

On **June 1**, the Planning Commission will hold its first in a series of work sessions on a package of proposed changes to the City's zoning and development code, known as the Unified Development Code (UDC).

The proposed changes address a variety of issues that have arisen since the last update to the UDC in 2019 and range from minor housekeeping amendments to policy-related changes that respond to concerns from the community and changes in State law.

The June 1 work session will focus on proposed amendments to the code implementing the requirements of **House Bill 2001**.

House Bill 2001 was passed by the State Legislature in 2019 in an effort to help increase housing choices and housing supply in Oregon. It requires large cities like Salem to allow a duplex on each lot that is zoned for residential use that allows a detached single-family dwelling. It also requires cities to allow other types of middle housing – townhouses, triplexes, quadplexes, and cottage clusters – in areas zoned for residential use that allow detached single-family dwellings. More information on HB 2001 can be found on the State's webpage at the following location:

<https://www.oregon.gov/lcd/UP/Pages/Housing-Choices.aspx>

A general overview of the proposed changes to the code implementing House Bill 2001 is provided below. For the specific proposed text of the amendments, please refer the Salem Revised Code (SRC) chapters included with this summary. New language proposed to be added is identified by red underline and existing language proposed to be deleted is identified by ~~red-strikethrough~~.

Definitions of Residential Uses & Housing Types

The following are definitions describing residential use types and housing covered under the proposed amendments.

SRC Chapter 400 (Use Classifications):

- Single family use: A single family use is characterized by the residential occupancy of a single dwelling unit on an individual lot or space by a family. Single family dwelling units can be detached, attached at the common side lot line, or built contiguous with one side lot line.
- Two family use: A two family use is characterized by the residential occupancy of two dwelling units on an individual lot by two families.
- Three family use: A three family use is characterized by the residential occupancy of three dwelling units on an individual lot by three families.
- Four family use: A four family use is characterized by the residential occupancy of four dwelling units on an individual lot by four families.

- Multiple family use: A multiple family use is characterized by the residential occupancy of five or more dwelling units on an individual lot by five or more families.

SRC Chapter 111 (Definitions):

- Townhouse means a dwelling unit that is part of a row of two or more attached units, where each dwelling unit is located on its own lot and shares a common side wall or walls with the adjacent units. A townhouse is also called a rowhouse.
- Duplex means a building containing two attached dwelling units on an individual lot. The dwelling units must share a common wall or common floor/ceiling. For the purposes of this section, a building that contains an accessory dwelling unit attached to a single family detached dwelling, manufactured home, or zero side yard dwelling shall not be considered a duplex.
- Triplex means a building containing three attached dwelling units on an individual lot. Each dwelling unit must share a common wall or common floor/ceiling with at least one other dwelling unit.
- Quadplex means a building containing four attached dwelling units on an individual lot. Each dwelling unit must share a common wall or common floor/ceiling with at least one other dwelling unit.
- Cottage cluster means a grouping of five to twelve detached dwelling units, each with a maximum building footprint of 900 square feet, that are located on an individual lot and include a common courtyard.

Amendments to Zone Districts (SRC Chapters 510, 511, 512, & 513)

The proposed amendments update the allowed uses and development standards applicable within the following zone districts:

- RA – Residential Agriculture (SRC 510)
- RS – Single Family Residential (SRC 511)
- RD – Duplex Residential (SRC 512)
- RM-I – Multiple Family Residential (SRC 513)

Highlights of proposed changes to the zones include:

Use Allowed:

- Townhouses, two family uses, three family uses, four family uses, and cottage clusters established as allowed uses in each of the above identified zones.
- Allowed two family, three family, and four family uses include both attached housing types (e.g. duplexes, triplexes, and quadplexes) as well as two, three, or four detached units on a lot.
- Townhouses, three family uses, four family uses, and cottage clusters allowed as special uses subject to additional development standards in SRC Chapter 700 (Special Uses).

Lot Standards:

- New Minimum Lot Sizes Established:
 - ✓ Two family = 4,000 sq. ft. (*same as for single family*);
 - ✓ Three family = 5,000 sq. ft.;

✓ Four family and cottage clusters = 7,000 sq. ft.

- Consistent 1,500 square-foot minimum lot size standard and 20-foot minimum lot width established for townhouses across the identified zones.

Setbacks & Building Heights:

- Setback and height requirements for two family, three family, and four family uses consistent with what is currently required for single family uses.
- New minimum setback and height requirements established for cottage clusters.
- New 100-foot riparian setback required by State established abutting waterways. Setback applies to new townhouses, two family uses, three family uses, four family uses, and cottage clusters. The setback does not apply to single family uses. Existing buildings located within the required setback can be rebuilt in same location within the same building footprint.

Amendments to Special Use Standards (SRC Chapter 700)

The proposed amendments include special use standards for cottage clusters. Highlights include the following:

- Density – Minimum density of four units per acre, and no maximum density
- Common courtyard – Minimum size of 150 square feet per dwelling unit
- Cottage orientation – At least half of the dwelling units must be oriented toward the common courtyard
- Pedestrian access – Pedestrian path must connect the entrance of each dwelling unit to the common courtyard, shared parking area, community building (if provided), and abutting streets
- Parking area – Parking areas cannot be located between the front property line abutting a street and the dwelling units closest to that front property line (*exceptions for corner and double frontage lots*)
- Community building – One community building can be included within a cottage cluster for the shared use of residents (e.g., meetings rooms, guest housing, exercise rooms, day care)

Amendments to Off-Street Parking Requirements (SRC Chapter 806)

The proposed amendments revise the minimum parking requirements as follows:

- Townhouses – 1 space per dwelling unit
- Two Family – 1 space per dwelling unit

Single-family detached dwellings converted to duplexes, triplexes, or quadplexes – No additional off-street parking spaces required

CHAPTER 111. DEFINITIONS

Sec. 111.001. Definitions, generally.

Unless the context otherwise specifically requires, terms used in the UDC shall have the meanings set forth in this chapter; provided, however:

- (a) Where chapter specific definitions are included in another chapter of the UDC, those definitions are the controlling definitions; and
- (b) Where a term is not defined within the UDC, the term shall have its ordinary accepted meaning within the context in which it is used. Webster's Third New Int'l Dictionary (unabridged ed. 2002) shall be the standard reference to ordinary accepted meanings.

Abutting means touching along a boundary or point.

Accessory building or structure means a building or structure that is incidental and subordinate to, and dependent upon, the principal use on the same premises.

Accessory dwelling unit means a second dwelling unit that is attached to or detached from a single-family detached dwelling, manufactured home, or zero side yard dwelling on the same lot. The accessory dwelling unit is accessory to and is smaller than the primary dwelling unit.

Accessory short-term rental means a type of short-term rental which is operated as an accessory use to a household living use where a resident family rents guest rooms within their dwelling unit, or a guest house if applicable, when they are present as hosts, or rents their entire dwelling unit, including a guest house if applicable, during periods of time when they are away, to overnight guests on a daily or weekly basis for periods of less than 30 consecutive days.

Adjacent means near or close, but not necessarily contiguous with.

Adjoin means to abut.

Adult day care center means day care for adults in a nonresidential structure.

Adult day care home means day care for five or fewer adults provided in the home of the adult day care provider.

Affordable housing means housing that is affordable to households with incomes equal or less than 80 percent of the median family income in the county for which the development is built or for the state, whichever is greater, and in a manner so that no more than 30 percent of the household's gross income will be spent on rent, home loan or mortgage payments, and utilities.

Alley means a public way not less than ten feet and not more than 20 feet in width that is primarily used as a secondary means of motor vehicle access to abutting property.

Ambulance service facility means a building used for the administrative offices of an ambulance service, the housing of emergency medical personnel, and the ordinary maintenance and repair of emergency vehicles and equipment.

Ambulance station means a building, or a specific portion of a building or development, that is utilized for the housing of on-call emergency medical ambulance personnel.

Apartment means a building that contains three or more dwelling units and which is designed, built, rented, leased, let or hired out to be occupied, or which is occupied as the home or residence of three or more families

living independently of each other and doing their own cooking in the said building; or a building in condominium ownership containing three or more dwelling units.

Application for affordable multiple family housing means, for purposes of SRC 300.810, an application for affordable housing which is affordable to households with incomes equal to or less than 60 percent of the median family income for the county in which the development is built or for the state, whichever is greater, and that is:

- (a) A permit or zone change submitted under ORS 227.175;
- (b) For development of a multifamily residential building containing five or more residential units where at least 50 percent of the residential units included in the development will be sold or rented as affordable housing; and
- (c) Subject to a covenant, as required under ORS 197.311, that restricts the owner, and each successive owner, of the development or a residential unit within the development from selling or renting any of the identified affordable residential units as housing that is not affordable housing for a period of 60 years from the date of the certificate of occupancy.

Arcade means a continuous covered arched passageway located parallel to a building, street, or open space, and open and accessible to the public.

Arterial street means a major arterial street or minor arterial street.

Bicycle parking area means an area of a development site used for the parking of bicycles. A bicycle parking area includes the bicycle parking space, or spaces, and the access aisle providing access to, and maneuvering area for, the bicycle parking spaces.

Buildable width means the distance along the street right-of-way, exclusive of side setbacks, wetlands, and riparian corridors, that is sufficiently deep to accommodate a lot depth of 70 feet and meet setback requirements. Where a development fronts on a street which is curved, the buildable width shall be measured radial to the curve.

Building means any structure used or intended for supporting or sheltering any use or occupancy.

Building articulation means design emphasis given to walls, roofs, windows, balconies, entries, and other architectural features to divide buildings into smaller identifiable pieces, reduce the appearance of building bulk and mass, provide visual interest, and introduce elements of scale.

Building frontage means the portion of a building occupying the front setback line. The front setback line is the line extending across the front of the site at the front setback distance.

Building Official means the Administrator of the Building and Safety Division of the Department of Community Development of the City, or the Building Official's designee.

Building offset means a change in vertical planes along the exterior facade of a building used to divide the building into smaller identifiable pieces and reduce the appearance of building bulk and mass. An offset that does not continue the entire length of the building, and therefore, configured as a "bump out," counts as one building offset. Decks or covers over entryways do not count as building offsets.

Building offset interval means the space between building offsets.

Canopy tree means a deciduous shade tree planted primarily for its high crown of foliage.

Carport means a permanent structure used for the parking or storage of vehicles which is unenclosed on two or more sides.

Central Salem Development Program (CSDP) Area means that area of the City within the following boundaries:

Beginning at the SE corner of 12th Street SE and Mission Street SE in Section 27 Township 7 South Range 3 West in Marion County, Oregon; Thence Northerly along the East line of 12th Street SE to its intersection with the East Right-of-Way line of the Southern Pacific Railroad; Thence continuing Northerly

along said East line of Railroad to the North side of "D" Street NE; Thence Westerly along the North side of "D" Street NE to the West Side of Fifth Street NE; Thence Northerly along the West side of Fifth Street NE to the North side of Market Street NE; Thence Easterly along the North side of Market Street NE to an Alley running between Fifth Street NE and Church Street NE; Thence Northerly along Said Alley to the North side of Gaines Street NE; Thence Easterly along the North side of Gaines Street to the West side of Church Street NE; Thence Northerly along the West Side of Church Street to the North line of an Alley running between Hood Street NE and Shipping Street NE; Thence Westerly along the North side of Said Alley to the East bank of the Willamette River; Thence Southerly along the East Bank of the Willamette River and Willamette Slough to the Westerly projection of the South line of Mission Street SE; Thence running Easterly along the South side of Mission Street SE to the Place of Beginning (see Figure 111-3).

Child or children means a person under 13 years of age, or a person under 18 years of age who has special needs or disabilities and requires a level of care that is above normal for the child's age.

Child day care center means a facility that provides day care for 17 or more children.

Child day care home means day care for 16 or fewer children provided in the home of the child day care provider.

City infrastructure means public infrastructure providing vehicular and pedestrian transportation, City utilities, and parks.

City utilities means public improvements providing water, wastewater, and stormwater facilities.

Collector street means a street that allows traffic within an area or neighborhood to connect to an arterial street, and designated as such in the Salem Transportation System Plan. Collector streets shall have priority over local streets in the installation of any traffic control devices. Single family and duplex access onto collector streets may be limited according to Public Works Design Standards.

Columnar tree means a tree species that is tall and cylindrical or tapering.

Common open space means open area intended for shared use and enjoyment in a development. Common open space includes landscaping, walkways, play areas, swimming pools, roof gardens, or other open areas which provide active or passive recreational or visual amenities for residents. Common open space does not include parking areas, streets, or other areas designed for motor vehicle circulation or storage.

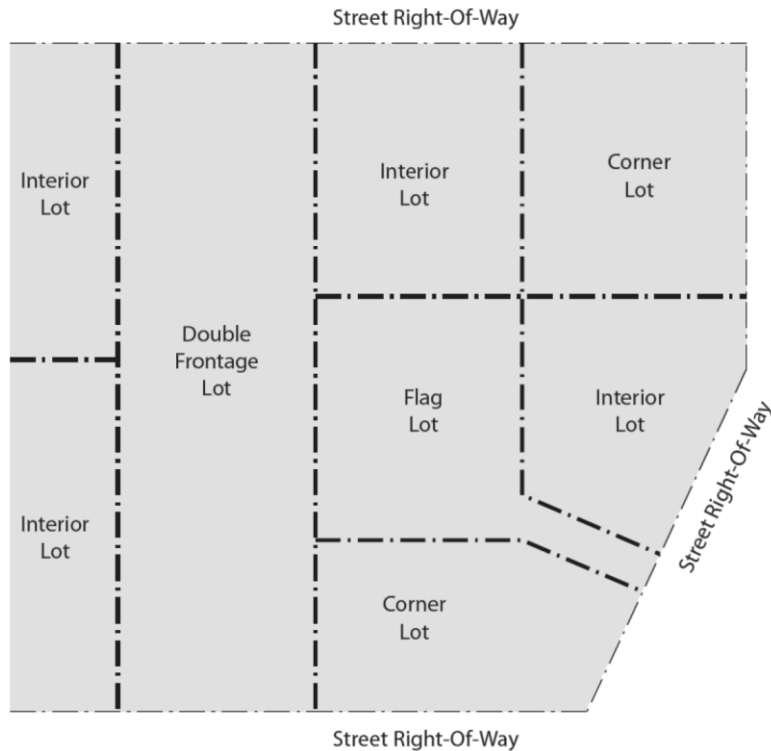
Complex means a group of buildings, structures, or other development that is functionally or conceptually integrated, regardless of the ownership of the development or underlying land, and regardless of whether located on one or more lots or parcels.

Contiguous means touching along a boundary or point. Unless otherwise provide under the UDC, any properties that are separated by public right-of-way shall not be considered contiguous.

Core network means those bus service corridors within the Salem/Keizer Urban Area that represent the highest priority for service as adopted in Resolution No. 2017-10 by the Salem Area Mass Transit District Board of Directors on July 27, 2017.

Corner lot means a lot abutting two or more intersecting streets, where the interior angle formed by the intersection of the streets does not exceed 135 degrees; or a lot having two or more adjacent front lot lines in which the interior angle formed by the extensions of the front lot lines in the direction which they take at their intersections with the side lot lines forms an angle of 135 degrees or less. In the event a street front lot line is a curve at its point of intersection with a side lot line, the tangent to the curve at that point shall be considered the direction of the front lot line (see Figure 111-1).

FIGURE 111-1. LOT TYPES



Cottage cluster means a grouping of five to twelve detached dwelling units, each with a maximum building footprint of 900 square feet, that are located on an individual lot and include a common courtyard.

Cottage housing means a development consisting of at least two or more attached and/or detached dwelling units on one lot as a legal nonconforming use as of May 15, 1979.

~~*Court apartment* means a dwelling unit which is one of three or more dwelling units contained in two or more buildings on the same lot.~~

Crime prevention through environmental design means specific measures taken to enhance the safety of residents and minimize the potential for crime through the physical design of a development.

Cul-de-sac means a dead end street having a turnaround area at the dead end.

Curbline means the line indicating the edge of the vehicular roadway within the overall right-of-way.

dbh means the diameter of a tree measured in inches at a height of 4.5 feet above grade. When a fork in the trunk occurs at or above 4.5 feet, the dbh is the smallest diameter at 4.5 feet or below. When the fork occurs below 4.5 feet, or the tree splits into multiple stems at ground level, each stem is considered a separate tree trunk and is measured accordingly. The term "dbh" is also known as "diameter at breast height."

Dead-end street means a street which terminates without a turnaround area and is intended to continue through at some future time.

Development means to construct or alter a structure, to make alterations or improvements to the land or to make a change in use or appearance of land, to divide or reconfigure land, or to create, alter, or terminate a right of access. The term "development" does not include:

- (a) Maintenance and repair, usual and necessary for the continuance of an existing use;
- (b) Reasonable emergency procedures necessary for the safety or operation of property; or

- (c) Interior or exterior remodeling that does not increase the square footage or height of a structure, or substantially alter the appearance of a structure.

Development site means an individual lot or multiple contiguous lots accommodating a single development or a complex. For purposes of off-street parking proximity requirements under SRC 806.010, development site also includes a lot or multiple contiguous lots located directly across a street or alley right-of-way.

Double frontage lot means a lot that has frontage on two streets that do not intersect at the lot's boundaries (see Figure 111-1).

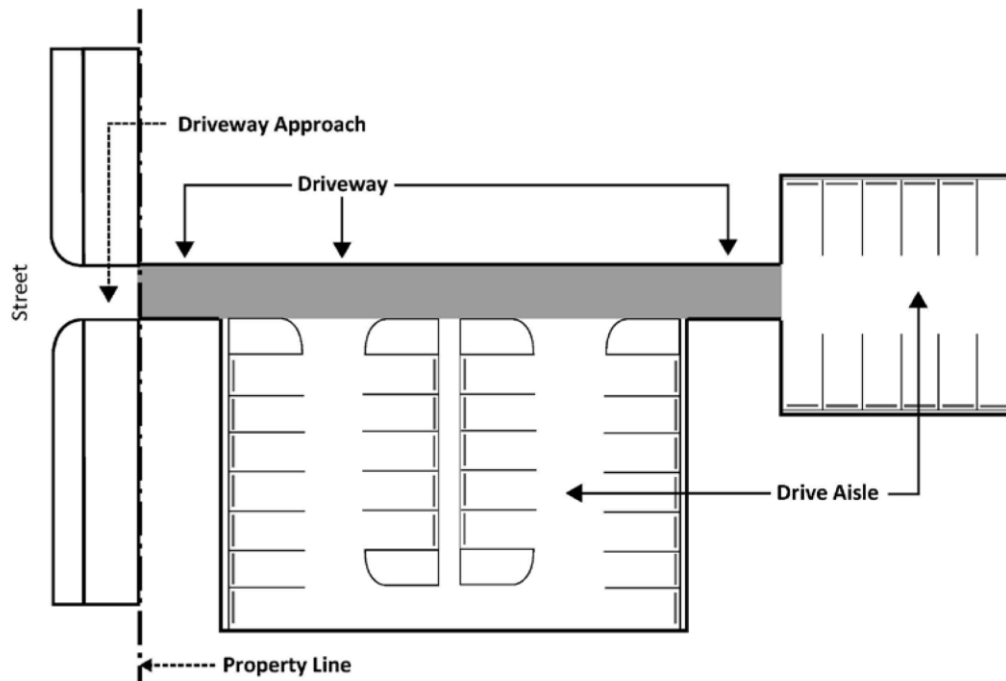
Downhill lot means a hillside lot which slopes downhill from the front lot line.

Downtown Parking District means that certain district, established under SRC chapter 7, which provides for the financing and administration of programs for economic promotion and public parking for motor vehicles in the Central Business District of the City (see Figure 111-4).

Drive-through means a facility where goods or services are provided to a patron of a business while in their motor vehicle, and typically including queuing lanes leading to drive-up service windows or service areas. A drive-through does not include motor vehicle services, as set forth in SRC 400.055(b).

Driveway means an area providing vehicular access to a site that begins at the property line and extends into the site; or an area providing vehicular circulation between parking areas on a site (see Figure 111-2). A driveway does not include maneuvering areas or drive aisles within parking areas.

FIGURE 111-2. DRIVEWAY



Duplex means a building ~~that contains~~ containing two attached dwelling units on an individual lot. The dwelling units must share a common wall or common floor/ceiling. For the purposes of this section, a building that contains an accessory dwelling unit attached to a single family detached dwelling, manufactured home, or zero side yard dwelling shall not be considered a duplex.

Dwelling means a building, or portion thereof, which contains one or two dwelling units.

Dwelling unit means a single independent unit providing complete living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking, and sanitation. For the purposes of this definition, "independent" means the dwelling unit:

- (a) Is detached from any other dwelling unit or is separated from any other dwelling unit by an approved fire separation as required under the Building Code;
- (b) Includes a kitchen area with a sink and an approved electrical service connection for a stove or range; and
- (c) Does not have a direct interior connection to any other dwelling unit, but may have fire-separated access to a common facility shared with any other dwelling unit.

Employees means all persons, including proprietors, performing work on a premises for compensation. For purposes of SRC chapter 806, employees include all persons, including proprietors, performing work on a premises for compensation during the largest shift at peak season.

Excavation means any act by which earth, sand, gravel, rock, or any similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated, or bulldozed, including the conditions resulting therefrom.

Existing wildlife rehabilitation facility means any building, structure, or land which is occupied or being used by a wildlife rehabilitator who is licensed by the Oregon Department of Fish and Wildlife and actively engaged in wildlife rehabilitation as of July 14, 1994.

Facade means the vertical plane of one exterior side of a building.

Family means:

- (a) An individual;
- (b) Two or more persons related by blood, marriage, domestic partnership, legal adoption, or guardianship;
- (c) Two or more persons with disabilities, as defined in the Fair Housing Amendments Act of 1988, who need not be related by blood, marriage, domestic partnership, legal adoption, or guardianship living together in a dwelling unit; or
- (d) A group of not more than five persons who need not be related by blood, marriage, legal adoption, or guardianship living together in a dwelling unit.

Fence means an unroofed structure used as an enclosure, barrier, or restriction to light, sight, air, or passage.

Fill or backfill means a deposit of earth or other natural or manmade material placed by artificial means.

Finished grade means the final grade upon completion of excavation, fill, or paving.

Flag lot means a lot that is set back from the street at the rear or at the side of another lot, with vehicular access to the street provided by a flag lot accessway (see Figure 111-1).

Flag lot accessway means a portion of a lot that provides legal access from a street to one or more flag lots. An accessway may be through fee-simple ownership as part of a flag lot or by an access easement with associated reciprocal and irrevocable access rights for all lots using the accessway.

Floor area means the area within the exterior walls of a building or structure, or portion thereof, exclusive of vent shafts and courts. The floor area of an unenclosed building or structure, or portion thereof, is the usable area under the horizontal projection of the roof or floor above.

Floor area ratio (FAR) means a measure of the intensity of a development, expressed as a ratio of total building floor area to total lot area.

Frontage means that portion of real property which abuts a street, whether or not access to the property is accorded thereby, and whether or not a building or structure faces the street. In context, when coupled with the term "alley," the term "frontage" has the same meaning with respect to an abutting alley.

Garage means a building or portion thereof used for the parking or storage of vehicles.

Grade means the lowest point of elevation of the ground or paved surface excluding stairwells and area wells at the point's contact with a building's foundation, a property line, or a street, depending upon the context.

Grading means the act of excavating and filling.

Guest house means an accessory building maintained for the purpose of providing temporary and gratuitous living accommodations, but dependent upon the main dwelling for cooking or bathroom facilities, or both.

Guest room means any room or rooms used or intended to be used by a guest for sleeping purposes.

Habitable space means space within a structure for living, sleeping, eating, or cooking. Bathrooms, closets, halls, storage or utility space, and similar areas are not considered habitable space.

Hillside lot means a lot having an average cross slope of 15 percent or more and that is residentially zoned or developed for uses falling under household living.

Household pet means a domesticated animal that is kept for pleasure rather than for a commercial purpose such as breeding, boarding, grooming, or medical care. Common household pets include cats, dogs, hamsters, gerbils, guinea pigs, canaries, parakeets, parrots, turtles, lizards, and tropical fish.

Infill lot means a residential flag lot created by the partition of land after February 8, 2006.

Interior lot means any lot, other than a corner lot or double frontage lot (see Figure 111-1).

Interior lot line means a lot line that is not adjacent to a street.

Land division means the act of dividing land to create lots or parcels. A property line adjustment is not a land division.

Land use action means the City's process of reviewing an application for a land use or limited land use decision.

Livestock means, except as otherwise provided herein:

- (a) One or more members of any species of cattle, swine, sheep, goat, horse or other equine, llama, alpaca or related ruminant, or poultry regardless of the purpose for which they may be kept; and
- (b) Any species of bee, rabbit, or fur-bearing animal kept for sale, for sale of byproducts, for livestock increase, or for value increase.
- (c) Chickens, ducks, and bees kept in accordance with SRC chapter 50 shall not be considered livestock.

Loading space means an off-street space for the parking of a vehicle while loading or unloading.

Local street means a street not designated as a collector, minor arterial, major arterial, or parkway in the Salem Transportation System Plan. A local street primarily serves to provide direct access to abutting land and offers the lowest level of traffic mobility.

Lot means a single **lawfully established** unit of land ~~that is~~ created by a subdivision of land. Except where otherwise stated, the term "lot" includes the term "parcel."

Lot line means one of the property lines forming the exterior boundaries of a lot.

Major arterial means a street for moving large volumes of intra-city and regional traffic, and designated as such in the Salem Transportation System Plan. A fully improved major arterial serves as the main radial, and provides peripheral routes through the City. The ultimate cross-sectional width of a major-arterial is multi-lane, as shown in the Salem Transportation System Plan.

Manufactured dwelling means a residential trailer, mobile home, or manufactured home. A manufactured dwelling does not include any building or structure constructed to conform to the Oregon Structural Specialty Code or the One and Two Family Dwelling Code adopted pursuant to ORS 455.100 to 455.450 and 455.610 to 455.630, or any unit identified as a recreational vehicle by the manufacturer.

Manufactured dwelling park means any place where four or more manufactured dwellings are located on a development site and intended for residential use. The term "manufactured dwelling park" does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one manufactured dwelling per lot if the subdivision was approved pursuant to SRC chapter 205.

Manufactured home means a structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes, and that was constructed after June 15, 1976, and in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction.

Marijuana means the plant Cannabis family Cannabaceae, any part of the plant Cannabis family Cannabaceae and the seeds of the plant Cannabis family Cannabaceae. The term "marijuana" does not include industrial hemp, as defined in ORS 571.300.

Marijuana production means the commercial manufacture, planting, cultivation, growing, or harvesting of marijuana for wholesale or retail trade. The manufacture, planting, cultivation, growing or harvesting of marijuana for personal use, or as a state registered medical marijuana grower for up to four state registered patients, as allowed by state law is not included in this definition.

Minor arterial means a street providing primarily intra-area and inter-neighborhood access, and designated as such in the Salem Transportation System Plan. A fully improved minor arterial has a minimum of two travel lanes with left-turn pockets and center left-turn lanes.

Mixed-use building means a building that is two or more stories in height and which contains a combination of residential and non-residential use where at least 75 percent of the ground floor area of the building is occupied by non-residential use and residential use is included on the upper floors.

Mobile home means a structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes, that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.

Native vegetation means plant species which are indigenous to Oregon and appropriate to local site conditions such as hydrology, soils, light availability, and slope aspect.

Natural grade means the grade of the land in an undisturbed state.

Neighborhood means a localized area within the City with a development pattern that provides infrastructure and services which meets the needs of persons residing or working in the area. A neighborhood encompasses a larger area than vicinity.

Neighborhood association means a neighborhood organization that is officially recognized as provided in SRC chapter 64.

Nightclub means an establishment open at night that provides music and space for dancing, and usually serves alcohol.

Nuisance vegetation means native and non-native plant species with a tendency to dominate plant communities, or which are considered harmful to humans, and which are designated as nuisance vegetation in the tree and vegetation technical manual.

Office complex means a group of businesses falling primarily under the business and professional services use category that form a centralized unit and that have a joint parking area available for use by patrons of any single business.

Off-street parking area means an area of a development site used for short-term off-street parking of vehicles. An off-street parking area includes aisles and maneuvering areas within the parking area.

Open space means land designated to preserve community livability, significant plant materials, and natural resources.

Owner means the owner of record of real property as shown on the latest tax rolls or deed records of the county, and includes a person who furnishes evidence that the person is purchasing property under a written recorded or unrecorded land sale contract.

Parcel means a single lawfully established unit of land ~~that is~~ created by a partition of land.

Parking space means a designated space in a parking area for the parking of one motor vehicle.

Parking structure means a structure, or portion thereof, that provides two or more levels of parking.

Parkway means a street for moving large volumes of both intra-city traffic and regional traffic at higher speeds, and designated as such in the Salem Transportation System Plan. A fully improved parkway is a divided highway with a minimum of four travel lanes and extremely limited access.

Partition means dividing land to create not more than three parcels of land within a calendar year, but does not include:

- (a) Dividing land as a result of a lien foreclosure, foreclosure of a recorded contract for the sale of real property, or the creation of cemetery lots;
- (b) A property line adjustment;
- (c) Dividing land as a result of the recording of a subdivision or condominium plat;
- (d) Selling or granting by a person to a public agency or public body of property for state highway, county road, city street or other right-of-way purposes if the road or right-of-way complies with the applicable comprehensive plan and ORS 215.213(2)(p) to (r) and 215.283(2)(q) to (s). However, any property sold or granted for state highway, county road, city street or other right-of-way purposes shall continue to be considered a single unit of land until the property is further subdivided or partitioned; or
- (e) Selling or granting by a public agency or public body of excess property resulting from the acquisition of land by the state, a political subdivision, or special district for highways, county roads, city streets, or other right-of-way purposes when the sale or grant is part of a property line adjustment incorporating the excess right-of-way into adjacent property. The property line adjustment shall be approved or disapproved by the applicable local government. If the property line adjustment is approved, it shall be recorded in the deed records of the county where the property is located.

Pedestrian connection means a continuous, unobstructed, and reasonably direct route between two points that is intended and suitable for pedestrian use.

Pedestrian pathway means any sidewalk, footpath, or trail which provides on-site pedestrian access and circulation.

Pedestrian scale means site and building design elements that are dimensionally less than those intended to accommodate automobile traffic, flow, and buffering. Examples include ornamental lighting of limited height; bricks, pavers or other modules of paving with small dimensions; a variety of planting and landscaping materials; arcades or awnings that reduce the height of walls; and signage and signpost details that can only be perceived from a short distance.

Planning Administrator means the Administrator of the Planning Division, Department of Community Development of the City, or the Planning Administrator's designee.

Plaza means an area generally open to the public on a controlled basis, and usually adjoining and connecting directly to a sidewalk, pedestrian walkway, transit stop, or building entrance, that provides a place for individuals to sit, stand, or rest. Plazas typically include low walls or planters and landscaping to create a semi-enclosed space

and to buffer and separate the plaza from adjoining parking lots and vehicle maneuvering areas. Plazas also typically include amenities such as seating, art, and fountains.

Primary building entrance means the principal public pedestrian entrance into a building. A building may have more than one primary building entrance, such as in those situations where a building has multiple individual tenant spaces, each with their own principle public entrance, or a building which has multiple public entrances located at different locations within the building, all of which are of equal significance in providing public entry into the building. A primary building entrance does not include an employee-only or service entrance, unless the use of the building is such that a public entrance does not exist. In those situations where a public entrance does not exist, the main employee-only or service entrance into the building is the primary building entrance.

Private open space means a semi-enclosed area which is intended for use by the occupants of an individual dwelling unit. Private open spaces may include porches, patios, balconies, terraces, roof top gardens, verandas, and decks.

Property line means the boundary line between two units of land.

Public right-of-way or right-of-way means the present and future streets, roadways, alleys, public highways, avenues, and pedestrian ways in the City, which may be held by the City in fee, easement, or dedication.

Public utilities means privately owned improvements providing the following services: natural gas; electricity; telephone, internet, and other electronic data or communication services; and cable television.

Quadplex means a building containing four attached dwelling units on an individual lot. Each dwelling unit must share a common wall or common floor/ceiling with at least one other dwelling unit.

Recreational vehicle means:

- (a) A vehicle, with or without motive power, that is designed for sport or recreational use, or human occupancy on an intermittent basis, such as motor homes, off-road vehicles, dune buggies, boats, snowmobiles, and other similar vehicles; or
- (b) A portable vehicular structure designed for sport or recreation use, or for human occupancy on an intermittent basis, that is capable of being towed or transported on the highway by a motor vehicle, such as travel trailers, fifth-wheel trailers, campers, and other similar portable vehicular structures.

Recycling depot means a building, or portion thereof, not more than 1,000 square feet in floor area used for the collection, sorting, and temporary storage of waste and discarded materials which may be reprocessed elsewhere into usable raw materials. The term "recycling depot" does not include a structure maintained solely to provide shelter for no more than three types of recyclable material, such as paper, tin cans, and bottles, deposited by members of the public and collected at regular intervals for further transfer or processing elsewhere.

Resident family means a family who occupies a dwelling unit as their primary residence on a non-transient long-term basis for 30 or more consecutive days. A resident family must be either the owner or the tenant of the dwelling unit.

Residential facility means as defined under ORS 197.660, a residential care, residential training, or residential treatment facility, as those terms are defined in ORS 443.400, that provides residential care alone or in conjunction with treatment or training or a combination thereof for six to 15 individuals who need not be related. Staff persons required to meet licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential facility.

Residential home means as defined under ORS 197.660, a residential treatment or training home, as defined in ORS 443.400, a residential facility registered under ORS 443.480 to 443.500, or an adult foster home licensed under ORS 443.705 to 443.825 that provides residential care alone or in conjunction with treatment or training or a combination thereof for five or fewer individuals who need not be related. Staff persons required to meet licensing requirements shall not be counted in the number of facility residents, and need not be related to each other or to any resident of the residential home.

