

## Proposed Mixed Use-R (MU-R) Zone

(September 2021)

The following information describes the proposed MU-R zone, which would be a new zone in Salem. It is a <u>draft</u> that is subject to change as the Our Salem project progresses. **If you have questions or want to** provide input on this draft, please contact Eunice Kim, ekim@cityofsalem.net.

#### CHAPTER 53X. MIXED USE-RIVERFRONT

## Sec. 53X.001. Purpose.

The purpose of the Mixed Use-Riverfront (MU-R) zone is to identify allowed uses and establish development standards that promote a mixed-use, pedestrian-oriented district that takes advantage of its proximity to the Willamette River. The MU-R zone encourages a mix of uses in multi-story buildings and promotes pedestrian access to the Willamette River.

## Sec. 53X.005. Definitions.

Unless the context otherwise specifically requires, as used in this chapter, the following mean:

Pedestrian amenities means areas and objects that are intended to serve as places for public use and are closed to motorized vehicles. Examples include plazas, sidewalk extensions, outdoor seating areas, and street furnishings.

Primary street means a street that is classified in the Salem Transportation System Plan (TSP) as an arterial or collector.

Secondary street means a street that is classified in the TSP as a local street.

## Sec. 53X.010. Uses.

(a) The permitted (P), special (S), conditional (C), and prohibited (N) uses in the MU-R zone are set forth in Table 53X-1.

TABLE 53X-1 USES

Table 53X-1: Uses							
	Status						
Household Living							
Single family	Р	The following single family activities:					
		Townhouse.					
		<ul> <li>Residential home, as defined under ORS 197.660.</li> </ul>					
	N	All other single family.					
Two family	N						
Three family	Р						
Four family	Р						
Multiple family	Р						
Group Living							
Room and board	P Room and board serving 5 or fewer persons.						
	N	All other room and board					

Residential care	Р	The following residential care activities:
Nesideritiai care	-	Residential facility, as defined under ORS 197.660.
		Assisted living.
	N	All other residential care.
Nursing care	N	All other residential care.
Lodging	I IV	
Short-term commercial lodging	Р	
Long-term commercial lodging	N	
Non-profit shelters	N	
Retail Sales and Services	IN	
Eating and drinking establishments	ГР	
Retail sales	P	
Personal services	P	
Postal services and retail financial	P	
services	-	
Business and Professional Services		
Office	Р	
Audio/visual media production	P	
Laboratory research and testing	P	
Motor Vehicle, Trailer, and Manufa	· ·	Ing Sales and Service
Motor vehicle and manufactured	N N	Ing Sales and Service
dwelling and trailer sales	"	
Motor vehicle services	N	
Commercial parking	N	Standalone surface parking lots
commercial parking	P	All other commercial parking
Park-and-ride facilities	N	7 in other commercial parking
Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service	N	
and storage		
Recreation, Entertainment, and Cul	tural Service	s and Facilities
Commercial entertainment—	N	Firing ranges
Indoor	Р	All other commercial entertainment—Indoor.
Commercial entertainment—	N	
Outdoor		1
Major event entertainment	N	
Recreational and cultural	Р	
community services		
Parks and open space	Р	
Non-profit membership assembly	Р	
Religious assembly	Р	
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and	Р	
laboratories		
<b>Educational Services</b>		
Day care	Р	
Basic education	Р	

