



Oregon

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Department of Land Conservation and Development

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NOTICE OF ADOPTED AMENDMENT

12/22/2008

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Salem Plan Amendment
DLCD File Number 022-08

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Monday, January 05, 2009

This amendment was submitted to DLCD for review prior to adoption. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

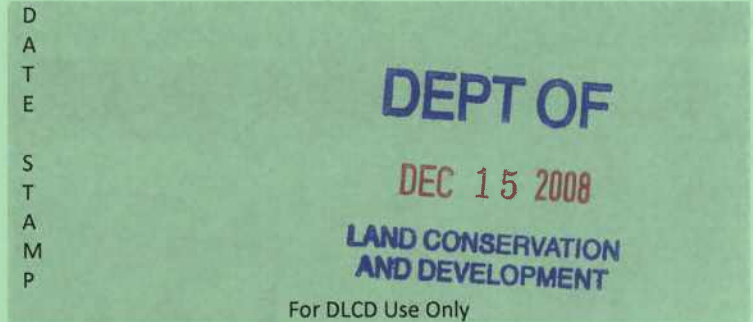
***NOTE:** THE APPEAL DEADLINE IS BASED UPON THE DATE THE DECISION WAS MAILED BY LOCAL GOVERNMENT. A DECISION MAY HAVE BEEN MAILED TO YOU ON A DIFFERENT DATE THAT IT WAS MAILED TO DLCD. AS A RESULT, YOUR APPEAL DEADLINE MAY BE EARLIER THAN THE ABOVE DATE SPECIFIED.

Cc: Bryce Bishop, City of Salem
Gloria Gardiner, DLCD Urban Planning Specialist
Steve Oulman, DLCD Regional Representative

<paa> YA

NOTICE OF ADOPTION

THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: City of Salem

Local File Number: CA 08-5

Date of Adoption: December 8, 2008

Date Mailed: December 12, 2008

Date the Notice of Proposed Amendment was Mailed to DLCD: 8-1-08

Is this a **REVISED** Proposal previously submitted to DLCD: ___ YES X NO Date Submitted:

___ Comprehensive Plan Text Amendment

___ Comprehensive Plan Map Amendment

___ Land Use Regulation Amendment

___ Zoning Map Amendment

X New Land Use Regulation

___ Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."

The adopted amendment creates a new zoning district, the South Waterfront Mixed-Use (SWMU) zone, and also amends the City's *Development Design Handbook* by establishing a set of specific design review standards and guidelines applicable to development with the new zone. Corresponding amendments were also adopted to the parking requirements of the City's zoning code (SRC Chapter 133); the City's Sign Code (SRC Chapter 62); and housekeeping amendments to SRC Chapter 110 (General Zoning Provisions), SRC Chapter 113 (Land Use Zones), and SRC Chapter 120 (Design Review).

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "SAME." If you did not give notice of the Proposed Amendment, write "N/A."

The adopted amendment differs from the proposed amendment in that the SWMU zone is now codified under SRC Chapter 162 instead of SRC Chapter 164. The organization and formatting of certain sections of the zone were modified. The proposed amendments to the City's Sign Code were expanded in scope from the original proposal to create a new section within the Sign Code for the SWMU zone. Additional design review standards and guidelines were added to the proposed amendments to the *Development Design Handbook* requiring existing buildings to be removed over Pringle Creek and requiring additional pedestrian connections from the subject property to Riverfront Park. Housekeeping amendments to SRC Chapters 110, 113, and 120 were also necessary to accommodate the addition of a new zone district Chapter within the Zoning Code and a new section within the *Development Design Handbook*.

Plan Map changed from: NA

To: NA

Zone Map Changed from: NA

To: NA

Location: NA

Acres Involved: NA

Specify Density: Previous:

New:

Applicable Statewide Planning Goals:

Was an Exception Proposed: ___ YES ___ NO

Did the Department of Land Conservation and Development receive a Notice of Proposed Amendment **Forty-five (45) days prior to first evidentiary hearing?**

X Yes ___ No

If no, do the statewide planning goals apply?

___ Yes ___ No

If no, did Emergency Circumstances require immediate adoption?

___ Yes ___ No

Affected State of Federal Agencies, Local Governments or Special Districts:

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DLCD File No:

022-08 (17058) [15315]

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(b) Whenever the terms "R" districts, "C" districts, "I" districts, or "P" districts are used in this Code, they shall be deemed to refer to all districts containing that letter as the first letter designation in their names. For example, the term "R districts" shall include all residential districts, including RA, RS, RD, RM, and RH. R districts are also referred to as "residential," C districts as "commercial," I districts as "industrial," and P districts as "public" or "public use."

(c) The above ordering of districts does not rank them as to their desirability or need to be included within the city. All districts are hereby deemed to be appropriate as offering a range of available use classifications which may be applied in individual cases to promote the health, safety, and general welfare of the city and its people and to implement the objectives set forth in the comprehensive plan.

(d) Certain of the above listed districts are intended to overlay or combine with others.

1 They are listed by a title followed by the word "overlay." They are designed to be
2 combined with non-overlay districts to satisfy certain natural conditions or stated
3 community objectives and needs.

4 **Section 3.** The following SRC Chapter 162, South Waterfront Mixed-Use, is hereby added to
5 the Salem Revised Code:

6 **162.010. Intent and Purpose.** The South Waterfront Mixed-Use (SWMU) zone is an
7 implementing zone of the River-Oriented Mixed-Uses plan map designation on the Salem
8 Area Comprehensive Plan. The intent and purpose of the SWMU zone is to further economic
9 development and support the creation of a vibrant downtown within the City of Salem.
10 Development within the SWMU zone should contribute to a visually stimulating public
11 realm and an active and lively pedestrian environment by locating uses which attract
12 pedestrians and by creating visual interest along key streets and intersections. The SWMU
13 zone is intended to strike an appropriate balance between certainty and flexibility, and to
14 promote a mix of land uses to link with and support existing downtown and waterfront uses.

15 **162.020. Definitions.** As used in this Chapter, unless the context otherwise specifically
16 requires, the following mean:

17 (a) "Development Site" means a single building, all or a portion of a single lot, or all or a
18 portion of multiple lots within a single ownership or control (i.e., lands included within
19 the land use application), as determined by the applicant.

20 (b) "Ground Floor Area" means only the floor area of a building devoted to a particular
21 use measured within the exterior walls that are at grade plane of the building or structure.

22 (c) "Total Floor Area" means the floor area of a building devoted to a particular use as
23 measured within the exterior walls of all stories of a building or structure.

24 (d) "Use" is the primary, general type of economic or residential activity that may be
25 carried out on the property.

26 **162.030. Classification of Uses.**

27 (a) For the purposes of this Chapter, each use includes a grouping of specific activities
28 that illustrate the scope of the use. The examples are provided to illustrate the scope of
29 the use; however, the list is not intended to be exclusive. A specific activity not
30 identified in such a grouping shall be considered part of the grouping if the activity is

1 similar to the other specific activities that illustrate the scope of the use and if the activity
2 has impacts to surrounding properties and city infrastructure that are similar in type and
3 magnitude to the other specific activities that illustrate the scope of the use.

4 **(b)** Accessory, ancillary or subordinate activities that are necessary for the successful
5 operation of a specific economic or residential activity are considered part of that activity,
6 and not considered separate uses for the purposes of this Chapter, even though the
7 accessory, ancillary or subordinate activity might have characteristics that could result in
8 its being considered part of a grouping of specific economic or residential activities
9 illustrating the scope of another use.

10 **(c)** Specific activities which the Planning Administrator determines cannot be readily
11 classified with reference to a particular use description in this zoning code shall be
12 referred to the Commission for a formal interpretation pursuant to SRC 113.090(d). Upon
13 classification, a proposed activity may be added to a grouping without a text amendment
14 if the proposed activity would not result in materially greater impacts than the other
15 activities included in the grouping.

16 **(d)** Any inclusion of a proposed activity within a grouping that does not require a text
17 amendment shall be entered in a registry of uses made available to the public and setting
18 forth:

19 (1) The street address or other easily understood geographic reference to the property
20 upon which the specific economic activity will occur;

21 (2) The date of the decision; and

22 (3) A description of the decision made.

23 **(e)** Because parking requirements in SRC Chapter 133 are established by reference to the
24 Standard Industrial Classification (SIC) manual, the Planning Administrator shall classify
25 uses to the analogous SIC classification, based on comparison with examples of uses
26 listed in this Chapter.