Residential trailer means a structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy, that is being used for residential purposes, and that was constructed before January 1, 1962.

Riparian corridor means the area adjacent to a waterway, consisting of the area of transition from an aquatic ecosystem to a terrestrial ecosystem. The riparian corridor boundary is measured:

- (a) 50 feet horizontally from the top of bank on each side of a waterway with less than 1,000 cubic feet per second average annual stream flow; and
- (b) 75 feet horizontally from the top of bank on each side of a waterway with 1,000 or more cubic feet per second average annual stream flow (Willamette River).

Riparian restoration means actions undertaken to improve degraded, or recover lost, ecological or habitat functions in the area adjacent to a waterway in the zone of transition from an aquatic ecosystem to a terrestrial ecosystem, determined by the City to provide net ecological benefits, not reduce the stream's capacity to convey flood flows in a floodplain or floodway, nor pose an impediment to fish passage.

R-VIS means the percentage of light in the visible spectrum, 380 to 780 nanometers, that is reflected from the glass surface. The term "R-VIS" is also known as "visible light reflectance."

Scrap and waste materials dealers means establishments primarily engaged in the assembling, breaking up, sorting, and wholesale distribution of scrap and waste materials.

Screening means a method of blocking or obscuring view of an area through the use of fencing, walls, berms, densely planted vegetation, or a combination thereof.

Setback means the distance between a building, accessory structure, vehicle use area, or other structure or area and a property line, special setback line, flag lot accessway, easement, or other specified point.

Shopping center means a group of businesses falling primarily under the retail sales and service use category that form a centralized unit and that have a joint parking area available for use by patrons of any single business.

Short-term rental means short-term commercial lodging where a single family dwelling unit, or guest room(s) within a single family dwelling unit, are rented to overnight guests on a daily or weekly basis for periods of less than 30 consecutive days. For purposes of this definition, a dwelling unit within a condominium is considered a single family dwelling unit.

Single family dwelling means a detached freestanding dwelling unit located on its own lot.

Solid waste disposal site means land used for disposal of solid waste, including lumber; tile; bricks; concrete rubble; siding; roofing; asphalt; structural metal work; plaster and gypsum board; mortar stones; concrete blocks; pipe; plumbing fixtures; electrical wiring and fixtures; and shredded or split tires. A solid waste disposal site does not include land used for the disposal of leaves, prunings, and grass clippings; household appliances; machinery; motor vehicles and parts, other than shredded or split tires; or any putrescible substance. Solid waste disposal sites do not involve the collection or storage of items for sale or reuse in any form.

Solid waste transfer station means a fixed or mobile facility normally used as an adjunct of a solid waste collection system or resource recovery system between a collection route and a disposal site, including, but not limited to, a large hopper, railroad gondola, or barge. See ORS ch. 459 and OAR ch. 340.

Story means the horizontal division of a building, making up the area between two adjacent levels, but excluding that portion of the building that comprises the horizontal division that is the roof, unless that area includes living space.

Stream enhancement means to modify the stream channel width, length, depth, alignment, location, profile, bank shape, or in-stream structures for the purpose of improving ecological or habitat functions determined by the City to be degraded or lost in the immediate project area, specific stream corridor, or watershed.

Street means a public or private way that is created to provide ingress or egress to one or more lots, parcels, areas, or tracts of land, excluding a private way that is created to provide ingress or egress to land in conjunction with the use of the land for forestry, mining, or agricultural purposes. The term "street" includes the terms "highway," "thoroughfare," "parkway," "throughway," "road," "avenue," "boulevard," "lane," "court," "place," "loop," "drive," "circle," and other such terms. The term "street" does not include alleys or flag lot accessways.

Street tree means a tree planted in proximity to a street in order to provide canopy over the street, to provide shade, and soften the street environment.

Structural alteration means any alteration, addition, or removal of any structural member of a building, other than a minor alteration. As used in this definition:

Minor alteration means the alteration, replacement, or repair of a structural member so as not to alter structural integrity or the manner in which structural integrity was achieved before the alteration, replacement, or repair;

Structural integrity means the capacity of the building and its component parts, other than non-bearing walls, fixtures, electrical systems, plumbing systems, mechanical systems, openings, and ornamental appendages, to withstand the forces, stresses, and loads which are contemplated in the Oregon Structural Specialty Code for the type of construction involved; and

Structural member means any component part of a building which contributes to structural integrity.

Structure means that which is built or constructed; an edifice or building of any kind; or any piece of work artificially built up or composed of parts joined together in some definite manner; any of which is an addition to or fixture on real property. The term "structure" does not include paving, or mobile homes.

Subject property means the real property that is the subject of any land use proceeding. For purposes of mailed notice, subject property includes not only the real property that is the subject of the land use proceeding for which notice is required, but also any contiguous property in which the applicant or owner holds a legal or equitable interest.

Temporary means unless otherwise provided under the UDC, a limited duration more than two hours but less than six months, and which does not involve the construction or alteration of any permanent structure.

Townhouse means a dwelling unit ~~constructed in that is part of~~ a row of two or more attached units, where each dwelling unit is located on its own lot and shares a common side wall or walls with the adjacent units. A townhouse is also called a rowhouse.

Triplex means a building containing three attached dwelling units on an individual lot. Each dwelling unit must share a common wall or common floor/ceiling with at least one other dwelling unit.

Turnaround area means a paved area of a sufficient size and configuration that a motor vehicle having a curb-to-curb turning radius of 30 feet or less may maneuver around to head in the opposite direction without having to move in reverse more than once.

T-VIS means the percentage of light in the visible spectrum, 380 to 780 nanometers, that is transmitted through the glass. The term "T-VIS" is also known as "visible light transmittance."

Unit of land means a lot, parcel, or other tract of land described by a metes and bounds, which is lawfully established and which has been recorded. A lot, parcel, or tract is lawfully established only if:

- (a) The lot or parcel was created in compliance with all applicable legal requirements for a land division in effect at the time it was created; or
- (b) The lot, parcel, or tract has been validated pursuant to SRC 205.060.

Uphill lot means a hillside lot which slopes uphill from the front lot line.

Use standard means any standard or condition imposed by the UDC, or a decision in a land use action, which regulates, restricts, prohibits, or allows the conduct of a use. A use standard does not include a development standard.

Utility or utilities means water; wastewater; stormwater facilities; natural gas; electricity; telephone, internet, and other electronic data or communication services; and cable television. As the context requires, the term "utility" or "utilities" may include City utilities or public utilities.

Vehicle display area means an area of a development site where motor vehicles, recreational vehicles, trailers, boats, or other vehicles are displayed for sale or lease.

Vehicle storage area means an area of a development site used for the storage of motor vehicles, utility trailers, recreational vehicles, boats, aircraft, or other vehicles.

Vehicle use area means an area of a development site used for parking, storage, display, loading, maneuvering, access, or circulation of vehicles. A vehicle use area includes off-street parking areas, vehicle storage areas, vehicle display areas, loading areas, driveways, and drive-through lanes.

Vertical window means a window with a vertical dimension greater than its horizontal dimension.

Vicinity means land that is surrounding, near, or within close proximity of a particular place. Vicinity is smaller in size than a neighborhood.

Vision clearance area: the area adjacent to the intersection of a street, alley, flag lot accessway, or driveway where an unobstructed clear field of vision is required to ensure safe visibility for vehicular, bicycle, and pedestrian traffic.

Waterway means any river, perennial stream, or creek within the City as designated by the Director.

Wetland means an area inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and under normal circumstances does support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

Wetland restoration means to restore former wetlands, create new wetlands, or enhance existing wetlands for the purpose of improving ecological or habitat functions. Restoration means to reestablish wetland hydrology to a former wetland. Creation means to successfully convert an area that has never been a wetland to wetland conditions. Enhancement means the alteration and/or active management of degraded wetlands for the sustainable recovery or improvement of lost or degraded wetland functions and values.

Wildlife means any animal defined as wildlife under ORS ch. 496.

Wildlife rehabilitation means the restoration of injured, sick, or immature wildlife, except cougars, wolves, and bears, that are native to Oregon to a condition where they are capable of being released into the wild or, if incapable of survival on their own, retained for educational purposes or transferred to an organization, educational institution, museum, publicly funded zoo, or other facility as determined by the Oregon Department of Fish and Wildlife.

Wildlife rehabilitator means an individual who is licensed as a wildlife rehabilitator by the Oregon Department of Fish and Wildlife and actively engaged in wildlife rehabilitation.

Wildlife rehabilitation facility means any building, structure, or land being used for the purpose of wildlife rehabilitation.

Zero side yard dwelling means a detached dwelling unit located on its own lot and constructed contiguous to one, but not both, interior side lot lines.

(Prior Code, §§ 111.001, 111.005, 111.010, 111.015, 111.020, 111.025, 111.030, 111.035, 111.040, 111.045, 111.060, 111.065, 111.070, 111.075, 111.080, 111.090, 111.095, 111.100, 111.105, 111.110, 111.115, 111.130; Ord. No. 31-13; Ord. No. 22-15, § 1, 11-23-2015; Ord. No. 5-17, §§ 18(111.005), 19(111.010), 20(111.090),

21(111.095), 6-12-2017; Ord. No. 10-17, §§ 2, 3, 7-10-2017; Ord. No. 3-18, § 2, 5-14-2018, eff. 6-13-2018; Ord. No. 6-19, § 1(Exh. A), 6-24-2019, eff. 7-24-2019; Ord. No. 1-20, § 2(Exh. B), 2-24-2020)

FIGURE 111-3. CENTRAL SALEM DEVELOPMENT PROGRAM AREA

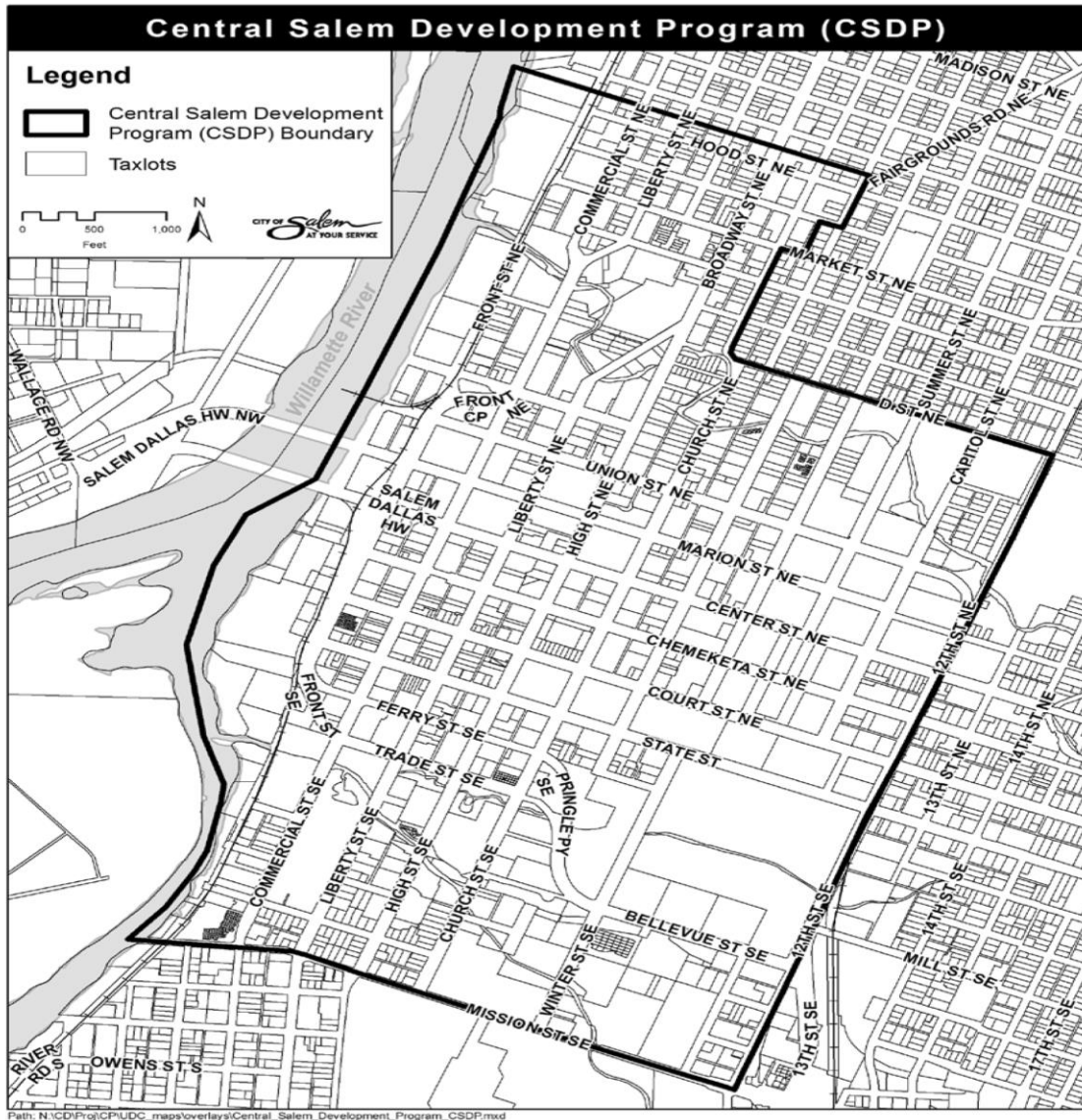
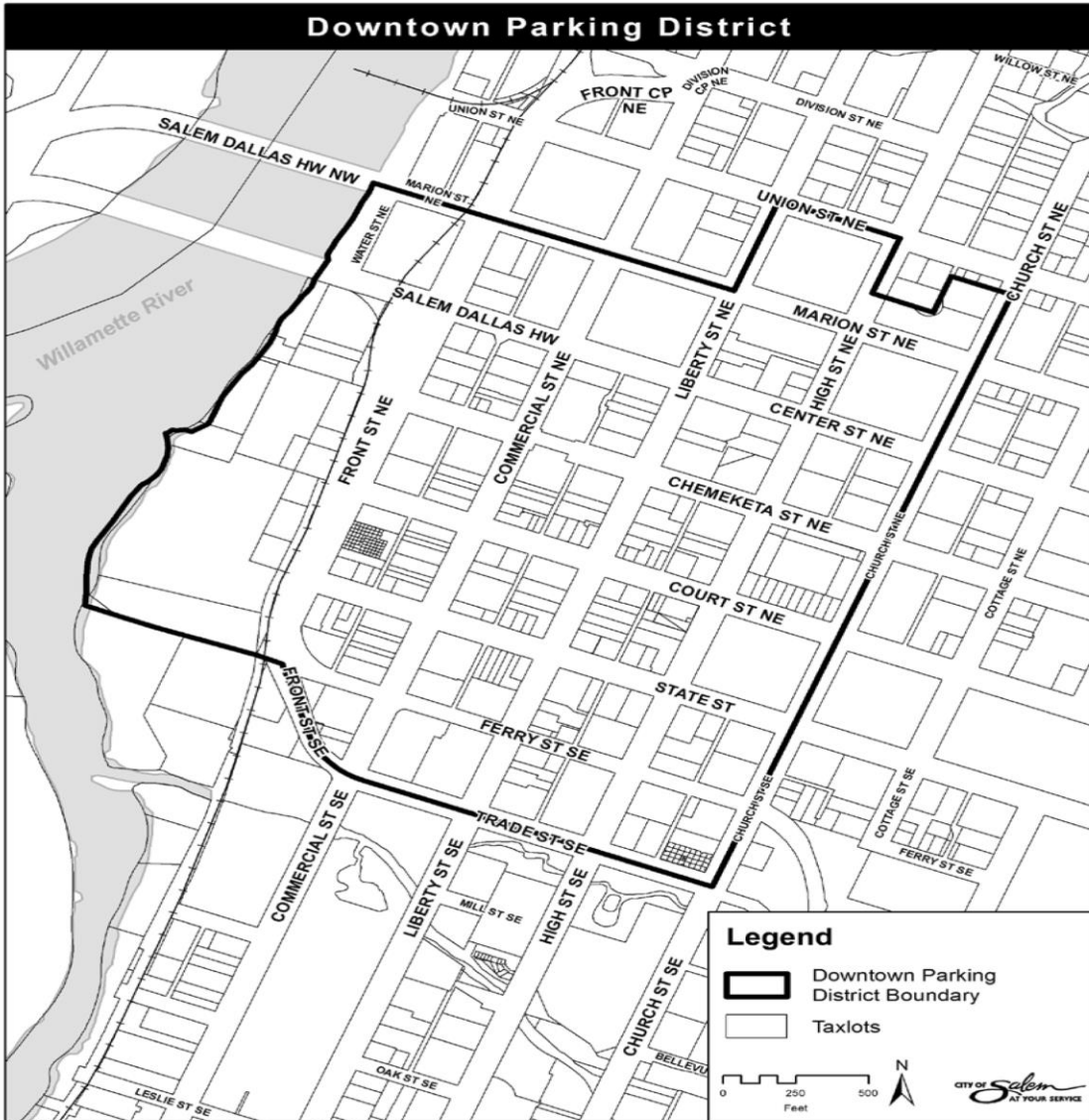


FIGURE 111-4. DOWNTOWN PARKING DISTRICT



CHAPTER 210. PLANNED UNIT DEVELOPMENT

Sec. 210.001. Purpose.

The purpose of this chapter is to provide a means to develop real property with greater latitude in site development standards, common areas, and open space than is allowed through traditional zoning; to establish standards necessary to assure well planned, harmonious development within planned unit developments; and to provide for increased amenities in the development of residential uses within certain zones.

(Prior Code, § 210.001; Ord. No. 31-13)

Sec. 210.005. Planned unit development allowed only in certain zones and overlay zones.

Planned unit developments are allowed only within the following zones and overlay zones:

(a) *Zones.*

- (1) Residential Agricultural (RA);
- (2) Single Family Residential (RS);
- (3) Duplex Residential (RD);
- (4) Multiple Family Residential-I (RM-I);
- (5) Multiple Family Residential-II (RM-II); and
- (6) Multiple Family High-Rise Residential (RH).

(b) *Overlay zones.*

- (1) The General Commercial (CG) zoned portions of the Pine Street Mixed-Use Overlay Zone.

(Prior Code, § 210.005; Ord. No. 31-13)

Sec. 210.010. Uses.

- (a) Except as otherwise provided in this section, uses allowed in the zone or overlay zone are allowed within a PUD; provided, however, certain uses may be restricted in location to convenience service areas or retail service areas as set forth in this chapter.
- (b) Additional permitted uses. The uses set forth in Table 210-1 are additional permitted uses within a PUD regardless of the zone or overlay zone.

TABLE 210-1. ADDITIONAL PERMITTED USES		
Use	Status	Limitations & Qualifications
Household Living		
Single family	P	
Two family	P	

Three family	P	
Four family	P	
Multiple family	P	

(Prior Code, § 210.010)

Sec. 210.015. Planned unit development with land division.

- (a) If individual lots or parcels are proposed to be created within a PUD, a subdivision or partition shall be required with the PUD tentative plan. The PUD tentative plan and the subdivision or partition shall be processed as a consolidated application under SRC 300.120(c).
- (b) Notwithstanding any other provision of the UDC, the applicable approval criteria and development standards for a PUD tentative plan with a subdivision or partition shall be the approval criteria and development standards set forth in this chapter.

(Prior Code, § 210.015; Ord. No. 31-13)

Sec. 210.020. Planned unit development pre-application conference submittal requirements; notice.

- (a) *Submittal requirements.* In addition to the submittal requirements for a pre-application under SRC chapter 300, an application for PUD pre-application conference shall include:
 - (1) Maps in general schematic form containing the following:
 - (A) The topography of the site, with either contour lines or elevations at key locations;
 - (B) Proposed land uses;
 - (C) The approximate location of existing buildings or structures on the site, noting any that are to be retained;
 - (D) The approximate location of existing buildings, structures, and land uses on properties abutting the site;
 - (E) The approximate location of proposed buildings or structures on the site, except for those areas of the site that will contain only lots for single family dwellings;
 - (F) The approximate number of proposed dwelling units in any residential building, other than a single family dwelling;
 - (G) The approximate location of all proposed streets, walkways, and parking facilities;
 - (H) Public uses on the site including schools, parks, playgrounds, open spaces and trails; and
 - (I) The general location of any existing significant natural or cultural features on the site.
 - (2) A written statement providing an explanation of the character of the proposed planned unit development and the manner in which it has been designed to take advantage of the planned development concept;
- (b) *Notification to neighborhood.* Within seven days after the pre-application conference, any City-recognized neighborhood association whose boundaries within which the proposed planned unit development is located shall be notified of the proposal and its location, size, and general development concept.

(Prior Code, § 210.020; Ord. No. 31-13)

Sec. 210.025. Planned unit development tentative plan.

- (a) *Applicability.* No land shall be developed as a planned unit development without receiving PUD tentative plan approval as set forth in this section.
- (b) *Procedure type.* A PUD tentative plan is processed as a Type III procedure under SRC chapter 300.
- (c) *Submittal requirements.* In addition to the submittal requirements for a Type III application under SRC chapter 300, an application for PUD tentative plan shall include the following:
 - (1) A PUD tentative plan map, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:
 - (A) Site topography, in sufficient detail to determine the grades and character of the site as it relates to the proposed improvements and to the adjacent area;
 - (B) The proposed location, layout, and widths of all streets and sidewalks, and whether they will be public or private;
 - (C) The location, layout, surfacing, and landscaping of all off-street parking areas;
 - (D) Property boundary lines;
 - (E) Proposed lot or parcel lines, if lots or parcels will be created;
 - (F) The location of existing and proposed city infrastructure;
 - (G) The location of all existing and proposed easements;
 - (H) If an outdoor storage area is proposed, a landscaping plan for the area that includes the location of existing trees and an indication whether they are to be retained or removed;
 - (I) If a convenience service area or retail service area is proposed, a landscaping plan for the area that includes the location of existing trees and an indication whether they are to be retained or removed;
 - (J) If common open space is proposed, the particular uses to which the common open space will be put;
 - (K) Areas proposed for parks, scenic ways, playgrounds, schools, public buildings, and other similar activities and whether such areas are to be public or private;
 - (L) If the planned unit development is to be constructed in phases, an indication of the area of each phase, the sequence of construction, and the area and location of any common open space that will be provided with each phase;
 - (M) Except for lots or parcels that will contain single family dwellings, for each existing or proposed building or structure on the site:
 - (i) The location and size of the building or structure;
 - (ii) The intended use of the building or structure, including, but not limited to, convenience service areas, retail service areas, and boat and recreational vehicle storage areas; and
 - (iii) The number of dwelling units in any residential building other than a single family dwelling.
 - (N) The location of all buildings on abutting properties.
 - (2) A preliminary grading plan, when grading of the subject property will be necessary to accommodate the proposed development;
 - (3) Elevation drawings of all typical proposed buildings or structures, other than single family dwellings. The drawings should be accurate and to scale but need not be final working drawings.

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- (4) A completed trip generation estimate for the proposed development, on forms provided by the City;
 - (5) A traffic impact analysis, if required under SRC chapter 803;
 - (6) A completed tree inventory on forms provided by the Planning Administrator and, if required under SRC chapter 808, a tree conservation plan;
 - (7) A geological assessment or geotechnical report, if required under SRC chapter 810, or a certification from an engineer that landslide risk on the site is low and that there is no need for further landslide risk assessment; and
 - (8) If unique or innovative design concepts will be employed, a written description and conceptual drawings illustrating the concepts, along with an identification of the specific goals and policies in the Salem Area Comprehensive Plan that will be furthered through use of such concepts, and an explanation of how the goals and polices will be furthered.
- (d) *Criteria.* A PUD tentative plan shall be approved if the following criteria are met:
- (1) The PUD tentative plan conforms to the development standards of this chapter.
 - (2) The PUD tentative plan provides one or more of the following:
 - (A) Common open space that will be improved as a recreational amenity and that is appropriate to the scale and character of the PUD considering its size, density, and the number and types of dwellings proposed. Examples of recreational amenities include, but are not limited to, swimming pools, golf courses, ball courts, children's play areas, picnic and barbeque facilities, and community gardens;
 - (B) Common open space, which may be landscaped and/or left with natural tree cover, that is permanently set aside for the passive and/or active recreational use of the residents of the PUD and that is appropriate to the scale and character of the PUD considering its size, density, and the number and types of dwellings proposed. Examples of passive and/or active recreational use include, but are not limited to, community gardens, commons, and private parks;
 - (C) Common open space that will preserve significant natural or cultural features; or
 - (D) Unique or innovative design concepts that further specific identified goals and policies in the Salem Area Comprehensive Plan.
 - (3) If a retail service area or a convenience service area is proposed, the area is designed to:
 - (A) Adequately provide for privacy and minimize excessive noise on adjacent uses;
 - (B) Provide for adequate and safe ingress and egress; and
 - (C) Minimize the impact of vehicular traffic on adjacent residential uses.
- (e) *Expiration.* Planned unit development tentative plan approval shall expire as provided in SRC 300.850, unless an application for PUD final plan is submitted within the time limits set forth in SRC 300.850, or an extension is granted pursuant to SRC 300.850(b).

(Prior Code, § 210.025; Ord. No. 31-13; Ord. No. 6-19 , § 1(Exh. A), 6-24-2019, eff. 7-24-2019)

Sec. 210.030. Planned unit development final plan.

- (a) *Applicability.* No final plan of a PUD shall be recorded without receiving PUD final plan approval as set forth in this section. An application for PUD final plan approval must be submitted prior to expiration of PUD tentative plan approval.
- (b) *Procedure type.* A PUD final plan is processed as a Type II procedure under SRC chapter 300.

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- (c) *Submittal requirements.* In addition to the submittal requirements for a Type II application under SRC chapter 300, an application for PUD final plan approval shall include the following:
- (1) A PUD final plan, in a form acceptable for recording in the county deed records, containing the information required under this subsection (c). For PUD plans that include a land division, the PUD final plan shall include the information required under this subsection (c)(1), and shall be in the form required for final plats under SRC chapter 205 and ORS ch. 92.
 - (A) The location, layout, and widths of all streets and sidewalks, and whether they are public or private;
 - (B) The location, layout, surfacing, and landscaping of all off-street parking areas;
 - (C) The location of all easements;
 - (D) If approved in the PUD tentative plan, the location of any convenience service area, retail service area, or outdoor storage area;
 - (E) The location of any common open space and the particular uses to which the common open space will be put;
 - (F) The location of areas proposed for parks, scenic ways, playgrounds, schools, public buildings, and other similar uses and whether such areas are public or private;
 - (G) For each existing or proposed building or structure on the site, other than single family dwellings:
 - (i) The location and size of the building or structure;
 - (ii) The intended use of the building or structure, including, but not limited to, convenience service areas, retail service areas, and boat and recreational vehicle storage areas; and
 - (iii) The number of dwelling units in any residential building other than a single family dwelling.
 - (2) If the PUD tentative plan included unique or innovative design concepts, a written description and drawings illustrating the concepts.
 - (3) A copy of the articles of the home owners' association.
 - (4) Evidence that conditions of approval established as part of PUD tentative plan approval have been met.
- (d) *Criteria.* A PUD final plan shall be approved if the following criteria are met:
- (1) Substantial conformance.
 - (A) The PUD final plan is in substantial conformance with the PUD tentative plan. Substantial conformance for the following specific components of the PUD final plan exists when a comparison of the approved PUD tentative plan with the PUD final plan shows that:
 - (i) The number of dwelling units is within ten percent of the number of dwelling units shown on the PUD tentative plan, but in no case shall the number of dwelling units exceed the limits set forth this chapter;
 - (ii) Setbacks, and distances between main buildings, are within ten percent of those shown on the PUD tentative plan, but in no case shall the setbacks and distances be reduced below the minimums set forth in this chapter;
 - (iii) Building sizes do not exceed the building sizes shown on the PUD tentative plan by more than ten percent.
 - (iv) Building locations do not depart by more than ten percent from the building locations shown on the tentative PUD plan;
 - (v) Common open space within the PUD final plan conforms to the following:

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- (aa) If the common open space is to be improved as a recreational amenity, the area designated as common open space has not been reduced by more than ten percent.
 - (bb) If the common open space is to be permanently set aside for passive and/or active recreational use, the area designated as common open space has not been reduced by more than ten percent.
 - (cc) If the common open space is to preserve significant natural feature, the area designated as common open space has not been reduced by more than five percent.
 - (dd) If the common open space is to preserve a significant cultural feature, the area designated as common open space is identical to that shown on the PUD tentative plan; and
 - (vi) If unique or innovative design concepts are employed, the final design conforms with the unique or innovative design concepts as approved in the PUD tentative plan.
- (B) Nothing in subsection (d)(1)(A) of this section shall be deemed to prohibit a reduction in the number of dwelling units or an increase in the amount of common open space. If the PUD is constructed in phases, the number of dwelling units reduced in one phase shall not be used to increase the number of dwelling units in any subsequent phase; and an increase in common open space in one phase shall not be used to reduce the amount of common open space in any subsequent phase.
 - (C) Notwithstanding the changes allowed under subsection (d)(1)(A) of this section, a PUD final plan is not in substantial conformance with the PUD tentative plan if the cumulative effect of the changes made pursuant to subsection (d)(1)(A) of this section results in a significant modification to the approved PUD tentative plan.
- (2) Except as allowed under subsection (d)(1) of this section, the conditions of approval on the PUD tentative plan have been met.
 - (3) The articles of the home owners' association satisfy the standards set forth in SRC 210.055(b).
 - (4) For planned unit developments with a land division, SRC 205.035(c)(6) has been met. If the PUD does not include a land division, the Public Works Director has determined that each building or structure on the PUD final plan can be adequately served by the following city infrastructure and private improvements:
 - (A) A domestic water supply;
 - (B) A sanitary sewage disposal system;
 - (C) Streets improved to the extent that adequate paved access is provided to each building or structure;
 - (D) A stormwater discharge system; and
 - (E) Fire hydrants installed to fire code standards.
 - (5) The owner has entered into an improvement agreement with the City providing that any improvements required to be constructed which are not complete at the time of submission of the PUD final plan will be completed within 18 months of PUD final plan approval, and the owner has furnished sufficient performance security, as provided in SRC 110.100, to ensure completion of the improvements. The time within which the improvements must be completed may be extended for one additional six-month period, subject to prior written approval from the Director.

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- (6) If applicable, the applicant has executed a fee-in-lieu agreement pursuant to SRC 200.400 through 200.420.
 - (e) *Approval or rejection of planned unit development final plan.* If the Planning Administrator finds that the PUD final plan does not satisfy the PUD final plan approval criteria, the Planning Administrator shall notify the applicant of the deficiencies and afford the applicant opportunity to modify the PUD final plan to eliminate the deficiencies. If the PUD final plan complies with the PUD final plan approval criteria, the Planning Administrator shall notify the applicant that the PUD final plan has been approved.
 - (f) *Recording of planned unit development final plan.* The approved PUD final plan shall be recorded within ten years of the effective date of the PUD tentative plan approval.

(Prior Code, § 210.030; Ord. No. 31-13; Eng. Ord. No. 15-18 , § 8, 8-27-2018, eff. 9-26-2018)

Sec. 210.035. Modification of approval.

- (a) *Modification of planned unit development tentative approval.*
 - (1) *Applicability.* The approval of a PUD tentative plan, with or without a land division, may be modified after its effective date if the proposed modification meets the criteria set forth in this section. Modifications that do not meet the criteria in this section require submittal of a new application for PUD tentative plan.
 - (2) *Procedure type.* Modification of a PUD tentative plan approval is processed as a Type II procedure under SRC chapter 300.
 - (3) *Submittal requirements.* In addition to the submittal requirements for a Type II application under SRC chapter 300, an application for modification of a PUD tentative plan approval shall include the information required under SRC 210.025(c).
 - (4) *Criteria.* An application for modification of a PUD tentative plan approval shall be granted if the following criteria are met:
 - (A) The proposed modification does not substantially change the original approval; and
 - (B) The proposed modification will not result in significant changes to the physical appearance of the development, the use of the site, and the impacts on surrounding properties.
 - (5) *Expiration.* The effect of a modification upon the expiration period of the original approval, if any, shall be established in the modification decision.
- (b) *Modification of planned unit development final plan approval.*
 - (1) *Applicability.* The approval of a PUD final plan, with or without a land division, may be modified after its effective date if the proposed modification meets the criteria set forth in this section. Modifications that do not meet the criteria in this section require submittal of a new application for PUD final plan.
 - (2) *Procedure type.* Modification of a PUD final plan approval is processed as a Type II procedure under SRC chapter 300.
 - (3) *Submittal requirements.* In addition to the submittal requirements for a Type II application under SRC chapter 300, an application for modification of a PUD final plan approval shall include the information required under SRC 210.030(c).
 - (4) *Criteria.* An application for modification a PUD final plan approval shall be granted if the following criteria are met.
 - (A) The proposed modification does not substantially change the original approval; and

- (B) The proposed modification will not result in significant changes to the physical appearance of the development, the use of the site, and the impacts on surrounding properties.
- (5) *Expiration.* The effect of a modification upon the expiration period of the original approval, if any, shall be established in the modification decision.

(Prior Code, § 210.035; Ord. No. 31-13; Ord. No. 6-19 , § 1(Exh. A), 6-24-2019, eff. 7-24-2019)

Sec. 210.040. Modifications at time of building permit.