Post-secondary and adult	P	
education	'	
Civic Services		
Government services	Р	
Social services	P	
Governmental maintenance	N	
services and construction	'`	
Public Safety		
Emergency services	Р	
Detention facilities	N	
Military installations	N	
Funeral and Related Services	111	
Cemeteries	ΙN	
Funeral and cremation services	N	
	1 .,	and Industrial Commission
Construction Contracting, Repair, N		and industrial services
General repair services	P	
Building and ground services and	N	
construction contracting	N	
Cleaning plants	N N	
Industrial services		
Wholesale Sales, Storage, and Distriction General wholesaling	P	General wholesaling, provided the following is met:
Heavy wholesaling Warehousing and distribution Self-service storage	N N N N N	<ul> <li>Wholesaling is in buildings and structures constructed prior to [Insert Effective Date of Ordinance], retail sales in the same line of goods is provided on-site, and the wholesaling does not exceed 50 percent of total floor area per development site or 10,000 square feet, whichever is more; or,</li> <li>Wholesaling is in buildings and structures constructed after [Insert Effective Date of Ordinance], retail sales in the same line of goods is provided on-site, and wholesaling does not exceed 5,000 square feet of total floor area per development site.</li> </ul>
	N	
Manufacturing General manufacturing	Р	General manufacturing, provided the following is met:
Scheral manageduring	,	<ul> <li>Manufacturing is in buildings and structures constructed prior to [Insert Effective Date of Ordinance], retail sales of the products manufactured is provided on-site, and the manufacturing does not exceed 50 percent of total floor area per development site or 10,000 square feet, whichever is more; or,</li> <li>Manufacturing is in buildings and structures constructed after [Insert Effective Date of Ordinance], retail sales of the products manufactured is provided</li> </ul>

		on-site, and manufacturing does not exceed 5,000		
		square feet of total floor area per development site.		
	N			
Han a second for the state of		All other general manufacturing.		
Heavy manufacturing	N			
Printing	Р			
Transportation Facilities	1			
Aviation facilities	N			
Passenger ground transportation facilities	Р			
Marine facilities	С			
Utilities				
Basic utilities	N	Reservoirs; water storage facilities; electric substation.		
	Р	All other basic utilities.		
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC chapter 703.		
Drinking water treatment facilities	N			
Power generation facilities	N			
Data center facilities	N			
Fuel dealers	N			
Waste-related facilities	N			
Mining and natural resource	N			
extraction				
Petroleum and natural gas	N			
Surface mining	N			
Farming, Forestry, and Animal Servi	ces			
Agriculture	N			
Forestry	N			
Agriculture and forestry services	N			
Keeping of livestock and other	N			
animals				
Animal services	Р			
Other Uses				
Home occupations	S	Home occupations, subject to SRC 700.020.		
Accessory dwelling units	S	Accessory dwelling units, subject to SRC 700.007.		

- (b) *Prohibited uses.* Notwithstanding Table 53X-1, any permitted, special, or conditional use within the MU-R zone shall be a prohibited use if developed with a drive-through.
- (c) Continued uses. Existing uses within the MU-R zone established prior to [Insert Effective Date of Ordinance], but which would otherwise be made non-conforming by this chapter, are hereby deemed continued uses.
  - (1) Buildings or structures housing a continued use may be structurally altered, enlarged, or rebuilt following damage or destruction, provided:
    - (A) Such alteration, enlargement, or rebuilding of a conforming development complies with the standards in this chapter; or
    - (B) Such alteration, enlargement, or rebuilding of a continued development complies with the standards set forth in SRC 52X.15(g).
  - (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 a conforming use shall thereafter prevent conversion back to the former continued use or any other continued use.

## Sec. 53X.015. Development standards.

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

(a) Lot standards. Lots within the MU-R zone shall conform to the standards set forth in Table 53X-2.

## TABLE 53X-2 LOT STANDARDS

Table 53X-2: Lot Standards					
Requirement	Standard Limitations & Qualifications				
Lot Area					
All uses	None				
Lot width					
All uses	None				
Lot depth					
All uses	None				
Street frontage					
All uses	16 ft.				

- (b) Dwelling unit density. Development within the MU-R zone that is exclusively residential shall have a minimum density of 15 dwelling units per acre.
- (c) Setbacks. Setbacks within the MU-R zone shall conform to the standards set forth in Tables 53X-3 and 53X-4.