27 **162.040. Permitted Uses.** The following uses are permitted in the SWMU Zone:

28 **(a) Retail Sales and Service.** Retail Sales and Service means the sale, lease or rent of
29 new or used products to the general public, the provision of personal services, the
30 provision of entertainment, or the provision of product repair or services for consumer

1 and business goods. Retail Sales and Service shall be limited to a maximum area of
2 40,000 square feet Ground Floor Area, except as specifically permitted pursuant to SRC
3 162.040(a)(2):

4 (1) Examples of Retail Sales and Service include:

5 (i) **Retail Sales Oriented.** Examples of Retail Sales Oriented uses include:
6 stores selling, leasing, or renting consumer home and business goods including
7 art, art supplies, bicycles, clothing, dry goods, electronic equipment, fabric,
8 furniture, garden supplies, gifts, groceries, hardware home improvements,
9 household products, jewelry, pets, pet food, pharmaceuticals, plants, printed
10 material, stationery, video.

11 (ii) **Personal Service Oriented.** Examples of Personal Service Oriented uses
12 include: banks; urgent medical care; laundromats; photographic studios;
13 photocopy and blueprint services; hair, tanning, and personal care services;
14 business, martial arts, and other trade schools; dance or music studios;
15 veterinarians; and animal grooming.

16 (iii) **Entertainment Oriented.** Examples of Entertainment Oriented uses
17 include: restaurants, cafes, delicatessens, taverns, and bars; indoor or outdoor
18 continuous entertainment activities such as bowling alleys, ice rinks, and game
19 arcades; theaters; pool halls; health clubs, gyms, membership clubs, and lodges;
20 hotels, motels, and other temporary lodging with an average length of stay of less
21 than thirty days.

22 (iv) **Product Repair or Service Oriented.** Examples of Product Repair or
23 Service Oriented uses include: repair of TVs, bicycles, clocks, watches, shoes,
24 guns, appliances and office equipment; quick printing; tailor; locksmith;
25 upholsterer.

26 (2) Notwithstanding any other provision of this Chapter, the following uses are
27 permitted as follows:

28 (i) Grocery Store: Maximum 60,000 square feet Ground Floor Area.

29 (ii) Indoor Sales or Leasing of Vehicles, including passenger vehicles,
30 motorcycles, light and medium trucks, and other recreational vehicles: Maximum

1 20,000 square feet Total Floor Area.

2 (iii) Entertainment Oriented Uses: Maximum of 60,000 square feet Ground Floor
3 Area.

4 (iv) Hotels, Motels, and Other Temporary Lodging: No maximum area, but may
5 not have an average length of stay greater than thirty days.

6 (v) Product Repair or Service Oriented Uses: Maximum of 40,000 square feet in
7 Ground Floor Area.

8 (3) The following uses are not permitted under Retail Sales and Service:

9 (i) Outdoor sales or leasing of consumer vehicles, including passenger vehicles,
10 motorcycles, light and medium trucks, and other recreational vehicles.

11 (ii) Vehicle servicing such as motor vehicle repair, gas station, or car wash.

12 (iii) Recycling drop-off.

13 (iv) Taxidermists.

14 (v) Mortuaries.

15 (vi) Kennels.

16 (vii) Casinos.

17 (viii) Recreational vehicle parks.

18 (ix) Indoor firing ranges.

19 (x) Drive-through/drive-up facilities for uses that are less than 10,000 square feet
20 in Total Floor Area.

21 (b) **Office Use.** Office Use means uses conducted in an office setting and generally
22 focuses on business, professional, medical, or financial services. Examples of Office Use
23 include: professional services such as lawyers, accountants, engineers, or architects;
24 financial businesses such as lenders, brokerage houses, bank headquarters, or real estate
25 agents; data processing; sales offices; TV and radio studios; medical and dental clinics,
26 medical and dental laboratories; blood collection facilities.

27 (c) **Residential Use.** Residential Use means the residential occupancy of a dwelling unit
28 by a household. Occupancy may be through a landlord/tenant relationship, or through fee
29 title ownership. Occupancy for periods of time shorter than thirty days are not considered
30 Residential Use, but are considered temporary lodging under Retail Sales and Service.

1 Residential Homes and Residential Facilities as defined by Oregon law are considered
2 Residential Use.

3 (1) Examples of Residential Use include: apartments and retirement center
4 apartments (including those with accessory services such as food service, dining
5 rooms, and housekeeping); duplexes; residential condominiums; townhouses.

6 (2) The following uses are not permitted under Residential Use:

7 (i) Detached single-family dwellings.

8 (ii) Manufactured housing.

9 (d) **Institutional Use.** Institutional Use means activities of a public, nonprofit, or
10 charitable nature which are generally providing a local service to the community.
11 Generally, Institutional Uses provide services onsite or have employees onsite on a daily,
12 weekly, or monthly basis. The provision of service is ongoing, not only provided for
13 special events. Examples of Institutional use include: daycare, preschools, and nursery
14 schools; adult daycare; public and private schools and colleges; senior centers;
15 community centers; nature/interpretive centers; religious institutions; libraries; transit
16 shelters and park-and-ride facilities; fire stations, police stations and other structures
17 providing necessary municipal services.

18 (e) **Commercial Parking.** Commercial Parking means providing parking that is not
19 accessory to another permitted use. A fee may or may not be charged. Examples of
20 Commercial Parking include: short-term and long-term parking facilities, commercial
21 shuttle parking and mixed parking facilities, facilities intended to be used partially for a
22 specific use, and partially for rent of parking stalls to others.

23 (1) Commercial Parking is permitted as follows:

24 (i) Within structures existing as of January 7, 2009, provided the existing
25 structure is rehabilitated or remodeled to allow for the use of the structure for
26 parking;

27 (ii) Within underground parking structures; or

28 (iii) Within all other structures, up to twenty-five percent of the parking spaces
29 may be used for commercial parking provided the total number of parking spaces
30 within the structure does not exceed the maximum of the amount of parking

1 allowed for each use pursuant to SRC 133.100(b).

2 **(2)** The following uses are not permitted under Commercial Parking:

3 **(i)** Commercial parking in surface parking lots.

4 **(ii)** Truck parking, except within parking structures, or for short-term parking for
5 freight delivery to tenants.

6 **(f) Manufacturing and Production.** Manufacturing and Production means the
7 manufacturing, processing, fabrication, packaging, or assembly of goods in facilities with
8 less than 10,000 square feet in Total Floor Area per use. Natural, man-made, raw,
9 secondary, or partially completed materials may be used. Products may be finished or
10 semi-finished and are generally made for the wholesale market, for transfer to other
11 plants, or to order for firms or consumers. Goods are generally not displayed or sold
12 onsite, but if so, they are incidental and subordinate to and dependent on the main use.
13 Relatively few customers come to the manufacturing site.

14 **(1)** Examples of Manufacturing and Production include: processing of food and
15 related products; catering establishments; breweries, distilleries, and wineries;
16 weaving or production of textiles or apparel; woodworking, including cabinet makers;
17 production of chemical, rubber, leather, clay, bone, plastic, stone, or glass materials
18 or products; movie production facilities; production or fabrication of metals or metal
19 products including enameling and galvanizing; manufacture or assembly of
20 machinery, equipment, or instruments; production of artwork and toys; sign making;
21 manufacturing of computers and electronic devices; production of energy; paper
22 products processing.

23 **(2)** The following uses are not permitted under Manufacturing and Production:

24 **(i)** Slaughter houses and meat packing.

25 **(ii)** Feed lots and animal dipping.

26 **(iii)** Lumber mills, pulp and paper mills, and other wood products manufacturing.

27 **(iv)** Concrete batching and asphalt mixing.

28 **(v)** Production of pre-fabricated structures, including manufactured homes.

29 **(g) Industrial Service.** Industrial Service means the repair or servicing of industrial,
30 business or consumer machinery, equipment, products or by-products in facilities with

1 less than 10,000 square feet in Total Floor Area. Firms that service consumer goods do so
2 by mainly providing centralized services for separate retail outlets. Contractors and
3 building maintenance services and similar uses perform services off-site. Few customers,
4 especially the general public, come to the site.

5 (1) Examples of Industrial Service include: tool repair; electric motor repair; repair
6 of scientific or professional instruments; sales, repair or storage for building, heating,
7 plumbing or electrical contractors; printing, publishing and lithography; janitorial and
8 building maintenance service; research and development laboratories; laundry, dry-
9 cleaning, and carpet cleaning plants; photo-finishing laboratories.

