
COMMUNITY DEVELOPMENT DEPARTMENT

DATE: JUNE 2, 2021

TO: OUR SALEM ZONING SUBCOMMITTEE

FROM: EUNICE KIM, LONG RANGE PLANNING MANAGER

THROUGH: LISA ANDERSON-OGILVIE, PLANNING ADMINISTRATOR AND COMMUNITY DEVELOPMENT DEPUTY DIRECTOR

SUBJECT: ANSWERS TO QUESTIONS AT MAY MEETING

The Our Salem Zoning Subcommittee met for the second time on Thursday, May 27 and continued discussing zoning options intended to reduce greenhouse gas emissions. Specifically, the Subcommittee members focused on the first three options: Maximum heights, eliminating parking requirements, and increasing minimum densities. They asked questions and weighed in on each of the three options.

This memorandum summarizes the Subcommittee's input and provides answers to questions members posed. It also provides a high-level description of the last three zoning options that will be discussed at the June 9 Subcommittee meeting.

First Three Zoning Options

The Zoning Subcommittee took initial votes on each of the first zoning options. The votes are not binding, and the Subcommittee is expected to take final votes on each of the six zoning options at a final meeting later this summer. Below are the initial votes from the May 27 meeting.

1. **What should be the maximum height in the proposed Mixed Use-III zone?**

70 feet

2. **What should be the setback adjacent to residential zones be in the Mixed Use-III zone?**

The setback should be based on the height. Specifically, the setback would be the same as in the Mixed Use-I and Mixed Use-II zones: Minimum 10 ft plus 1.5 feet for each 1 foot of building height above 15 feet. The setback would apply even if there was an alley, and a minimum 6-foot-tall fence or would be required.

The Subcommittee asked if the setback adjacent to residential zones could be capped, meaning the setback would increase as building heights increased, but at some point, the setback would no longer need to be increased. This cap could be incorporated into the MU-III zone. Staff will bring back options at the last Zoning Subcommittee meeting.

3. Parking requirements should be eliminated for what uses?

Minimum off-street parking requirements should be eliminated for mixed-use developments within 1/4 mile of Cherriots' Core Network. This would apply to horizontal and vertical mixed-use developments.

4. The minimum density requirement should be increased to what?

The minimum density requirement should be increased to 15 units per acre in the mixed use zones and Multiple Family Residential II (RM-II) zone across the city.

Answers to Questions

5. How many properties in the MU-III zone could be developed with a 70-foot building if the setback against residential zones was based on the height (like in the MU-I and MU-II zones)?

Staff analyzed properties proposed to be rezoned MU-III on Commercial Street SE, Silverton Road NE, and Broadway Street NE, which generally have the smallest lot sizes of all areas proposed to be rezoned MU-III. We assumed that a mixed-use building would be roughly 60 feet in depth and then looked at the lot depths along the three streets to determine the feasibility of a 70-foot-tall building being built. Generally, 10 to 15 percent of the lots would not be able to accommodate a 70-foot-tall building. The City could establish a cap on the setback adjacent to residential zones, as discussed earlier, if the Subcommittee wants to pursue that option.

6. Can you provide heights of some existing taller buildings in Salem?

The Lee Apartment Building on Winter St NE is approximately 75 to 80 feet tall. The Koz microunit apartment building on State Street downtown is 73 feet tall. South Block Apartments on Commercial Street SE is 63 feet tall at its highest point, and the Broadway Commons building on Broadway Street NE is 57 feet tall at its highest point.

7. Could Salem do more to incentivize the development of affordable housing through the zoning code?

Yes, the City could adopt new incentives for affordable housing. As mentioned before, [SB 8](#), which appears to be headed to approval, would require cities to provide a density bonus (e.g., increased density and height) for affordable housing developments. The City also reduced parking requirements for affordable units during the recent Multifamily Housing Design project.