- (a) An applicant may request the following modifications at the time of building permit to development as approved in a PUD final plan:
 - (1) *Lot coverage.* Lot coverage may be increased by not more than two percent, provided the total increase does not exceed 250 square feet per lot.
 - (2) *Front setback and setbacks abutting a street.* Front setbacks and setbacks abutting a street may be decreased by not more than ten percent of the depth of the front setback or setback abutting a street.
 - (3) *Side setbacks.* Side setbacks may be decreased by not more than one foot; provided, however, no decrease shall be allowed if the decrease would result in:
 - (A) A side setback depth of less than five feet for a one story building; or
 - (B) A side setback depth of less than six feet for a building having two or more stories.
 - (4) *Rear setback.* Rear setbacks may be decreased by not more than four feet or, when additional yard area equal in area to the decrease is provided at another location on the lot, rear setbacks may be decreased by not more than ten feet.
- (b) Modifications pursuant to this section shall be processed as a Type I procedure under SRC chapter 300. The Planning Administrator shall grant the modification; provided, however, in no case shall such modification result in nonconformance with the standards set forth in this chapter, or in the conditions of approval.

(Prior Code, § 210.040; Ord. No. 31-13)

Sec. 210.045. Planned unit development standards.

Planned unit developments must comply with the development standards set forth in this section.

- (a) *General development standards.* Planned unit developments shall conform to the general development standards set forth in Table 210-2.

TABLE 210-2. GENERAL DEVELOPMENT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Minimum Number of Dwelling Units within PUD		
RA, RS, RD, and RH zones	No minimum	
RM-I and RM-II zones	Minimum number of dwelling units required in zone where PUD is located	
Pine Street Mixed-Use Overlay Zone	Min. 14 d.u./acre	
Maximum Number of Dwelling Units within PUD		

RA, RS, and RD zones	Max. 20 d.u./acre Maximum number of dwelling units allowed in zone where PUD is located	The maximum number of dwelling units allowed shall be calculated by dividing the net area of the lot by the minimum lot size for single family dwellings in the zone where the PUD is located. For purposes of this standard, "net area" is the total area of the site minus the total area used for streets and flag lot accessways.
RM-I and RM-II zones	Maximum number of dwelling units allowed in zone where PUD is located	
RH zone; and Pine Street Mixed-Use Overlay Zone	No maximum	
Maximum Number of Dwellings Units within a Building		
RA, RS, RD, RM-I, RM-II, and RH zones; and Pine Street Mixed-Use Overlay Zone	No maximum	The number of dwelling units within an individual building shall not exceed the overall maximum number of dwelling units allowed for the entire PUD.

(b) *Setbacks.* Unless otherwise provide in this chapter, setbacks within a PUD shall be provided as set forth in Table 210-3.

TABLE 210-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
PUD Perimeter Setbacks—Abutting Street		
Buildings		
All uses	Min. 12 ft.	Applicable along local streets.
	Min. 20 ft.	Applicable on collector or arterial streets.
	None	Applicable along private streets. When a driveway approach is present, buildings shall be setback to maintain adequate vision clearance as required under SRC chapter 805.
Accessory Structures		
Accessory to all uses	Min. 12 ft.	Applicable along local streets.
	Min. 20 ft.	Applicable on collector or arterial streets.
	None	Applicable along private streets. When a driveway approach is present, accessory structures shall be setback to maintain adequate vision clearance as required under SRC chapter 805.
PUD Perimeter Setbacks—Not Abutting Street		
Interior Side		
Buildings		
All uses	Min. 5 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	
Accessory Structures		

Accessory to all uses	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.
Interior Rear		
Buildings		
All uses	Min. 14 ft.	Applicable to any portion of a building not more than 1 story in height, when the interior rear yard abuts the interior rear yard of an RA or RS zoned lot located outside the PUD.
	Min. 20 ft.	Applicable to any portion of a building greater than 1 story in height, when the interior rear yard abuts the interior rear yard of an RA or RS zoned lot located outside the PUD.
	Min. 5 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	Applicable when the interior rear yard does not abut the interior rear yard of an RA or RS zoned lot located outside the PUD.
Accessory Structures		
All uses	None	Applicable to accessory structures not more than 9 ft. in height.
	Min. 1 ft. for each 1 ft. of height over 9 ft.	Applicable to accessory structures greater than 9 ft. in height.
	Min. 1 ft.	Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure.
PUD Interior Setbacks—Abutting Street		
Buildings		
All uses	Min. 12 ft.	Applicable along local streets.
	Min. 20 ft.	Applicable along collector or arterial streets.
	None	Applicable along private streets. When a driveway approach is present, buildings shall be setback to maintain adequate vision clearance as required under SRC chapter 805.
Accessory Structures		
Accessory to all uses	Min. 12 ft.	Applicable along local streets.
	Min. 20 ft.	Applicable along collector or arterial streets.
	None	Applicable along private streets. When a driveway approach is present, buildings shall be setback to maintain adequate vision clearance as required under SRC chapter 805.
PUD Interior Setbacks—Not Abutting Street		
Interior Front		
Buildings		
All uses	None	
Accessory Structures		

Accessory to all uses	None	
Interior Side		
Buildings		
All uses	None	
Accessory Structures		
Accessory to all uses	None	
Interior Rear		
Buildings		
All uses	None	
Accessory Structures		
Accessory to all uses	None	
<u>Abutting Waterway</u> ⁽¹⁾		
<u>Buildings</u>		
<u>Single family</u>	<u>Min. 100 ft.</u>	<u>Applicable to townhouses constructed after [Insert Effective Date of Ordinance].</u>
	<u>None</u>	<u>Applicable to all other single family.</u> <u>All other setbacks required abutting streets and interior front, side, and rear property lines still apply.</u>
<u>Two family, three family, four family, and multiple family</u>	<u>Min. 100 ft.</u>	
<u>All other uses</u>	<u>None</u>	<u>All other setbacks required abutting streets and interior front, side, and rear property lines still apply.</u>
<u>Accessory Structures</u>		
	<u>None</u>	<u>All other setbacks required abutting streets and interior front, side, and rear property lines still apply.</u>
<u>(1) Waterway setback does not apply to Planned Unit Developments approved prior to [Insert Effective Date of Ordinance].</u>		

- (c) *Height.* Buildings and accessory structures within a PUD shall conform to the height standards set forth in Table 210-4.

TABLE 210-4. HEIGHT		
Requirement	Standard	Limitations & Qualifications
Height		
Buildings		
All uses	Max. 35 ft.	Applicable within the RA, RS, RD, RM-I, and RM-II zones
	No Maximum	Applicable within the RH zone
	Max. 70 ft.	Applicable within the Pine Street Mixed-Use
Accessory Structures		
Accessory to all uses	Max. 15 ft.	

- (d) *Parking.* Except as provided in this subsection, parking within a PUD shall be developed in conformance with the standards set forth in SRC chapter 806.

- (1) *Minimum required parking.* Unless otherwise provided in this chapter, parking within a PUD shall be provided in amounts not less than those set forth in Table 210-5.

TABLE 210-5. PARKING		
Zone/Overlay Zone	Minimum Number of Spaces Required	Limitations & Qualifications
RA and RS zones	2 per dwelling unit	<u>Applicable to single family detached dwelling units. One</u> of the required spaces must be located within a garage or carport; provided, however, an uncovered parking area meeting the standards set forth in subsection (d)(2)(D) of this section may be permitted in lieu of a garage or carport.
	<u>1 per dwelling unit</u>	<u>Applicable to all other dwelling units.</u>
RD, RM-I, RM-II, and RH zones	2.5 2 per dwelling unit	Applicable to <u>the first 10 dwelling units</u> <u>single family detached dwelling units.</u>
	2 1 per dwelling unit	Applicable to <u>each additional dwelling unit over 10</u> <u>all other dwelling units.</u>
Pine Street Mixed Use Overlay Zone	1 per dwelling unit	There shall be no limit on the maximum number of parking spaces provided.

- (2) *Off-street parking development standards.* Parking within a PUD shall conform to the following standards:
- (A) *Location.* Required parking spaces shall be located within the planned unit development, and may be either on-street, off-street, or a combination thereof.
 - (B) *Garage or carport vehicle entrance setback abutting street or flag lot accessway.* The vehicle entrance of a garage or carport facing a street or flag lot accessway shall be set back a minimum of 20 feet from one of the following lines, whichever is closest to the proposed vehicle entrance of the garage or carport:
 - (i) The street right-of-way line, most interior access easement line, or property line abutting a flag lot accessway;
 - (ii) The outside curblines; or
 - (iii) The edge of the sidewalk furthest from the street.
 - (C) *Dimensions.* On-street parallel parking spaces shall be at least seven feet in width and 22 feet in length.
 - (D) *Landscaping and screening.* All off-street parking areas, other than those within a garage or carport, or on a driveway leading to a garage or carport, shall be effectively landscaped, designed to minimize the effect of a large number of cars in one area, and screened with ornamental evergreens or architectural features such as fences and walls.
- (e) *Side lot lines.* As far as is practicable, side lot lines shall run at right angles to the street upon which the lot faces, except that on curved streets they shall be radial to the curve.
- (f) *Limits on common open space.* Streets, parking areas, traffic circles, and other similar transportation related improvements shall not be considered, or considered to be a part of, common open space.
- (g) *Utilities.* Except for stormwater management facilities, all utility services shall be undergrounded.

(Prior Code, § 210.045; Ord. No. 31-13)

Sec. 210.050. Design standards for multiple family buildings.

- (a) When one or more multiple family buildings are proposed within a PUD, the buildings shall conform to the following standards:
 - (1) Buildings shall not present excessive visual mass or bulk.

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- (2) Buildings shall not have long, monotonous exterior walls.
 - (3) Buildings shall be sited with sensitivity to topography and natural landform.
 - (4) Buildings shall be designed to provide an appropriate transition to abutting properties.
 - (5) Buildings shall utilize architectural elements and facade materials to provide visual interest and continuity with other buildings in the PUD.
 - (6) Individual private open space shall be provided for each dwelling unit.
 - (7) When abutting property zoned Residential Agriculture (RA) or Single Family Residential (RS), an appropriate combination of landscaping and screening shall be provided to buffer between the multiple family building and the adjacent RA or RS zoned property.
- (b) For the purposes of this section, the term "multiple family building" means a building that contains three or more dwelling units.

(Prior Code, § 210.050)

Sec. 210.055. Home owners' association required.

- (a) *Formation.* The perpetual maintenance and operation of common open space within a planned unit development shall be provided by a home owners' association.
- (b) *Articles.* The articles of the home owners' association shall include the following provisions:
 - (1) Property owners within the planned unit development shall automatically be members of the home owners' association with the purchase of a dwelling unit or other property within the planned unit development.
 - (2) The home owners' association's principal source of funds shall be an assessment levied against each dwelling unit or other property, which assessment shall be enforceable as a lien against the dwelling unit or property.
 - (3) An identification of the permitted use of the common open space and, if unique or innovative design concepts are used, requirements that the property be maintained in such a way as to preserve the concepts in perpetuity.
 - (4) A prohibition against any changes to the articles which would eliminate the provisions required under subsections (b)(1) through (b)(4) of this section.
- (c) *Planned unit development under one owner.* If the entire planned unit development is to remain under one ownership, the PUD final plan shall include a covenant that requires the formation of a home owners' association in compliance with this section if any part of the planned unit development is sold.

(Prior Code, § 210.055; Ord. No. 31-13)

Sec. 210.060. Outdoor storage area development standards.

If provided within a PUD, outdoor storage areas shall meet the following standards:

- (a) *Operation.* Outdoor storage areas shall be operated by the PUD home owners' association.
- (b) *Limit on use.* Use of outdoor storage areas shall be limited exclusively to on-premises storage of home owners' association members' boats, recreational vehicles, trailers, or utility trailers, and shall not be used in connection with any commercial activity.
- (c) *Setbacks.* All outdoor storage space and other outdoor vehicle parking, loading and maneuvering areas in the outdoor storage area shall be set back a minimum of five feet from all lot lines.

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- (d) *Landscaping and screening.*
 - (1) All unpaved areas within outdoor storage areas not occupied by buildings or structures, and all required setbacks, shall be landscaped and screened. Landscaping shall be provided in the minimum amount of one plant unit, as set forth in SRC chapter 807, for each 20 square feet of landscaped area.
 - (2) Outdoor storage areas shall be screened from all adjacent properties and from all but one abutting street by a minimum six-foot-high sight-obscuring fence, wall, or hedge.
 - (e) *Surfacing.* All driveways, outdoor storage space, and other outdoor vehicle parking, loading, and maneuvering areas within outdoor storage areas shall be paved with a hard surface material meeting Public Works Design Standards.
 - (f) *Lighting.* Outdoor lighting for outdoor storage areas shall not shine or reflect onto adjacent residentially zoned property, or property used for uses or activities falling under household living, or cast glare onto the street.

(Prior Code, § 210.060; Ord. No. 31-13)

Sec. 210.065. Convenience service area and retail service area development standards.

If provided within a PUD, convenience service areas and retail services areas shall meet the following standards:

- (a) *Convenience service area.* A convenience service area may be located within a PUD containing less than 150 dwelling units. A convenience service area that conforms to the requirements of this section may be located within a planned unit development without a zone change.
 - (1) *Permitted activities.* The following activities are permitted within a convenience service area:
 - (A) Newsstands;
 - (B) Barbershop and beauty parlors;
 - (C) Delicatessens, coffee shops, and tea rooms; and
 - (D) Activity rooms and meeting rooms.
 - (2) *Drive-through prohibited.* Otherwise permitted activities within a convenience service area shall not be developed with a drive-through.
- (b) *Retail service area.* A retail service area may be located within a PUD containing 150 or more dwelling units. A retail service area that conforms to the requirements of this section may be located within a planned unit development without a zone change.
 - (1) *Permitted activities.* In addition to the activities permitted within a convenience service area, the following activities are permitted within a retail service area:
 - (A) Banks;
 - (B) Craft and hobby shops;
 - (C) Drugstores;
 - (D) Grocery stores;
 - (E) Laundry and dry cleaning pick-up services;
 - (F) Coin operated dry cleaning establishments;
 - (G) Post office;

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- (H) Restaurants;
 - (I) Variety stores; and
 - (J) Other similar uses, if approved with the PUD tentative plan and identified in the PUD final plan approval.
- (2) *Drive-through prohibited.* Restaurants, delicatessens, coffee shops, and tea rooms otherwise permitted within a retail service area shall not be developed with a drive-through.
- (c) *Maximum square footage.*
- (1) The gross square footage of building area within a convenience service area or retail service area shall be limited to a maximum of 40 square feet per dwelling unit within the planned unit development.
 - (2) No single establishment within a convenience service area or retail service area shall occupy more than 50 percent of the gross square footage permitted within the convenience service area or retail service area at the time of the completion of the planned unit development.
- (d) *Parking.* Off-street parking within a convenience service area or retail service area shall be provided in the minimum amount of one space per 250 square feet of gross floor area.
- (e) *Construction of retail service area.*
- (1) Construction of a retail service area shall not commence until at least 150 dwelling units have been completed.
 - (2) The gross floor area to be constructed at any time shall not exceed the gross floor area allowed under subsection (c) of this section, based on the number of dwelling units that have been constructed at the time the retail service area is constructed.
 - (3) When 50 percent or more of the dwelling units within the planned unit development have been constructed, the Planning Administrator may authorize construction of the remainder of the retail service area, provided that satisfactory evidence is presented to the Planning Administrator that all of the remaining dwelling units will be constructed.
- (f) *Activities enclosed.* Unless otherwise approved within the PUD tentative plan, all commercial activity within a convenience service area or retail service area shall be conducted entirely within an enclosed building.
- (g) *Landscaping and screening.*
- (1) Convenience service areas and retail service areas shall be surrounded by a landscaped area a minimum 20 feet in depth, excluding driveways. The landscaped area shall be planted with a minimum of one plant unit, as set forth in SRC chapter 807, per 20 square feet of landscaped area.
 - (2) Convenience service areas and retail service areas shall be screened from adjacent residential uses by a minimum six-foot-high sight-obscuring fence or wall.
- (h) *Storage of garbage and refuse.* All solid waste generated by a convenience service area or retail service area shall be stored entirely within the building until the time of disposal.

(Prior Code, § 210.065; Ord. No. 31-13)

Sec. 210.070. Development agreements.

- (a) *Applicability.* The applicant for PUD approval may request a development agreement as authorized in ORS ch. 94.

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- (b) *Procedure type.* A development agreement is processed as a Type IV procedure under SRC chapter 300.
 - (c) *Criteria.* A development agreement shall be approved if the following criteria are met:
 - (1) The development agreement is consistent with UDC.
 - (2) There will be a public benefit which would not otherwise accrue to the City absent the development agreement.
 - (d) *Submittal requirements.* In addition to the submittal requirements for a Type IV application under SRC chapter 300, an application for a development agreement shall include the information required in ORS 94.504(2) and the following:
 - (1) A master plan containing the general layout of major infrastructure and public utilities, including, but not limited to, major streets and major utility lines;
 - (2) A description of the type and density of development by area;
 - (3) The general location of any convenience service areas or retail service areas; and
 - (4) Such other additional information the Planning Administrator may require.
 - (e) *Effect of approval of development agreement.* Each phase in a PUD that has an accompanying development agreement shall comply with the approved PUD final plan and the development agreement. Fees and charges applicable to use or development under the development agreement shall be as provided at the time of such use or development.

(Prior Code, § 210.070; Ord. No. 31-13)

Sec. 210.075. Other provisions.

In addition to the standards set forth in this chapter, development within a PUD must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

- (a) Trees and Shrubs: SRC chapter 86.
- (b) General Development Standards: SRC chapter 800.
- (c) Public Improvements: SRC chapter 802.
- (d) Streets and Right-of-Way Improvements: SRC chapter 803.
- (e) Driveway Approaches: SRC chapter 804.
- (f) Vision Clearance: SRC chapter 805.
- (g) Off-Street Parking, Loading and Driveways: SRC chapter 806.
- (h) Landscaping and Screening: SRC chapter 807.
- (i) Preservation of Trees and Vegetation: SRC chapter 808.
- (j) Wetlands: SRC chapter 809.
- (k) Landslide Hazards: SRC chapter 810.
- (l) Sign Code: SRC chapter 900.

(Prior Code, § 210.075; Ord. No. 31-13)

CHAPTER 510. RA—RESIDENTIAL AGRICULTURE

Sec. 510.001. Purpose.

The purpose of the Residential Agriculture (RA) Zone is to implement the developing residential designation for the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The RA zone generally allows single family, two family, three, family, and four family residential uses, and agricultural uses, and other uses that are compatible with and/or provide support and services to the residential area.

(Prior Code, § 510.001; Ord. No. 31-13)

Sec. 510.005. Uses.

- (a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the RA zone are set forth in Table 510-1.

TABLE 510-1. USES		
Use	Status	Limitations & Qualifications
Household Living		
Single family	P	The following single family activities: <ul style="list-style-type: none"> ■ Single family detached dwelling. ■ Residential home, as defined under ORS 197.660. ■ Manufactured dwelling park, subject to SRC chapter 235.
	S	The following single family activities: <ul style="list-style-type: none"> ■ Manufactured home, subject to SRC 700.025. ■ Townhouse, subject to SRC 700.085. ■ Zero side yard dwelling, subject to SRC 700.095.
	N	All other single family.
Two family	P	The following two family activities: <ul style="list-style-type: none"> ■ Duplex, when located on a corner lot. ■ Duplex, when located on a lot whose side abuts property other than a street or alley in a Commercial (C) or Industrial (I) Zone, and the entire lot is located within 165 feet of the C or I zone.
	S	Two family shared dwelling, subject to SRC 700.090.
	N	All other two family.
Three family	SN	Three family, subject to SRC 700.081.
Four family	SN	Four family, subject to SRC 700.081.
Multiple family	SN	Cottage cluster, subject to SRC 700.011.
	N	All other multiple family.
Group Living		
Room and board	N	
Residential care	C	Residential facility, as defined under ORS 197.660, when located on a lot with frontage on an arterial or collector street.

	N	All other residential care.
Nursing care	C	Nursing care, when located on a lot with frontage on an arterial or collector street.
	N	All other nursing care.
Lodging		
Short-term commercial lodging	C	Short-term rentals.
	N	All other short-term commercial lodging.
Long-term commercial lodging	N	
Nonprofit shelters	C	Nonprofit shelters serving 5 or fewer persons, when located on a lot with frontage on an arterial or collector street.
	P	Nonprofit shelters serving victims of domestic violence for 10 or fewer persons.
	N	All other nonprofit shelters.
Retail Sales and Service		
Eating and drinking establishments	N	
Retail sales	P	Retail sales of agricultural products, when the sales area does not exceed 1,000 square feet in size.
	N	All other retail sales.
Personal services	C	The following personal services activities: <ul style="list-style-type: none"> ■ Beauty salons. ■ Barber shops.
	N	All other personal services.
Postal services and retail financial services	N	
Business and Professional Services		
Office	C	Landscape architects and planners.
	N	All other office.
Audio/visual media production	N	
Laboratory research and testing	N	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	
Commercial parking	N	Parking structures.
	S	All other commercial parking, subject to SRC 700.050.
Park-and-ride facilities	N	
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	N	
Commercial entertainment—outdoor	S	Golf courses, subject to SRC 700.015.
	N	All other commercial entertainment—outdoor.
Major event entertainment	N	
Recreational and cultural community services	P	Libraries.
	S	Golf courses, subject to SRC 700.015.

	C	All other recreational and cultural community services.
Parks and open space	C	Arboreta and botanical gardens.
	P	All other parks and open space.
Nonprofit membership assembly	C	
Religious assembly	S	Religious assembly, subject to SRC 700.055.
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	N	
Educational Services		
Day care	P	The following day care activities: ■ Child day care home. ■ Adult day care home.
	C	The following day care activities: ■ Child day care center. ■ Adult day care center.
	N	All other day care.
Basic education	S	Basic education, subject to SRC 700.010.
Post-secondary and adult education	N	
Civic Services		
Governmental services	N	
Social services	S	Social services, subject to SRC 700.080.
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	N	The following emergency services activities: ■ Ambulance stations. ■ Ambulance service facilities.
	P	All other emergency services.
Detention facilities	N	
Military installations	N	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	Crematories.
	C	All other funeral and cremation services.
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	N	
Building and grounds services and construction contracting	C	The following building and grounds services and construction contracting activities: ■ Landscape, lawn, and garden services. ■ Tree and shrub services.
	N	All other building and grounds services and construction contracting.
Cleaning plants	N	
Industrial services	N	
Wholesale Sales, Storage, and Distribution		
General wholesaling	N	

Heavy wholesaling	N	
Warehousing and distribution	N	
Self-service storage	N	
Manufacturing		
General manufacturing	N	
Heavy manufacturing	N	
Printing	N	
Transportation Facilities		
Aviation facilities	N	
Passenger ground transportation facilities	P	Transit stop shelters.
	N	All other passenger ground transportation facilities.
Marine facilities	N	
Utilities		
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	C	
Power generation facilities	N	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	N	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	Marijuana production.
	P	All other agriculture.
Forestry	P	
Agriculture and forestry services	N	
Keeping of livestock and other animals	P	Raising of livestock, fowl, and other animals by residents of the premises for their own private noncommercial use on a lot 10,000 square feet or greater.
	C	All other keeping of livestock and other animals.
Animal services	S	Small animal veterinary services, subject to SRC 700.075.
	C	All other animals services.
Other Uses		
Accessory short-term rentals	S	Accessory short-term rental, subject to SRC 700.006.
Temporary uses	P	The following temporary uses: <ul style="list-style-type: none"> ■ Christmas tree sales, subject to SRC 701.015. ■ Residential sales/development office, subject to SRC 701.030. ■ Replacement single family dwelling, subject to SRC 701.025.
Home occupations	S	Home occupations, subject to SRC 700.020.
Guest houses and guest quarters	P	Guest houses and guest quarters are permitted as an accessory use to single family, provided such houses

		and quarters are dependent upon the main building for either kitchen or bathroom facilities, or both, and are used for temporary lodging and not as a place of residence.
Taking of borders or leasing of rooms by resident family	P	Taking of boarders or leasing of rooms by a resident family is permitted as an accessory use to household living, provided the total number of boarders and roomers does not exceed 2 in any dwelling unit.
Storage of commercial vehicle as an accessory use to household living	P	Storage of a commercial vehicle as an accessory use to household living is permitted, provided no more than 1 commercial vehicle is stored per dwelling unit.
Historic resource adaptive reuse pursuant to SRC chapter 230	Allowed	Historic resource adaptive reuse pursuant to SRC chapter 230 is allowed, subject to SRC 230.085.
Accessory dwelling units	S	Accessory dwelling units, subject to SRC 700.007.

(b) Continued uses. Existing cottage housing within the RA zone constructed prior to May 15, 1979, but which would otherwise be made non-conforming by this chapter, is hereby deemed a continued use.

- (1) Building or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 510.010(e).
- (2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for that use; provided, however, conversion of the building or structure to another use shall thereafter prevent conversion back to that use.

(Prior Code, § 510.005; Ord. No. 31-13; Ord. No. 22-15, § 3, 11-23-2015; Ord. No. 6-17, § 1, 5-8-2017; Ord. No. 5-17, § 25(510.005), 6-12-2017; Ord. No. 10-17, § 5, 7-10-2017; Ord. No. 1-20, § 2(Exh. B), 2-24-2020)

Sec. 510.010. Development standards.

Development within the RA zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the RA zone shall conform to the standards set forth in Table 510-2.

TABLE 510-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
Single family	Min. 4,000 1,500 sq. ft.	<u>Applicable to townhouses.</u>
	<u>Min. 4,000 sq. ft.</u>	<u>Applicable to all other single family.</u>
Two family	Min. 4,000 sq. ft.	<u>Applicable to two family shared housing.</u>
	<u>Min. 7,000 sq. ft.</u>	<u>Applicable to all other two family.</u>
<u>Three family</u>	<u>Min. 5,000 sq. ft.</u>	
<u>Four family and multiple family</u>	<u>Min. 7,000 sq. ft.</u>	
Nonprofit shelters	Min. 4,000 sq. ft.	Applicable to nonprofit shelters serving victims of domestic violence.
	Min. 6,000 sq. ft.	Applicable to all other nonprofit shelters.
All other uses	Min. 6,000 sq. ft.	
Infill lot	Min. 5,500 sq. ft.	Applicable to all infill lots, unless a greater minimum lot area is required for the specific use.
Lot Width		
Single family and two family	Min. 40 20 ft.	<u>Applicable to townhouses.</u>

	<u>Min. 40 ft.</u>	<u>Applicable to all other single family.</u>
<u>Two family, three family, four family, and multiple family</u>	<u>Min. 40 ft.</u>	
All other uses	Min. 60 ft.	
Lot Depth		
Single family and two family	Min. 70 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	<u>No Max.</u>	<u>Applicable to townhouses.</u>
	Max. 300% of average lot width	<u>Applicable to all other single family.</u>
<u>Two Family</u>	<u>Min. 70 ft.</u>	
	<u>Min. 120 ft.</u>	<u>Applicable to double frontage lots.</u>
	<u>Max. 300% of average lot width</u>	
All other uses	Min. 80 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	Max. 300% of average lot width	
Street Frontage		
Single family and two family	Min. 40-20 ft.	<u>Applicable to townhouses.</u>
	<u>Min. 40 ft.</u>	<u>Applicable to all other single family</u>
	Min. 30 ft.	Applicable to <u>all other single family, excluding townhouses, when located on</u> lots fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line.
<u>Two family, three family, four family, and multiple family</u>	<u>Min. 40 ft.</u>	
	<u>Min. 30 ft.</u>	<u>Applicable to lots fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more.</u> <u>In no case shall the lot width be less than 40 ft. at the front building setback line.</u>
All other uses	Min. 60 ft.	

(b) *Setbacks.* Setbacks within the RA zone shall be provided as set forth in Table 510-3.

TABLE 510-3. SETBACKS

Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
<u>Multiple family</u>	<u>Min. 10 ft.</u>	
All <u>other</u> uses	Min. 12 ft.	
	Min. 20 ft.	Applicable along collector or arterial streets.
Accessory Structures		
<u>Multiple family</u>	<u>Min. 10 ft.</u>	

Accessory to all <u>other</u> uses	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
	Min. 20 ft.	Applicable to accessory structures greater than 4 ft. in height, when located in a yard adjacent to a collector or arterial street.
Interior Front		
Buildings		
<u>Multiple family</u>	<u>Min. 10 ft.</u>	
All <u>other</u> uses	Min. 12 ft.	
Accessory Structures		
<u>Multiple family</u>	<u>Min. 10 ft.</u>	
Accessory to all <u>other</u> uses	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
Interior Side		
Buildings		
Single family	Min. 5 ft.	Applicable to new buildings, other than zero side yard dwellings and townhouses.
	Min. 3 ft.	Applicable to existing buildings, other than zero side yard dwellings and townhouses.
	Per SRC 700.085	Applicable to townhouses.
	Per SRC 700.095	Applicable to zero side yard dwellings.
Two family, <u>three family</u> , <u>four family</u> , and <u>multiple family</u>	Min. 5 ft.	<u>Applicable to new buildings.</u>
	<u>Min. 3 ft.</u>	<u>Applicable to existing buildings.</u>
All other uses	Min. 5 ft.	Applicable to buildings not more than 35 ft. in height.
	Min. 5 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	Applicable to buildings greater than 35 ft. in height.
Infill lot	Min. 10 ft.	Applicable to buildings not more than 35 ft. in height where the interior side setback abuts lots zoned RA or RS.
	Min. 10 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	Applicable to buildings greater than 35 ft. in height where the interior side setback abuts lots zoned RA or RS.
	Min. 5 ft.	Applicable to buildings not more than 35 ft. in height where the interior side setback abuts lots zoned other than RA or RS.
	Min. 5 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	Applicable to buildings greater than 35 ft. in height where the interior side setback abuts lots zoned other than RA or RS.
Accessory Structures		
Accessory to all uses; infill lot	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.

	Min. 5 ft.	Applicable to all other accessory structures.
Interior Rear		
Buildings		
<u>Multiple family</u>	<u>Min. 10 ft.</u>	
All <u>other</u> uses	Min. 14 ft.	Applicable to any portion of a building not more than 1 story in height.
	Min. 20 ft.	Applicable to any portion of a building greater than 1 story in height.
Accessory Structures		
<u>Multiple family</u>	<u>Min. 10 ft.</u>	
Accessory to all <u>other</u> uses	None	Applicable to accessory structures not more than 9 ft. in height.
	Min. 1 ft. for each 1 ft. of height over 9 feet.	Applicable to accessory structures greater than 9 ft. in height.
	Min. 1 ft.	Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure.
Abutting Waterway		
Buildings		
<u>Single Family</u>	<u>Min. 100 ft.</u>	<u>Applicable to townhouses constructed after [Insert Effective Date of Ordinance].</u>
	<u>None</u>	<u>Applicable to all other single family.</u> <u>All other setbacks required abutting streets and interior front, side, and rear property lines still apply.</u>
<u>Two family, three family, four family, and multiple family</u>	<u>Min. 100 ft.</u>	<u>Applicable to new buildings constructed after [Insert Effective Date of Ordinance]</u>
		<u>Existing buildings constructed prior to [Insert Effective Date of Ordinance] located within the 100-foot setback may be rebuilt in the same location within the same building footprint.</u>
<u>All other uses</u>	<u>None</u>	<u>All other setbacks required abutting streets and interior front, side, and rear property lines still apply.</u>
Accessory Structures		
<u>Accessory to all uses</u>	<u>None</u>	<u>All other setbacks required abutting streets and interior front, side, and rear property lines still apply.</u>

(c) *Lot coverage; height.* Buildings and accessory structures within the RA zone shall conform to the lot coverage and height standards set forth in Table 510-4.

TABLE 510-4. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
Single family, and two family, <u>three family, and four family</u>	Max. 60%	
<u>Multiple family</u>	<u>No Max.</u>	
Nonprofit shelters	Max. 60%	Applicable to nonprofit shelters serving victims of domestic violence.
	Max. 35%	Applicable to all other nonprofit shelters.

All other uses	Max. 35%	
Rear Yard Coverage		
Buildings		
All uses	N/A	
Accessory Structures		
Accessory to single family and two family	Max. 25%	
Accessory to all other uses	No Max.	
Height		
Buildings		
Single family, and two family , <u>three family, and four family</u>	Max. 35 ft.	
<u>Multiple family</u>	<u>Max. 25 ft. or two-stories, whichever is greater</u>	<u>Two-story building height shall not exceed 35 ft.</u>
All other uses	Max. 50 ft.	
Accessory Structures		
Accessory to all uses	Max. 15 ft.	

~~(d)~~ **Garages required.**

- ~~(1) Except as otherwise provided in SRC 700.025 for manufactured homes on individual lots, each dwelling constructed after February 8, 2006, within the RA zone shall have, at the time of original construction, a garage that is constructed of like materials and color as the dwelling. The garage may be attached to, or detached from, the dwelling. Nothing in this subsection shall prevent subsequent removal or conversion of the garage, so long as the minimum number of required off-street parking spaces is maintained.~~
- ~~(2) Exception to this standard may be made if, at the time of building permit review, the applicant can show that the construction of the dwelling is being provided by a not-for-profit organization to families at or below the City's 60 percent median income level, as defined by the U.S. Department of Housing and Urban Development; and provision is made for a minimum of 480 cubic feet of on-site storage within a portion of the dwelling unit, or within a detached accessory structure. Such exemption shall only be made for those dwellings built on lots created through a subdivision.~~

~~(d)~~(e) **Development standards for continued uses.** Buildings or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the following standards:

- (1) The altered, enlarged, or rebuilt building or structure shall conform to development standards set forth in this chapter, and to all other applicable provisions of the UDC.
- (2) Any building or structure altered or enlarged shall not exceed the square footage and height of the original building or structure by more than 20 percent.
- (3) Any building or structure rebuilt shall be located on the same location on the lot as the original building or structure, or in compliance with the setbacks set forth in Table 510-3. The square footage and height of the rebuilt building or structure shall not exceed the square footage and height of the original building or structure by more than 20 percent.