10 (2) The following uses are not permitted under Industrial Service:

11 (i) Salvage or wrecking of heavy machinery, metal, and building materials.

12 (ii) Towing and vehicle storage.

13 (iii) Auto and truck salvage and wrecking.

14 (iv) Heavy truck servicing and repair.

15 (v) Tire re-treading or recapping.

16 (vi) Truck stops.

17 (vii) Solid fuel yards.

18 (viii) Welding shops.

19 (ix) Machine shops.

20 (x) Recycling operations.

21 (xi) Fuel oil distributors.

22 (xii) Exterminators.

23 **(h) Parks and Open Space.** Parks and Open Space means natural areas, large areas
24 consisting mostly of vegetative landscaping or outdoor recreation features or facilities,
25 community gardens, or public squares used for public recreational activities or for the
26 preservation or enhancement of areas having scenic, biological or ecological significance.

27 (1) Examples of Parks and Open Space include: parks, public squares, plazas,
28 recreational trails, botanical gardens, and nature preserves.

29 (2) The following uses are not permitted under Parks and Open Space:

30 (i) Cemeteries.

1 (ii) Animal grazing.

2 (i) **Public Utilities.** Public Utilities means equipment, service lines, structures or
3 buildings not intended for occupancy by employees, not including parking areas, or
4 structures or buildings intended primarily for storage. Examples of Public utilities
5 include: water, gas, sanitary sewer, storm sewer, electricity, telephone and wire
6 communication service, cable television service lines, service mains, pumping stations,
7 reservoirs, service poles, underground transmission facilities, substations, and related
8 physical facilities.

9 **162.050. Special Uses.** The following uses, when restricted, developed and conducted as
10 required in SRC Chapter 119, are permitted in the SWMU Zone:

11 (a) Antennas attached to existing or approved structures.

12 (b) Mobile food unit.

13 **162.060. Administrative Conditional Uses.** The following uses, with administrative
14 conditional use approval as provided in SRC Chapter 116, are permitted in SWMU Zone:
15 freestanding support structures between thirty-six feet and seventy feet in height and
16 equipment enclosures.

17 **162.070 Mix of Uses Required.**

18 (a) A minimum of fifteen percent of each Development Site shall be nonresidential and a
19 minimum of fifteen percent of each Development Site shall be residential. The
20 percentage shall be calculated by determining the percentage of total habitable building
21 floor area devoted to residential uses and non-residential uses, relative to the total
22 habitable building floor area, exclusive of parking structures and other non-habitable
23 space. Total habitable building floor area used for hotels, motels, and other temporary
24 lodging with an average length of stay of thirty days or less may be substituted for up to
25 twenty-five percent of the required residential area.

26 (b) The Planning Administrator may allow a reduction in the percentage of uses required
27 by subsection (a) of this section to a minimum of five percent provided all of the
28 following criteria are met:

29 (1) There is a vertical mix of uses in one or more mixed-use buildings. The mix shall
30 include space for nonresidential uses on at least a portion of the ground floor and

1 residential uses on one or more upper floors; and

2 (2) All ground floor residential units facing a public street shall maintain a minimum
3 structural ceiling height of twelve feet to provide the opportunity for future
4 conversion to nonresidential uses.

5 (c) A Development Phasing Plan shall be submitted to the Planning Administrator for
6 multi-phased developments where the required mix of uses is proposed to be met in
7 phases.

8 (1) The Development Phasing Plan shall demonstrate:

9 (i) How the required mix of uses will be provided through phasing, including the
10 approximate locations, amount in square feet (a size range may be provided), and
11 timing of each use.

12 (ii) How onsite circulation, parking, landscaping and other onsite improvements
13 will function, after the completion of each phase and following complete build-
14 out of the development site.

15 (iii) If a size range(s) for a use(s) is provided, the Development Phasing Plan shall
16 demonstrate how both the minimum and maximum amounts enabled by the range
17 meet the requirements of this section.

18 (2) The Development Phasing Plan shall also identify the timeframe, in what order
19 and how proposed public utilities, public facilities and other improvements and
20 amenities necessary to support the project will be constructed, dedicated or reserved.

21 (3) A Development Phasing Plan does not convey subsequent phases of a project
22 with any vested rights to the proposed development.

23 (4) If a development application for a subsequent phase is submitted which is not
24 consistent with a previously approved Development Phasing Plan for that site, a
25 revised Development Phasing Plan must be submitted which meets the requirements
26 of this section. The revised Development Phasing Plan shall include the entire site
27 area shown in the original Development Phasing Plan. Development that has occurred
28 in prior phases of the original Development Phasing Plan may be used by the
29 applicant in the percentage calculations of the revised Development Phasing Plan,
30 regardless of property ownership or control at the time of the resubmittal. It is not

1 necessary that owners of previously developed lots shown on the original
2 Development Phasing Plan sign the review application for the revised Development
3 Phasing Plan unless the revised Development Phasing Plan would impact the mix of
4 uses or onsite circulation, parking, landscaping and other onsite improvements on the
5 previously developed lot.

6 (5) Development Phasing Plans shall be reviewed in accordance with the Type II
7 procedures in SRC 163.

8 **162.080. Height.** There is no maximum building height for buildings within the SWMU
9 Zone.

10 **162.090. Lot Size.** There are no minimum lot sizes required for lots in the SWMU Zone.

11 **162.100. Lot Coverage.** There are no maximum lot coverage requirements for lots or
12 parcels in the SWMU Zone.

13 **162.110. Setbacks.** Unless otherwise specified in the City of Salem Development Design
14 Handbook, there are no minimum front, side or rear yard setbacks for a building or structure.

15 **162.120 Design Approval.**

16 (a) Within the SWMU Zone, the construction or alteration of the exterior facade of any
17 building or structure shall be consistent with the standards or guidelines contained in the
18 City of Salem Development Design Handbook. This section shall not apply to relocatable
19 structures not attached to a permanent foundation.

20 (b) Lawful non-conforming buildings or structures may be structurally altered or
21 enlarged provided such new development reduces the degree of non-conformity, and
22 meets all other provisions of the Zoning Code and other laws, ordinances and regulations.

23 **162.130. Additional Standards.** Additional standards may apply to development in the
24 SWMU Zone. In the event there is any conflict between the standards of this Chapter and
25 those contained in other chapters of the Salem Revised Code, the provisions of this Chapter
26 shall control. Chapters that provide additional standards include, but may not be limited to:

27

28 Sign Code	SRC Chapter 62
29 Home Occupations	SRC Chapter 124
30 General Development Standards	SRC Chapter 130

1	Accessory Structures	SRC Chapter 131
2	Landscaping	SRC Chapter 132
3	Off-Street Parking, Loading,	
4	and Driveways	SRC Chapter 133
5	Floodplain Overlay Zones	SRC Chapter 140
6	Willamette Greenway	SRC Chapter 141

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Section 4. The following SRC 62.521 is hereby added to SRC Chapter 62:

SRC 62.521. Permanent Signs in the South Waterfront Mixed-Use Zone.

(a) Each building in the South Waterfront Mixed-Use zone that contains two or more businesses is allowed the following signs:

(1) One wall sign, one projecting sign, or one freestanding sign, for each street frontage on a designated arterial or designated collector; provided, however, if the building is located on a corner lot with two such intersecting street frontages, only one freestanding sign shall be allowed, which may be located on the principal street frontage or at the corner of the intersection of the street frontages.

(A) Freestanding Signs Standards.

(i) **Height.** Sign height shall be limited to twenty feet for the first 100 feet of frontage, plus an additional one foot for each twenty feet of frontage over 100 feet, up to a maximum height of thirty feet.

(ii) **Area.** Sign area shall be limited to one square foot per lineal foot of frontage for the first 100 feet of frontage, plus one-quarter additional square foot for each additional foot of frontage over 100 feet, up to maximum sign area limit of 150 square feet. Freestanding signs located between Riverfront Park and any building shall be restricted to five feet in height and thirty-two square feet of total sign area.

(B) Wall Sign Standards. Wall sign area shall conform with Appendix 4 of this Chapter; provided, however, if the wall sign is located on the face or end of a marquee, the wall sign shall be limited to thirty inches in height and shall not extend below the lower edge of the marquee. On the side of buildings facing

1 Riverfront Park, wall signs shall be a maximum of 150 square feet. On the side of
2 buildings facing the Willamette River, wall signs shall be further limited to thirty-
3 two square feet.