In addition, Salem could offer additional incentives similar to what cities in California do. In California, developers can request incentives or concessions – based on the level of affordability and number of affordable units – in order to provide affordable units. The more affordable the housing development (e.g., deeper level of affordability and greater number of affordable units), the more incentives or concessions that can be requested. Examples of incentives or concessions include: Up to 20 percent deviation from setback requirements, lot coverage requirements, lot width requirements, floor area requirements, or open space requirements. In Salem, this would be similar to granting a zoning adjustment to a standard; however, the City could provide deviations from standards by right, without an adjustment application.

Staff will research these and other incentives further and present options to the Zoning Subcommittee at a later meeting.

Last Three Zoning Options

Staff will present the last three zoning options to the Zoning Subcommittee on June 9. Staff will describe the ideas at a high level, gauge the Subcommittee's interest in further pursuing them, and ask the Subcommittee what questions they have. The last three ideas are described below.

8. **Require multifamily housing in the mixed-use zones**

The current MU-I and MU-II zones and the proposed new MU-III zone allow but do not require multifamily housing; standalone commercial uses are allowed. Requiring housing in the mixed-use zones – particularly when land is developed or redeveloped with commercial uses – would help ensure dwelling units are located next to services, jobs, and transit service. This type of requirement could be applied to specific areas in Salem as opposed to mixed-use zones throughout the city. It could also be tailored so that additions to existing businesses, for example, were exempt.

Promoting housing in mixed-use areas aligns with the Oregon Statewide Transportation Strategy (STS), which identifies strategies to reduce GHG emissions. One such strategy in the STS is to promote “compact, mixed use development,” and it projects that more than 30 percent of urban households in Oregon would need to live in compact, mixed-use neighborhood, up from 20 percent in 2020, to meet State GHG reduction goals.

In Salem, it is not common for zones to require housing as a part of development. However, dwelling units are required in the Broadway-High Street Housing Overlay Zone, which is located on Broadway Street NE between Belmont Street NE and the Liberty-High Street split. The overlay zone is part of a mixed-use corridor north of downtown Salem. It requires that a minimum of 50 percent of the floor area of each new building include dwelling units. The new mixed-use building at 990 Broadway Street NE was developed under the overlay zone. That project includes 23 dwelling units and a ground-floor commercial use. The City Council recently approved a ten-year property tax exemption for the project under the City's Multiple Unit Housing Tax Incentive Program.

9. **Require neighborhood hubs and/or middle housing (e.g., duplexes, triplexes, fourplexes, and townhouses) in large subdivisions**

Requiring neighborhood hubs – a proposed new zone – in large subdivisions would help promote the creation of more complete neighborhoods, particularly as vacant land on the edges of Salem are developed. Siting neighborhood hubs in subdivisions would not preclude the development of single-family homes but would provide the opportunity for neighborhood services and shops to be located within newer neighborhoods in the future depending on market conditions.

Requiring middle housing in subdivisions – a certain percentage of lots – would promote a greater mix of housing types and mixed-income neighborhoods in Salem. It could allow more people to easily access jobs, shops, and services depending on the subdivision's location. Both requirements would be new in Salem.

The Home Builders Association of Marion and Polk Counties has suggested establishing a minimum density in the Single Family Residential (RS) zone as an alternative to requiring middle housing in subdivisions. Currently, there is no minimum density in the RS zone, which means a large acreage lot can be developed with a single home. Establishing a minimum density would ensure that residential land was more efficiently used, and a higher minimum density could promote a mix of housing types. If the Subcommittee is interested in this alternative approach to middle housing and subdivisions, staff can bring back options at a future meeting.

10. Establish a minimum density in the RS zone near Cherriots' Core Network

The RS zone, as mentioned above, does not have a minimum density; a single-family home is allowed on a lot that is at least 4,000 square feet in size. Implementation of House Bill 2001 will generally require the City to allow in single-family zones the following: A duplex on every lot, a triplex on lots that are at least 5,000 square feet, and a quadplex and cottage cluster on lots that are at least 7,000 square feet. Townhouses would also be allowed on lots that are at least 1,500 square feet.

Establishing a minimum density on RS-zoned lots near Cherriots' Core Network would help ensure that higher-density middle housing is located near frequent transit service. (No parking is required for three and four-family projects within ¼ mile of the network, so it could be more feasible to see those types of projects there.)