(Prior Code, § 510.010; Ord. No. 31-13; Ord. No. 22-15, § 3, 11-23-2015; Ord. No. 6-17, § 2, 5-8-2017)

Sec. 510.015. Other provisions.

In addition to the standards set forth in this chapter, development within the RA zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

- (a) Trees and Shrubs: SRC chapter 86.
- (b) Wireless Communications Facilities: SRC chapter 703.
- (c) General Development Standards: SRC chapter 800.
- (d) Public Improvements: SRC chapter 802.
- (e) Streets and Right-of-Way Improvements: SRC chapter 803.
- (f) Driveway Approaches: SRC chapter 804.
- (g) Vision Clearance: SRC chapter 805.
- (h) Off-Street Parking, Loading and Driveways: SRC chapter 806.
- (i) Landscaping and Screening: SRC chapter 807.
- (j) Preservation of Trees and Vegetation: SRC chapter 808.
- (k) Wetlands: SRC chapter 809.
- (l) Landslide Hazards: SRC chapter 810.
- (m) Sign Code: SRC chapter 900.

(Prior Code, § 510.015; Ord. No. 31-13)

CHAPTER 511. RS—SINGLE FAMILY RESIDENTIAL

Sec. 511.001. Purpose.

The purpose of the Single Family Residential (RS) Zone is to implement the single family residential designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The RS zone generally allows single family, two family, three family, and four family residential uses, along with a mix of other uses that are compatible with and/or provide support and services to the residential area.

(Prior Code, § 511.001; Ord. No. 31-13)

Sec. 511.005. Uses.

- (a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the RS zone are set forth in Table 511-1.

TABLE 511-1. USES		
Use	Status	Limitations & Qualifications
Household Living		
Single family	P	The following single family activities: <ul style="list-style-type: none"> ■ Single family detached dwelling. ■ Residential home, as defined under ORS 197.660. ■ Manufactured dwelling park, subject to SRC chapter 235.
	S	The following single family activities: <ul style="list-style-type: none"> ■ Manufactured home, subject to SRC 700.025. ■ Townhouse, subject to SRC 700.085. ■ Zero side yard dwelling, subject to SRC 700.095.
	N	All other Single Family.
Two family	P	The following two family activities: <ul style="list-style-type: none"> ■ Duplex, when located on a corner lot. ■ Duplex, when located on a lot whose side abuts property other than a street or alley in a Commercial (C) or Industrial (I) Zone, and the entire lot is located within 165 feet of the C or I zone.
	S	Two family shared dwelling, subject to SRC 700.090.
	N	All other two family.
Three family	SN	Three family, subject to SRC 700.081.
Four family	SN	Four family, subject to SRC 700.081.
Multiple family	SN	Cottage cluster, subject to SRC 700.011.
	N	All other multiple family.
Group Living		
Room and board	N	
Residential care	C	Residential facility, as defined under ORS 197.660, when located on a lot with frontage on an arterial or collector street.

	N	All other residential care.
Nursing care	C	Nursing care, when located on a lot with frontage on an arterial or collector street.
	N	All other nursing care.
Lodging		
Short-term commercial lodging	C	Short-term rentals.
	N	All other short-term commercial lodging.
Long-term commercial lodging	N	
Nonprofit shelters	C	Nonprofit shelters serving 5 or fewer persons, when located on a lot with frontage on an arterial or collector street.
	P	Nonprofit shelters serving victims of domestic violence for 10 or fewer persons.
	N	All other nonprofit shelters.
Retail Sales and Service		
Eating and drinking establishments	N	
Retail sales	N	
Personal services	C	The following personal services activities: <ul style="list-style-type: none"> ■ Beauty salons. ■ Barber shops.
	N	All other personal services.
Postal services and retail financial services	N	
Business and Professional Services		
Office	N	
Audio/visual media production	N	
Laboratory research and testing	N	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	
Commercial parking	N	Parking structures.
	S	All other commercial parking, subject to SRC 700.050.
Park-and-ride facilities	N	
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	N	
Commercial entertainment—outdoor	S	Golf courses, subject to SRC 700.015.
	N	All other commercial entertainment—outdoor.
Major event entertainment	N	
Recreational and cultural community services	P	Libraries.
	S	Golf courses, subject to SRC 700.015.
	C	Community or neighborhood club buildings, including swimming pools and similar recreation facilities when operated by a nonprofit community club.

	N	All other recreation and cultural community services.
Parks and open space	N	Arboreta and botanical gardens.
	P	All other parks and open space.
Nonprofit membership assembly	C	
Religious assembly	S	Religious assembly, subject to SRC 700.055.
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	N	
Educational Services		
Day care	P	The following day care activities: ■ Child day care home. ■ Adult day care home.
	C	The following day care activities: ■ Child day care center. ■ Adult day care center.
	N	All other day care.
Basic education	S	Basic education, subject to SRC 700.010.
Post-secondary and adult education	N	
Civic Services		
Governmental services	N	
Social services	N	
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	N	The following emergency services activities: ■ Ambulance stations. ■ Ambulance service facilities.
	P	All other emergency services.
Detention facilities	N	
Military installations	N	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	Crematories.
	C	All other funeral and cremation services.
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	N	
Building and grounds services and construction contracting	N	
Cleaning plants	N	
Industrial services	N	
Wholesale Sales, Storage, and Distribution		
General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	N	
Self-service storage	N	
Manufacturing		
General manufacturing	N	

Heavy manufacturing	N	
Printing	N	
Transportation Facilities		
Aviation facilities	N	
Passenger ground transportation facilities	P	Transit stop shelters.
	N	All other passenger ground transportation facilities.
Marine facilities	N	
Utilities		
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	C	
Power generation facilities	N	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	N	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	Marijuana production.
	P	All other agriculture.
Forestry	P	
Agriculture and forestry services	N	
Keeping of livestock and other animals	N	
Animal services	C	Existing wildlife rehabilitation facility.
	N	All other animal services.
Other Uses		
Accessory short-term rentals	S	Accessory short-term rental, subject to SRC 700.006
Temporary uses	P	The following temporary uses: <ul style="list-style-type: none"> ■ Christmas tree sales, subject to SRC 701.015. ■ Residential sales/development office, subject to SRC 701.030. ■ Replacement single family dwelling, subject to SRC 701.025.
Home occupations	S	Home occupations, subject to SRC 700.020.
Guest houses and guest quarters	P	Guest houses and guest quarters are permitted as an accessory use to single family, provided such houses and quarters are dependent upon the main building for either kitchen or bathroom facilities, or both, and are used for temporary lodging and not as a place of residence.
Taking of boarders or leasing of rooms by resident family	P	Taking of boarders or leasing of rooms by a resident family is permitted as an accessory use to household living, provided the total number of boarders and roomers does not exceed 2 in any dwelling unit.

Storage of commercial vehicle as an accessory use to household living	P	Storage of a commercial vehicle as an accessory use to household living is permitted, provided no more than 1 commercial vehicle is stored per dwelling unit.
Historic resource adaptive reuse pursuant to SRC chapter 230	Allowed	Historic resource adaptive reuse pursuant to SRC chapter 230 is allowed, subject to SRC 230.085.
Accessory dwelling units	S	Accessory dwelling units, subject to SRC 700.007.

- (b) Continued uses. Existing cottage housing within the RS zone constructed prior to May 15, 1979, but which would otherwise be made nonconforming by this chapter, is hereby deemed a continued use.
- (1) Building or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 511.010(f).
 - (2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for that use; provided, however, conversion of the building or structure to another use shall thereafter prevent conversion back to that use.

(Prior Code, § 511.005; Ord. No. 31-13; Ord. No. 22-15, § 4, 11-23-2015; Ord. No. 6-17, § 3, 5-8-2017; Ord. No. 5-17, § 26(511.005), 6-12-2017; Ord. No. 10-17, § 6, 7-10-2017; Ord. No. 1-20, § 2(Exh. B), 2-24-2020)

Sec. 511.010. Development standards.

Development within the RS zone must comply with the development standards set forth in this section.

- (a) *Lot standards.* Lots within the RS zone shall conform to the standards set forth in Table 511-2.

TABLE 511-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
Single family	Min. 1,500 4,000 sq. ft.	<u>Applicable to townhouses.</u>
	<u>Min. 4,000 sq. ft.</u>	<u>Applicable to all other single family.</u>
Two family	Min. 4,000 sq. ft.	Applicable to two family shared housing.
	Min. 7,000 sq. ft.	<u>Applicable to all other two family.</u>
<u>Three family</u>	<u>Min. 5,000 sq. ft.</u>	
<u>Four family and multiple family</u>	<u>Min. 7,000 sq. ft.</u>	
Nonprofit shelters	Min. 4,000 sq. ft.	Applicable to nonprofit shelters serving victims of domestic violence.
	Min. 6,000 sq. ft.	Applicable to all other nonprofit shelters.
All other uses	Min. 6,000 sq. ft.	
Infill lot	Min. 5,500 sq. ft.	Applicable to all infill lots, unless a greater minimum lot area is required for the specific use.
Lot Width		
<u>Single family All Uses</u>	Min. 20 40 ft.	<u>Applicable to townhouses.</u>
	<u>Min. 40 ft.</u>	<u>Applicable to all other single family.</u>
<u>All other uses</u>	<u>Min. 40 ft.</u>	
Lot Depth		
Single family and two family	Min. 70 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	<u>No Max.</u>	<u>Applicable to townhouses.</u>

	Max. 300% of average lot width	<u>Applicable to all other single family.</u>
<u>Two family</u>	<u>Min. 70 ft.</u>	
	<u>Min. 120 ft.</u>	<u>Applicable to double frontage lots.</u>
	<u>Max. 300% of average lot width</u>	
All other uses	Min. 80 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	Max. 300% of average lot width	
Street Frontage		
Single family	Min. 20 40 ft.	<u>Applicable to townhouses.</u>
	<u>Min. 40 ft.</u>	<u>Applicable to all other single family.</u>
	Min. 30 ft.	Applicable to <u>all other single family, excluding townhouses, when located on</u> lots fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line.
<u>Two family, three family, four family, and multiple family</u>	<u>Min. 40 ft.</u>	
	<u>Min. 30 ft.</u>	<u>Applicable to lots fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more.</u> <u>In no case shall the lot width be less than 40 ft. at the front building setback line.</u>
All other uses	Min. 40 ft.	

(b) *Setbacks.* Setbacks within the RS zone shall be provided as set forth in Table 511-3.

TABLE 511-3. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
<u>Multiple family</u>	<u>Min. 10 ft.</u>	
All <u>other</u> uses	Min. 12 ft.	
	Min. 20 ft.	Applicable along collector or arterial streets.
Accessory Structures		
<u>Multiple family</u>	<u>Min. 10 ft.</u>	
Accessory to all <u>other</u> uses	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
	Min. 20 ft.	Applicable to accessory structures greater than 4 ft. in height, when located in a yard adjacent to a collector or arterial street.
Interior Front		
Buildings		

<u>Multiple family</u>	<u>Min. 10 ft.</u>	
All <u>other</u> uses	Min. 12 ft.	
Accessory Structures		
<u>Multiple family</u>	<u>Min. 10 ft.</u>	
Accessory to all <u>other</u> uses	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
Interior Side		
Buildings		
Single family	Min. 5 ft.	Applicable to new buildings, other than zero side yard dwellings and townhouses.
	Min. 3 ft.	Applicable to existing buildings, other than zero side yard dwellings and townhouses.
	Per SRC 700.085	Applicable to townhouses.
	Per SRC 700.095	Applicable to zero side yard dwellings.
Two family, <u>three family, four family, and multiple family</u>	Min. 5 ft.	<u>Applicable to new buildings.</u>
	<u>Min. 3 ft.</u>	<u>Applicable to existing buildings.</u>
All other uses	Min. 5 ft.	Applicable to buildings not more than 35 ft. in height.
	Min. 5 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	Applicable to buildings greater than 35 ft. in height.
Infill lot	Min. 10 ft.	Applicable to buildings not more than 35 ft. in height where the interior side setback abuts lots zoned RA and RS.
	Min. 10 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	Applicable to buildings greater than 35 ft. in height where the interior side setback abuts lots zoned RA or RS.
	Min. 5 ft.	Applicable to buildings not more than 35 ft. in height where the interior side setback abuts lots zoned other than RA or RS.
	Min. 5 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	Applicable to buildings greater than 35 ft. in height where the interior side setback abuts lots zoned other than RA or RS.
Accessory Structures		
Accessory to all uses; infill lot	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.
Interior Rear		
Buildings		
<u>Multiple family</u>	<u>Min. 10 ft.</u>	
All <u>other</u> uses	Min. 14 ft.	Applicable to any portion of a building not more than 1 story in height.

	Min. 20 ft.	Applicable to any portion of a building greater than 1 story in height.
Accessory Structures		
<u>Multiple family</u>	<u>Min. 10 ft.</u>	
Accessory to all <u>other</u> uses	None	Applicable to accessory structures not more than 9 ft. in height.
	Min. 1 ft. for each 1 ft. of height over 9 ft.	Applicable to accessory structures greater than 9 ft. in height.
	Min. 1 ft.	Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure.
Abutting Waterway		
Buildings		
<u>Single Family</u>	<u>Min. 100 ft.</u>	<u>Applicable to townhouses constructed after [Insert Effective Date of Ordinance]</u>
	<u>None</u>	<u>Applicable to all other single family.</u> <u>All other setbacks required abutting streets and interior front, side, and rear property lines still apply.</u>
<u>Two family, three family, four family, and multiple family</u>	<u>Min. 100 ft.</u>	<u>Applicable to new buildings constructed after [Insert Effective Date of Ordinance]</u>
		<u>Existing buildings constructed prior to [Insert Effective Date of Ordinance] located within the 100-foot setback may be rebuilt in the same location within the same building footprint.</u>
<u>All other uses</u>	<u>None</u>	<u>All other setbacks required abutting streets and interior front, side, and rear property lines still apply.</u>
Accessory Structures		
<u>Accessory to all uses</u>	<u>None</u>	<u>All other setbacks required abutting streets and interior front, side, and rear property lines still apply.</u>

(c) *Lot coverage; height.* Buildings and accessory structures within the RS zone shall conform to the lot coverage and height standards set forth in Table 511-4.

TABLE 511-4. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
Single family, and two family, <u>three family, and four family</u>	Max. 60%	
<u>Multiple family</u>	<u>No Max.</u>	
Nonprofit shelters	Max. 60%	Applicable to nonprofit shelters serving victims of domestic violence.
	Max. 35%	Applicable to all other nonprofit shelters.
All other uses	Max. 35%	
Rear Yard Coverage		
Buildings		
All uses	N/A	
Accessory Structures		

Accessory to single family and two family	Max. 25%	
Accessory to all other uses	No Max.	
Height		
Buildings		
Single family, and two family, three family, and four family	Max. 35 ft.	Applicable to new buildings.
	Max. 28 ft. or existing building height, whichever is greater	Applicable to existing buildings.
<u>Multiple family</u>	<u>Max. 25 ft. or two-stories, whichever is greater</u>	<u>Two-story building height shall not exceed 35 ft.</u>
All other uses	Max. 50 ft.	
Accessory Structures		
Accessory to all uses	Max. 15 ft.	

(d) *Maximum square footage for all accessory structures.* In addition to the maximum coverage requirements established in Table 511-4, accessory structures to single family and two family uses shall be limited to the maximum aggregate total square footage set forth in Table 511-5.

TABLE 511-5. MAXIMUM SQUARE FOOTAGE FOR ALL ACCESSORY STRUCTURES	
Main Building Gross Area	Maximum Aggregate Total Square Footage for All Accessory Structures
1,200 square feet or less	600 sq. ft.
Greater than 1,200 square feet	1,000 sq. ft. or 50% of main building gross area, whichever is less

~~(e) — Garages required.~~

~~(1) — Except as otherwise provided in SRC 700.025 for manufactured homes on individual lots, each dwelling constructed after February 8, 2006, within the RS zone shall have, at the time of original construction, a garage that is constructed of like materials and color as the dwelling. The garage may be attached to, or detached from, the dwelling. Nothing in this subsection shall prevent subsequent removal or conversion of the garage, so long as the minimum number of required off-street parking spaces is maintained.~~

~~(2) — Exception to this standard may be made if, at the time of building permit review, the applicant can show that the construction of the dwelling is being provided by a not-for-profit organization to families at or below the City's 60 percent median income level, as defined by the U.S. Department of Housing and Urban Development; and provision is made for a minimum of 480 cubic feet of on-site storage within a portion of the dwelling unit, or within a detached accessory structure. Such exemption shall only be made for those dwellings built on lots created through a subdivision.~~

~~(e)(f)~~ *Development standards for continued uses.* Buildings or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the following standards:

- (1) The altered, enlarged, or rebuilt building or structure shall conform to development standards set forth in this chapter, and to all other applicable provisions of the UDC.
- (2) Any building or structure altered or enlarged shall not exceed the square footage and height of the original building or structure by more than 20 percent.
- (3) Any building or structure rebuilt shall be located on the same location on the lot as the original building or structure, or in compliance with the setbacks set forth in Table 511-3. The square footage and height of the rebuilt building or structure shall not exceed the square footage and height of the original building or structure by more than 20 percent.

(Prior Code, § 511.010; Ord. No. 31-13; Ord. No. 6-17, § 4, 5-8-2017)

Sec. 511.015. Other provisions.

In addition to the standards set forth in this chapter, development within the RS zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

- (a) Trees and Shrubs: SRC chapter 86.
- (b) Wireless Communications Facilities: SRC chapter 703.
- (c) General Development Standards: SRC chapter 800.
- (d) Public Improvements: SRC chapter 802.
- (e) Streets and Right-of-Way Improvements: SRC chapter 803.
- (f) Driveway Approaches: SRC chapter 804.
- (g) Vision Clearance: SRC chapter 805.
- (h) Off-Street Parking, Loading and Driveways: SRC chapter 806.
- (i) Landscaping and Screening: SRC chapter 807.
- (j) Preservation of Trees and Vegetation: SRC chapter 808.
- (k) Wetlands: SRC chapter 809.
- (l) Landslide Hazards: SRC chapter 810.
- (m) Sign Code: SRC chapter 900.

(Prior Code, § 511.015; Ord. No. 31-13)

CHAPTER 512. RD—DUPLEX RESIDENTIAL

Sec. 512.001. Purpose.

The purpose of the Duplex Residential (RD) Zone is to establish the allowed uses and development standards for the RD zone district. The RD zone generally allows two family, ~~and~~ single family, three family, and four family residential uses, along with a mix of other uses that are compatible with and/or provide support and services to the residential area.

(Prior Code, § 512.001; Ord. No. 31-13)

Sec. 512.005. Reserved.

Editor's note(s)—Ord. No. 6-19 Editor's note(s)—, § 1 Editor's note(s)—(Exh. A), adopted June 24, 2019, effective July 24, 2019, repealed former § 512.005 Editor's note(s)— which pertained to zone change restriction, and derived from Prior Code § 512.005 Editor's note(s)—; and Ord. No. 31-13.

Sec. 512.010. Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the RD zone are set forth in Table 512-1.

TABLE 512-1. USES		
Use	Status	Limitations & Qualifications
Household Living		
Single family	P	The following single family activities: ■ Single family detached dwelling. ■ Residential home, as defined under ORS 197.660.
	S	The following single family activities: ■ Manufactured home, subject to SRC 700.025. ■ Townhouse, subject to SRC 700.085. ■ Zero side yard dwelling, subject to SRC 700.095.
	N	All other single family.
Two family	P	
Three family	SN	<u>Three family, subject to SRC 700.081.</u>
Four family	SN	<u>Four family, subject to SRC 700.081.</u>
Multiple family	SN	<u>Cottage cluster, subject to SRC 700.011.</u>
	N	<u>All other multiple family.</u>
Group Living		
Room and board	N	
Residential care	S	Residential facility, as defined under ORS 197.660, subject to SRC 700.060.
	N	All other residential care.
Nursing care	S	Nursing care, subject to SRC 700.045.
Lodging		
Short-term commercial lodging	C	Short-term rentals.
	N	All other short-term commercial lodging.

Long-term commercial lodging	N	
Nonprofit shelters	C	Nonprofit shelters serving 5 or fewer persons.
	P	Nonprofit shelters serving victims of domestic violence for 10 or fewer persons.
	N	All other nonprofit shelters.
Retail Sales and Service		
Eating and drinking establishments	N	
Retail sales	N	
Personal services	N	
Postal services and retail financial services	N	
Business and Professional Services		
Office	N	
Audio/visual media production	N	
Laboratory research and testing	N	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	
Commercial parking	N	
Park-and-ride facilities	N	
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	C	Membership sports and recreation clubs.
	N	All other commercial entertainment—indoor.
Commercial Entertainment—outdoor	C	Membership sports and recreation clubs.
	N	All other commercial entertainment—outdoor.
Major event entertainment	N	
Recreational and cultural community services	P	Libraries.
	N	All other recreation and cultural community services.
Parks and open space	N	Arboreta and botanical gardens.
	P	All other parks and open space.
Nonprofit membership assembly	N	
Religious assembly	S	Religious assembly, subject to SRC 700.055.
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	N	
Educational Services		
Day care	P	Child day care home.
	C	Child day care center.
	N	All other day care.
Basic education	N	
Post-secondary and adult education	N	
Civic Services		

Governmental services	N	
Social services	N	
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	N	The following emergency services activities: ■ Ambulance stations. ■ Ambulance service facilities.
	P	All other emergency services.
Detention facilities	N	
Military installations	N	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	N	
Building and grounds services and construction contracting	N	
Cleaning plants	N	
Industrial services	N	
Wholesale Sales, Storage, and Distribution		
General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	N	
Self-service storage	N	
Manufacturing		
General manufacturing	N	
Heavy manufacturing	N	
Printing	N	
Transportation Facilities		
Aviation facilities	N	
Passenger ground Transportation facilities	P	Transit stop shelters.
	N	All other passenger ground transportation facilities.
Marine facilities	N	
Utilities		
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	C	
Power generation facilities	N	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	N	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	Marijuana production.

	P	All other agriculture.
Forestry	P	
Agriculture and forestry services	N	
Keeping of livestock and other animals	N	
Animal services	N	
Other Uses		
Accessory short-term rentals	S	Accessory short-term rental, subject to SRC 700.006
Temporary uses	P	Christmas tree sales, subject to SRC 701.015.
Home occupations	S	Home occupations, subject to SRC 700.020.
Guest houses and guest quarters	P	Guest houses and guest quarters are permitted as an accessory use to single family, provided such houses and quarters are dependent upon the main building for either kitchen or bathroom facilities, or both, and are used for temporary lodging and not as a place of residence.
Taking of boarders or leasing of rooms by a resident family	P	Taking of boarders or leasing of rooms by a resident family is permitted as an accessory use to household living, provided the total number of boarders and roomers does not exceed 2 in any dwelling unit.
Storage of commercial vehicle as an accessory use to household living	P	Storage of a commercial vehicle as an accessory use to household living is permitted, provided no more than 1 commercial vehicle is stored per dwelling unit.
Historic Resource adaptive reuse pursuant to SRC chapter 230	Allowed	Historic resource adaptive reuse pursuant to SRC chapter 230 is allowed, subject to SRC 230.085.
Accessory dwelling units	S	Accessory dwelling units, subject to SRC 700.007.

Sec. 512.015. Development standards.

Development within the RD zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the RD zone shall conform to the standards set forth in Table 512-2.

TABLE 512-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
Single family	Min. 1,500 4,000 sq. ft.	<u>Applicable to townhouses.</u>
	<u>Min. 4,000 sq. ft.</u>	<u>Applicable to all other single family.</u>
Two family	<u>Min. 4,000 sq. ft.</u>	<u>Applicable to duplexes.</u>
	<u>Min. 7,000 sq. ft.</u>	<u>Two family activities constructed on lots less than 7,000 square feet prior to February 1, 2007, shall be considered conforming with respect to lot area and may be continued so long as they remain otherwise lawful.</u>
<u>Three family</u>	<u>Min. 5,000 sq. ft.</u>	

<u>Four family and multiple family</u>	<u>Min. 7,000 sq. ft.</u>	
Nonprofit shelters	Min. 4,000 sq. ft.	Applicable to nonprofit shelters serving victims of domestic violence.
	Min. 6,000 sq. ft.	Applicable to all other nonprofit shelters.
All other uses	Min. 6,000 sq. ft.	
Lot Width		
<u>Single family</u>	<u>Min. 20 ft.</u>	<u>Applicable to townhouses.</u>
	<u>Min. 40 ft.</u>	<u>Applicable to all other single family.</u>
All <u>other</u> uses	Min. 40 ft.	
Lot Depth		
Single family and two family	Min. 70 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	<u>No Max.</u>	<u>Applicable to townhouses.</u>
	Max. 300% of average lot width	<u>Applicable to all other single family.</u>
<u>Two family</u>	<u>Min. 70 ft.</u>	
	<u>Min. 120 ft.</u>	<u>Applicable to double frontage lots.</u>
	<u>Max. 300% of average lot width</u>	
All other uses	Min. 80 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	Max. 300% of average lot width	
Street Frontage		
Single family	Min. 20 40 ft.	<u>Applicable to townhouses.</u>
	<u>Min. 40 ft.</u>	<u>Applicable to all other single family.</u>
	Min. 30 ft.	Applicable to <u>all other single family, excluding townhouses, when located on</u> lots fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line.
<u>Two family, three family, four family, and multiple family</u>	<u>Min. 40 ft.</u>	
	<u>Min. 30 ft.</u>	<u>Applicable to lots fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more.</u> <u>In no case shall the lot width be less than 40 ft. at the front building setback line.</u>
All other uses	Min. 40 ft.	

(b) *Setbacks.* Setbacks within the RD zone shall be provided as set forth in Table 512-3.

TABLE 512-3. SETBACKS

Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
<u>Multiple family</u>	<u>Min. 10 ft.</u>	
All <u>other</u> uses	Min. 12 ft.	
	Min. 20 ft.	Applicable along collector or arterial streets.
Accessory Structures		
<u>Multiple family</u>	<u>Min. 10 ft.</u>	
Accessory to all <u>other</u> uses	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
	Min. 20 ft.	Applicable to accessory structures greater than 4 ft. in height, when located in a yard adjacent to a collector or arterial street.
Interior Front		
Buildings		
<u>Multiple family</u>	<u>Min. 10 ft.</u>	
All <u>other</u> uses	Min. 12 ft.	
Accessory Structures		
<u>Multiple family</u>	<u>Min. 10 ft.</u>	
Accessory to all <u>other</u> uses	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
Interior Side		
Buildings		
Single family	Min. 5 ft.	Applicable to new buildings, other than zero side yard dwellings and townhouses.
	Min. 3 ft.	Applicable to existing buildings, other than zero side yard dwellings and townhouses.
	Per SRC 700.085	Applicable to townhouses.
	Per SRC 700.095	Applicable to zero side yard dwellings.
Two family, <u>three family, four family, and multiple family</u>	Min. 5 ft.	<u>Applicable to new buildings.</u>
	<u>Min. 3 ft.</u>	<u>Applicable to existing buildings.</u>
All other uses	Min. 5 ft.	Applicable to buildings not more than 35 ft. in height.
	Min. 5 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	Applicable to buildings greater than 35 ft. in height.
Accessory Structures		
Accessory to all uses	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.
Interior Rear		
Buildings		

<u>Multiple family</u>	<u>Min. 10 ft.</u>	
All <u>other</u> uses	Min. 14 ft.	Applicable to any portion of a building not more than 1 story in height.
	Min. 20 ft.	Applicable to any portion of a building greater than 1 story in height.
Accessory Structures		
<u>Multiple family</u>	<u>Min 10 ft.</u>	
Accessory to all <u>other</u> uses	None	Applicable to accessory structures not more than 9 ft. in height.
	Min. 1 ft. for each 1 ft. of height over 9 feet.	Applicable to accessory structures greater than 9 ft. in height.
	Min. 1 ft.	Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure.
Abutting Waterway		
Buildings		
<u>Single family</u>	<u>Min. 100 ft.</u>	<u>Applicable to townhouses constructed after [Insert Effective Date of Ordinance]</u>
	<u>None</u>	<u>Applicable to all other single family.</u> <u>All other setbacks required abutting streets and interior front, side, and rear property lines still apply.</u>
<u>Two family, three family, four family, and multiple family</u>	<u>Min. 100 ft.</u>	<u>Applicable to new buildings constructed after [Insert Effective Date of Ordinance].</u>
		<u>Existing buildings constructed prior to [Insert Effective Date of Ordinance] located within the 100-foot setback may be rebuilt in the same location within the same building footprint.</u>
<u>All other uses</u>	<u>None</u>	<u>All other required setbacks still apply.</u>
Accessory Structures		
<u>Accessory to all uses</u>	<u>None</u>	<u>All other required setbacks still apply.</u>

(c) *Lot coverage; height.* Buildings and accessory structures within the RD zone shall conform to the lot coverage and height standards set forth in Table 512-4.

TABLE 512-4. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
Single family, and two family, <u>three family, and four family</u>	Max. 60%	
<u>Multiple family</u>	<u>No Max.</u>	
Nonprofit shelters	Max. 60%	Applicable to nonprofit shelters serving victims of domestic violence.
	Max. 35%	Applicable to all other nonprofit shelters.
All other uses	Max. 35%	
Rear Yard Coverage		
Buildings		
All uses	N/A	

Accessory Structures		
Accessory to single family and two family	Max. 25%	
Accessory to all other uses	No Max.	
Height		
Buildings		
	Max. 35 ft.	Applicable to new buildings.
Single family, and two family, three family, and four family	Max. 28 ft. or existing building height, whichever is greater	Applicable to existing buildings.
<u>Multiple family</u>	<u>Max. 25 ft. or two stories, whichever is greater</u>	<u>Two-story building height shall not exceed 35 ft.</u>
All other uses	Max. 50 ft.	
Accessory Structures		
Accessory to all uses	Max. 15 ft.	

(d) *Maximum square footage for all accessory structures.* In addition to the maximum coverage requirements established in Table 512-4, accessory structures to single family and two family uses shall be limited to the maximum aggregate total square footage set forth in Table 512-5.

TABLE 512-5. MAXIMUM SQUARE FOOTAGE FOR ALL ACCESSORY STRUCTURES	
Main Building Gross Area	Maximum Total Square Footage for All Accessory Structures
1,200 square feet or less	600 sq. ft.
Greater than 1,200 square feet	1,000 sq. ft. or 50% of main building gross area, whichever is less

~~(e) —Garages required.~~

- ~~(1) —Except as otherwise provided in SRC 700.025 for manufactured homes on individual lots, each dwelling constructed after February 8, 2006, within the RD zone shall have, at the time of original construction, a garage that is constructed of like materials and color as the dwelling. The garage may be attached to, or detached from, the dwelling. Nothing in this subsection shall prevent subsequent removal or conversion of the garage, so long as the minimum number of required off-street parking spaces is maintained.~~
- ~~(2) —Exception to this standard may be made if, at the time of building permit review, the applicant can show that the construction of the dwelling is being provided by a not-for-profit organization to families at or below the City's 60 percent median income level, as defined by the U.S. Department of Housing and Urban Development; and provision is made for a minimum of 480 cubic feet of on-site storage within a portion of the dwelling unit, or within a detached accessory structure. Such exemption shall only be made for those dwellings built on lots created through a subdivision.~~

(Prior Code, § 512.020; Ord. No. 31-13; Ord. No. 22-15, § 5, 11-23-2015; Ord. No. 6-17, § 6, 5-8-2017; Ord. No. 10-17, § 8, 7-10-2017)

Sec. 512.020. Other provisions.

In addition to the standards set forth in this chapter, development within the RD zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

-
- (a) Trees and Shrubs: SRC chapter 86.
 - (b) Wireless Communications Facilities: SRC chapter 703.
 - (c) General Development Standards: SRC chapter 800.
 - (d) Public Improvements: SRC chapter 802.
 - (e) Streets and Right-of-Way Improvements: SRC chapter 803.
 - (f) Driveway Approaches: SRC chapter 804.
 - (g) Vision Clearance: SRC chapter 805.
 - (h) Off-Street Parking, Loading and Driveways: SRC chapter 806.
 - (i) Landscaping and Screening: SRC chapter 807.
 - (j) Preservation of Trees and Vegetation: SRC chapter 808.
 - (k) Wetlands: SRC chapter 809.
 - (l) Landslide Hazards: SRC chapter 810.
 - (m) Sign Code: SRC chapter 900.

(Prior Code, § 512.020; Ord. No. 31-13)

CHAPTER 513. RM-I—MULTIPLE FAMILY RESIDENTIAL

Sec. 513.001. Purpose.

The purpose of the Multiple Family Residential-I (RM-I) Zone is to implement the multiple family residential designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The RM-I zone generally allows multiple family, two family, three family, and four family residential uses, along with a mix of other uses that are compatible with and/or provide support and services to the residential area.

(Prior Code, § 513.001; Ord. No. 31-13; Ord. No. 1-20, § 2(Exh. B), 2-24-2020)

Sec. 513.005. Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the RM-I zone are set forth in Table 513-1.