4 **(C) Projecting Sign Standards.** Projecting signs shall conform with SRC
5 62.390.

6 **(2)** In addition to the sign allowed under subsection (a)(1) of this section, one
7 freestanding sign to identify each motor vehicle access to the premises which shall be
8 limited to eight square feet and a height of four feet.

9 **(3)** In addition to the sign allowed under subsection (a)(1) of this section, one wall
10 sign may be used as a building directory. The square footage of the sign shall be
11 based on the total number of occupants in the building, but shall be limited to one
12 square foot per occupant.

13 **(4)** In addition to the sign allowed under subsection (a)(1) of this section, one
14 freestanding sign located between Riverfront Park and the building. The sign shall be
15 limited to a maximum of five feet in height, thirty-two square feet of total sign area
16 and be set back at least five feet from a property line abutting the park.

17 **(5)** In addition to the sign allowed under subsection (a)(1)(A) of this section, if one
18 or more of the street frontages of the property exceeds 300 feet, the building may
19 have one additional freestanding sign on each frontage exceeding such length, which
20 shall be limited to twenty feet in height and fifty square feet in sign area. If two
21 freestanding signs are located on the same street frontage, there shall be a minimum
22 distance of 100 feet between such signs.

23 **(b)** An individual business in the South Waterfront Mixed-Use zone is allowed the
24 following signs:

25 **(1)** One wall sign or one projecting sign for each frontage on a designated arterial or
26 designated collector or facing onto a parking lot. Wall sign area shall be as specified
27 in Appendix 2 of this Chapter; provided, however, wall signs shall not exceed 150
28 square feet in area on the side of a building facing Riverfront Park. Wall signs shall
29 not exceed thirty-two square feet on the side of a building facing the Willamette
30 River.

1 (2) In addition to the sign allowed under subsection (b)(1) of this section, one wall
2 sign on each street frontage or wall facing a parking lot. The wall sign shall be no
3 greater than eight square feet in total sign area.

4 (3) In addition to the sign allowed under subsection (b)(1) of this section, one under
5 marquee sign for each street frontage or wall facing a parking lot.

6 (c) Illuminated signs facing the Willamette River are prohibited.

7 **Section 5.** SRC Chapter 133.050 is amended to read:

8 **133.050. Location.**

9 (a) Off-street parking and loading areas shall be provided on
10 the same lot with the main building or use except that:

11 (1) In any R district, automobile parking areas for dwellings and other uses permitted
12 in a residential district may be located on another lot if such lot is within 200 feet of
13 the lot containing the main building, structure, or use.

14 (2) In any other district, except the CB and SWMU districts, the parking area may be
15 located off the site of the main building or use if it is within 500 feet of such site.

16 (3) In the CB district, customer off-street parking may be provided no more than 800
17 feet from the site of the main building; and employee or resident off-street parking
18 may be provided no more than 2,000 feet from the site of the main building.

19 (4) In the SWMU district, all required parking shall be provided within the district.

20 (b) Off-street parking is incidental to the use which it serves. As such, it shall be
21 located in a zoning district appropriate to that use, or where a public parking area is a
22 specific permitted use.

23 **Section 6.** SRC 120.100 is amended to read:

24 **120.100. Adoption of Development Design Handbook.** That certain document
25 entitled "City of Salem Development Design Handbook," kept on file in the office of the City
26 Recorder, adopted on November 13, 1998, and amended on November 13, 2000; October 8,
27 2001; November 19, 2001; December 16, 2002; February 9, 2006; April 19, 2006; and May
28 14, 2008; and January 7, 2009 is by this reference adopted and made part of this Code as if
29 fully reproduced herein.

30 //

1 **Section 7.** A new section, Section 9 – South Waterfront Mixed-Use Zone Design Guidelines and
2 Standards, is added to and made a part of the City of Salem Development Design Handbook as
3 set forth in “Exhibit 1”, which is attached hereto and incorporated herein by reference.

4 **Section 8.** The cover, title page, table of contents, and pages 1, 13, and 119-144 of the “City of
5 Salem Development Design Handbook” are amended to read as set forth in “Exhibit 2,” which is
6 attached hereto and incorporated herein by reference.

7 **Section 9. Severability.** Each section of this ordinance, and any part thereof, is severable, and
8 if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of
9 this ordinance shall remain in full force and effect.

10 PASSED by the City Council this 8th day of December, 2008.

11 ATTEST:

12 Kathie Hall
13 City Recorder

14 Approved by City Attorney: /

15
16 Checked by: Bryce Bishop
17 G:\Group\legal\Council\112408 SWMU Ord.doc

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Design guidelines versus design standards:

An applicant who proposes a project subject to Development Design Review must make a critical decision. An applicant has the choice of having their project proposal reviewed by the Planning Commission or having their proposal evaluated based on compliance with conventional development standards.

If the applicant chooses review by the Planning Commission, review of projects is based on clearly defined design guidelines. Design guidelines deal with such project elements as open space, landscaping, parking, site access and building massing. This type of project review is considered a limited land use decision because the Planning Commission must decide what meets the intent of the design guidelines. Limited land use decisions require public notice and the final decision is subject to appeal to the State Land Use Board of Appeals (LUBA).

Projects not reviewed by the Planning Commission are subject to compliance with design standards. Design standards are distinguished from design guidelines in that standards provide no discretion in decision making and are measurable, clear, and objective. Design standards address the same project elements as design guidelines. Since project review based on measurable standards involves no discretion (either a project proposal meets the standards or it does not) the decision is not considered a limited land use decision. Therefore, this type of project review does not require public notice or hearing.

The City of Salem Development Design Handbook is structured to clearly identify what is required for projects reviewed by the Planning Commission and projects that must comply with design standards. Design guidelines are always presented on the left side of the page with design standards on the right side of the page.

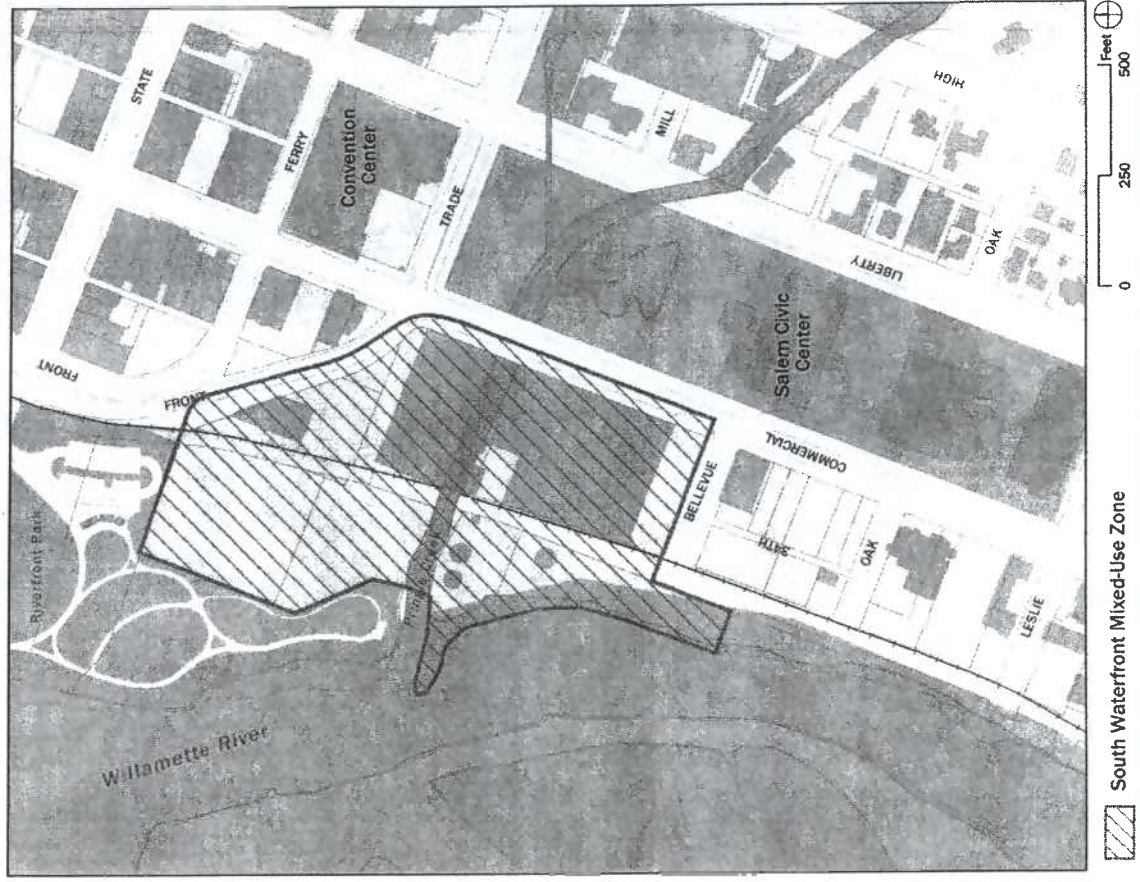
A. Pedestrian-Oriented Building Design: General

