Zone); ❖ SRC Chapter 619 (Mixed-Use Overlay Zone); ❖ SRC Chapter 626 (Commercial High Density Residential Overlay Zone); and ❖ SRC Chapter 631 (Compact Development Overlay Zone). 	
<p>SRC Chapter 551 (Industrial Commercial – IC Zone)</p>	<p>70 - 76</p>
<ul style="list-style-type: none"> ▪ Amendments clarify the interior side setback for parking and vehicle use areas in the zone. 	
<p>SRC Chapter 800 (General Development Standards)</p>	<p>81 - 88</p>
<ul style="list-style-type: none"> ▪ Amendments: <ul style="list-style-type: none"> ❖ Modify allowed projections into required setbacks to allow steps to project into required front and side setbacks abutting a street, and into interior front setbacks; ❖ Clarify required setbacks abutting property located outside the City limits; ❖ Clarify required setbacks abutting property located outside the Salem-Keizer Urban Growth Boundary (UGB); 	

<ul style="list-style-type: none"> ❖ Clarify required setbacks abutting interstate freeways, railroad rights-of-way, and alleys; ❖ Allow electric fencing within the CG (General Commercial) zone around outdoor storage areas for non-residential uses; and ❖ Establish new pedestrian access standards to provide for pedestrian connectivity throughout development sites and to abutting properties. 	
SRC Chapter 806 (Off-Street Parking, Loading, & Driveways)	88 - 97
<ul style="list-style-type: none"> ▪ Amendments: <ul style="list-style-type: none"> ❖ Modify bike parking requirements for middle schools & high schools; and ❖ Update bike parking standards concerning required location, types of bike racks allowed, minimum space size, etc... 	