TABLE 513-1 USES		
Use	Status	Limitations & Qualifications
Household Living		
Single family	P	The following single family activities are permitted: <ul style="list-style-type: none"> ■ Single family detached dwelling. ■ Townhouse. ■ Residential home, as defined under ORS 197.660. ■ Manufactured dwelling park, subject to SRC chapter 235.
	S	The following single family activities: <ul style="list-style-type: none"> ■ Manufactured home, subject to SRC 700.025. ■ Zero side yard dwelling, subject to SRC 700.095.
	N	All other single family.
Two family	P	
Three family	S	Subject to SRC 700.081.
Four family	S	Subject to SRC 700.081.
Multiple family	<u>S</u>	<u>Cottage cluster, subject to SRC 700.011.</u>
	P	<u>All other multiple family.</u>
Group Living		
Room and board	P	Room and board serving 5 or fewer persons.
	C	Room and board serving 6 to 10 persons.
	N	All other room and board.
Residential care	P	
Nursing care	S	Nursing care, subject to SRC 700.045.
Lodging		
Short-term commercial lodging	P	Short-term rentals.
	N	All other short-term commercial lodging.
Long-term commercial lodging	N	

Nonprofit shelters	C	Nonprofit shelters serving up to 10 persons.
	P	Nonprofit shelters serving victims of domestic violence for 10 or fewer persons.
	N	All other nonprofit shelters.
Retail Sales and Service		
Eating and drinking establishments	N	
Retail sales	N	
Personal services	N	
Postal services and retail financial services	N	
Business and Professional Services		
Office	N	
Audio/visual media production	N	
Laboratory research and testing	N	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	
Commercial parking	P	Commercial parking, when located on a lot whose side abuts property, other than a street or alley, within a commercial or industrial zone, and the lot is located entirely within 165 feet of the abutting commercial or industrial zone.
	N	All other commercial parking.
Park-and-ride facilities	P	Park-and-ride facilities, when located on a lot whose side abuts property, other than a street or alley, within a commercial or industrial zone, and the lot is located entirely within 165 feet of the abutting commercial or industrial zone.
	N	All other park-and-ride facilities.
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	C	Membership sports and recreation clubs.
	N	All other commercial entertainment—indoor.
Commercial entertainment—outdoor	C	Membership sports and recreation clubs.
	N	All other commercial entertainment—outdoor.
Major event entertainment	N	
Recreational and cultural community services	P	Libraries.
	C	All other recreation and cultural community services.
Parks and open space	C	Arboreta and botanical gardens.
	P	All other parks and open space.
Nonprofit membership assembly	N	
Religious assembly	S	Religious assembly, subject to SRC 700.055.
Health Services		
Medical centers/hospitals	N	

Outpatient medical services and laboratories	N	
Educational Services		
Day care	P	The following day care activities: <ul style="list-style-type: none"> ■ Child day care home. ■ Adult day care home.
	C	The following day care activities: <ul style="list-style-type: none"> ■ Child day care center. ■ Adult day care center.
	N	All other day care.
Basic education	S	Basic education, subject to SRC 700.010.
Post-secondary and adult education	N	
Civic Services		
Governmental services	N	
Social services	N	
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	N	The following emergency services activities: <ul style="list-style-type: none"> ■ Ambulance stations. ■ Ambulance service facilities.
	P	All other emergency services.
Detention facilities	N	
Military installations	N	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	N	
Building and grounds services and construction contracting	N	
Cleaning plants	N	
Industrial services	N	
Wholesale Sales, Storage, and Distribution		
General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	N	
Self-service storage	N	
Manufacturing		
General manufacturing	N	
Heavy manufacturing	N	
Printing	N	
Transportation Facilities		
Aviation facilities	N	
Passenger ground transportation facilities	P	Transit stop shelters.
	N	All other passenger ground transportation facilities.
Marine facilities	N	
Utilities		

Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.
Drinking water treatment facilities	C	
Power generation facilities	N	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	N	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	
Forestry	N	
Agriculture and forestry services	N	
Keeping of livestock and other animals	N	
Animal services	N	
Other Uses		
Temporary uses	P	The following temporary uses: <ul style="list-style-type: none"> ■ Christmas tree sales, subject to SRC 701.015. ■ Residential sales/development office, subject to SRC 701.030.
Home occupations	S	Home occupations, subject to SRC 700.020.
Taking of boarders or leasing of rooms by a resident family	P	Taking of boarders or leasing of rooms by a resident family is permitted as an accessory use to household living, provided the total number of boarders and roomers does not exceed 2 in any dwelling unit.
Historic resource adaptive reuse pursuant to SRC chapter 230	Allowed	Historic resource adaptive reuse pursuant to SRC chapter 230 is allowed, subject to SRC 230.085.
Accessory dwelling units	S	Accessory dwelling units, subject to SRC 700.007.

(Prior Code, § 513.005; Ord. No. 31-13; Ord. No. 22-15, § 5, 11-23-2015; Ord. No. 6-17, § 7, 5-8-2017; Ord. No. 5-17, § 28(513.005), 6-12-2017; Ord. No. 10-17, § 9, 7-10-2017; Ord. No. 1-20, § 2(Exh. B), 2-24-2020)

Sec. 513.010. Development standards.

Development within the RM-I zone must comply with the development standards set forth in this section.

- (a) *Land division in the RM-I zone.* Lots subdivided or partitioned in the RM-I zone shall be a minimum of 20,000 square feet in size, unless the lots are restricted to contain two or more attached dwelling units per lot, are used for townhouse development, or are used for allowed uses other than household living.
- (b) *Lot standards.* Lots within the RM-I zone shall conform to the standards set forth in Table 513-2.

TABLE 513-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		

Single family	Min. 1,500 sq. ft.	Applicable to townhouses.
	Min. 4,000 sq. ft.	Applicable to all other single family.
All other uses	Min. 4,000 sq. ft.	
Lot Width		
Single family	Min. 20 ft.	Applicable to townhouses.
	Min. 40 ft.	Applicable to all other single family.
All other uses	Min. 40 ft.	
Lot Depth		
<u>Single family</u>	<u>Min. 70 ft.</u>	
	<u>Min. 120 ft.</u>	<u>Applicable to double frontage lots.</u>
	<u>No Max.</u>	<u>Applicable to townhouses.</u>
	<u>Max. 300% of average lot width</u>	<u>Applicable to all other single family</u>
All <u>other</u> uses	Min. 70 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	Max. 300% of average lot width	
Street Frontage		
Single family	Min. 20 ft.	Applicable to townhouses.
	Min. 40 ft.	Applicable to all other single family.
	Min. 30 ft.	Applicable to all other single family, <u>excluding townhouses</u> , when located on a lot fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line.
<u>Two family, three family, and four family</u>	<u>Min. 40 ft.</u>	
	<u>Min. 30 ft.</u>	<u>Applicable to lots fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more.</u> <u>In no case shall the lot width be less than 40 ft. at the front building setback line.</u>
<u>Multiple family</u>	<u>Min. 40 ft.</u>	
	<u>Min. 30 ft.</u>	<u>Applicable to cottage clusters, when located on a lot fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more.</u> <u>In no case shall the lot width be less than 40 ft. at the front building setback line.</u>

All other uses	Min. 40 ft.	
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(c) *Dwelling unit density.* Dwelling unit density within the RM-I zone shall conform to the standards set forth in Table 513-3. Maximum dwelling unit density cannot be varied or adjusted.

TABLE 513-3. DWELLING UNIT DENSITY

Use	Standard		Limitations & Qualifications
	Minimum	Maximum	
<u>Single family</u>	<u>N/A</u>	<u>N/A</u>	<u>Applicable to the replacement of an existing single family detached dwelling.</u>
	<u>6 dwelling units per acre</u>	<u>14 dwelling units per acre</u>	<u>Applicable to manufactured dwelling parks developed pursuant to SRC chapter 235.</u>
	<u>8 dwelling units per acre</u>	<u>25 dwelling units per acre</u>	<u>Applicable to townhouses.</u>
	<u>8 dwelling units per acre</u>	<u>14 dwelling units per acre</u>	<u>Applicable to all other single family.</u>
<u>Two family, three family, and four family</u>	<u>8 dwelling units per acre</u>	<u>No max.</u>	
<u>Single family, two family, three family, four family, and multiple Multiple family</u>	<u>4 dwelling units per acre</u>	<u>No max.</u>	<u>Applicable to cottage clusters.</u>
	<u>8 dwelling units per acre</u>	<u>14 dwelling units per acre</u>	<u>Applicable to all other multiple family.</u>
	<u>6 dwelling-unit per acre</u>	<u>14 dwelling units per acre</u>	<u>Applicable to manufactured dwelling parks developed pursuant to SRC chapter 235.</u>

(d) *Setbacks.* Setbacks within the RM-I zone shall be provided as set forth in Tables 513-4 and 513-5.

TABLE 513-4. SETBACKS

Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
Single family, two family, three family, and four family	Min. 12 ft.	
	Min. 20 ft.	Applicable along collector or arterial streets.
<u>Multiple family</u>	<u>Min. 10 ft.</u>	<u>Applicable to cottage clusters.</u>
	<u>Min. 12 ft., plus 1 ft. for each 1 ft. of height over 12 ft., but need not exceed 20 ft. in depth.</u>	<u>Applicable to all other multiple family.</u>
All other uses	Min. 12 ft., plus 1 ft. for each 1 ft. of height over 12 ft., but need not exceed 20 ft. in depth.	
Accessory Structures		
	None	Applicable to accessory structures not more than 4 ft. in height.

Accessory to single family, two family, three family, and four family	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
	Min. 20 ft.	Applicable to accessory structures greater than 4 ft. in height, when located in a yard adjacent to a collector or arterial street.
<u>Multiple family</u>	<u>Min. 10 ft.</u>	<u>Applicable to accessory structures for cottage clusters.</u>
	<u>None</u>	<u>Applicable to accessory structures, for all other multiple family, not more than 4 ft. in height.</u>
	<u>Min. 12 ft., plus 1 ft. for each 1 ft. of height over 12 ft.</u>	<u>Applicable to accessory structures, for all other multiple family, greater than 4 ft. in height.</u>
Accessory to all other uses	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft., plus 1 ft. for each 1 ft. of height over 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
Vehicle Use Areas		
All uses, other than single family, two family, three family, and four family	Min. 12 ft.	
Interior Front		
Buildings		
Single family, two family, three family, and four family	Min. 12 ft.	
<u>Multiple family</u>	<u>Min. 10 ft.</u>	<u>Applicable to cottage clusters.</u>
	<u>Zone-to-zone setback (Table 513-5)</u>	<u>Applicable to all other multiple family.</u>
All other uses	Zone-to-zone setback (Table 513-5)	
Accessory structures		
Accessory to single family, two family, three family, and four family	Min. 5 ft.	
<u>Multiple Family</u>	<u>Min. 10 ft.</u>	<u>Applicable to accessory structures for cottage clusters.</u>
	<u>Zone-to-zone setback (Table 513-5)</u>	<u>Applicable to accessory structures for all other multiple family.</u>
Accessory to all other uses	Zone-to-zone setback (Table 513-5)	
Vehicle use areas		
All uses, other than single family, two family, three family, and four family	Zone-to-zone setback (Table 513-5)	
Interior Side		
Buildings		
Single family	Min. 5 ft.	Applicable to new buildings, other than townhouses and zero side yard dwellings.
	Min. 3 ft.	Applicable to existing buildings, other than townhouses and zero side yard dwellings.

	None	Applicable to townhouses.
	Per SRC 700.095	Applicable to zero side yard dwellings.
Two family, three family, and four family	Min. 5 ft.	<u>Applicable to new buildings.</u>
	<u>Min. 3 ft.</u>	<u>Applicable to existing buildings.</u>
<u>Multiple family</u>	<u>Min. 5 ft.</u>	<u>Applicable to new buildings in a cottage cluster.</u>
	<u>Min. 3 ft.</u>	<u>Applicable to existing buildings in a cottage cluster.</u>
	<u>Zone-to-zone setback (Table 513-5)</u>	<u>Applicable to all other multiple family.</u>
All other uses	Zone-to-zone setback (Table 513-5)	
Accessory Structures		
Accessory to single family, two family, three family, and four family	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.
<u>Multiple family</u>	<u>None</u>	<u>Applicable to accessory structures for cottage clusters having at least 1 wall which is an integral part of a fence.</u>
	<u>Min. 5 ft.</u>	<u>Applicable to all other accessory structures for cottage clusters.</u>
	<u>Zone-to-zone setback (Table 513-5)</u>	<u>Applicable to all other multiple family.</u>
Accessory to all other uses	Zone-to-zone setback (Table 513-5)	
Vehicle Use Areas		
All uses, other than single family, two family, three family, and four family	Zone-to-zone setback (Table 513-5)	
Interior Rear		
Buildings		
Single family, two family, three family, and four family	Min. 14 ft.	Applicable to any portion of a building not more than 1 story in height.
	Min. 20 ft.	Applicable to any portion of a building greater than 1 story in height.
<u>Multiple Family</u>	<u>Min. 10 ft.</u>	<u>Applicable to cottage clusters.</u>
	<u>Zone-to-zone setback (Table 513-5)</u>	<u>Applicable to all other multiple family.</u>
All other uses	Zone-to-zone setback (Table 513-5)	
Accessory Structures		
Accessory to single family, two family, three family, and four family	None	Applicable to accessory structures not more than 9 ft. in height.
	Min. 1 ft. for each 1 ft. of height over 9 ft.	Applicable to accessory structures greater than 9 ft. in height.
	Min. 1 ft.	Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure.
<u>Multiple family</u>	<u>Min. 10 ft.</u>	<u>Applicable to accessory structures for cottage clusters.</u>

	Zone-to-zone setback (Table 513-5)	Applicable to accessory structures for all other multiple family.
Accessory to all other uses	Zone-to-zone setback (Table 513-5)	
Vehicle Use Areas		
All uses, other than single family, two family, three family, and four family	Zone-to-zone setback (Table 513-5)	
Abutting Waterway		
Buildings		
Single family	Min. 100 ft.	Applicable to townhouses constructed after [Insert Effective Date of Ordinance].
	None	Applicable to all other single family. All other setbacks required abutting streets and interior front, side, and rear property lines still apply.
Two family, three family, and four family	Min. 100 ft.	Applicable to new buildings constructed after [Insert Effective Date of Ordinance].
		Existing buildings constructed prior to [Insert Effective Date of Ordinance] located within the 100-foot setback may be rebuilt in the same location within the same building footprint.
Multiple family	Min. 100 ft.	Applicable to cottage clusters constructed after [Insert Effective Date of Ordinance].
	None	Applicable to all other multiple family. All other setbacks required abutting streets and interior front, side, and rear property lines still apply.
All other uses	None	All other setbacks required abutting streets and interior front, side, and rear property lines still apply.
Accessory Structures		
Accessory to all uses	None	All other setbacks required abutting streets and interior front, side, and rear property lines still apply.

TABLE 513-5. ZONE-TO-ZONE SETBACKS

Abutting Zone	Type of Improvement	Setback ⁽¹⁾	Landscaping & Screening
EFU	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		
Residential Zone	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		
Mixed-Use Zone	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		
Commercial Zone	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		

Public Zone	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		
Industrial and Employment Zone	Buildings and accessory structures	Min. 15 ft.	Type C
	Vehicle use areas		
Limitations and Qualifications (¹) Zone-to-Zone setbacks are not required abutting an alley.			

(e) *Lot coverage; height.* Buildings and accessory structures within the RM-I zone shall conform to the lot coverage and height standards set forth in Table 513-6.

TABLE 513-6. LOT COVERAGE; HEIGHT

Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
<u>Multiple Family</u>	<u>No Max.</u>	<u>Applicable to cottage clusters.</u>
	<u>Max. 60%</u>	<u>Applicable to all other multiple family.</u>
All uses	Max. 60%	
Rear Yard Coverage		
Buildings		
All uses	N/A	
Accessory Structures		
Accessory to single family, two family, three family, and four family	Max. 25%	
Accessory to all other uses	No Max.	
Height		
Buildings		
Single family, two family, three family, four family, multiple family , residential care, nursing care, and short-term commercial lodging	Max. 35 ft.	
<u>Multiple family</u>	<u>Max. 25 ft. or two stories, whichever is greater</u>	<u>Applicable to cottage clusters.</u> <u>Two-story building height shall not exceed 35 ft.</u>
	<u>Max. 35 ft.</u>	<u>Applicable to all other multiple family.</u>
All other uses	Max. 70 ft.	
Accessory Structures		
Accessory to all uses	Max 15 ft.	

(f) *Maximum square footage for all accessory structures.* In addition to the maximum coverage requirements established in Table 513-6, accessory structures to single family and two family uses shall be limited to the maximum aggregate total square footage set forth in Table 513-7.

TABLE 513-7. MAXIMUM SQUARE FOOTAGE FOR ALL ACCESSORY STRUCTURES

Main Building Gross Area	Maximum Aggregate Total Square Footage for All Accessory Structures
1,200 square feet or less	600 sq. ft.
Greater than 1,200 square feet	1,000 sq. ft. or 50% of main building gross area, whichever is less

(g) *Landscaping.* Landscaping within the RM-I zone shall be provided as set forth in this subsection.

(1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

(2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and 807.

(h) *Outdoor storage.* Within the RM-I zone, outdoor storage shall be screened from streets and adjacent properties by a minimum six-foot-high sight-obscuring fence, wall, or hedge.

(Prior Code, § 513.010; Ord. No. 31-13; Ord. No. 22-15, § 6, 11-23-2015; Ord. No. 1-20, § 2(Exh. B), 2-24-2020)

Sec. 513.015. Design review.

Design review under SRC chapter 225 is required for development within the RM-I as follows:

(a) Multiple family development, excluding cottage clusters, shall be subject to design review according to the multiple family design review standards set forth in SRC chapter 702.

(b) Residential care with five or more self-contained dwelling units shall be subject to design review according to the multiple family design review standards set forth in SRC chapter 702.

(Prior Code, § 513.015; Ord. No. 31-13; Ord. No. 1-20, § 2(Exh. B), 2-24-2020)

Sec. 513.020. Other provisions.

In addition to the standards set forth in this chapter, development within the RM-I zone must comply with all other applicable development standards of the UDC, including, but not limited to, the following chapters:

(a) Trees and Shrubs: SRC chapter 86.

(b) Wireless Communications Facilities: SRC chapter 703.

(c) General Development Standards: SRC chapter 800.

(d) Public Improvements: SRC chapter 802.

(e) Streets and Right-of-Way Improvements: SRC chapter 803.

(f) Driveway Approaches: SRC chapter 804.

(g) Vision Clearance: SRC chapter 805.

(h) Off-Street Parking, Loading and Driveways: SRC chapter 806.

(i) Landscaping and Screening: SRC chapter 807

(j) Preservation of Trees and Vegetation: SRC chapter 808.

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 513.020; Ord. No. 31-13)

CHAPTER 700. SPECIAL USE PROVISIONS

Sec. 700.001. Purpose.

The purpose of this chapter is to establish standards for uses which, within certain zones or overlay zones, are designated as special uses under the UDC.

(Prior Code, § 700.001; Ord. No. 31-13)

Sec. 700.005. Special uses, generally.

- (a) A special use is a use that, while allowed in certain zones and overlay zones, has the potential for creating impacts that merit special standards beyond those that would otherwise apply to uses generally in that zone or overlay zone. A use that is designated as a special use in one zone or overlay zone may be a permitted use in another zone or overlay zone.
- (b) The special use standards set forth in this chapter apply only where a use is designated as a special use.
- (c) A special use that complies with the standards set forth in this chapter and with the applicable standards of the UDC does not require approval beyond that required for a use that is a permitted use.
- (d) Except as specifically provided in this section, a project may only deviate from the special use standards in this chapter through conditional use approval as provided in SRC chapter 240, and not through an adjustment or variance.
- (e) Notwithstanding subsection (d) of this section, deviation from a special use standard for accessory dwelling units and three family and four family uses shall be made pursuant to adjustment approval, as provided in SRC chapter 250, or variance approval, as provided in SRC chapter 245.

(Prior Code, § 700.005; Ord. No. 31-13; Ord. No. 10-17, § 22, 7-10-2017; Ord. No. 1-20, § 2(Exh. B), 2-24-2020)

Sec. 700.006. Accessory short-term rentals.

Where designated as a special use, accessory short-term rentals shall comply with the additional standards set forth in this section. The standards in this section cannot be modified through conditional use approval.

- (a) *Operated as accessory use.* An accessory short-term rental shall only be operated as an accessory use to a single family or two family use on the same lot. In order to qualify as an accessory use:
 - (1) The accessory short-term rental must be operated by the resident family who resides in the dwelling unit; and
 - (2) The resident family must reside in the dwelling unit for a minimum of 270 days during each calendar year.
- (b) *Structure type.* An accessory short-term rental shall be located within a lawfully-built single family dwelling unit, two family dwelling unit, or guest house, that meet building code requirements. For purposes of this subsection, a dwelling unit within a condominium is considered a single family dwelling unit. An accessory short-term rental shall not be allowed in:
 - (1) An accessory dwelling unit (ADU);
 - (2) A tent or other temporary enclosure or shelter;

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- (3) A recreational vehicle, travel trailer, or similar structure;
 - (4) A motor vehicle; or
 - (5) Any structure not intended for ongoing human occupancy;
- (c) *Relationship to other accessory uses on lot.* In order to minimize the cumulative impacts of multiple accessory uses located on one lot, an accessory short-term rental shall not be allowed if any of the following accessory uses are being conducted on the lot:
- (1) Accessory dwelling unit (ADU); and
 - (2) Taking of boarders or leasing of rooms by a resident family.
- (d) *Number of guest rooms.*
- (1) *Hosted rental.* When the resident family is present as a host, the maximum number of guest rooms, including those within a guest house, that may be rented shall not exceed three.
 - (2) *Non-hosted rental.* When the resident family is not present as a host, the entire dwelling unit, and if applicable guest house, may be rented; there is no maximum limit on the number of guest rooms that may be used.
- (e) *Number of guests.*
- (1) Hosted rental. The maximum number of guests shall not exceed two per guest room.
 - (2) Non-hosted rental. When the resident family is not present as a host, the maximum number of guests shall not exceed two per guest room, but in no case shall the total number of guests exceed ten.
 - (3) For purposes of this subsection, children under 12 years of age do not count toward the maximum number of guests.
- (f) *Length of stay.* The maximum length of stay for any guest shall not exceed 29 consecutive days.
- (g) *Booking limits.*
- (1) *Hosted rental.*
 - (A) There is no maximum limit on the number of days within a calendar year an accessory short-term rental may be rented when the resident family is present as a host.
 - (B) Multiple bookings at any given time by more than one group of guests are allowed.
 - (2) *Non-hosted rental.*
 - (A) The total number of days within a calendar year an accessory short-term rental may be rented without the resident family being present as a host shall not exceed a maximum of 95 days.
 - (B) Rental of the accessory short-term rental shall be limited to a maximum of one booking at any given time. Multiple bookings at any given time by more than one group of guests are not allowed.
- (h) *Activities allowed.* Accessory short-term rentals shall be limited to the provision of lodging. Activities other than lodging, such as events, gatherings, luncheons, banquets, parties, weddings, meetings, fundraising, or commercial or advertising activities, are prohibited.

(Ord. No. 5-17, § 8(700.006), 6-12-2017)

Sec. 700.007. Accessory dwelling unit.

Where designated as a special use, accessory dwelling units shall comply with the standards set forth in this section. Where the standards in this section conflict with other standards in the UDC, the standards in this section shall be the applicable standard. Standards for accessory structures elsewhere in the UDC shall not apply to accessory dwelling units.

- (a) *All accessory dwelling units.* The standards set forth in this subsection shall apply to all accessory dwelling units.
 - (1) *Number.* Only one accessory dwelling unit shall be allowed per lot.
 - (2) *Size.* Accessory dwelling units shall not exceed 900 square feet, or 75 percent of the main building gross area, whichever is less.
 - (3) *Types of structures allowed.* Accessory dwelling units shall only be allowed in lawfully-built dwelling units that meet building code requirements. Accessory dwelling units shall not be allowed in:
 - (A) A recreational vehicle, travel trailer, or similar structure;
 - (B) A motor vehicle;
 - (C) Any structure not intended for permanent human occupancy.
 - (4) *Condominium ownership.* Accessory dwelling units shall not be separated in ownership from the underlying property on which it and the main house to which it is accessory are located. Attached accessory dwelling units shall not be separated in ownership from the main house to which it is accessory.
 - (5) *Other uses.* Accessory dwelling units shall be prohibited from being used as short-term rentals or accessory short-term rentals.
 - (6) *Exemptions.* Accessory dwelling units are exempt from the following standards required elsewhere in the UDC:
 - (A) Dwelling unit density requirements, including requirements for a minimum or maximum number of dwelling units;
 - (B) Development standards, design review guidelines, and design review standards within overlay zones;
 - (C) Requirements to build garages.
- (b) *Detached accessory dwelling units.* The standards set forth in this subsection shall apply to all detached accessory dwelling units and are in addition to the standards in subsection (a) of this section.
 - (1) *Location.* Detached accessory dwelling units shall be located in the side yard or rear yard.
 - (2) *Setbacks.* Setbacks for detached accessory dwelling units shall be provided as set forth in Table 700-1.

Table 700-1. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Detached accessory dwelling unit	Min. 12 ft.	Applicable along local streets.
	Min. 20 ft.	Applicable along collector or arterial streets.
Interior Side		
Detached accessory dwelling unit	Min. 3 ft.	

Interior Rear		
Detached accessory dwelling unit	Min. 5 ft.	
	Min. 1 ft.	Applicable to detached accessory dwelling units adjacent to an alley.

- (3) *Lot coverage.* The total lot coverage for buildings, accessory structures, and accessory dwelling units shall not exceed a maximum lot coverage of 60 percent.
- (4) *Height.* Detached accessory dwelling units shall be no more than 25 feet in height.

(Ord. No. 10-17, § 23(700.006), 7-10-2017)

Sec. 700.010. Basic education.

Where designated as a special use, basic education shall comply with the additional standards set forth in this section.

- (a) *Setbacks.*
 - (1) Buildings shall be set back from every lot line a minimum of one foot for each one foot of building height; provided, however, the setback need not exceed 35 feet in depth.
 - (2) Off-street parking and loading areas shall be setback a minimum of ten feet from any abutting residentially zoned property or property used for a residential use.

(Prior Code, § 700.010; Ord. No. 31-13; Ord. No. 1-20 , § 2(Exh. B), 2-24-2020)

Sec. 700.011. Cottage clusters.

Where designated as a special use, cottage clusters shall comply with the additional standards set forth in this section. Where the standards in this section conflict with other standards in the UDC, the standards in this section shall be the applicable standard.

- (a) *Dwelling unit density.*
 - (1) The minimum required dwelling unit density for cottage clusters is four dwelling units per acre.
 - (2) There is no maximum dwelling unit density for cottage clusters.
- (b) *Maximum building footprint.* No dwelling unit within a cottage cluster shall have a building footprint that is greater than 900 square feet. Where a dwelling unit within a cottage cluster has an attached garage or carport, up to 200 square feet of the attached garage or carport may be excluded from the maximum building footprint calculation for that unit. For purposes of this subsection, building footprint means the horizontal area of the building, measured from outside of all exterior walls and supporting columns. It includes the dwelling, garage, and carport, but not trellises, patios, and areas of porch, deck, and balcony less than 30 inches from finished grade, or cantilevered porches, or projections which do not have a post touching the ground or ramps and stairways required for access.
- (c) *Common courtyard.* Cottage clusters shall include a common courtyard. The common courtyard shall:
 - (1) Be a single, contiguous area;
 - (2) Be a minimum size of 150 square feet per dwelling unit;
 - (3) Have no dimension less than 15 feet;
 - (4) Be developed with one or more of the following, provided that any impervious elements shall not exceed 75 percent of the total common courtyard area:
 - (A) Landscaping;

- (B) Lawn area;
- (C) Paved courtyard area; or
- (D) Recreational amenities; and

(5) Abut dwelling units on at least two sides.

(d) Cottage orientation.

(1) A minimum of 50 percent of the dwelling units within a cottage cluster shall be oriented to the common courtyard and shall:

- (A) Have a main entrance facing the common courtyard;
- (B) Be located within 10 feet of the common courtyard, as measured from the nearest point on the dwelling unit to the nearest edge of the common courtyard; and
- (C) Be connected to the common courtyard by a pedestrian path.

(2) Dwelling units within 20 feet of a property line abutting a street may have their main entrances facing the street.

(3) Each dwelling unit within the cottage cluster that is not oriented to the common courtyard or does not have their main entrance facing the street shall have its main entrance facing a pedestrian path that is directly connected to the common courtyard.

(e) Pedestrian access.

(1) An accessible pedestrian path shall be provided that connects the main entrance of each dwelling unit within the cottage cluster to the following:

- (A) The common courtyard;
- (B) Shared parking areas;
- (C) The community building, if one is included within the development; and
- (D) All streets abutting the development site.

(2) The pedestrian path shall be a hard-surface material, and shall be a minimum of four feet in width.

(f) Off-street parking and vehicle use area location and setbacks. Off-street parking, vehicle storage, vehicle maneuvering areas, and driveways shall be located and setback as follows:

(1) Except as otherwise provided in this section, off-street parking, vehicle storage, and vehicle maneuvering areas:

- (A) Shall not be located between the front property line abutting a street and those dwelling units within the cottage cluster that are located closest to the front property line abutting a street;
- (B) Shall be setback a minimum of 20 feet from the property line abutting a street; and
- (C) Shall be setback a minimum of 10 feet from all other property lines, except property lines abutting an alley where there is no minimum required setback.

(2) When a cottage cluster is located on a corner lot or double frontage lot, off-street parking, vehicle storage, and vehicle maneuvering areas shall conform to the location and setback requirements included under subsection (f)(1) of this section, except that such areas may be located between the dwelling units and a property line abutting a street on the side or rear of the lot, but shall be setback a minimum of 10 feet from the property line abutting such street.

(3) Driveways shall conform to the location and setback requirements included under subsection (f)(1) of this section, except that they:

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- (A) Shall be setback a minimum of 10 feet from the property line abutting a street on the side or rear of a lot;
 - (B) May be located within 10 feet of a property line which does not abut a street; and
 - (C) May be located within a required setback where the driveway provides direct access to the street.
- (g) Existing single-family detached dwellings. When an existing single family detached dwelling is located on a lot that is proposed to be developed as a cottage cluster, the existing single-family dwelling:
- (1) May remain on the lot regardless of whether it conforms to the standards of this section and the underlying zone;
 - (2) Shall count as a dwelling unit within the cottage cluster; and
 - (3) May be expanded, provided:
 - (A) It does not exceed the maximum building footprint established in this section and the maximum building height of the underlying zone; and
 - (B) The expansion conforms to the applicable standards of this section and the applicable standards of the underlying zone.
- (h) Community Building. Cottage clusters may include a community building for the shared use of residents that provides space for accessory uses such as community meeting rooms, guest housing, exercise rooms, day care, or community eating areas. Community buildings shall meet the following standards:
- (1) No more than one community building is allowed;
 - (2) The footprint of the community building shall not exceed 900 square feet; and
 - (3) The community building shall meet the applicable standards of this section and the applicable standards of the underlying zone.

Sec. 700.015. Golf courses.

Where designated as a special use, golf courses shall comply with the additional standards set forth in this section.

- (a) *Setbacks.*
 - (1) Buildings shall be setback a minimum of 100 feet from every lot line.
 - (2) Golf fairways, and if provided, any tennis courts and similar sports courts or fields, shall be set back a minimum of 25 feet from any abutting residentially or commercially zoned property or property used for a residential or commercial use.
 - (3) Swimming pools, if provided, shall be set back a minimum of 50 feet from any abutting residentially or commercially zoned property or property used for a residential or commercial use.
 - (4) Off-street parking and loading areas shall be setback a minimum of five feet from interior side and interior rear lot lines.
- (b) *Screening.* Off-street parking and loading areas shall be screened from adjacent uses by a sight-obscuring fence, wall, or hedge.

(Prior Code, § 700.015; Ord. No. 31-13)

Sec. 700.020. Home occupations.

Where designated as a special use, a home occupation shall comply with the additional standards set forth in this section. The standards in this section cannot be modified through conditional use approval.

- (a) A home occupation shall only be conducted in the residence of the person engaged in the home occupation.
- (b) A home occupation shall be restricted to lawfully-built fully enclosed structures, and shall not be conducted in a manner as to give the outward appearance of a business.
- (c) A home occupation shall not create a public or private nuisance, including, but not limited to, noise, odors, vibration, fumes, smoke, fire hazard, or electrical, electronic, or electromagnetic interference.
- (d) A home occupation shall be limited to the provision of services, and shall not include on-site sales.
- (e) Nonresident persons engaged in home occupation.
 - (1) Not more than one nonresident person engaged in the home occupation shall work at the subject property. Additional persons may be employed by or associated with the home occupation, so long as they do not report to work or pick up/deliver at the subject property.
 - (2) The subject property shall not be used as a gathering place for nonresident persons who work off-site from the home occupation.
- (f) Vehicles, parking, and traffic.
 - (1) Parking of customer's or client's vehicles shall not create a hazard or excessive congestion.
 - (2) Delivery and pick-up of materials in connection with the home occupation shall be made by vehicles not exceeding two axles in size.
- (g) Storage.
 - (1) On-site storage of hazardous materials not normally incidental to household living, including, but not limited to, those that are toxic, explosive, noxious, combustible, or flammable, is prohibited.
 - (2) Outside storage or display of materials, equipment, or merchandise used in or produced in connection with the home occupation is prohibited.
- (h) The total floor area of all accessory structures used in connection with the home occupation shall cover no more than five percent of the total lot area.
- (i) The total floor area of all buildings and accessory structures used in connection with the home occupation shall not exceed 25 percent of the habitable space of the dwelling.
- (j) No alterations shall be made to the building or premises that would prevent its future use exclusively for household living.
- (k) No alterations to or use of the premises shall be made that would reduce the number of off-street parking spaces required for the household living use under SRC chapter 806.

(Prior Code, § 700.020; Ord. No. 31-13)

Sec. 700.025. Manufactured home.

Where designated as a special use, manufactured homes shall comply with the additional standards set forth in this section. The standards in this section cannot be modified through conditional use approval.

- (a) The manufactured home shall be multi-sectional and enclose a space of not less than 860 square feet.