1. Applicability

- 1) The requirements for pedestrian-oriented ground floors outlined under this section (Section A, "Pedestrian-Oriented Building Design: General") apply to buildings throughout the entire zone, with the following exceptions:
 - a. Building facades that are both facing and within 80 feet of the railroad right-of-way.
 - b. Existing structures (in accordance with Section 162.120 DESIGN APPROVAL)

- 2) For the purposes of Section A, all standards and guidelines relating to ground floor design apply as follows:
 - a. "Ground floor" is defined as the first full building floor which is no more than two feet above grade.
 - b. For buildings facing Pringle Creek, the ground floor is defined as the floor most closely aligned with street level.
 - c. The above grade raised foundation or, if provided, the ½ story of visible below-grade parking allowed by C.2 ("Park-Facing Ground Floors") is exempt from the requirements relating to ground floor building design in Section A.

Figure 1: Requirements for pedestrian-oriented ground floors (Section A) apply across the zone



A. Pedestrian-Oriented Building Design: General

2. Building Facades

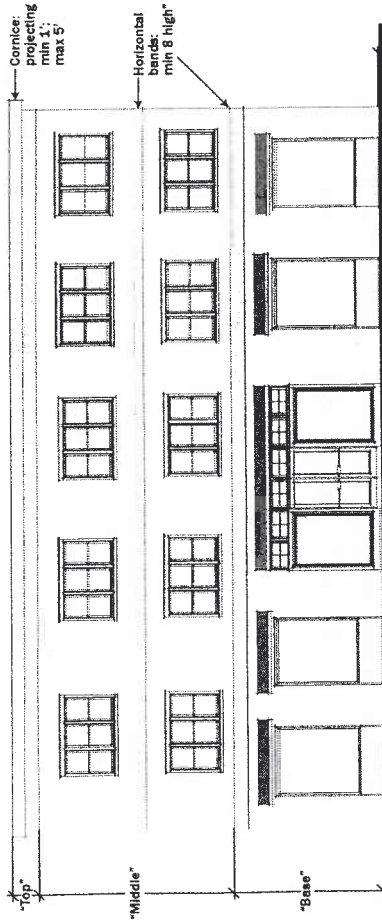
a. Guideline:

- 1) Incorporate architectural detailing that visually divides the building's vertical mass in a manner that is complimentary to Downtown Salem's existing building stock.

b. Standard:

- 1) All buildings (regardless of height or number of stories) shall divide vertical mass into three clear and distinct zones: a base, middle, and top. The base must at least encompass the first full building floor above grade. Vertical building mass can be divided by using one or several of the following architectural detailing techniques to differentiate the base, middle, and top of the building (see Figure 2):
 - Horizontal bands (such as a string course or projecting cornice). Horizontal bands shall be a minimum of 8 inches high (the length of a standard brick), and must project a minimum of 3/4 inch from the building face. Cornices must project a minimum of 1 foot (5 feet maximum) from the face of the building;
 - Changes in form/architectural massing through the use of architectural setbacks or projections measuring a minimum of 3 feet in depth; and/or
 - Changes in color, pattern, and/or material (this technique must be used in concert with one or more of the techniques outlined above, and does not fulfill this standard when used alone).

Figure 2: Dividing horizontal building mass



A. Pedestrian-Oriented Building Design: General

3. Ground Floor Height

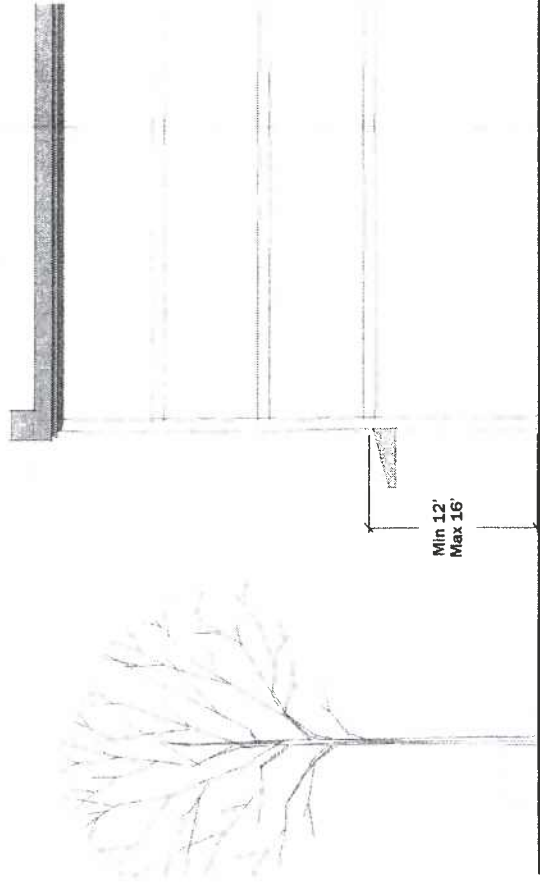
a. Guideline:

- 1) To ensure that ground floor space is pedestrian-friendly and adaptable to different uses over time, design and construct street or open space-facing ground floors (public or private) to be convertible to commercial uses with a minimum of retrofitting required. If a raised foundation or 1/2 story of visible below grade parking is provided, this level should be designed so as to enhance the pedestrian environment along the sidewalk.

b. Standard:

- 1) Along public or private streets or facing public or private open space, the ground floor height of buildings shall be a minimum of 12 feet and a maximum of 16 feet (see Figure 3). For the purposes of this standard, the ground floor height is measured from the top of the building foundation to the ceiling of the first floor.

Figure 3: Ground floors should be a minimum of 12 feet high, and a maximum of 16 feet



A. Pedestrian-Oriented Building Design: General

4. Building Transparency

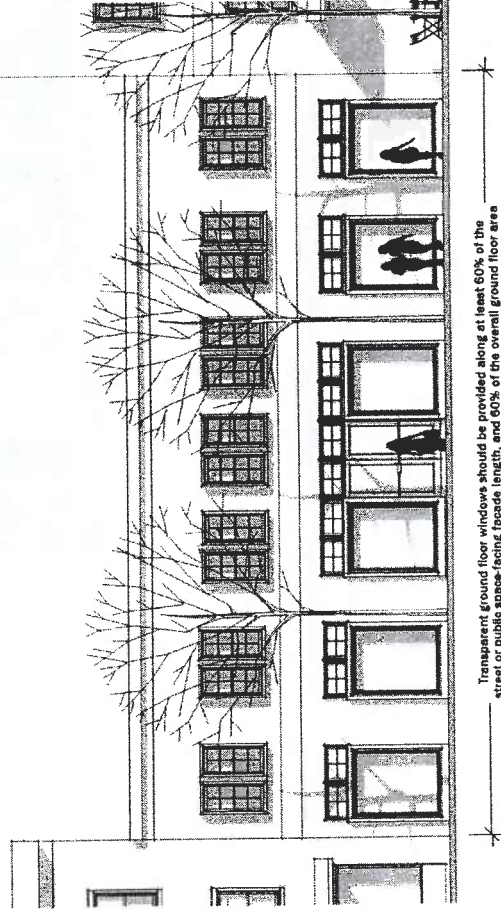
a. Guideline:

- 1) Ensure that the ground floor promotes a sense of interaction between activities in the building and activities in the public realm by incorporating large, transparent windows along sidewalk and open space-facing ground floor facades.
- 2) Ensure that public and private open spaces are safe and secure at all times by providing sufficient “eyes” on streets, courtyards, forecourts, plazas, and parks through the provision of windows on ground floors and upper stories.

b. Standard:

- 1) Provide transparent windows along a minimum of 60% of the length, and 60% of the overall area of the street (public or private) or open space-facing ground level facade (see Figure 4). This includes facades facing public streets, Pringle Creek, public open spaces, and private open spaces such as forecourts or plazas. For the purposes of this standard, ground-floor facade areas include exterior wall areas up to twelve feet above finished grade. Loading and service areas, ground floor parking, and ground floor residential dwelling units are exempt from this requirement.
- 2) All ground floor windows shall have a Visible Transmittance (VT) of 60% or higher, with the exception of medical and dental offices which may have tinted windows.
- 3) Upper building floors (above the ground floor) shall provide vertically-oriented windows along a minimum of 30% of each building floor length and 30% of the overall exterior wall area of each street and public space-facing building floor.