## TABLE 53X-3 SETBACKS

Table 53X-3: Setbacks				
Requirement	Standard Limitations & Qualifications			
Abutting Street				
Buildings				
All uses	0 ft.	(1) Maximum setback of up to 10 feet is permitted if the setback area is used for pedestrian amenities.		
		(2) A minimum setback of five feet to a maximum setback of 10 feet is permitted for ground-floor residential uses if horizontal separation is provided pursuant to SRC 53X.015(h).		
Accessory Structures				
All uses	Min. 5 ft.			
Vehicle Use Areas				
All uses	Per SRC chapter 806	The use of a berm under SRC 806.035(c)(2)(B) is prohibited.		
Interior Side				
Buildings				

Zone-to-zone	
setback	
(Table 53X-4)	
Zone-to-zone	
setback	
(Table 53X-4)	
Zone-to-zone	
setback	
(Table 53X-4)	
Zone-to-zone	
setback	
(Table 53X-4)	
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(Table 53X-4)	
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## TABLE 53X-4 ZONE-TO-ZONE SETBACKS

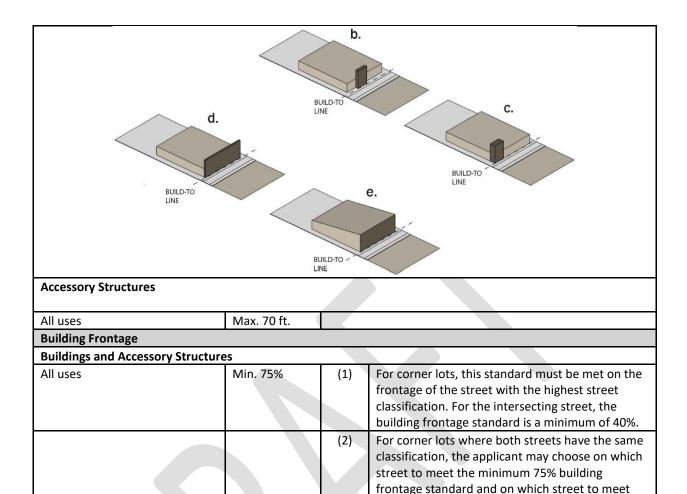
Table 53X-4: Zone-to-Zone Setbacks					
Abutting Zone	Type of Improvement	Setback	Landscaping & Screening		
EFU	Buildings and accessory structures	None	N/A		
	Vehicle use areas	Min. 5 ft. <sup>(1)</sup>	Type A		
Residential zone	Buildings and accessory structures	Min. 15 ft.	Type C		
	Vehicle use areas	Min. 5 ft.	Type C		
Mixed-use zone	Buildings and accessory structures	None	N/A		
	Vehicle use areas	Min. 5 ft. <sup>(1)</sup>	Type A		
Commercial zone	Buildings and accessory structures	None	N/A		
	Vehicle use areas	Min. 5 ft. <sup>(1)</sup>	Type A		
Public zone	Buildings and accessory structures	None	N/A		
	Vehicle use areas	Min. 5 ft. <sup>(1)</sup>	Type A		
Industrial and employment zone	Buildings and accessory structures	None	N/A		
	Vehicle use areas	Min. 5 ft. <sup>(1)</sup>	Type A		

## Limitations & Qualifications

- (1) Zone-to-zone setbacks are not required abutting an alley.
  - (d) Lot coverage; height; building frontage. Buildings and accessory structures within the MU-R zone shall conform to the lot coverage, height, and building frontage standards set forth in Table 53X-5.

TABLE 53X-5 LOT COVERAGE; HEIGHT; BUILDING FRONTAGE

	Table 53X-5: Lot Cove	erage; Hei	ight; Building Frontage	
Requirement	Standard	Limitat	ions & Qualifications	
Lot Coverage				
Buildings and Accessory Stru	uctures			
All uses	No Max.			
Rear Yard Coverage				
Buildings				
All uses	NA			
Accessory Structures				
All uses	No Max.			
Height				
Buildings				
All uses	Max. 70 ft.			
	Min. 20 ft.	New buildings or additions shall satisfy the minimum height requirements through one of the following option		
		a)	Roof. Provide a roof that is 20 feet in height.	
		b)	Prominent entry. Provide an attached entry that is 20 feet in height, extends for a minimum of 25 percent of the length of the front facade, and extends to the front lot line.	
		c) Cupola. Provide a 20-foot tall portion of the building for a minimum of 25 percent of the length of the front facade. It shall include the front facade wall and extend a minimum of 10 feet behind the front wall.		
		d)	False front. Provide a front facade wall that is 20 feet in height along the entire length of the building.	
		e)	Reverse shed. Provide a front facade wall that is 20 feet in height along the entire length of the building, and slope the roof down toward the rear of the building.	
EXAM		IGURE 532 IEET MINI	X-1 MUM HEIGHT REQUIREMENT	