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- (b) The manufactured home shall be placed on an excavated and back-filled foundation that shall be enclosed continuously at the perimeter with material comparable to the predominant materials used in foundations of surrounding dwellings.
 - (c) The manufactured home shall have a pitched roof with a slope of not less than three feet in height for each 12 feet in width.
 - (d) The manufactured home shall have exterior siding and roofing that in color, material, and appearance is similar to the exterior siding and roofing commonly used on residential dwellings within the community, or which is comparable to the predominant materials used on surrounding dwellings.
 - (e) The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards equivalent to the performance standards required of single family dwellings constructed under the State Building Code as defined in ORS 455.010.
 - (f) The manufactured home shall have a garage or carport constructed of like materials.

(Prior Code, § 700.025; Ord. No. 31-13)

Sec. 700.030. Manufactured home as dwelling for a caretaker.

Where designated as a special use, a manufactured home as dwelling for a caretaker shall comply with the additional standards set forth in this section.

- (a) The manufactured home shall be used exclusively as the residence for a caretaker on the property where the manufactured home is located.
- (b) Only manufactured homes that were manufactured after June 15, 1976, which exhibit the Oregon Department of Commerce "Insignia of Compliance" that indicates conformance with Housing and Urban Development (HUD) standards shall be allowed as a dwelling for a caretaker.
- (c) The manufactured home shall be a minimum of 24 feet in width and shall enclose a space of not less than 860 square feet.
- (d) The manufactured home shall have exterior siding and roofing that in color, material, and appearance is similar to the exterior siding and roofing commonly used on residential dwellings within the community.
- (e) The manufactured home shall have a pitched roof with a minimum slope of two inches in height for each 12 inches in width.
- (f) Unless set on a ground level foundation, the manufactured home shall have skirting that in design, color, and texture appears to be an integral part of the adjacent exterior wall of the manufactured home.
- (g) Screening. Outdoor storage of furniture, tools, equipment, building materials, or supplies shall be screened. Screening shall be sight-obscuring and shall blend with the environment of the main use of the premises.
- (h) Landscaping. Landscaping shall be provided around the manufactured home. The landscaping shall be a minimum of 20 feet in depth from each side of the manufactured home.

(Prior Code, § 700.030; Ord. No. 31-13)

Sec. 700.035. Marijuana production.

Where designated as a special use, marijuana production shall comply with the additional standards set forth in this section.

- (a) Marijuana production shall be conducted indoors.
- (b) The marijuana production facility must utilize an air filtration system to ensure that odor impacts upon neighboring properties are minimized.

(Ord. No. 22-15, § 28, 11-23-2015)

Sec. 700.040. Nonresidential uses in a mixed-use project.

Where designated as a special use, nonresidential uses in a mixed-use project shall comply with the additional standards set forth in this section.

- (a) Additional permitted uses. Notwithstanding the permitted, special, conditional, or prohibited uses in the zone, the nonresidential uses set forth in Table 700-2 are additional permitted (P) uses within a mixed-use project.

TABLE 700-2. ADDITIONAL PERMITTED USES IN A MIXED-USE PROJECT		
Use	Status	Limitations & Qualifications
Lodging		
Short-term commercial lodging	P	
Long-term commercial lodging	P	
Retail Sales and Service		
Eating and drinking establishments	P	
Retail sales	P	
Personal services	P	
Postal services and retail financial services	P	
Business and Professional Services		
Office	P	
Audio/visual media production	P	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	P	
Recreational and cultural community services	P	
Health Services		
Outpatient medical services and laboratories	P	

- (b) A mix of residential and nonresidential uses shall be provided. A mixed-use project shall include a minimum of 25 dwelling units.
- (c) A minimum of 50 percent of the floor area of each building within a mixed-use project shall include dwelling units; except that eating and drinking establishments may be housed in a separate building without dwelling units if the floor area of all nonresidential uses within the mixed-use project, including eating and drinking establishments, totals no more than 50 percent of the total floor area of the mixed-use project.
- (d) Except for office uses, all nonresidential uses shall be limited to the ground floor of a building or buildings within a mixed-use project. Office uses may be located on upper floors.
- (e) Uses within a mixed-use project shall not include:
 - (1) Rendering, processing, or cleaning of animals, fish, seafood, fowl, poultry, fruits, vegetables, or dairy products except for consumption on the premises.
 - (2) Packaging of products for retail sale, except for purchases made by a retail customer at the time of purchase.
 - (3) Outdoor display or storage of merchandise or materials.

(Prior Code, § 700.035; Ord. No. 22-15, § 28, 11-23-2015; Ord. No. 10-17, § 24, 7-10-2017)

Sec. 700.045. Nursing care.

Where designated as a special use, nursing care shall comply with the additional standards set forth in this section.

- (a) *Setbacks.*
 - (1) *Abutting street.*
 - (A) Buildings and accessory structures shall be setback a minimum of 20 feet from the street.
 - (B) Vehicle use areas shall be setback a minimum of 20 feet from the street, except where a driveway provides direct access to the street.
 - (2) *Interior front, interior side, and interior rear.*
 - (A) Buildings and accessory structures shall be setback a minimum of 20 feet from interior front, interior side, and interior rear property lines.
 - (B) Vehicle use areas shall be setback a minimum of five feet from interior front, interior side, and interior rear property lines, except where a shared driveway is located over the common lot line providing access to one or more uses.
- (b) *Lot coverage.* Lot coverage shall not exceed a maximum of 40 percent.
- (c) *Landscaping.* All lot area not developed for buildings, accessory structures, and vehicle use areas shall be landscaped as provided under SRC chapter 807.
- (d) *Screening.* Off-street parking and loading areas shall be screened from adjacent uses by a sight-obscuring fence, wall, or hedge.

(Prior Code, § 700.040; Ord. No. 31-13; Ord. No. 22-15, § 28, 11-23-2015)

Sec. 700.050. Commercial parking.

Where designated as a special use, commercial parking shall comply with the additional standards set forth in this section.

- (a) *Location.* The parking area shall be located on a lot whose side abuts property, other than a street, alley, or creek, within a commercial or industrial zone, and the lot is located entirely within 165 feet of the abutting commercial or industrial zone.
- (b) *Size.* The parking area shall not exceed a maximum of 10,000 square feet or 24 parking spaces, whichever is smaller.
- (c) *Setbacks.* The parking area shall be setback a minimum of ten feet from abutting residentially zoned property or property used for a residential use. The setback shall be landscaped according to the Type C standard set forth in SRC chapter 807.
- (d) *Access.* Access to the parking area shall be limited to the street that provides access to the abutting commercial or industrial zoned property.

(Prior Code, § 700.045; Ord. No. 31-13; Ord. No. 22-15, § 28, 11-23-2015)

Sec. 700.055. Religious assembly.

Where designated as a special use, religious assembly shall comply with the additional standards set forth in this section.

- (a) Where a development site is located in two or more zones, the entire development site shall comply with the more restrictive development standards of the zones involved.
- (b) Notwithstanding SRC chapter 270, existing nonconforming religious assemblies that are substantially damaged or destroyed by any cause may be rebuilt provided that the degree of nonconformity is not increased. For purposes of this section, "existing nonconforming religious assemblies" are religious assemblies that were nonconforming on February 25, 1993.
- (c) Seating capacity. The seating capacity of the largest space within a religious assembly shall not exceed the standards set forth in Table 700-3. Where seating is provided in the form of fixed individual seating, one fixed individual seat equals one seat. Where seating is provided in the form of fixed benches, two feet of fixed bench length equals one seat. In areas where portable seating is provided, 15 square feet of floor area equals one seat. Maximum seating capacity cannot be modified through conditional use approval.

TABLE 700-3. SEATING CAPACITY		
Zone	Standard	Limitations & Qualifications
RA zone	Max. 375	Applicable to: <ul style="list-style-type: none"> ■ Lots abutting a local street. ■ Lots abutting a collector or arterial street with less than 250 feet of frontage on such street.
	No Max.	Applicable to: <ul style="list-style-type: none"> ■ Lots abutting a collector or arterial street with 250 feet or more of frontage on such street. ■ Lots located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets. ■ Double frontage lots with both frontages on collector or arterial streets.
RS zone	Max. 375	Applicable to lots abutting local, collector, and arterial streets.
RD zone	Max. 500	Applicable to lots abutting local, collector, and arterial streets.
RM-I, RM-II, and RH zones	Max. 500	Applicable to: <ul style="list-style-type: none"> ■ Lots abutting a local street. ■ Lots abutting a collector or arterial street with less than 250 feet of frontage on such street.
	No Max.	Applicable to: <ul style="list-style-type: none"> ■ Lots abutting a collector or arterial street with 250 feet or more of frontage on such street. ■ Lots located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets. ■ Double frontage lots with both frontages on collector or arterial streets.
CO zone	Max. 500	Applicable to: <ul style="list-style-type: none"> ■ Lots abutting a local street. ■ Lots abutting a collector or arterial street, but which are not located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets.

	No Max.	Applicable to lots located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets.
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(d) *Locational standards.* Religious assemblies shall be located on streets as set forth in Table 700-4.

TABLE 700-4. LOCATIONAL STANDARDS		
Zone	Street Type	Standard
RA zone	Local street	Allowed for seating capacity of 375 seats or less.
	Collector or arterial street	Allowed for seating capacity of 375 seats or less, when located on a lot with less than 250 feet of frontage on a collector or arterial street.
		Allowed, regardless of seating capacity, when: <ul style="list-style-type: none"> ■ Located on a lot with 250 feet or more of frontage on a collector or arterial street. ■ Located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets. ■ Double frontage lots with both frontages on collector or arterial streets.
RS zone	Local street	Allowed for seating capacity of 375 seats or less.
	Collector or arterial street	Allowed for seating capacity of 375 seats or less.
RD zone	Local street	Allowed for seating capacity of 500 seats or less.
	Collector or arterial street	Allowed for seating capacity of 500 seats or less.
RM-I, RM-II, and RH zones	Local street	Allowed for seating capacity of 500 seats or less.
	Collector or arterial street	Allowed for seating capacity of 500 seats or less, when located on lot with less than 250 feet of frontage on a collector or arterial street.
		Allowed, regardless of seating capacity, when: <ul style="list-style-type: none"> ■ Located on a lot with 250 feet or more of frontage on a collector or arterial street. ■ Located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets. ■ Double frontage lots with both frontages on collector or arterial streets.
CO zone	Local street	Allowed for seating capacity of 500 seats or less.
	Collector or arterial street	Allowed for seating capacity of 500 seats or less, when not located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets.
		Allowed, regardless of seating capacity, when located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets.

(e) *Access.* Access to religious assemblies may be provided from local, collector, or arterial streets. Access provided from a local street shall conform to the standards set forth in Table 700-5.

TABLE 700-5. LOCAL STREET ACCESS	
Zone	Standard
RA and RS zones	Only 1 access point allowed.
RD, RM-I, RM-II, RH, and CO zones	Access points shall be located not more than 125 feet from a collector or arterial street.

(f) *Lot standards.* Maximum lot area and minimum street frontage requirements for religious assemblies are set forth in Table 700-6. The lot standards identified in Table 700-6 apply to an individual lot, or contiguous lots when two or more lots under a single ownership are combined to accommodate the

development. For purposes of this subsection, contiguous lots shall include lots that are separated by an alley.

TABLE 700-6. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Maximum Lot Area		
RA zone	Max. 2 acres	Applicable to: <ul style="list-style-type: none"> ■ Lot abutting a local street. ■ Lot abutting a collector or arterial street with less than 250 feet of frontage on such street.
	No Max.	Applicable to: <ul style="list-style-type: none"> ■ Lot abutting a collector or arterial street with 250 feet or more of frontage on such street. ■ Lot located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets. ■ Double frontage lot with both frontages on collector or arterial streets.
RS zone	Max. 2 acres	
RD zone	Max. 3.5 acres	
RM-I, RM-II, and RH zones	Max. 3.5 acres	Applicable to: <ul style="list-style-type: none"> ■ Lot abutting a local street. ■ Lot abutting a collector or arterial street with less than 250 feet of frontage on such street.
	No Max.	Applicable to: <ul style="list-style-type: none"> ■ Lot abutting a collector or arterial street with 250 feet or more of frontage on such street. ■ Lot located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets. ■ Double frontage lot with both frontages on collector or arterial streets.
CO zone	Max. 3.5 acres	Applicable to: <ul style="list-style-type: none"> ■ Lot abutting a local street. ■ Lot abutting a collector or arterial street, but which is not located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets.
	No Max.	Applicable to lot located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets.
Street Frontage		
RA and RS zones	Min. 100 ft. per street	
RD, RM-I, RM-II, RH, and CO zones	Min. 150 ft. per street	

(g) *Setbacks.* Setbacks for religious assemblies shall be provided as set forth in Table 700-7.

TABLE 700-7. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings and Accessory Structures		

RA, RS, RD, RM-I, RM-II, and RH zones	Min. 12 ft.	Applicable to buildings and accessory structures not more than 25 ft. in height.
	Min. 12 ft., plus 2 feet for each 5 feet of height over 25 ft.	Applicable to building and accessory structures greater than 25 ft. in height.
CO zone	Min. 20 ft.	Applicable only where buildings and accessory structures are located on a lot abutting a residential zone.
Vehicle Use Areas		
RA, RS, RD, RM-I, RM-II, RH, and CO zones	Min. 12 ft.	
Interior Front		
Buildings and Accessory Structures		
RA, RS, RD, RM-I, RM-II, and RH zones	Min. 12 ft.	Applicable to buildings and accessory structures not more than 25 ft. in height.
	Min. 12 ft., plus 2 feet for each 5 feet of height over 25 ft.	Applicable to building and accessory structures greater than 25 ft. in height.
CO zone	Min. 50 ft.	Applicable only where buildings and accessory structures are located on a lot abutting a residential zone.
Vehicle Use Areas		
RA, RS, RD, RM-I, RM-II, RH, and CO zones	Min. 5 ft.	
	Min. 15 ft.	Applicable when abutting a residential zone.
Interior Side		
Buildings and Accessory Structures		
RA, RS, RD, RM-I, RM-II, and RH zones	Min. 12 ft.	Applicable to buildings and accessory structures not more than 25 ft. in height.
	Min. 12 ft., plus 2 feet for each 5 feet of height over 25 ft.	Applicable to building and accessory structures greater than 25 ft. in height.
CO zone	Min. 50 ft.	Applicable only where buildings and accessory structures are located on a lot abutting a residential zone.
Vehicle Use Areas		
RA, RS, RD, RM-I, RM-II, RH, and CO zones	Min. 5 ft.	
	Min. 15 ft.	Applicable when abutting a residential zone.
Interior Rear		
Buildings and Accessory Structures		
RA, RS, RD, RM-I, RM-II, and RH zones	Min. 12 ft.	Applicable to buildings and accessory structures not more than 25 ft. in height.
	Min. 12 ft., plus 2 feet for each 5 feet of height over 25 ft.	Applicable to building and accessory structures greater than 25 ft. in height.
CO zone	Min. 50 ft.	Applicable only where buildings and accessory structures are located on a lot abutting a residential zone.
Vehicle Use Areas		
RA, RS, RD, RM-I, RM-II, RH, and CO zones	Min. 5 ft.	
	Min. 15 ft.	Applicable when abutting a residential zone.

- (h) *Lot coverage; height.* Buildings and accessory structures for religious assemblies shall conform to the lot coverage and height standards set forth in Table 700-8.

TABLE 700-8. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
RA, RS, RD, RM-I, RM-II, RH, and CO zones	Max. 40%	Applicable to an individual lot, or contiguous lots when multiple lots are combined under a single ownership to accommodate the development. For the purpose of this requirement, contiguous shall include lots that are separated by an alley
Height		
Buildings and Accessory Structures		
RA and RS zones	Max. 35 ft.	
	Max. 50 ft.	Applicable to spires, steeples, and towers without usable floor space.

- (i) *Off-street parking.*
- (1) *Location.*
- (A) Off-street parking may be located on-site or off-site. When parking is provided off-site, it shall be located:
- (i) On a lot or lots that are contiguous to the lot containing the main building or use; or
 - (ii) Within 600 feet of the lot containing the main building or use, on a lot or lots within a nonresidential zone.
- (B) For the purposes of this subsection, contiguous shall include a lot or lots that are separated from the lot containing the main building or use by an alley.
- (2) *Screening.* Off-street parking areas shall be screened from abutting residential zoned property.
- (j) *Landscaping.* All lot area not developed for buildings, structures, parking, loading, or driveways shall be landscaped as provided in SRC chapter 807.
- (k) *Related uses.* Schools, day care facilities, kindergartens, meeting facilities for clubs and organizations, and other similar activities operated primarily for the purpose of religious instruction, worship, government of the church, or the fellowship of its congregation shall be permitted. When such activities are not operated primarily for the purpose of religious instruction, worship, government of the church, or the fellowship of its congregation, the activities shall be allowed only if they are an allowed use in the zone.

(Prior Code, § 700.050; Ord. No. 31-13; Ord. No. 22-15, § 28, 11-23-2015; Ord. No. 10-17, § 25, 7-10-2017)

Sec. 700.060. Residential facility.

Where designated as a special use, residential facilities, as defined under ORS 197.660, shall comply with the additional standards set forth in this section.

- (a) *Setbacks.* Setbacks for residential facilities shall be provided as set forth in Table 700-9.

TABLE 700-9. SETBACKS

Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings and accessory structures	Min. 20 ft.	
Vehicle use areas	Per SRC chapter 806	
Interior Front		
Buildings and accessory structures	Min. 20 ft.	
Vehicle use areas	Min. 5 ft.	
Interior Side		
Buildings and accessory structures	Min. 20 ft.	
Vehicle use areas	Min. 5 ft.	
Interior Rear		
Buildings and accessory structures	Min. 20 ft.	
Vehicle use areas	Min. 5 ft.	

- (b) *Lot coverage.* Buildings and accessory structures shall not exceed a maximum lot coverage of 40 percent.
- (c) *Landscaping.* All lot area not developed for buildings, structures, parking, loading, or driveways shall be landscaped as provided in SRC chapter 807.
- (d) *Screening.* Off-street parking and loading areas shall be screened from adjacent uses by a sight-obscuring fence, wall, or hedge.

(Prior Code, § 700.055; Ord. No. 31-13; Ord. No. 22-15, § 28, 11-23-2015; Ord. No. 10-17, § 26, 7-10-2017)

Sec. 700.065. Scrap and waste material wholesalers.

Where designated as a special use, scrap and waste material wholesalers shall comply with the additional standards set forth in this section.

- (a) *Heavy operations.* If conducted outdoors, the following operations shall be conducted more than 300 feet away from residentially zoned property or property used for a residential use:
 - (1) Shredding or baling of tires;
 - (2) Compression, cutting, or baling of scrap metal;
 - (3) Cutting or baling of used lumber; and
 - (4) Breaking up of concrete or masonry, other than the removal of mortar for the salvage of stone or brick masonry products.
- (b) *Screening.* All outdoor operations shall be screened from adjacent streets and adjacent property by:
 - (1) A sight-obscuring fence or wall not less than seven feet in height; or
 - (2) A landscaped berm in combination with a sight-obscuring fence, the top of which is at least eight feet above the highest grade on either side thereof.

(Prior Code, § 700.060; Ord. No. 31-13; Ord. No. 22-15, § 28, 11-23-2015)

Sec. 700.070. Secondary dwellings and guest rooms.

Where designated as a special use, secondary dwellings and guest rooms shall comply with the additional standards set forth in this section.

- (a) *Location.*

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- (1) Secondary dwelling units and guest rooms may be located within a building devoted primarily to a nonresidential use, provided that none of the ground floor area within 25 feet of the exterior wall of the building facing a business street is occupied by any portion of a dwelling unit or guest room other than an entrance, hallway, or stairway not more than six feet in width.
 - (2) For purposes of this subsection, the term "business street" means a collector or arterial street providing access to commercially or industrially zoned lots fronting thereon.

(Prior Code, § 700.065; Ord. No. 31-13; Ord. No. 22-15, § 28, 11-23-2015)

Sec. 700.075. Small animal veterinary services.

Where designated as a special use, small animal veterinary services shall comply with the additional standards set forth in this section.

- (a) All operations, other than outside runs for dogs and other animals, shall be conducted within completely enclosed and soundproof buildings.
- (b) Outside runs for dogs and other animals shall:
 - (1) Be operated only between the hours of 7:00 a.m. to 6:00 p.m. An attendant shall be present on the premises at all times during the hours of operation.
 - (2) Be setback a minimum of 60 feet from residentially zoned property or property used for a residential use.
 - (3) Be screened from adjacent streets and adjacent property by a sight-obscuring fence, wall, or hedge.

(Prior Code, § 700.070; Ord. No. 31-13; Ord. No. 22-15, § 28, 11-23-2015)

Sec. 700.080. Social services.

Where designated as a special use, social services shall comply with the additional standards set forth in this section.

- (a) *Lot area.* Social services shall have a minimum lot area of 43,560 square feet.
- (b) *Setbacks.* Social services shall be set back a minimum of 35 feet from residentially zoned property or property used for a residential use.
- (c) *Lot coverage.* Buildings and accessory structures for social services shall not exceed a maximum lot coverage of 40 percent.
- (d) *Screening.* Social services shall be screened from adjacent uses by a sight-obscuring fence, wall, or hedge.

(Prior Code, § 700.075; Ord. No. 31-13; Ord. No. 22-15, § 28, 11-23-2015)

Sec. 700.081. Three family and four family uses.

Where designated as a special use, three family and four family uses shall comply with the additional standards set forth in this section.

- (a) ~~Buildings shall be constructed with at least one primary entrance that is articulated with a differentiated roof, awning, or porch.~~ Main entrance orientation. At least one main entrance for each building within a three family or four family use must meet the following standards:

(1) The entrance must be located within 8 feet of the longest street-facing wall of the dwelling unit and either:

(A) Face the street;

(B) Be at an angle of up to 45 degrees from the street;

(C) Face a common open space that is adjacent to the street; or

(D) Open onto a porch that:

(i) Is at least 25 square feet in area; and

(ii) Has at least one entrance facing the street or has a roof.

(2) The standards of this subsection shall not apply to any detached structure for which more than 50 percent of its street-facing façade is separated from the property line abutting the street by a dwelling.

~~(b) Each building shall have at least one primary building entrance oriented toward a street, front lot line, or common open space that is adjacent to the street.~~

~~(c) Buildings shall have a pitched roof with a slope of not less than three feet in height for each 12 feet in width.~~

~~(b)(d) Off-street vehicle use areas shall not exceed 50 percent of the buildable width along each street. Off-street parking location. Garages and off-street parking areas shall not be located between a building and a street, except in compliance with the following standards:~~

(1) The garage or off-street parking area is separated from the property line abutting the street by a dwelling; or

(2) The combined width of all garages and outdoor on-site parking and maneuvering areas does not exceed 50 percent of the street frontage.

(c) Exception for existing single-family detached dwelling conversions. A triplex or quadplex that is created through a conversion of, or addition to, an existing single-family detached dwelling shall not be required to comply with the standards of this section.

(Ord. No. 1-20 , § 2(Exh. B), 2-24-2020)

Sec. 700.085. Townhouses.

Where designated as a special use, townhouses shall comply with the additional standards set forth in this section.

(a) *Permitted development.*

(1) Within the Residential Agriculture (RA), Single Family Residential (RS), and Duplex Residential (RD) Zones, not more than ~~three~~four townhouses, each on a separate platted lot, may be attached.

(2) Within any zone, other than the Residential Agriculture (RA), Single Family Residential (RS), and Duplex Residential (RD) Zones, not more than six townhouses, each on a separate platted lot, may be attached.

(b) *Interior side setback.* Any exterior wall or portion thereof which faces but is not contiguous to an interior side lot line shall be setback a minimum of five feet for new townhouses or three feet for existing townhouses; otherwise, the interior side setback requirements of the UDC shall not apply. The provisions of this subsection shall also apply to accessory structures.

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- (c) *Maintenance easement.* No building permit shall be issued for a townhouse unless the applicant provides a copy of a recorded easement from the owner of the property that abuts the townhouse providing for reasonable ingress, egress, and use of such abutting property for the purpose of maintaining, repairing, and replacing the premises. The easement shall be in a form approved by the City Attorney.

(Prior Code, § 700.080; Ord. No. 31-13; Ord. No. 22-15, § 28, 11-23-2015)

~~Sec. 700.090. Two family shared dwellings.~~

~~Where designated as a special use, two family shared dwellings shall comply with the additional standards set forth in this section.~~

- ~~(a) The building to be converted to a two family shared dwelling must have been constructed as a single family dwelling and must have been occupied as such by an owner for a continuous six month period between the date of its first occupancy and the date of its conversion to a two family shared dwelling.~~
- ~~(b) The building shall contain no more than two dwelling units after conversion.~~
- ~~(c) One dwelling unit within the building must be occupied by the owner of the building.~~
- ~~(d) There shall be no more than two dwelling units per lot.~~
- ~~(e) A minimum of 60 percent of the building's habitable space prior to conversion must be included within one of the dwelling units.~~
- ~~(f) Each dwelling unit shall contain a minimum of 600 square feet of floor area.~~
- ~~(g) No more than 60 square feet of floor area shall be added to the building; provided, however, conversion of unfinished areas to habitable space shall not count toward the 60 square foot limitation.~~
- ~~(h) A two family shared dwelling shall not be separated in ownership under ORS ch. 94 or any other law or ordinance allowing ownership of a portion of a building or the space therein.~~

~~(Prior Code, § 700.085; Ord. No. 31-13; Ord. No. 22-15, § 28, 11-23-2015)~~

Sec. 700.095. Zero side yard dwellings.

Where designated as a special use, zero side yard dwellings shall comply with the additional standards set forth in this section.

- (a) *Permitted development.* Any number of zero side yard dwellings, each on a separate platted lot, may be developed under this section in any zone.
- (b) *Interior side setback.* Any exterior wall or portion thereof which faces but is not contiguous to an interior side lot line shall be setback a minimum of five feet; otherwise, the interior side setback requirements of the UDC shall not apply.
- (c) *Maintenance easement.* No building permit shall be issued for a zero side yard dwelling unless the applicant provides a copy of a recorded easement from the owner of the property which abuts the zero side yard dwelling providing for reasonable ingress, egress, and use of such abutting property for the purpose of maintaining, repairing, and replacing the premises. The easement shall be in a form approved by the City Attorney.

(Prior Code, § 700.090; Ord. No. 31-13; Ord. No. 22-15, § 28, 11-23-2015)

CHAPTER 806. OFF-STREET PARKING, LOADING AND DRIVEWAYS

Sec. 806.001. Purpose.

The purpose of this chapter is to establish standards for off-street parking and vehicle use areas, bicycle parking, loading areas, and driveways.

(Prior Code, § 806.001; Ord. No. 31-13)

Sec. 806.005. Off-street parking; when required.

(a) *General applicability.* Except as otherwise provided in this section, Offoff-street parking shall be provided and maintained as required under this chapter for:

- (1) Each proposed new use or activity.
- (2) Any change of use or activity, when such change of use or activity results in a parking ratio requiring a greater number of spaces than the previous use or activity.
- (3) Any intensification, expansion, or enlargement of a use or activity.

(b) *Applicability to Downtown Parking District.* Within the Downtown Parking District, off-street parking shall only be required and maintained for uses or activities falling under household living.

(c) Applicability to single-family detached dwellings converted to duplexes, triplexes, or quadplexes. When an existing single-family detached dwelling is converted or added to in order to create a duplex, triplex, or quadplex, no additional off-street parking is required regardless of the number of existing spaces.

(d)(e) Applicability to nonconforming off-street parking areas.

- (1) When off-street parking is required to be added to an existing off-street parking area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.
- (2) Notwithstanding subsection (1) of this section, when a property is changed in use to any of the following uses or activities, or any of the following uses or activities are added to a property, any existing deficiency in the number of off-street parking spaces shall not be required to be remedied and only those additional spaces required for the change of use or addition of the new use shall be required:
 - (A) Accessory dwelling unit.

(Prior Code, § 806.005; Ord. No. 31-13; Ord. No. 5-17, § 36(806.005), 6-12-2017; Ord. No. 10-17, § 27, 7-10-2017)

Sec. 806.010. Proximity of off-street parking to use or activity served.

Required off-street parking shall be located on the same development site as the use or activity it serves or in the following locations:

- (a) *Residential zones.* Within residential zones, required off-street parking may be located within 200 feet of the development site containing the use or activity it serves.

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- (b) *Nonresidential zones.* Within commercial, mixed-use, public, and industrial and employment zones, other than the CB, WSCB, and SWMU zones, required off-street parking may be located within 500 feet of the development site containing the use or activity it serves.
 - (c) *Central business district zone.* Within the Central Business (CB) Zone:
 - (1) Off-street parking for customers may be located within 800 feet of the development site containing the use or activity it serves; and
 - (2) Off-street parking for employees or residents may be located within 2,000 feet of the development site containing the use or activity it serves.
 - (d) *South waterfront mixed-use zone.* Within the South Waterfront Mixed Use (SWMU) Zone, required off-street parking may be located anywhere within the South Waterfront Mixed Use (SWMU) Zone. Required off-street parking shall not be located in a different zone.
 - (e) *Broadway/High Street Retail Overlay Zone, Broadway/High Street Housing Overlay Zone and Broadway/High Street Transition Overlay Zone.* Within the Broadway/High Street Retail Overlay Zone, Broadway/High Street Housing Overlay Zone and Broadway/High Street Transition Zone, required off-street parking may be located within 800 feet of the development site containing the use or activity it serves.
 - (f) *West Salem Central Business District Zone.* Within the West Salem Central Business (WSCB) Zone, required off-street parking may be located within 800 feet of the development site containing the use or activity it serves.
 - (g) *Mixed Use-I (MU-I) and Mixed Use-II (MU-II).* Within the Mixed Use-I (MU-I) and Mixed Use-II (MU-II) zones, required off-street parking may be located within 800 feet of the development site containing the use or activity it serves.
 - (h) *Exception.* Notwithstanding subsections (a) through (g) of this section, where required off-street parking is to be located off-site from the use or activity it serves, it shall only be located in a zone where the use or activity it serves is allowed, or where commercial parking is allowed.

(Prior Code, § 806.010; Ord. No. 31-13; Ord. No. 3-18, § 14, 5-14-2018, eff. 6-13-2018; Eng. Ord. No. 4-18, § 8, 8-13-2018, eff. 9-12-2018)

Sec. 806.015. Amount off-street parking.

- (a) *Minimum required off-street parking.* Unless otherwise provided under the UDC, off-street parking shall be provided in amounts not less than those set forth in Table 806-1.

TABLE 806-1. MINIMUM OFF-STREET PARKING

Use	Minimum Number of Spaces Required ⁽¹⁾	Limitations & Qualifications
Household Living		
Single family	<u>1</u>	<u>Applicable to single family located within the CSDP area.</u>
	<u>1</u>	<u>Applicable to townhouses.</u>
	2	Applicable to all <u>other</u> single family; <u>unless noted below.</u>
	<u>1</u>	<u>Applicable to single family located within the CSDP area.</u>
Two family	2 1 per dwelling unit	Applicable to all two family, unless noted below.
	1 per dwelling unit	Applicable to two family located within the CSDP area.
	3	Applicable to two family shared dwellings.
Three family	None	Applicable to three family located within the CSDP area or one quarter-mile of the Core Network. ⁽³⁾
	1 per dwelling unit	Applicable to all other three family.
Four family	None	Applicable to four family located within the CSDP area or one quarter-mile of the Core Network. ⁽³⁾
	1 per dwelling unit	Applicable to all other four family.
Multiple family ⁽²⁾	None	Applicable to multiple family located within the CSDP area or one quarter-mile of the Core Network. ⁽³⁾
	1 per dwelling unit	Applicable to all other multiple family consisting of 5 to 12 dwelling units.
	1 per studio unit or dwelling unit with 1 bedroom	Applicable to all other multiple family consisting of 13 or more dwelling units.
	1.5 per dwelling unit with 2 or more bedrooms	
	1 per dwelling unit	Applicable to all other multiple family consisting of 13 or more dwelling units located within the MU-I zone or MU-II zone.
1 per 4 dwelling units	Applicable to low income elderly housing.	
Group Living		
Room and board facilities	None	
Residential care	1 per 350 sq. ft.	
Nursing care	1 per 3 beds	
Lodging		
Short-term commercial lodging	1 per guest room or suite	

Long-term commercial lodging		
Nonprofit shelters	1 per guest room or suite	Applicable to nonprofit Shelters serving victims of domestic violence
	1 per 350 sq. ft.	Applicable to all other nonprofit shelters
Retail Sales and Service		
Eating and drinking establishments	1 per 250 sq. ft.	
Retail sales	1 per 900 sq. ft.	Applicable to the following retail sales activities: <ul style="list-style-type: none"> ■ Building materials, hardware, nurseries, and lawn and garden supply stores. ■ Auto supply stores. ■ Furniture and home furnishing stores. ■ Household appliance and radio, television, music, and consumer electronics stores.
	1 per 400 sq. ft.	Applicable to all other retail sales located within the MU-I zone or MU-II zone.
	1 per 250 sq. ft.	Applicable to all other retail sales located within all zones except the MU-I zone or MU-II zone.
Personal services	1 per 1,000 sq. ft.	Applicable to laundry, dry cleaning, and garment services.
	1 per 350 sq. ft.	Applicable to all other personal services.
Postal services and retail financial services	1 per 500 sq. ft.	
Shopping center	1 per 250 sq. ft.	
Business and Professional Services		
Office	1 per 350 sq. ft.	
Audio/visual media production		
Laboratory research and testing		
Office complex		
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Motor vehicle and manufactured	1 per 900 sq. ft.	

dwelling and trailer sales		
Motor vehicle services		
Taxicabs and car services		
Heavy vehicle and trailer sales		
Heavy vehicle and trailer service and storage		
Commercial parking	N/A	
Park-and-ride facilities		
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	1 per 5 seats or 10 feet of bench length	Applicable to theaters.
	3 per court, plus additional 1 per 5 seats or 10 feet of bench length	Applicable to tennis, racquetball, and handball courts.
	1 per 300 sq. ft.	Applicable to all commercial entertainment—indoor.
Commercial entertainment—outdoor	3 per court, plus additional 1 per 5 seats or 10 feet of bench length	Applicable to tennis, racquetball, and handball courts.
	4 per tee	Applicable to golf courses.
	1 per 2,000 sq. ft. of gross site area	Applicable to all other commercial entertainment—outdoor.
Major event entertainment	The greater of the following: 1 per 5 seats or 10 feet of bench length; or 1 per 25 sq. ft. of floor area of assembly space.	
Recreational and cultural community services	4 per tee	Applicable to golf courses.
	1 per 350 sq. ft.	Applicable to all other indoor Recreational and cultural community services.
	1 per 2,000 sq. ft. of gross site area	Applicable to all other outdoor Recreational and cultural community services.
Parks and open space	None	
Nonprofit membership assembly	1 per 350 sq. ft.	
Religious assembly	1 per 5 seats or 10 feet of bench length within the principle worship area; or 1 per 80 sq. ft. within the principal worship area, when no fixed seating or benches are provided.	
Health Services		

Medical centers/hospitals	1.5 per bed		
Outpatient medical services and laboratories	1 per 350 sq. ft.		
Education Services			
Day care	1	Day Care serving 1 to 12 persons	Parking requirement applies in addition to spaces required for any dwelling.
	2	Day Care serving 13 to 18 persons	
	3	Day Care serving 19 to 26 persons	
	4	Day Care serving 27 or more persons	
Basic education	2 per classroom		Applicable to elementary schools.
	1 per 6 students		Applicable to secondary schools. The number of students shall be calculated based on the total number of students the school is designed to accommodate.
Post-secondary and adult education	1 per 350 sq. ft.		Applicable to vocational and trade schools.
	1 per 4 students		Applicable to all other post-secondary and adult education. The number of students shall be calculated based on the total number of students the school is designed to accommodate.
Civic Services			
Governmental services	1 per 500 sq. ft.		
Social services	1 per 350 sq. ft.		
Governmental maintenance services and construction	The greater of the following: 0.75 per employee; or 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.) 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)		
Public Safety			
Emergency services	1 per employee, plus 1 additional space per ambulance		Applicable to ambulance stations.
	1 per 500 sq. ft.		Applicable to all other emergency services.
Detention facilities	1 per 2,000 sq. ft.		
Military installations	1 per 500 sq. ft.		
Funeral and Related Services			
Cemeteries	1 per 350 sq. ft.		