Figure 4: Ground floor windows are required along a minimum of 60% of the street or public space-facing ground floor facade



Transparent ground floor windows should be provided along at least 60% of the street or public space-facing facade length, and 60% of the overall ground floor area

A. Pedestrian-Oriented Building Design: General

5. Primary Building Entries

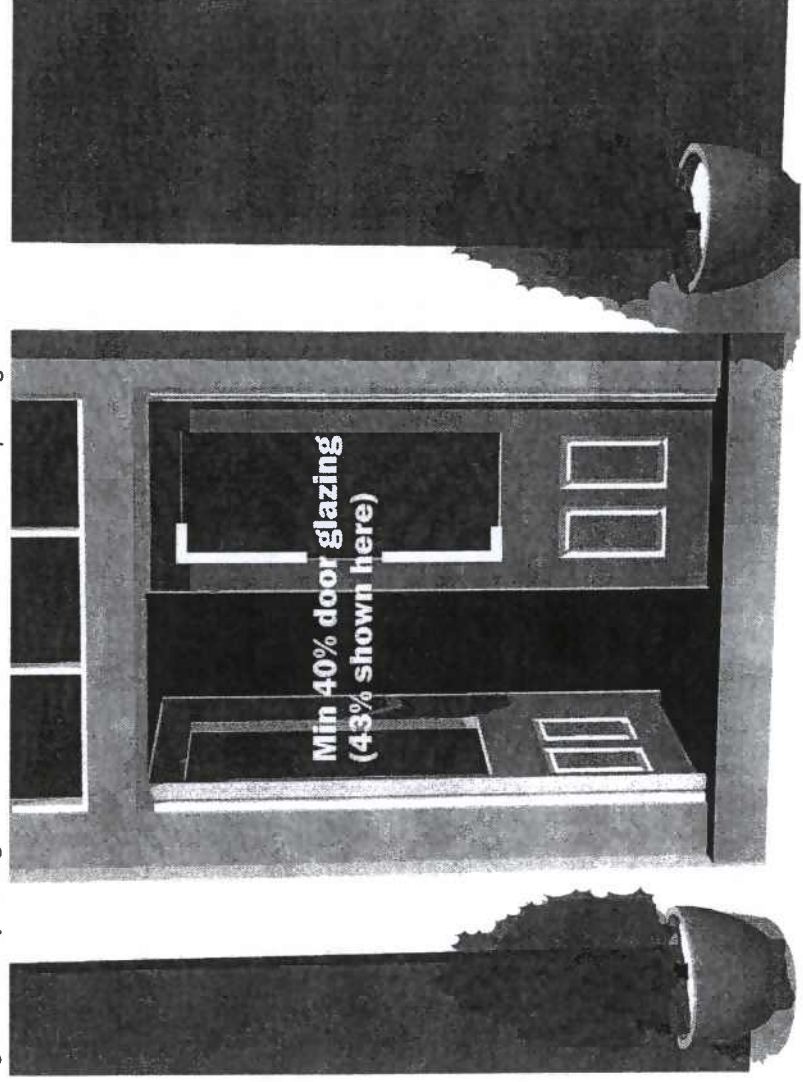
a. Guideline:

- 1) Design primary building entries that are inviting to pedestrians, which promote a sense of interaction between the public and private realms. Avoid solid, opaque doors.

b. Standard:

- 1) All primary building entries shall be comprised of a minimum of 40% transparent glass, with a Visible Transmittance (VT) of 60% or higher (see Figure 5). Opaque, solid doors are not permitted. Entries opening directly into individual residential dwellings are exempt from this requirement.

Figure 5: Primary building entries must have a minimum of 40% transparent glass



A. Pedestrian-Oriented Building Design: General

5. Primary Building Entries (cont.)

a. Guideline:

- 1) Provide well-designed, inviting building entries that create a “transition zone” between the public realm on the sidewalk, and the private realm within the building.

b. Standard:

- 1) All primary building entries shall:
 - Provide awnings or canopies. Awnings and canopies shall be a minimum of 5 feet deep, and shall provide a minimum clearance height of 8 feet from the sidewalk (with a maximum height of 13'6”) (see Figure 6); or
 - Be recessed into the building facade a minimum of 3 feet (see Figure 7).

Figure 6: Awning/canopy entry dimensions

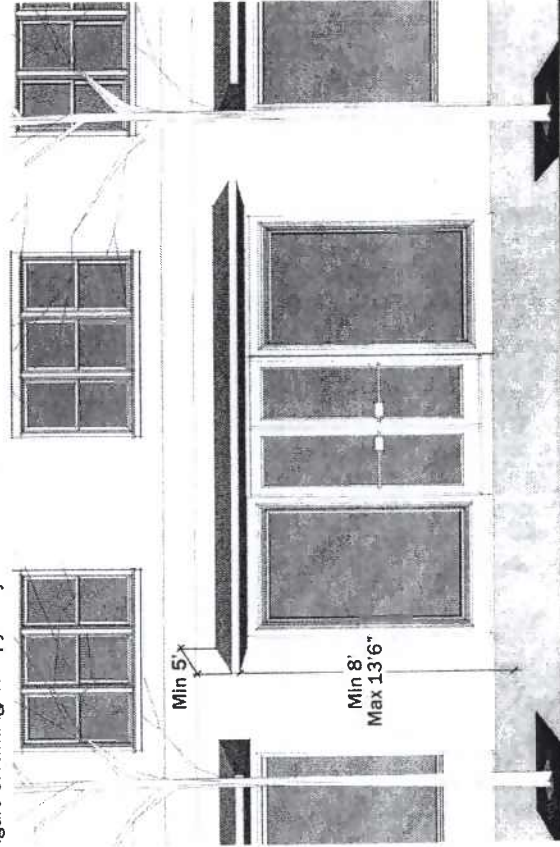
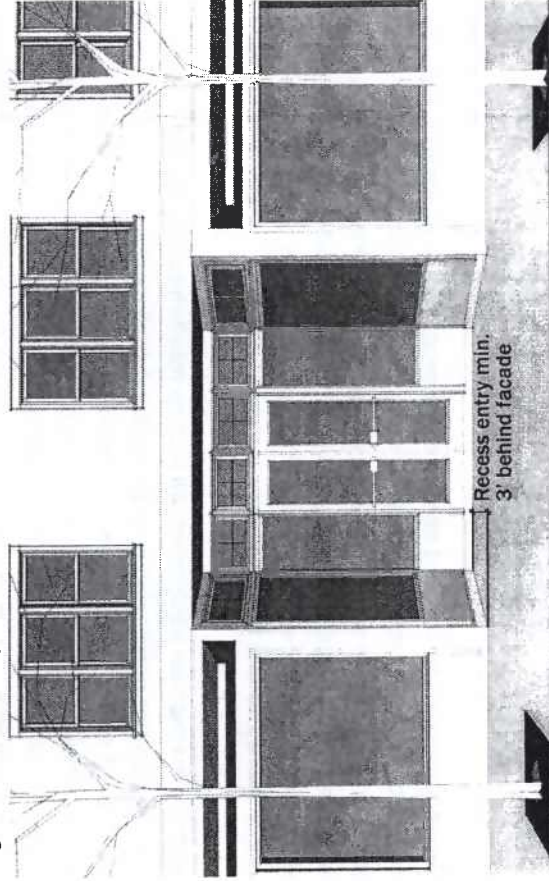


Figure 7: Recessed entry dimensions



A. Pedestrian-Oriented Building Design: General

6. Mechanical and Service Equipment

a. Guideline:

- 1) Visually screen building mechanical equipment, service functions (such as trash collection areas), and rooftop appurtenances from public sidewalks and open spaces to the maximum extent feasible.
- 2) Maximize opportunities to incorporate sustainable energy measures such as solar panels and wind generators into buildings.

b. Standard:

- 1) Ground level mechanical and service equipment: Screen all exterior garbage collection areas, recycling collection areas, and mechanical equipment with landscaping or a site obscuring fence or wall that is architecturally consistent with the primary building (see Figure 8). Whenever possible, locate such elements and their associated walls/fences so that they are not visible from public sidewalks and open spaces.
- 2) Rooftop mechanical equipment: All rooftop mechanical equipment (excluding solar panels and wind generators) shall be screened and/or sufficiently setback so that it is not visible to a person standing on the property line on the far side of any adjacent, at-grade public street (see Figure 9). All rooftop mechanical equipment shall be screened/set back so that it is not visible from any public open space to a person standing 60 feet from the building.
- 3) Pursuant to SRC 162.050, antennas attached to existing or approved structures, are subject to the standards in SRC Chapter 119, and are not subject to the standards outlined above.