- (e) Parking. Required off-street parking shall not be located on a new standalone surface parking lot in the MU-R zone.
- (f) Landscaping.
  - (1) Setback areas. Required setbacks, except setback areas abutting a street that provide pedestrian amenities or horizontal separation pursuant to SRC 53X.015(h), shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.

the minimum 40% building frontage standard.

- (2) Vehicle use areas. Vehicle use areas shall be landscaped as provided under SRC chapter 806 and SRC chapter 807.
- (g) Continued development. Buildings and structures existing on [Insert Effective Date of Ordinance] that would be made non-conforming development by this chapter are hereby deemed continued development. The owner shall have the burden to demonstrate continued development status under this subsection.
  - Single family uses.
    - (A) Buildings. Continued development housing a continued single family use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to development standards of the Single Family Residential (RS) zone set forth in SRC chapter 511 and to all other applicable provisions of the UDC, except for lot size and dimension standards in SRC chapter 511.

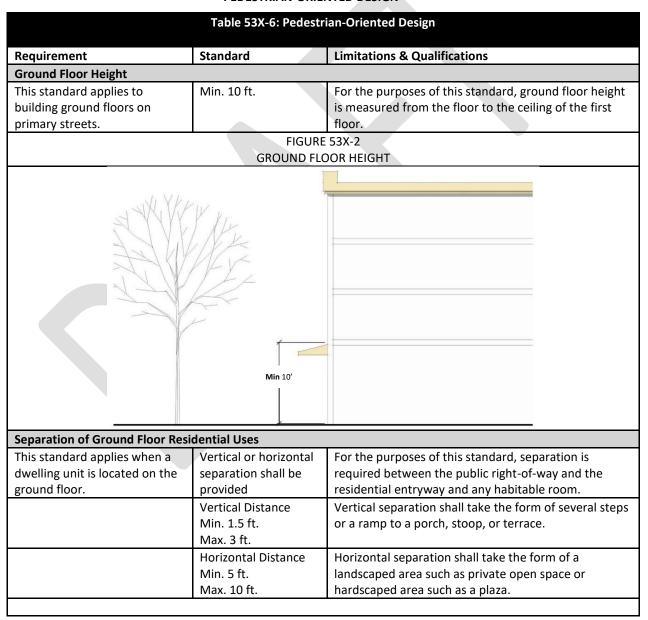
- (B) Accessory structures. Existing accessory structures on the same property as a continued single family use may be structurally altered or enlarged, or rebuilt following damage or destruction, and new accessory structures to a continued use may be constructed, provided such alteration, enlargement, rebuilding, or new accessory structure construction conforms to the development standards of the Single Family Residential (RS) zone set forth in SRC chapter 511, except the lot size and dimensions standards, and to all other applicable provisions of the UDC.
- (C) Option to rebuild in same location. Notwithstanding SRC 53X.015(g)(1)(A) and (B), any continued development housing a continued single family use or associated accessory structure rebuilt following damage or destruction may either be located on the same location on the lot as the original building or structure, or in compliance with the setbacks of the Single Family Residential (RS) zone set forth in SRC 511.010(b).
- (2) All other uses. Continued development, housing a use other than a continued single family use, may be structurally altered, enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to the following standards:
  - (A) Minor alterations. Exterior alterations to buildings that alter less than 20 percent of an existing building facade area facing a primary street are exempt from all of the development standards in this chapter. Such alterations shall not increase the building facade's nonconformity to the pedestrian-oriented design standards in Table 53X-6.
  - (B) Minor additions. Additions to buildings that enlarge or alter an existing building facade area facing a primary street by less than 20 percent are exempt from all of the development standards in this chapter except for interior setbacks, parking, landscaping, and maximum height standards. Such additions shall not increase the building facade's nonconformity to the pedestrian-oriented design standards in Table 53X-6.
  - (C) Major alterations. Exterior alterations to buildings that alter between 20 percent and 60 percent of an existing building facade area facing a primary street shall decrease that building facade's nonconformity to all pedestrian-oriented design standards in Table 53X-6 that are applicable to that alteration. Such alterations are exempt from all other development standards in this chapter.
  - (D) *Major additions*. Additions to buildings that enlarge or alter an existing building facade area facing a primary street by between 20 percent and 60 percent shall:
    - (i) Comply with a minimum of three of the pedestrian-oriented design standards in Table 53X-6; or
    - (ii) Comply with a minimum of one of the pedestrian-oriented design standards in Table 53X-6 and add perimeter landscaping in vehicle use areas if such landscaping is not already required under SRC 53X.015(f).