Funeral and cremation services	1 per 5 seats or 10 feet of bench length in the chapel	
Construction Contracting, Repair, Maintenance, and Industrial Services		
Building and grounds services and construction contracting	The greater of the following: 0.75 per employee; or 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.)	
Industrial services	1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
General repair services	1 per 350 sq. ft.	
Cleaning plants	1 per 1,000 sq. ft.	
Wholesale Sales, Storage, and Distribution		
General wholesaling	1 per 1,500 sq. ft.	
Heavy wholesaling		
Warehousing and distribution	The greater of the following: 0.75 per employee; or 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.) 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Self-service storage		
Manufacturing		
General manufacturing	The greater of the following: 0.75 per employee; or 1 per 5,000, sq. ft. (Less than 50,000 sq. ft.) 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Heavy manufacturing		
Printing		
Transportation Facilities		
Aviation facilities	The greater of the following: 0.75 per employee; or 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.) 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Passenger ground transportation facilities;		
Marine facilities	1 per boat berth or docking space.	Applicable to marinas.
	The greater of the following: 0.75 per employee; or 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.)	Applicable to all other marine facilities.

	1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Utilities		
Basic utilities	The greater of the following: 0.75 per employee; or 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.) 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Drinking water treatment facilities		
Power generation facilities		
Data center facilities		
Waste related facilities		
Wireless communication facilities	None	
Fuel dealers	1 per 200 sq. ft.	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	The greater of the following: 0.75 per employee; or 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.) 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Surface mining		
Farming, Forestry, and Animal Services		
Agriculture	5	Applicable when retail sales are involved.
Forestry		
Agriculture and forestry services	The greater of the following: 0.75 per employee; or 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.) 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.)	
Keeping of livestock and other animals	1 per 400 sq. ft.	
Animal services	1 per 400 sq. ft.	
Other Uses		
Accessory short-term rentals	None	
Temporary uses	Per SRC chapter 701	

Home occupations	1 per nonresident employee	Parking requirement applies in addition to spaces required for the dwelling unit.
Accessory dwelling units	None	
⁽¹⁾ Unless otherwise provided, when required off-street parking is expressed in terms of a number of spaces per a square footage, the square footage shall equal the gross floor area. ⁽²⁾ The minimum number of spaces per dwelling unit may be reduced by 25 percent for dwelling units that are affordable to households with incomes equal to or less than 80 percent of the median family income for the county in which the development is built or for the state, whichever income is greater. ⁽³⁾ The distance shall be measured along a route utilizing public or private streets that are existing or will be constructed with the development.		

- (b) *Compact parking.* Up to 75 percent of the minimum off-street parking spaces required under this chapter may be compact parking spaces.
- (c) *Carpool and vanpool parking.* New developments with 60 or more required off-street parking spaces, and falling within the public services and industrial use classifications, and the business and professional services use category, shall designate a minimum of five percent of their total off-street parking spaces for carpool or vanpool parking.
- (d) *Maximum off-street parking.*
 - (1) Maximum off-street parking is based upon the minimum number of required off-street parking spaces. Except as otherwise provided in this section, and otherwise provided under the UDC, off-street parking shall not exceed the amounts set forth in Table 806-2A.

TABLE 806-2A. MAXIMUM OFF-STREET PARKING	
Minimum Number of Off-Street Parking Spaces Required (From Table 806-1)	Maximum Number of Off-Street Parking Spaces Allowed
20 spaces or less	2.5 times minimum number of spaces required.
More than 20 spaces	1.75 times minimum number of spaces required.

- (2) *Maximum off-street parking where no minimum off-street parking is required.* Where an activity does not require a minimum number of off-street parking spaces based on the requirements of Table 806-1, or because it is located in an area where no minimum off-street parking is required for the activity, maximum off-street parking shall be determined based on the assumed minimum off-street parking set forth in Table 806-2B. Parks and open space are exempt from maximum off-street parking standards.

TABLE 806-2B. MAXIMUM OFF-STREET PARKING WHERE NO MINIMUM OFF-STREET PARKING IS REQUIRED		
No Minimum Off-Street Parking Required:	Maximum Off-Street Parking	Limitations & Qualifications
Based on requirements of Table 806-1	1.75 per dwelling unit	Applicable to three family, four family, and multiple family located within the CSDP area or one quarter-mile of the Core Network
	1 per 900 sq. ft.	Applicable to all other uses

Because activity is located in area where no minimum off-street parking is required for the activity	The maximum off-street parking otherwise allowed for the activity if it were located in an area where minimum off-street parking was required.	
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(e) *Reductions to required off-street parking through alternative modes of transportation.*

- (1) Construction of transit related improvements. When adjacent to transit service, minimum required off-street parking may be reduced by up to ten percent for redevelopment of an existing off-street parking area for transit-related improvements, including transit stops, pullouts and shelters, park and ride lots, transit-oriented developments, and similar facilities.
- (2) Satisfaction of off-street parking through implementation of a plan for alternative modes of transportation. Minimum required off-street parking for uses or activities other than household living may be reduced through implementation of a plan providing for the use of alternative modes of transportation to decrease the need for off-street parking. The plan shall be reviewed as a Class 2 Adjustment under SRC chapter 250.

(f) *Reductions to required off-street parking for multiple family developments.*

- (1) For multiple family developments, the minimum number of required off-street parking spaces may be reduced through one or more of the following options, provided that the total number of off-street parking spaces reduced shall not exceed 25 percent:
 - (A) *Transit access.* The minimum number of required off-street parking spaces may be reduced by:
 - (i) 10 percent where developments are located within one-quarter mile of a transit stop as measured along a route utilizing public or private streets that are existing or will be constructed with the development; or
 - (ii) 20 percent where developments are located within one-quarter mile of a transit stop that has 15-minute transit service as measured along a route utilizing public or private streets that are existing or will be constructed with the development.
 - (B) *Covered bicycle parking.* The minimum number of required off-street parking spaces may be reduced by one space for every four covered bicycle parking spaces provided in addition to the minimum number of bicycle parking spaces required as set forth in SRC 806.055. The additional covered bicycle parking spaces must meet the standards of SRC 806.060 and must be located on site either outdoors or in a bike storage room that is accessible to all residents of the multiple family development.
 - (C) *Shared car or van.* The minimum number of required off-street parking spaces may be reduced by four spaces for every shared car or shuttle van that is provided on site and available for use by all residents.

(Prior Code, § 806.015; Ord. No. 31-13; Ord. No. 6-17, § 16, 5-8-2017; Ord. No. 5-17, § 37(806.015), 6-12-2017; Ord. No. 10-17, § 28, 7-10-2017; Eng. Ord. No. 4-18, § 9, 8-13-2018, eff. 9-12-2018; Ord. No. 1-20, § 2(Exh. B), 2-24-2020)

Sec. 806.020. Method of providing off-street parking.

- (a) *General.* Off-street parking shall be provided through one or more of the following methods:
- (1) *Ownership.* Ownership in fee by the owner of the property served by the parking;
 - (2) *Easement.* A permanent and irrevocable easement appurtenant to the property served by the parking;

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- (3) *Lease Agreement.* A lease agreement with a minimum term of five years; such agreement may be utilized for:
 - (A) Uses or activities other than single family and two family in all zones other than the Central Business (CB) Zone; and
 - (B) All uses in the Central Business (CB) Zone;
 - (4) *Lease or rental agreement in parking structure.* A lease or rental agreement in an off-street parking facility established pursuant to ORS 223.805 to 223.845; such agreement may be utilized for:
 - (A) Uses or activities other than single family and two family in all zones other than the Central Business (CB) Zone; and
 - (B) All uses in the Central Business (CB) Zone;
 - (5) *Joint parking agreement.* A joint parking agreement between the owners of two or more uses or activities, buildings or structures, or lots may be approved by the City. Joint use of required off-street parking spaces through a joint parking agreement may occur where two or more uses or activities on the same or separate development sites are able to share the same parking spaces because their parking demands occur at different times. Joint parking shall meet the following standards:
 - (A) Proximity of joint parking to uses or activities served. Joint parking areas shall be located as set forth in SRC 806.010.
 - (B) Compatible hours of operation. The hours of operation for the uses or activities subject to a joint parking agreement shall not substantially overlap and there shall be no substantial conflict in the principal operating hours.
- (b) *Review and filing of agreement.* Prior to execution of any lease, rental, or joint parking agreement set forth in this section, the form of such agreement shall be reviewed by the City Attorney. An executed copy of the approved agreement shall be filed with the Planning Administrator.
 - (c) *Effect of expiration or termination of agreement.* Upon expiration or termination of any lease, rental, or joint parking agreement set forth in this section, the parking requirements set forth in this chapter shall be fully met within 60 days of the date of such expiration or termination or the use or activity discontinued until the parking requirements are met.
- (Prior Code, § 806.020; Ord. No. 31-13)

Sec. 806.025. Off-street parking and vehicle storage area development standards for single family, two family, three family, and four family uses or activities.

Unless otherwise provided under the UDC, off-street parking and vehicle storage areas for single family, two family, three family, and four family uses or activities shall be developed and maintained as provided in this section.

- (a) *Location within yards.*
 - (1) *Front yard abutting street.* Within a front yard abutting a street, off-street parking and vehicle storage shall be allowed only:
 - (A) Within a garage or carport; or
 - (B) On a driveway leading to:
 - (i) A garage or carport;
 - (ii) A garage that has been legally converted to another use subsequent to its construction as a garage;

- (iii) A screened off-street parking area; or
 - (iv) A screened vehicle storage area.
- (2) *Side and rear yards abutting street.* Within side and rear yards abutting a street, off-street parking and vehicle storage shall be allowed only:
 - (A) Within a garage or carport;
 - (B) Within an off-street parking area or vehicle storage area that is screened as set forth in SRC 806.025(f); or
 - (C) On a driveway leading to:
 - (i) A garage or carport;
 - (ii) A garage that has been legally converted to another use subsequent to its construction as a garage;
 - (iii) A screened off-street parking area; or
 - (iv) A screened vehicle storage area.
- (3) *Interior front, side, and rear yards.* Within interior front, side, and rear yards, off-street parking and vehicle storage shall be allowed only:
 - (A) Within a garage or carport;
 - (B) Within an off-street parking area or vehicle storage area that is screened as set forth in SRC 806.025(f); or
 - (C) On a driveway leading to:
 - (i) A garage or carport;
 - (ii) A garage that has been legally converted to another use subsequent to its construction as a garage;
 - (iii) A screened off-street parking area; or
 - (iv) A screened vehicle storage area.
- (b) *Garage or carport vehicle entrance setback abutting street or flag lot accessway.* The vehicle entrance of a garage or carport facing a street or flag lot accessway shall be setback a minimum of 20 feet.
- (c) *Dimensions.* Off-street parking spaces shall conform to the minimum dimensions set forth in Table 806-3.

TABLE 806-3. MINIMUM OFF-STREET PARKING SPACE DIMENSIONS

Type of Space	Width	Depth
Compact	8 ft.	15 ft.
Standard	9 ft.	19 ft.

- (d) *Maneuvering.* Where access to off-street parking is taken from an alley, a minimum maneuvering depth of 24 feet shall be provided between the back of the parking space and the opposite side of the alley.
- (e) *Surfacing.* Any area that is used for off-street parking shall be paved with a hard surface material meeting the Public Works Design Standards. Vehicle storage areas are not required to be paved.
- (f) *Screening.* Off-street parking areas and vehicle storage areas shall be screened as follows:

- (1) Off-street parking areas located within a garage or carport or on a driveway are not required to be screened. All other off-street parking areas shall be screened from all public areas, public streets, and abutting residential uses by a minimum six-foot-tall sight-obscuring fence, wall, or hedge.
- (2) Vehicle storage areas within an enclosed structure or on a driveway are not required to be screened. All other vehicle storage areas shall be screened from all public areas, public streets, and abutting residential uses by a minimum six-foot-tall sight-obscuring fence, wall, or hedge.

(Prior Code, § 806.025; Ord. No. 31-13; Ord. No. 10-17, § 29, 7-10-2017; Ord. No. 1-20, § 2(Exh. B), 2-24-2020)

Editor's note(s)—Ord. No. 1-20 Editor's note(s)—, § 2Editor's note(s)—(Exh. B), adopted Feb. 24, 2020, changed the title of § 8.06.025 from "Off-street parking and vehicle storage area development standards for single family and two family uses or activities" to read as herein set out.

Sec. 806.030. Driveway development standards for single family, two family, three family, and four family uses or activities.

Unless otherwise provided under the UDC, driveways for single family, two family, three family, and four family uses or activities shall be developed and maintained as provided in this section.

- (a) *Location.* Driveways crossing from the lot line to a permitted off-street parking area by the shortest direct route shall be permitted within yards abutting streets.
- (b) *Dimensions.* Driveways shall conform to the minimum dimensions set forth in Table 806-4. The minimum width of a driveway serving more than one parking space must meet the standard set forth in Table 806-4 for only the first 20 feet of depth behind the parking spaces served; beyond 20 feet, the minimum width may be reduced to ten feet.

TABLE 806-4. MINIMUM DRIVEWAY DIMENSIONS		
Number of Parking Spaces Served	Width	Depth
1 space	10 ft.	20 ft.
2 spaces	16 ft.	20 ft.
3 or more spaces	22 ft.	20 ft.

- (c) *Surfacing.*
 - (1) All driveways, except those serving developments on parcels within approved partitions located more than 300 feet from an available sewer, shall be paved with a hard surface material meeting the Public Works Design Standards. Driveways serving developments on parcels within approved partitions located more than 300 feet from an available sewer are not required to be paved.
 - (2) Access to vehicle storage areas shall be paved with a hard surface material meeting the Public Works Design Standards when such access is being utilized for parking.

(Prior Code, § 806.030; Ord. No. 31-13; Ord. No. 1-20, § 2(Exh. B), 2-24-2020)

Editor's note(s)—Ord. No. 1-20 Editor's note(s)—, § 2Editor's note(s)—(Exh. B), adopted Feb. 24, 2020, changed the title of § 8.06.030 from "Driveway development standards for single family and two family uses or activities" to read as herein set out.

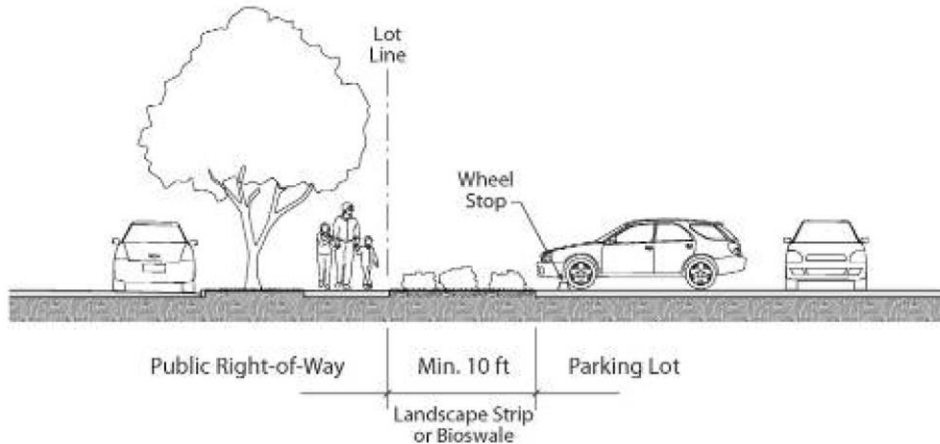
Sec. 806.035. Off-street parking and vehicle use area development standards for uses or activities other than single family, two family, three family, and four family.

Unless otherwise provided under the UDC, off-street parking and vehicle use areas, other than driveways and loading areas, for uses or activities other than single family, two family, three family, and four family shall be developed and maintained as provided in this section.

- (a) *General applicability.* The off-street parking and vehicle use area development standards set forth in this section shall apply to:
 - (1) The development of new off-street parking and vehicle use areas;
 - (2) The expansion of existing off-street parking and vehicle use areas, where additional paved surface is added;
 - (3) The alteration of existing off-street parking and vehicle use areas, where the existing paved surface is replaced with a new paved surface; and
 - (4) The paving of an unpaved area.
- (b) *Location.*
 - (1) *Generally.* Off-street parking and vehicle use areas shall not be located within required setbacks.
 - (2) *Carpool and vanpool parking.* Carpool and vanpool parking shall be located so it is the closest employee parking to the building entrance normally used by employees; provided, however, it shall not be located closer than any parking designated for disabled parking.
 - (3) *Underground parking.* Off-street parking may be located underground in all zones, except the RA and RS zones. Such underground parking may be located beneath required setbacks; provided, however, no portion of the structure enclosing the underground parking shall project into the required setback, and all required setbacks located above the underground parking structure shall be landscaped as otherwise required under the UDC.
- (c) *Perimeter setbacks and landscaping.*
 - (1) *Perimeter setbacks and landscaping, generally.*
 - (A) *Perimeter setbacks.* Perimeter setbacks, as set forth in this subsection, shall be required for off-street parking and vehicle use areas abutting streets, abutting interior front, side, and rear property lines, and adjacent to buildings and structures. Perimeter setbacks for parking garages are set forth under subsection (c)(5) of this section. Perimeter setbacks are not required for:
 - (i) Off-street parking and vehicle use areas abutting an alley.
 - (ii) Vehicle storage areas within the IG zone.
 - (iii) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701, abutting nonresidential zones, uses or activities other than household living, or local streets.
 - (iv) Gravel off-street parking areas, approved through a conditional use permit, abutting nonresidential zones, uses or activities other than household living, or local streets.
 - (v) Underground parking.
 - (B) *Perimeter landscaping.* Required perimeter setbacks for off-street parking and vehicle use areas shall be landscaped as set forth in this subsection.

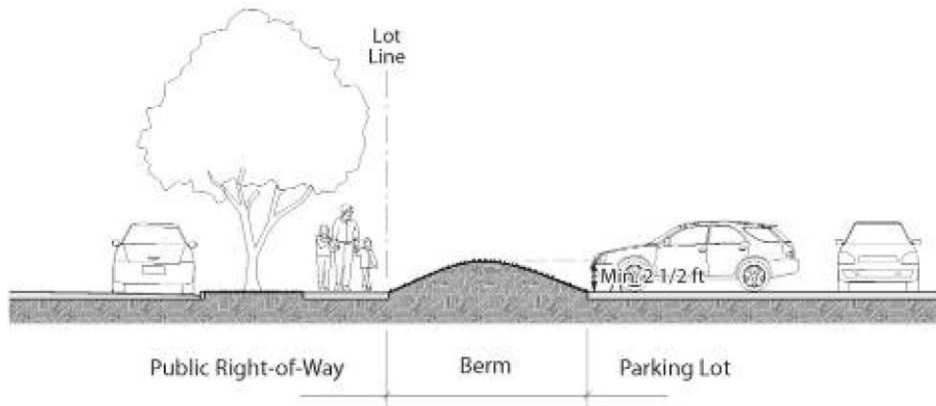
- (2) *Perimeter setbacks and landscaping abutting streets.* Unless a greater setback is required elsewhere within the UDC, off-street parking and vehicle use areas abutting a street shall be setback and landscaped according to one of the methods set forth in this subsection. Street trees located along an arterial street may be counted towards meeting the minimum required number of plant units.
- (A) *Method A.* The off-street parking and vehicle use area shall be setback a minimum of ten feet (see Figure 806-1). The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807.

FIGURE 806-1. PERIMETER SETBACKS AND LANDSCAPING ABUTTING STREETS - METHOD A



- (B) *Method B.* The off-street parking and vehicle use area shall be setback to accommodate a berm, the top of which shall be a minimum of 2.5 feet higher than the elevation of the abutting off-street parking or vehicle use area (see Figure 806-2). The berm shall have a slope no steeper than a 3:1 on all sides, and shall be landscaped according to the Type A standard set forth in SRC chapter 807 with plant materials to prevent erosion. The berm shall not alter natural drainage flows from abutting properties. Any portion of the berm that encroaches into a vision clearance area set forth in SRC chapter 805 shall have a height no greater than the maximum allowed under SRC 805.010.

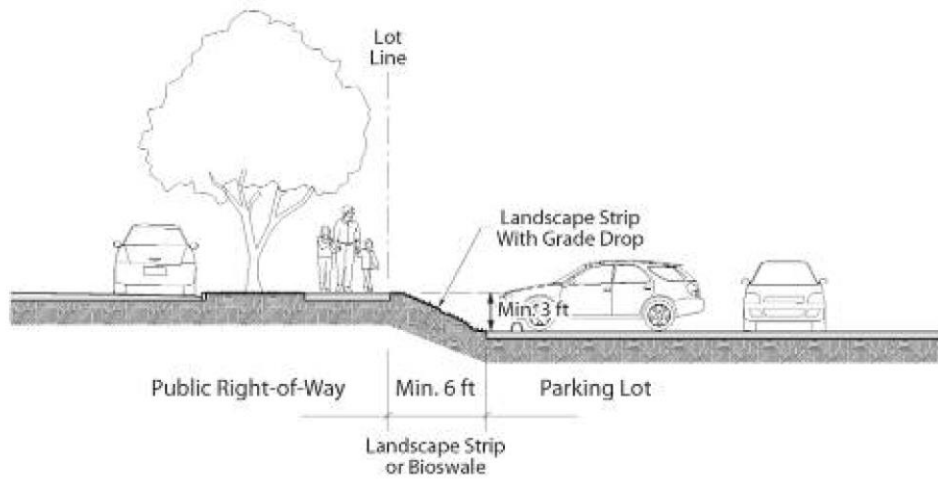
FIGURE 806-2. PERIMETER SETBACKS AND LANDSCAPING ABUTTING STREETS- METHOD B



- (C) *Method C.* The off-street parking and vehicle use area shall be setback a minimum six feet to accommodate a minimum three-foot drop in grade from the elevation at the right-of-way line to the elevation of the abutting off-street parking or vehicular use area (see Figure

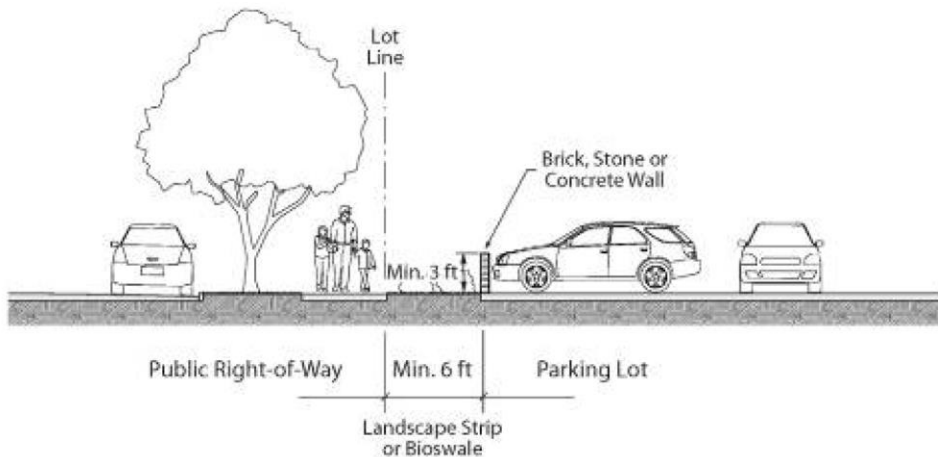
806-3). The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807.

FIGURE 806-3. PERIMETER SETBACKS AND LANDSCAPING ABUTTING STREETS - METHOD C



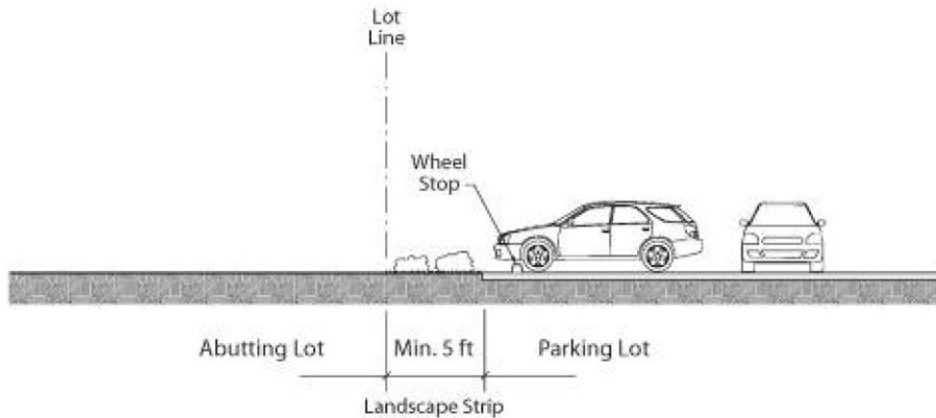
- (D) *Method D.* The off-street parking and vehicle use area shall be setback a minimum six feet in conjunction with a minimum three-foot-tall brick, stone, or finished concrete wall (see Figure 806-4). The wall shall be located adjacent to, but entirely outside, the required setback. The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807. Any portion of the wall that encroaches into a vision clearance area set forth in SRC chapter 805 shall have a height no greater than the maximum allowed under SRC 805.010.

FIGURE 806-4. PERIMETER SETBACKS AND LANDSCAPING ABUTTING STREETS - METHOD D



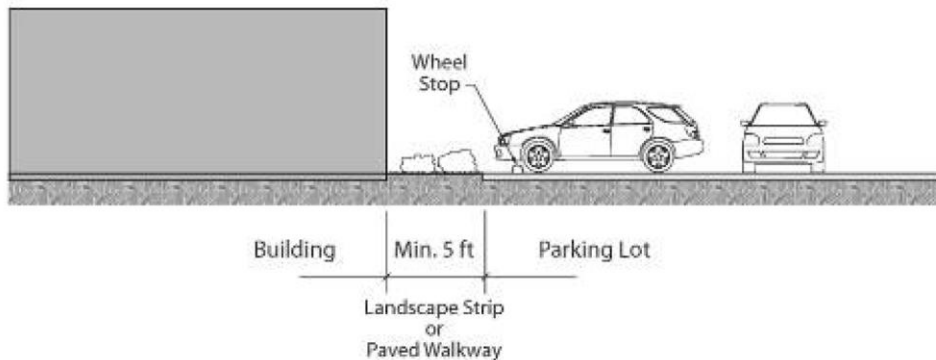
- (E) *Method E.* The off-street parking and vehicle use area shall be setback a minimum of six feet to accommodate green stormwater infrastructure meeting the Public Works Design Standards.
- (3) *Perimeter setbacks and landscaping abutting interior front, side, and rear property lines.* Unless a greater setback is required elsewhere within the UDC, off-street parking and vehicle use areas abutting an interior front, side, or rear property line shall be setback a minimum of five feet (see Figure 806-5). The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807.

FIGURE 806-5. LANDSCAPING ADJACENT TO AN ADJACENT LOT



- (4) *Setback adjacent to buildings and structures.* Except for drive-through lanes, where an off-street parking or vehicular use area is located adjacent to a building or structure, the off-street parking or vehicular use area shall be setback from the exterior wall of the building or structure by a minimum five-foot-wide landscape strip, planted to the Type A standard set forth in SRC chapter 807, or by a minimum five-foot-wide paved pedestrian walkway (see Figure 806-6). A landscape strip or paved pedestrian walkway is not required for drive-through lanes located adjacent to a building or structure.

FIGURE 806-6. LANDSCAPING ADJACENT TO A BUILDING



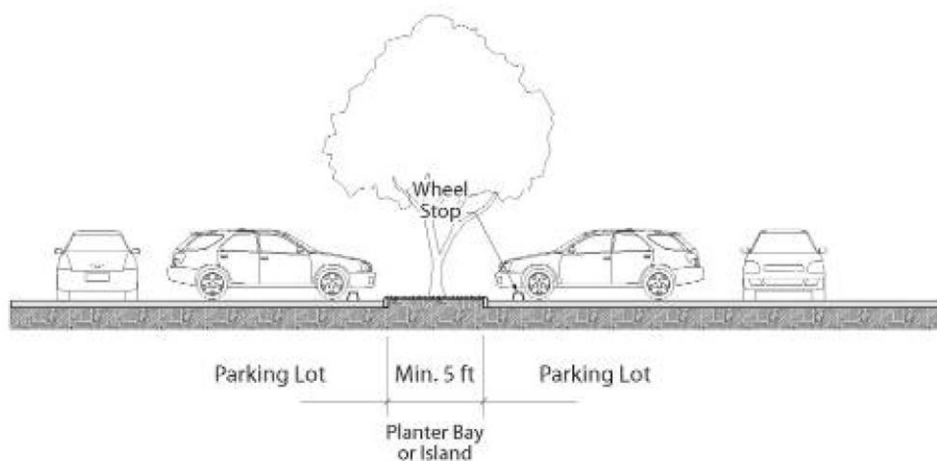
- (5) *Perimeter setbacks and landscaping for parking garages.* Perimeter setbacks and landscaping as set forth in subsection (c) of this section shall be required for parking garages; provided, however, perimeter setbacks and landscaping are not required for:
- (A) Any portion of a parking garage with frontage on a street and containing ground floor uses or activities other than parking.
 - (B) Any parking garage within an industrial zone, public zone, or commercial zone, other than a CO zone, that abuts an interior front, side, or rear property line where there is no required building setback.
 - (C) Any parking garage abutting an alley.
- (d) *Interior landscaping.*
- (1) *Interior landscaping, generally.* Interior landscaping, as set forth in this subsection, shall be required for off-street parking areas 5,000 square feet or greater in size; provided, however, interior landscaping is not required for:

- (A) Vehicle storage areas.
 - (B) Vehicle display areas.
 - (C) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701.
 - (D) Gravel off-street parking areas, approved through a conditional use permit.
 - (E) Underground parking.
 - (F) Parking garages.
- (2) *Minimum percentage of interior landscaping required.* Interior landscaping shall be provided in amounts not less than those set forth in Table 806-5. For purposes of this subsection, the total interior area of an off-street parking area is the sum of all areas within the perimeter of the off-street parking area, including parking spaces, aisles, planting islands, corner areas, and curbed areas, but not including interior driveways. Perimeter landscaped setbacks and required landscape strips separating off-street parking areas from buildings and structures shall not count towards satisfying minimum interior landscaping requirements.

TABLE 806-5. INTERIOR OFF-STREET PARKING AREA LANDSCAPING	
Total Interior Area of Off-Street Parking Area	Percentage Required to be Landscaped
Less than 50,000 sq. ft.	Min. 5%
50,000 sq. ft. and greater	Min. 8%

- (3) *Trees.* A minimum of one deciduous shade tree shall be planted for every 12 parking spaces within an off-street parking area. Trees may be clustered within landscape islands or planter bays, and shall be distributed throughout the off-street parking area to create a canopy effect and to break up expanses of paving and long rows of parking spaces.
- (4) *Landscape islands and planter bays.* Landscape islands and planter bays shall have a minimum planting area of 25 square feet, and shall have a minimum width of five feet (see Figure 806-7).

FIGURE 806-7. INTERIOR LANDSCAPING



- (e) *Off-street parking area dimensions.* Off-street parking areas shall conform to the minimum dimensions set forth in Table 806-6; provided, however, minimum off-street parking area dimensions shall not apply to:

(1) Vehicle storage areas.

(2) Vehicle display areas.