Figure 8: Masonry screening that is architecturally consistent with the principle building hides garbage collection and mechanical equipment areas

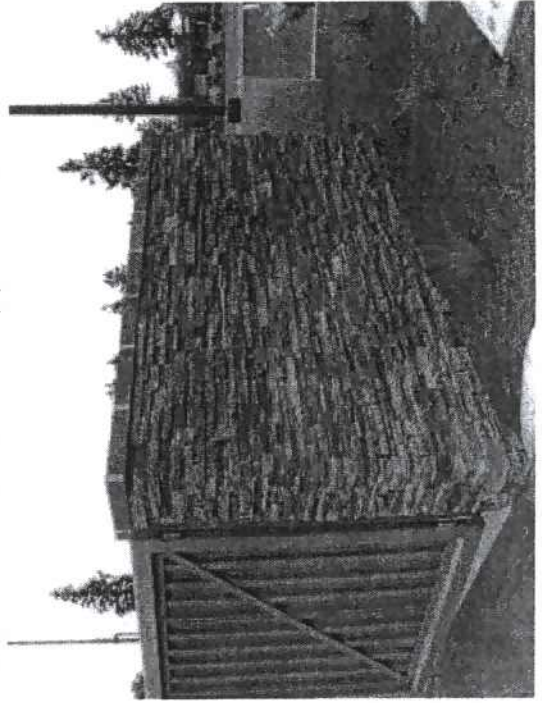
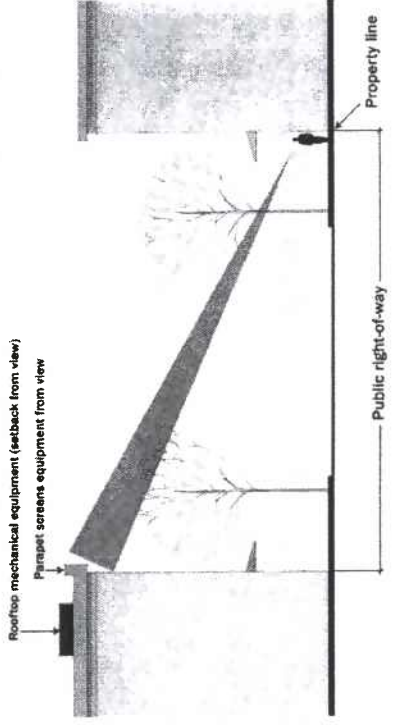


Figure 9: Screen rooftop mechanical equipment from view from the opposite side of the street

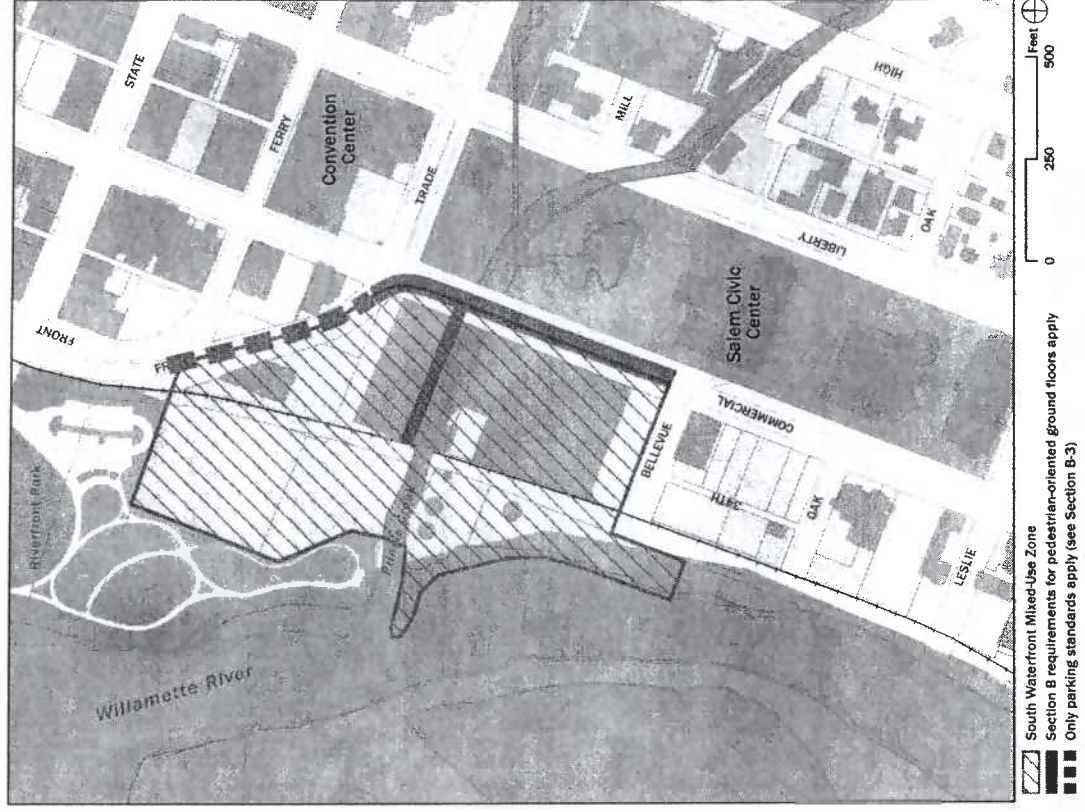


B. Pedestrian-Oriented Building Design: Specific

1. Applicability

- 1) The requirements for pedestrian-oriented ground floors outlined in this section (Section B, “Pedestrian-Oriented Building Design: Specific”) apply to buildings located along the north side of Pringle Creek, Commercial Street, and the corner of Commercial Street and Front Street (see Figure 10). The standards outlined in Section B-3 (“Parking”) apply to all of the above frontages, and to the frontage along Front Street, as shown in Figure 10.
- 2) For the purposes of Section B, all standards and guidelines relating to ground floor design apply as follows:
 - a. “Ground floor” is defined as the first full building floor which is no more than two feet above grade.
 - b. For buildings facing Pringle Creek, the ground floor is defined as the floor most closely aligned with street level.
 - c. The above grade raised foundation or, if provided, the 1/2 story of visible below-grade parking allowed by C.2 (“Parking Facing Ground Floors”) is exempt from the requirements relating to ground floor building design in Section B.

Figure 10: Applicability of requirements for pedestrian-oriented ground floors (Section B).



B. Pedestrian-Oriented Building Design: Specific

2. Building Setbacks and Frontages

a. Guideline:

- 1) Design buildings that create well-defined “edges” to the public realm (the sidewalk) by minimizing setbacks from the street right-of-way. Zero lot line buildings along public street right-of ways are encouraged, or buildings may be sited so as to create opportunities for well-designed public or civic spaces between the building and the sidewalk.
- 2) Create a comfortable, inviting, and well-framed open space environment along Pringle Creek by creating a well-defined building wall “edge” along the north bank of the creek.
- 3) Ensure the preservation of the site’s principal natural asset by sufficiently setting buildings back from Pringle Creek along the north bank.
- 4) Design buildings and primary building entries that are oriented to and easily accessible from sidewalks and public open space.