For the purposes of SRC 53X.015(g)(2)(D)(i) and (ii), the pedestrian-oriented design standards in Table 53X-6 shall apply to the addition. Major additions must meet all other development standards in this chapter except for building frontage, maximum setback abutting a street, and minimum height.

(E) Substantial alterations. Exterior alterations to buildings that alter more than 60 percent of an existing building facade area facing a primary street shall meet all applicable pedestrian-oriented design standards in Table 53X-6. Such alterations are exempt from all other development standards in this chapter.

- (F) Substantial additions or redevelopment. Additions to buildings that enlarge or alter an existing building facade area facing a primary street by more than 60 percent shall meet all applicable development standards in this chapter. Continued development that is rebuilt following damage or destruction shall meet all development standards in this chapter.
- (h) Pedestrian-oriented design. Development within the MU-R zone, excluding development requiring historic design review, shall conform to the pedestrian-oriented design standards set forth in Table 53X-6. Any development requiring historic design review shall only be subject to design review according to the historic design review standards or the historic design review guidelines set forth in SRC chapter 230.

TABLE 53X-6
PEDESTRIAN-ORIENTED DESIGN



## FIGURE 53X-3 HORIZONTAL SEPARATION



Public Pedestrian Access				
This standard applies between	Public pedestrian	(1)	For the purposes of this standard, public	
the Willamette River and Front	access shall be		pedestrian access shall be in the form of a	
Street.	provided at least		sidewalk, street, or alley that is a minimum of 12	
	every 400 feet		feet wide and that meets at least three of the	
			following standards:	
			(a) Incorporate visual contrast or tactile finish	
			texture.	
			(b) Be constructed with pavers, scored or colored	
			concrete, and/or stamped asphalt.	
			(c) Be elevated above parking areas and driveways	
			by a height of 3 to 3.5 inches.	
			(d) Be defined with landscaping or building	
			features such as canopies, awnings, or arcades.	
			(e) Provide active use frontages and/or entrances	
			with overlooking windows, stoops, or terraces.	
			(f) Provide pedestrian-level lighting.	