TABLE 806-6. MINIMUM OFF-STREET PARKING AREA DIMENSIONS

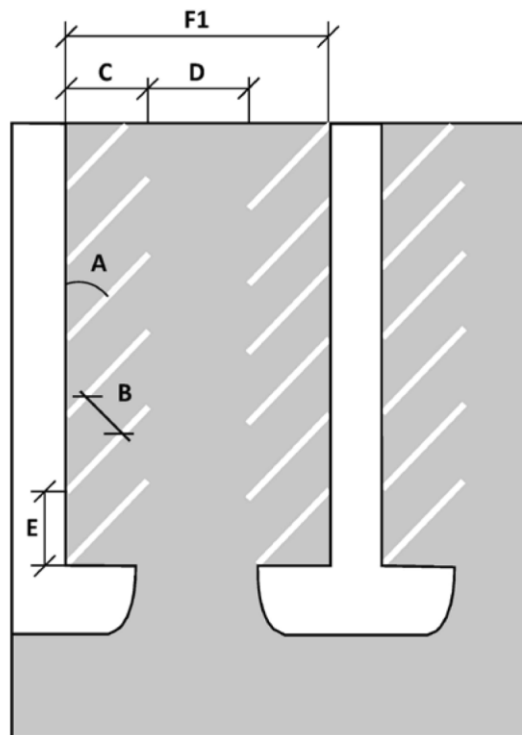
Parking Angle A ⁽³⁾	Type of Space	Stall Width B ⁽³⁾	Stall to Curb C ⁽³⁾	Aisle Width ^{(1),(2)} D ⁽³⁾	Curb Length E ⁽³⁾	Front of Stall to Front of Stall F1 ⁽³⁾	Overlap Front of Stall to Front of Stall F2 ⁽³⁾
0° (Parallel)	Compact	8'0"	8.0	12.0	22.0	28.0	-
	Standard	8'0"	8.0	12.0	22.0	28.0	-
20°	Compact	8'0"	12.6	11.0	23.4	36.2	28.7
	Standard	8'6" (4)	14.5	11.0	24.9	40.0	32.0
		9'6"	15.5	11.0	27.8	42.0	33.1
		10'0"	15.9	11.0	19.2	42.8	33.4
30°	Compact	8'0"	14.4	11.0	16.0	39.8	32.9
	Standard	8'6" (4)	16.9	11.0	17.0	44.8	37.4
		9'0"	17.3	11.0	18.0	45.6	37.8
		9'6"	17.8	11.0	19.0	46.6	38.4
		10'0"	18.2	11.0	20.0	47.4	38.7
40°	Compact	8'0"	15.8	12.0	12.4	43.6	37.5
	Standard	8'6" (4)	18.7	12.0	13.2	49.4	42.9
		9'0"	19.1	12.0	14.0	50.2	43.3
		9'6"	19.5	12.0	14.8	51.0	43.7
		10'0"	19.9	12.0	15.6	51.8	44.1
45°	Compact	8'0"	16.3	13.5	11.3	46.1	40.5
	Standard	8'6" (4)	19.4	13.5	12.0	52.3	46.3
		9'0"	19.8	13.0	12.7	52.6	46.2
		9'6"	20.1	13.0	13.4	53.2	46.5
		10'0"	20.5	13.0	14.1	54.0	46.9
50°	Compact	8'0"	16.6	15.5	10.4	48.7	43.6
	Standard	8'6" (4)	20.0	15.5	11.1	55.5	50.0
		9'0"	20.4	15.0	11.7	55.8	50.0
		9'6"	20.7	15.0	12.4	56.4	50.3
		10'0"	21.0	15.0	13.1	57.0	50.6
60°	Compact	8'0"	17.0	18.5	9.2	52.5	48.5
	Standard	8'6" (4)	20.7	18.5	9.8	59.9	55.6
		9'0"	21.0	18.0	10.4	60.0	55.7
		9'6"	21.2	18.0	11.0	60.4	55.6
		10'0"	21.5	18.0	11.5	61.0	56.0
70°	Compact	8'0"	16.8	19.5	8.5	53.1	50.4
	Standard	8'6" (4)	20.8	19.5	9.0	61.1	58.2
		9'0"	21.0	19.0	9.6	61.0	57.9
		9'6"	21.2	18.5	10.1	60.9	57.7
		10'0"	21.2	18.0	10.6	60.4	57.0
80°	Compact	8'0"	16.2	22.0	8.1	56.4	55.0
	Standard	9'0"	20.3	24.0	9.1	64.3	62.7

		9'6"	20.4	24.0	9.6	64.4	62.7
		10'0"	20.5	24.0	10.2	65.0	63.3
90°	Compact	8'0"	15.0	22.0	8.0	54.0	-
		8'6" ⁽⁵⁾	15.0	22.0	8.0	54.0	-
	Standard	9'0"	19.0	24.0	9.0	62.0	-
		9'6"	19.0	24.0	9.5	62.0	-
		10'0"	19.0	24.0	10.0	62.0	-

Limitations and Qualifications

- (1) For two-way circulation the width of an aisle shall be a minimum of 22 feet.
- (2) The width of an aisle serving both standard and compact parking spaces 80 degrees or more shall be a minimum of 24 feet.
- (3) See Figure 806-8 for corresponding off-street parking area layout requirements.
- (4) Minimum 8'6" standard stall width applies within parking structures of two or more stories.
- (5) Minimum 8'6" compact stall width applies when the side of the parking space abuts a wall or post.

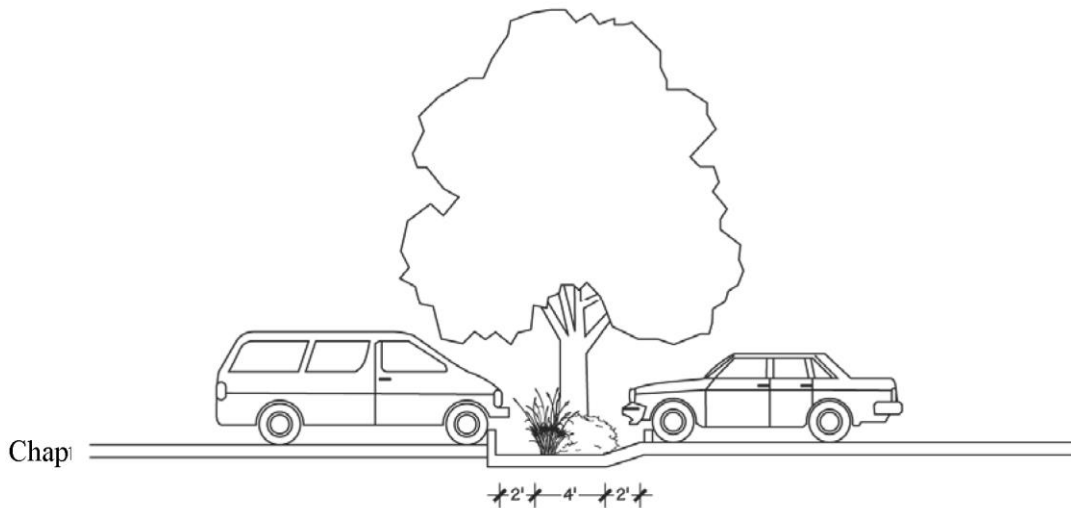
FIGURE 806-8. OFF-STREET PARKING AREA LAYOUT REQUIREMENTS



- (f) *Grade.* Off-street parking and vehicle use areas shall not exceed a maximum grade of ten percent. Ramps shall not exceed a maximum grade of 15 percent.
- (g) *Surfacing.* Off-street parking and vehicle use areas shall be paved with a hard surface material meeting the Public Works Design Standards; provided, however, up to two feet of the front of a parking space may be landscaped with ground cover plants (see Figure 806-9). Such two-foot landscaped area counts towards meeting interior off-street parking area landscaping requirements, but shall not count towards meeting perimeter setbacks and landscaping requirements. Paving is not required for:
 - (1) Vehicle storage areas within the IG zone.
 - (2) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701.

- (3) Gravel off-street parking areas, approved through a conditional use permit.

FIGURE 806-9. LANDSCAPED FRONT PORTION OF PARKING STALL



- (h) *Drainage.* Off-street parking and vehicle use areas shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.
- (i) *Bumper guards or wheel barriers.* Off-street parking and vehicle use areas shall include bumper guards or wheel barriers so that no portion of a vehicle will overhang or project into required setbacks and landscaped areas, pedestrian accessways, streets or alleys, or abutting property; provided, however, bumper guards or wheel barriers are not required for:
- (1) Vehicle storage areas.
 - (2) Vehicle sales display areas.
- (j) *Off-street parking area striping.* Off-street parking areas shall be striped in conformance with the off-street parking area dimension standards set forth in Table 806-6; provided, however, off-street parking area striping shall not be required for:
- (1) Vehicle storage areas.
 - (2) Vehicle sales display areas.
 - (3) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701.
 - (4) Gravel off-street parking areas, approved through a conditional use permit.
- (k) *Marking and signage.*
- (1) *Off-street parking and vehicle use area circulation.* Where directional signs and pavement markings are included within an off-street parking or vehicle use area to control vehicle movement, such signs and marking shall conform to the Manual of Uniform Traffic Control Devices.
 - (2) *Compact parking.* Compact parking spaces shall be clearly marked indicating the spaces are reserved for compact parking only.
 - (3) *Carpool and vanpool parking.* Carpool and vanpool parking spaces shall be posted with signs indicating the spaces are reserved for carpool or vanpool use only before 9:00 a.m. on weekdays.

-
- (l) *Lighting.* Lighting for off-street parking and vehicle use areas shall not shine or reflect onto adjacent residentially zoned property, or property used for uses or activities falling under household living, or cast glare onto the street.
 - (m) *Off-street parking area screening.* Off-street parking areas with more than six spaces shall be screened from abutting residentially zoned property, or property used for uses or activities falling under household living, by a minimum six-foot-tall sight-obscuring fence, wall, or hedge; provided, however, screening is not required for vehicle storage areas within the IG zone.

(Prior Code, § 806.035; Ord. No. 31-13; Ord. No. 1-20 , § 2(Exh. B), 2-24-2020)

Editor's note(s)—Ord. No. 1-20 Editor's note(s)—, § 2Editor's note(s)—(Exh. B), adopted Feb. 24, 2020, changed the title of § 8.06.035 from "Off-street parking and vehicle use area development standards for uses or activities other than single family and two family" to read as herein set out.

Sec. 806.040. Driveway development standards for uses or activities other than single family, two family, three family, or four family.

Unless otherwise provided under the UDC, driveways for uses or activities other than single family, two family, three family, or four family shall be developed and maintained as provided in this section.

- (a) *Access.* Off-street parking and vehicle use areas shall have either separate driveways for ingress and egress, a single driveway for ingress and egress with an adequate turnaround that is always available, or a loop to the single point of access. The driveway approaches to the driveways shall conform to SRC chapter 804.
- (b) *Location.* Driveways shall not be located within required setbacks except where:
 - (1) The driveway provides direct access to the street, alley, or abutting property.
 - (2) The driveway is a shared driveway located over the common lot line and providing access to two or more uses.
- (c) *Setbacks and landscaping.*
 - (1) *Perimeter setbacks and landscaping, generally.* Perimeter setbacks and landscaping as set forth in this subsection shall be required for driveways abutting streets and abutting interior front, side, and rear property lines; provided, however, perimeter setbacks and landscaping are not required where:
 - (A) The driveway provides direct access to the street, alley, or abutting property.
 - (B) The driveway is a shared driveway located over the common lot line and providing access to two or more uses.
 - (2) *Perimeter setbacks and landscaping abutting streets.* Unless a greater setback is required elsewhere within the UDC, driveways abutting a street shall be setback and landscaped according to the off-street parking and vehicle use area perimeter setbacks and landscaping standards set forth under SRC 806.035(c)(2).
 - (3) *Perimeter setbacks and landscaping abutting interior front, side, and rear property lines.* Unless a greater setback is required elsewhere within the UDC, driveways abutting an interior front, side, or rear property line shall be setback a minimum of five feet. The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807.
- (d) *Dimensions.* Driveways shall conform to the minimum width set forth in Table 806-7.

TABLE 806-7. MINIMUM DRIVEWAY WIDTH

Type of Driveway	Width	Inside Radius of Curves & Corners
One-way driveway	12 ft.	25 ft., measured at curb or pavement edge
Two-way driveway	22 ft.	25 ft., measured at curb or pavement edge

- (e) *Surfacing.* All driveways, other than access roads required by the Public Works Design Standards to provide access to City utilities, shall be paved with a hard surface material meeting the Public Works Design Standards. Access roads required by the Public Works Design Standards to provide access to City utilities shall be an all-weather surface material meeting the Public Works Design Standards; provided, however, the first ten feet of the access road leading into the property, as measured from the property line, shall be paved with a hard surface material.
- (f) *Drainage.* Driveways shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.
- (g) *"No Parking" signs.* Driveways shall be posted with one "no parking" sign for every 60 feet of driveway length, but in no event shall less than two signs be posted.

(Prior Code, § 806.040; Ord. No. 31-13; Ord. No. 1-20 , § 2(Exh. B), 2-24-2020)

Editor's note(s)—Ord. No. 1-20 Editor's note(s)—, § 2Editor's note(s)—(Exh. B), adopted Feb. 24, 2020, changed the title of § 8.06.040 from "Driveway development standards for uses or activities other than single family or two family" to read as herein set out.

Sec. 806.045. Bicycle parking; when required.

- (a) *General applicability.* Bicycle parking shall be provided as required under this chapter for:
 - (1) Each proposed new use or activity.
 - (2) Any change of use or activity, when such change of use or activity results in a bicycle parking ratio requiring a greater number of spaces than the previous use or activity.
 - (3) Any intensification, expansion, or enlargement of a use or activity.
- (b) *Applicability to nonconforming bicycle parking area.* When bicycle parking is required to be added to an existing bicycle parking area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.

(Prior Code, § 806.045; Ord. No. 31-13)

Sec. 806.050. Proximity of bicycle parking to use or activity served.

Bicycle parking shall be located on the same development site as the use or activity it serves.

(Prior Code, § 806.050; Ord. No. 31-13)

Sec. 806.055. Amount of bicycle parking.

Unless otherwise provided under the UDC, bicycle parking shall be provided in amounts not less than those set forth in Table 806-8.

TABLE 806-8. MINIMUM BICYCLE PARKING		
Use	Minimum Number of Spaces Required⁽¹⁾	Limitations & Qualifications
Household Living		
Single family	None	
Two family		
Three family		
Four family		
Multiple family	<u>None</u>	<u>Applicable to cottage clusters.</u>
	The greater of 4 spaces or 0.1 spaces per dwelling unit.	<u>Applicable to all other multiple family.</u>
Group Living		
Room and board facilities	The greater of 4 spaces or 1 space per 50 rooms.	
Residential care	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Nursing care	1 per 30 beds	
Lodging		
Short-term commercial lodging	The greater of 4 spaces or 1 space per 50 rooms.	
Long-term commercial lodging		
Nonprofit shelters	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Retail Sales and Service		
Eating and drinking establishments	The greater of 4 spaces or 1 space per 1,000 sq. ft.	
Retail sales	The greater of the following: 4 spaces; or	

	1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Personal services	1 per 10,000 sq. ft.	Applicable to laundry, dry cleaning, and garment services.
	The greater of 4 spaces or 1 space per 3,500 sq. ft.	Applicable to all other personal services.
Postal services and retail financial services	The greater of 4 spaces or 1 space per 3,000 sq. ft.	
Shopping center	The greater of the following: 4 spaces; or 1 per 10,000 sq. ft. for first 50,000 sq. ft.; Plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Business and Professional Services		
Office	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Laboratory research and testing		
Office complex		
Audio/visual media production	The greater of the following: 4 spaces; or 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	Applicable to broadcasting studios.
	The greater of 4 spaces or 1 per 3,500 sq. ft.	Applicable to all other audio/visual media production.
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Motor vehicle and manufactured dwelling and trailer sales	1 per 9,000 sq. ft.	
Motor vehicle services		
Taxicabs and car services		

Heavy vehicle and trailer sales		
Heavy vehicle and trailer service and storage		
Commercial parking	1 per 30 vehicle parking spaces	
Park-and-ride facilities		
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	The greater of 4 spaces or 1 space per 50 seats or 100 feet of bench length	Applicable to theaters.
	The greater of 4 spaces or 1 space per court.	Applicable to tennis, racquetball, and handball courts.
	The greater of 4 spaces or 1 space per 500 sq. ft.	Applicable to all other commercial entertainment—indoor.
Commercial entertainment—outdoor	The greater of 4 spaces or 1 space per court	Applicable to tennis, racquetball, and handball courts.
	4	Applicable to golf courses.
	None	Applicable to drive-in movie theaters.
	The greater of 4 spaces or 1 space per 30 vehicle parking spaces	Applicable to all other commercial entertainment—outdoor.
Major event entertainment	The greater of 4 spaces or 1 space per 50 seats or 100 ft. of bench length	
Recreational and cultural community services	4	Applicable to golf courses.
	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	Applicable to all other indoor recreational and cultural community services.
	The greater of 4 spaces or 1 space per 30 vehicle parking spaces.	Applicable to all other outdoor recreational and cultural community services.
Parks and open space	The greater of 4 spaces or 1 space per 30 vehicle parking spaces.	
Nonprofit membership assembly	1 per 30 vehicle parking spaces.	
Religious assembly		
Health Services		
Medical centers/hospitals	The greater of 4 spaces or 1 per 30 beds	
Outpatient medical services and laboratories	The greater of 4 spaces or 1 per 3,500 sq. ft.	
Education Services		
Day care	4	

Basic education	2 per classroom	
Post-secondary and adult education	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	Applicable to vocational and trade schools.
	The greater of 4 spaces or 1 per 10,000 sq. ft.	Applicable to all other post-secondary and adult education.
Civic Services		
Governmental services	1 per 5,000 sq. ft.	
Social services	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Governmental maintenance services and construction	4	
Public Safety		
Emergency services	None	Applicable to ambulance stations.
	1 per 5,000 sq. ft.	Applicable to all other emergency services.
Detention facilities	1 per 50 beds	
Military installations	1 per 5,000 sq. ft.	
Funeral and Related Services		
Cemeteries	The greater of the following: 4 spaces; or 1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Funeral and cremation services	1 per 50 seats or 100 feet of bench length in the chapel	
Construction Contracting, Repair, Maintenance, and Industrial Services		
Building and grounds services and construction contracting	4	
General repair services	The greater of the following: 4 spaces; or	

	1 per 3,500 sq. ft. for first 50,000 sq. ft.; plus 1 per 7,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 14,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Cleaning plants	1 per 10,000 sq. ft.	
Industrial services	The greater of the following: 4 spaces; or 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Wholesale Sales, Storage, and Distribution		
General wholesaling	1 per 15,000 sq. ft.	
Heavy wholesaling		
Warehousing and distribution	The greater of the following: 4 spaces; or: 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Self-service storage	None	
Manufacturing		
General manufacturing	The greater of the following: 4 spaces; or: 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Heavy manufacturing		
Printing		
Transportation Facilities		
Aviation facilities	The greater of the following: 4 spaces; or: 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to	
Passenger ground transportation facilities		

	100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Marine facilities	2	Applicable to marinas.
	The greater of the following: 4 spaces; or: 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	Applicable to all other marine facilities.
Utilities		
Basic utilities	The greater of the following: 4 spaces; or: 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Drinking water treatment facilities		
Power generation facilities		
Data center facilities		
Waste related facilities		
Fuel dealers		
Wireless communication facilities	None	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	4	
Surface mining		
Farming, Forestry, and Animal Services		
Agriculture	2	Applicable when retail sales are involved.
Forestry		
Agriculture and forestry services	The greater of the following: 4 spaces; or: 1 per 10,000 sq. ft. for first 50,000 sq. ft.; plus 1 per 20,000 sq. ft. for 50,000 to 100,000 sq. ft.; plus 1 per 30,000 sq. ft. for remaining square footage over 100,000 sq. ft.	
Keeping of livestock and other animals	2	Applicable when retail sales are involved.
Animal services		
Other Uses		
Accessory short-term rentals	None	
Temporary uses	None	

Home occupations	None	
Accessory dwelling unit	None	
⁽¹⁾ Unless otherwise provided, when required bicycle parking is expressed in terms of a number of spaces per a square footage, the square footage shall equal the gross floor area.		

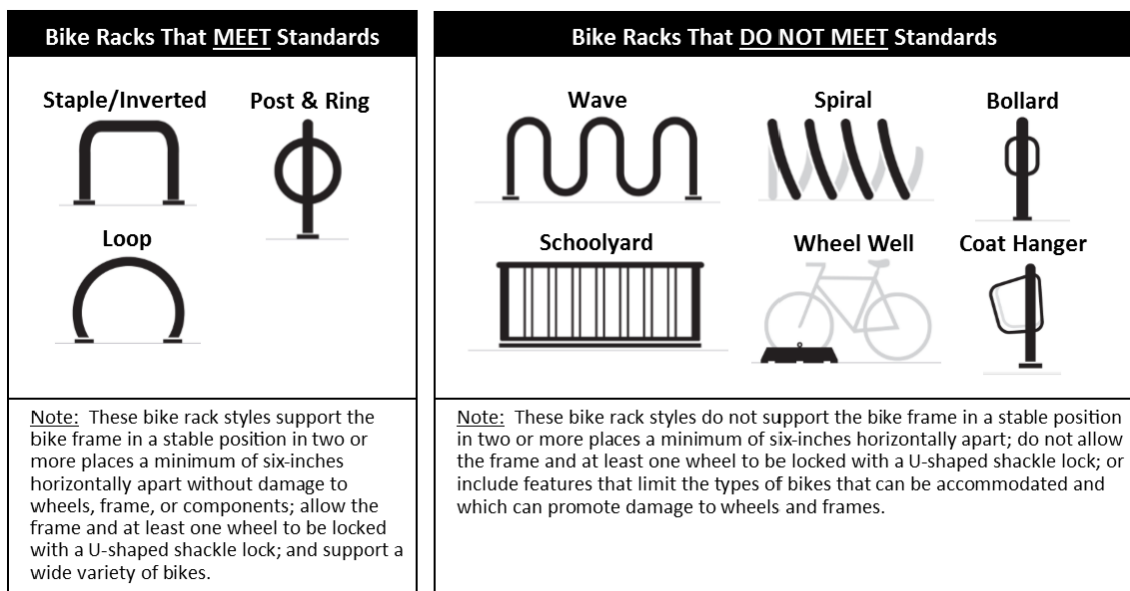
(Prior Code, § 806.055; Ord. No. 31-13; Ord. No. 5-17, § 38(806.055), 6-12-2017; Ord. No. 10-17, § 30, 7-10-2017; Ord. No. 6-19, § 1(Exh. A), 6-24-2019, eff. 7-24-2019; Ord. No. 1-20, § 2(Exh. B), 2-24-2020)

Sec. 806.060. Bicycle parking development standards.

Unless otherwise provided under the UDC, bicycle parking shall be provided in racks or lockers developed and maintained as set forth in this section. The standards set forth in this section shall not apply to City approved bike share stations which utilize bike docking stations.

- (a) *Location.* Except as otherwise provided in this section, bicycle parking shall be located outside a building.
 - (1) Bicycle parking located outside a building shall be located within a convenient distance of, and be clearly visible from, the primary building entrance. In no event shall bicycle parking be located more than 50 feet from the primary building entrance, as measured along a direct pedestrian access route.
 - (2) Where bicycle parking cannot be located outside a building, it may be located inside a building within a convenient distance of, and accessible from, the primary building entrance.
- (b) *Access.* Bicycle parking areas shall have direct and accessible access to the public right-of-way and the primary building entrance that is free of obstructions and any barriers, such as curbs or stairs, which would require users to lift their bikes in order to access the bicycle parking area.
- (c) *Dimensions.* Except as provided in subsection (f) of this section, bicycle parking areas shall meet the following dimension requirements:
 - (1) *Bicycle parking spaces.* Bicycle parking spaces shall be a minimum of six feet in length and two feet in width with the bicycle rack centered along the long edge of the bicycle parking space. Bicycle parking space width may be reduced, however, to a minimum of three feet between racks where the racks are located side-by-side.
 - (2) *Access aisles.* Bicycle parking spaces shall be served by a minimum four-foot-wide access aisle. Access aisles serving bicycle parking spaces may be located within the public right-of-way.
- (d) *Surfacing.* Where bicycle parking is located outside a building, the bicycle parking area shall consist of a hard surface material, such as concrete, asphalt pavement, pavers, or similar material, meeting the Public Works Design Standards.
- (e) *Bicycle racks.* Where bicycle parking is provided in racks, the racks may be floor, wall, or ceiling racks. Bicycle racks shall meet the following standards.
 - (1) Racks must support the bicycle frame in a stable position, in two or more places a minimum of six inches horizontally apart, without damage to wheels, frame, or components.
 - (2) Racks must allow the bicycle frame and at least one wheel to be locked to the rack with a high security, U-shaped shackle lock;
 - (3) Racks shall be of a material that resists cutting, rusting, and bending or deformation; and
 - (4) Racks shall be securely anchored.

- (5) Examples of types of bicycle racks that do, and do not, meet these standards are shown in Figure 806-10.
- (f) *Bicycle lockers.* Where bicycle parking is provided in lockers, the lockers shall meet the following standards:
- (1) Lockers, except for pie-shaped lockers, shall be a minimum of six feet in length, two feet in width, and four feet in height;
 - (2) Pie-shaped lockers shall be a minimum of six feet in length, 30 inches in width at the widest end, and four feet in height;
 - (3) Lockers shall be served by a minimum four-foot-wide access aisle in front of each locker opening. Access aisles may be located within the public right-of-way; and
 - (4) Lockers shall be securely anchored.



(Prior Code, § 806.060; Ord. No. 31-13; Ord. No. 6-19 , § 1(Exh. A), 6-24-2019, eff. 7-24-2019)

Sec. 806.065. Off-street loading areas; when required.

- (a) *General applicability.* Off-street loading shall be provided and maintained as required under this chapter for:
- (1) Each proposed new use or activity.
 - (2) Any change of use or activity, when such change of use or activity results in a greater number of required off-street loading spaces than the previous use or activity.
 - (3) Any intensification, expansion, or enlargement of a use or activity.
- (b) *Applicability to nonconforming off-street loading area.* When off-street loading is required to be added to an existing off-street loading area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.

(Prior Code, § 806.065; Ord. No. 31-13)

Sec. 806.070. Proximity of off-street loading areas to use or activity served.

Off-street loading shall be located on the same development site as the use or activity it serves.

(Prior Code, § 806.070; Ord. No. 31-13)

Sec. 806.075. Amount of off-street loading.

Unless otherwise provided under the UDC, off-street loading shall be provided in amounts not less than those set forth in Table 806-9.

TABLE 806-9. MINIMUM OFF-STREET LOADING; DIMENSIONS						
Use Category/Use	Minimum Number of Spaces Required ⁽¹⁾		Dimensions			Limitations & Qualifications
			Width	Length	Height	
<p>Use:</p> <ul style="list-style-type: none"> ■ Single family ■ Two family ■ Three family ■ Four family ■ Commercial parking ■ Park-and-ride facility ■ Parks and open space ■ Cemeteries ■ Basic utilities ■ Wireless communication facilities ■ Agriculture ■ Forestry ■ Accessory short-term rentals ■ Temporary uses ■ Home occupations ■ Accessory dwelling units 	None		N/A	N/A	N/A	
<p>Use:</p> <ul style="list-style-type: none"> ■ Multiple family 	None	5 to 49 dwelling units	N/A	N/A	N/A	If a recreational or service building is provided, at least 1 of the required loading spaces shall be located in conjunction with the recreational or service building.
	1	50 to 99 dwelling units	12 ft.	19 ft.	12 ft.	
	2	100 to 199 dwelling units	12 ft.	19 ft.	12 ft.	
	3	200 or more dwelling units	12 ft.	19 ft.	12 ft.	

<p>Use Category:</p> <ul style="list-style-type: none"> ■ Business and professional services <p>Use:</p> <ul style="list-style-type: none"> ■ Outpatient medical services and laboratories ■ Governmental services ■ Social services ■ Keeping of livestock and other animals ■ Animal services 	None	Less than 5,000 sq. ft.	N/A	N/A	N/A	
	1	5,000 to 60,000 sq. ft.	12 ft.	19 ft.	12 ft.	
	2	60,001 to 250,000 sq. ft.	12 ft.	19 ft.	12 ft.	
	Additional spaces required	Greater than 250,000 sq. ft.	12 ft.	19 ft.	12 ft.	For each additional 100,000 square feet, or any portion thereof, of building area over 250,000 sq. ft., 1 additional loading space is required.
<p>Use Category:</p> <ul style="list-style-type: none"> ■ Group living ■ Lodging ■ Retail sales and service ■ Education services <p>Use:</p> <ul style="list-style-type: none"> ■ Commercial entertainment indoor ■ Commercial entertainment— outdoor ■ Major event entertainment ■ Recreation and cultural community services ■ Nonprofit membership assembly ■ Religious assembly ■ Medical centers/hospitals ■ Emergency services ■ Funeral and cremation services ■ General repair services ■ Agriculture and forestry services 	None	Less than 5,000 sq. ft.	N/A	N/A	N/A	
	1	5,000 to 60,000 sq. ft.	12 ft.	30 ft.	14 ft.	
	2	60,001 to 250,000 sq. ft.	12 ft.	30 ft.	14 ft.	
	Additional Spaces Required	Greater than 250,000 sq. ft.	12 ft.	30 ft.	14 ft.	For each additional 100,000 square feet, or any portion thereof, of building area over 250,000 sq. ft., 1 additional loading space is required.
<p>Use Category:</p> <ul style="list-style-type: none"> ■ Wholesale sales, storage, 	None	Less than 5,000 sq. ft.	N/A	N/A	N/A	

<ul style="list-style-type: none"> and distribution ■ Manufacturing ■ Transportation facilities ■ Mining and natural resource extraction <p>Use:</p> <ul style="list-style-type: none"> ■ Motor vehicle and manufactured dwelling and trailer sales; ■ Motor vehicle services ■ Taxicabs and car services ■ Heavy vehicle and trailer sales ■ Heavy vehicle and trailer service and storage ■ Governmental maintenance services and construction ■ Detention facilities ■ Military installations ■ Building and grounds services and construction contracting ■ Cleaning plants ■ Industrial services ■ Drinking water treatment facilities ■ Power generation facilities ■ Data center facilities ■ Fuel dealers ■ Waste-related facilities 	1	5,000 to 100,000 sq. ft.	12 ft.	40 ft.	14 ft.	
	3	100,001 to 240,000 sq. ft.	12 ft.	40 ft.	14 ft.	
	5	240,001 to 320,000 sq. ft.	12 ft.	40 ft.	14 ft.	
	6	320,001 to 400,000 sq. ft.	12 ft.	40 ft.	14 ft.	
	7	400,000 to 490,000 sq. ft.	12 ft.	40 ft.	14 ft.	
	8	490,001 to 580,000 sq. ft.	12 ft.	40 ft.	14 ft.	
	9	580,001 to 670,000 sq. ft.	12 ft.	40 ft.	14 ft.	
	10	670,001 to 760,000 sq. ft.	12 ft.	40 ft.	14 ft.	
	Additional Spaces Required	Buildings greater than 760,000 sq. ft.	12 ft.	40 ft.	14 ft.	For each additional 100,000 square feet, or any portion thereof, of building area over 760,000 sq. ft., 1 additional loading space is required.
	⁽¹⁾ Unless otherwise provided, when required loading is expressed in terms of a number of spaces per a square footage, the square footage shall equal the gross floor area.					

- (a) *Off-street parking used for loading.* An off-street parking area meeting the requirements of this chapter may be used in place of a required off-street loading space when the use or activity does not require a delivery vehicle which exceeds a maximum combined vehicle and load rating of 8,000 pounds and the off-street parking area is located within 25 feet of the building or the use or activity that it serves.

(Prior Code, § 806.075; Ord. No. 31-13; Ord. No. 5-17, § 39(806.075), 6-12-2017; Ord. No. 10-17, § 31, 7-10-2017; Ord. No. 1-20, § 2(Exh. B), 2-24-2020)

Sec. 806.080. Off-street loading development standards.

Unless otherwise provided under the UDC, off-street loading shall be developed and maintained as set forth in this section.

- (a) *Location.* Off-street loading areas shall not be located within required setbacks.
- (b) *Perimeter setbacks and landscaping.*
 - (1) *Perimeter setbacks and landscaping abutting streets.* Unless a greater setback is required elsewhere within the UDC, off-street loading areas abutting a street shall be setback and landscaped according to the off-street parking and vehicle use area perimeter setback and landscaping standards set forth under SRC 806.035(c)(2).
 - (2) *Perimeter setbacks and landscaping abutting interior front, side, and rear property lines.* Unless a greater setback is required elsewhere within the UDC, off-street loading areas abutting an interior front, side, or rear property line shall be setback a minimum of five feet. The setback shall be landscaped according to the Type A landscaping standard of SRC chapter 807.
- (c) *Dimensions.* Loading areas shall conform to the minimum dimensions set forth in Table 806-9.
- (d) *Maneuvering.* Off-street loading areas shall be of sufficient size, and all curves and corners of sufficient radius, to accommodate the safe operation of a delivery vehicle.
- (e) *Surfacing.* All loading areas shall be paved with a hard surface material meeting the Public Works Design Standards; provided, however, paving is not required for:
 - (1) Temporary and seasonal gravel loading areas, approved pursuant to SRC chapter 701.
 - (2) Gravel loading areas, approved through a conditional use permit.
- (f) *Drainage.* Loading areas shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.
- (g) *Lighting.* Lighting for off-street loading areas shall not shine or reflect onto adjacent residentially zoned property, or property used for uses or activities falling under household living, or cast glare onto the street.

(Prior Code, § 806.080; Ord. No. 31-13)