# FIGURE 53X-4 PEDESTRIAN CONNECTIONS



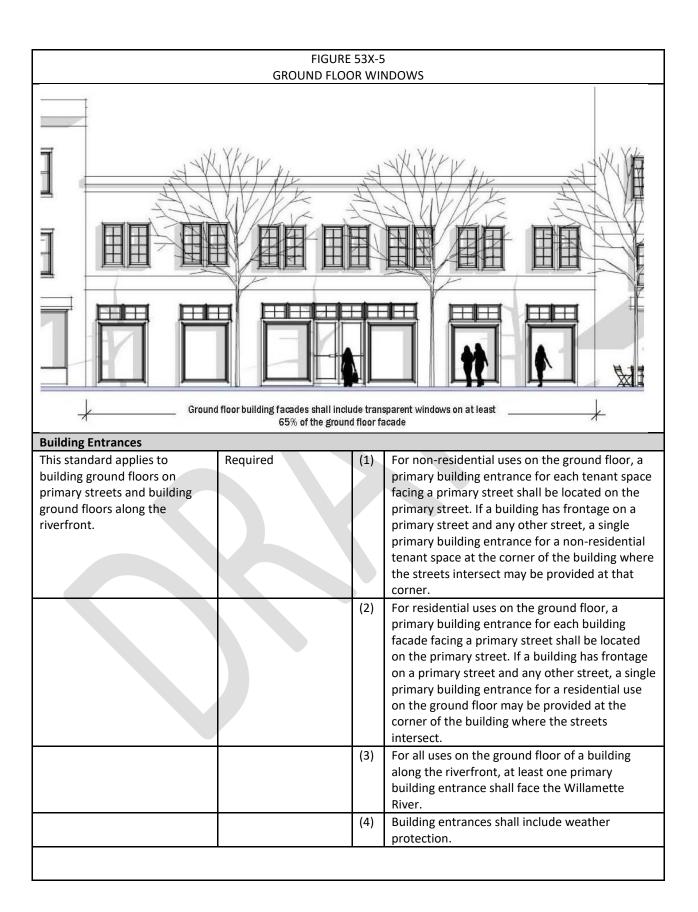
This standard applies to building facades facing primary streets.	Required	(1)	For buildings on corner lots, where the primary street intersects with a secondary street, these standards shall apply to the full length of the front facade and the portion of the side facade that extends a minimum of 50 feet from the corner where the primary street meets the secondary street, or to the edge of the building	
		(2)		he lot, whichever is shorter. dings shall incorporate vertical and
		(2)	hor	izontal articulation and shall divide vertical sinto a base, middle, and top.
			a)	Base: Ground floor facades shall be distinguished from middle facades by at least one of the following standards:
				1. Change in materials.
				2. Change in color.
				3. Molding or other horizontally- articulated transition piece.
			b)	Middle: Middle facades shall provide visual interest by incorporating at a minimum of every 50 feet at least one of the following standards:
				1. Recesses of a minimum depth of two feet.
				2. Extensions of a minimum depth of two feet.
				3. Vertically-oriented windows.

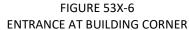
4. Pilasters that project away from the

Top: Building tops shall be defined by at least one of the following standards:

building.

		T		
				1. Cornice that is a minimum of eight
				inches tall and a minimum of three inches
				beyond the face of the facade.
				2. Change in material from the upper
				floors, with that material being a minimum
		<del> </del>	-	of eight inches tall.  3. Offsets or breaks in roof elevation that
				are a minimum of three feet in height.
		+		
				4. A roof overhang that is a minimum of eight inches beyond the face of the facade.
			(3)	The repainting of a facade of an existing building
			(3)	is exempt from this standard.
		<u>I</u>	RE 53X-4	
			ULATIO	
*		AITTC	OLATIO	Cornice:
"Top"				min 8" tall
"Middle"				Vertically- oriented
				windows
1				→ Molding
"Base"				
Ground Flo	oor Windows			
	ard applies to	Min. 65%	(1)	For the purposes of this standard, ground floor
	ound floors on			building facades shall include the minimum
/	reets and building			percentage of transparent windows. The
	ors along the			windows shall not be mirrored or treated in such
riverfront.				a way as to block visibility into the building. The
				windows shall have a minimum visible
				transmittance (VT) of 37 percent.
			(2)	For buildings on corner sites, where the primary
				street intersects with a secondary street, this
				standard shall apply to the full length of the
				front facade and the portion of the side facade
		1		that extends a minimum of 50 feet from the
				corner where the primary street meets the
				secondary street, or to the edge of the building or the lot, whichever is shorter.
		<u> </u>		or the lot, whichever is shorter.







## **Weather Protection**

This standard applies to
building ground floors adjacent
to a street and along the
riverfront.

Residential uses
Min. 50%

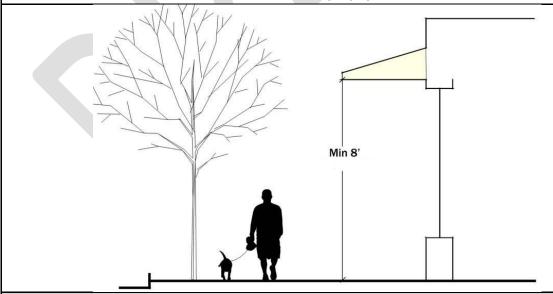
Non-residential uses
Min. 75%

For the purposes of this standard, weather protection in the form of awnings or canopies shall be provided along the ground floor building facade for the minimum length required.

Awnings or canopies shall have a minimum clearance height above the sidewalk or ground surface of 8 feet and may encroach into the street right-of-way as provided in SRC 76.160.

## FIGURE 53X-7 WEATHER PROTECTION

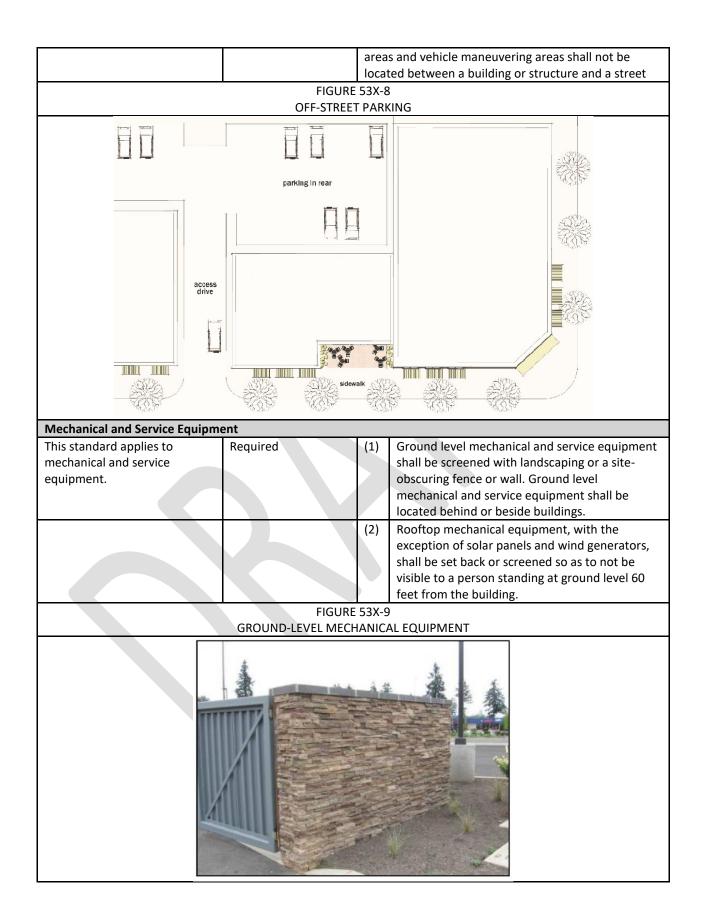
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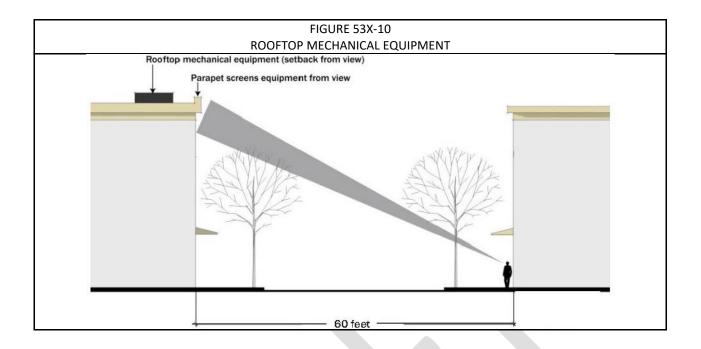


## **Parking Location**

This standard applies to offstreet parking areas and vehicle maneuvering areas. Required

Off-street surface parking areas and vehicle maneuvering areas shall be located behind or beside buildings and structures. Off-street surface parking





## Sec. 53X.020. Design review.

Design review under SRC chapter 225 is not required for development within the MU-R zone. Multifamily development within the MU-R zone is not subject to design review according to the multiple family design review standards set forth in SRC chapter 702.

## Sec. 53X.025. Other provisions.

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

- (a) Floodplain Overlay Zone SRC chapter 601
- (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
- (I) Sign Code SRC chapter 900