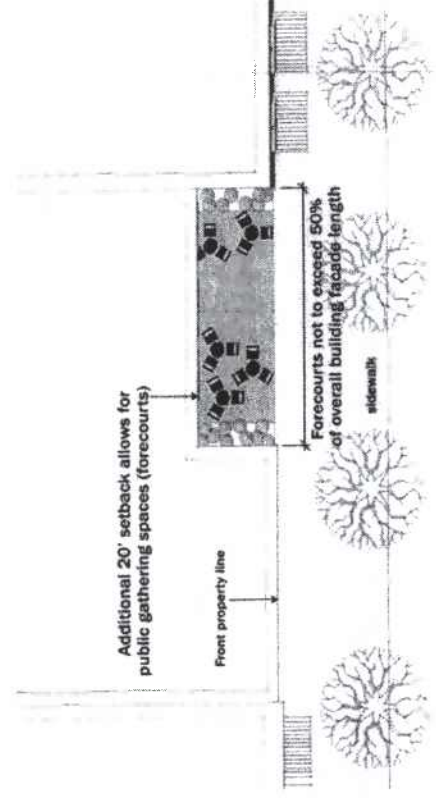
Figure 1.1: Buildings along Commercial and Commercial/Front Intersection must be built to front property line



b. Standard:

- 1) Except along Pringle Creek, and as provided below, buildings shall be oriented to the right-of-way, and must be built to the front lot line contiguous with the right-of-way (see Figure 1.1). This standard applies to the first 25 feet or two stories of building height only. Above 25 feet or two stories in height, a building may provide an additional setback from the right-of-way.
- 2) Buildings may be set back up to 50' behind the property line along Front Street, or at identified “Gateway” corners (as illustrated in Figure 21, Section D.1 “Gateways”) provided the area within the setback is developed as a public plaza. In other locations, buildings may provide a setback up to 20' (not to comprise more than 50% of the length of the entire building facade), in order to allow for the provision of public or private gathering spaces, such as forecourts and plazas, within the front setback (see Figure 12).
- 3) Buildings that are chamfered at the corner may be set back from the property line to the extent necessary to accommodate the chamfered corner.

Figure 1.2: Additional 20' front setback allowing for public gathering spaces



B. Pedestrian-Oriented Building Design: Specific

2. Building Setbacks and Frontages (cont.)

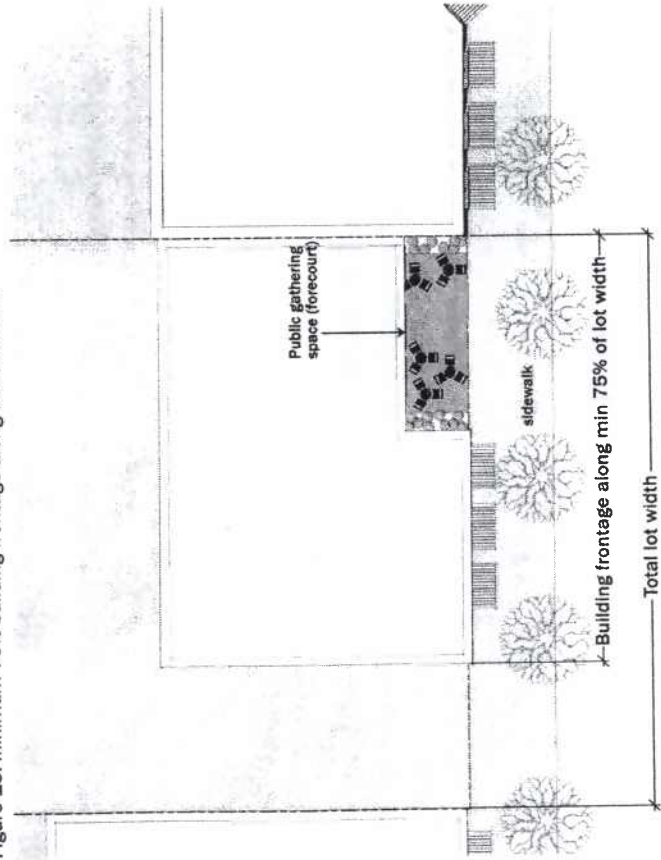
a. Guideline:

(See guidelines 1-4 on previous page)

b. Standard:

- 4) Upon redevelopment and to the extent appropriate permitting agencies authorize, the existing buildings over Pringle Creek shall be removed. Construction of new buildings over Pringle Creek is prohibited.
- 5) Along the north bank of Pringle Creek, buildings shall be oriented to the creek, and shall be set back from the creek in order to provide a minimum pedestrian clearance of 20 feet.
- 6) Any lot fronting Commercial Street or abutting Pringle Creek must provide continuous building frontage along the public right-of-way and/or the creek face for a minimum of 75% of the width of the lot (see Figure 13).
- 7) Primary building entrances must be located along Commercial Street, Front Street, or the north bank of Pringle Creek, (or alternatively, may be oriented to public street intersections or street corners), and must be directly connected to the sidewalk.

Figure 13: Minimum 75% building frontage along front setback



B. Pedestrian-Oriented Building Design: Specific

3. Parking

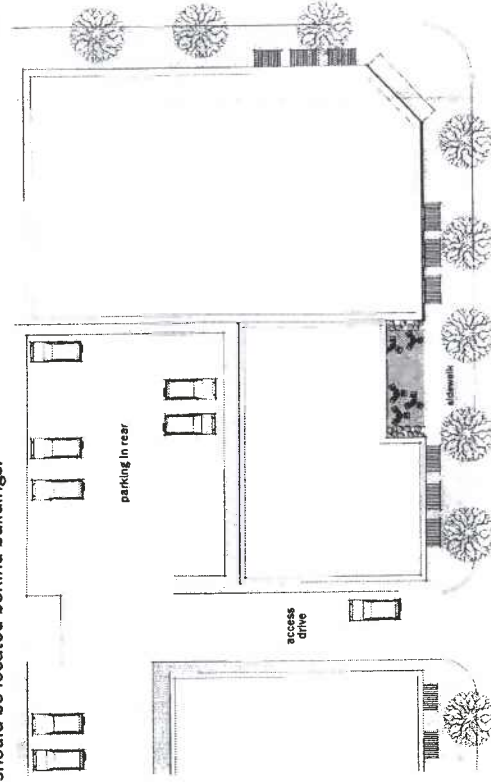
a. Guideline:

- 1) Along buildings facing public streets, buffer surface parking lots from the view of pedestrians on the sidewalk. Whenever possible, place surface parking lots behind buildings.
- 2) In order to create an active and engaging pedestrian environment, structured parking fronting public streets should be “wrapped” with commercial and/or residential uses at the ground floor.

b. Standard:

- 1) Off-street parking is prohibited between the building and the street (see Figure 14), except along Front Street, where disabled parking and passenger loading and unloading zones are permitted between the building and the street.
- 2) Parking structures fronting Commercial or Front Streets must be “wrapped” at the ground level with commercial and/or residential uses for a minimum of 70% of the street-facing ground floor.

Figure 14: Surface parking is prohibited between the building and the street, and should be located behind buildings.



B. Pedestrian-Oriented Building Design: Specific

4. Weather Protection

a. Guideline:

- 1) Create a comfortable and inviting pedestrian realm by providing weather protection along street and public space- facing ground floors in the form of canopies, awnings, or arcades appropriate to the design of the structure.

b. Standard:

- 1) Provide weather protection in the form of awnings, canopies, galleries, or arcades along a minimum of 50% of any ground floor.
- 2) Awnings and canopies shall be a minimum of 5 feet deep, and shall provide a minimum clearance height of 8 feet from the sidewalk (with a maximum height of 13'6") (see Figure 15).

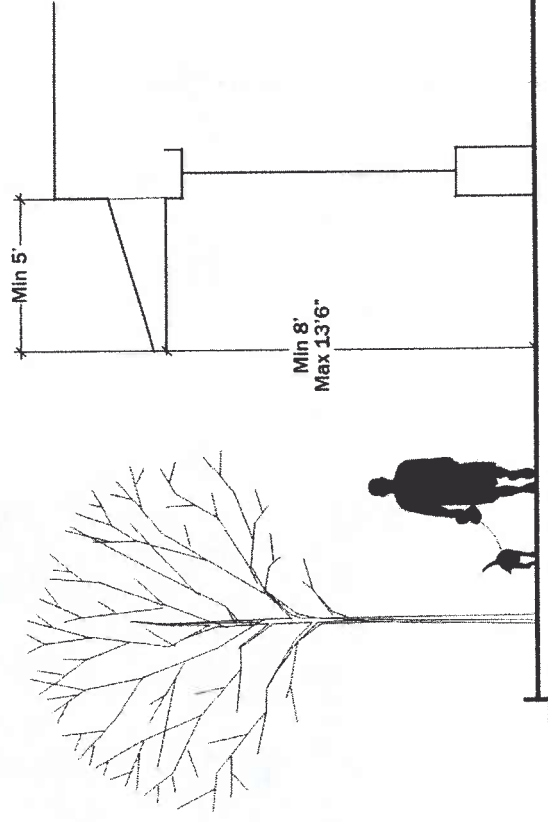


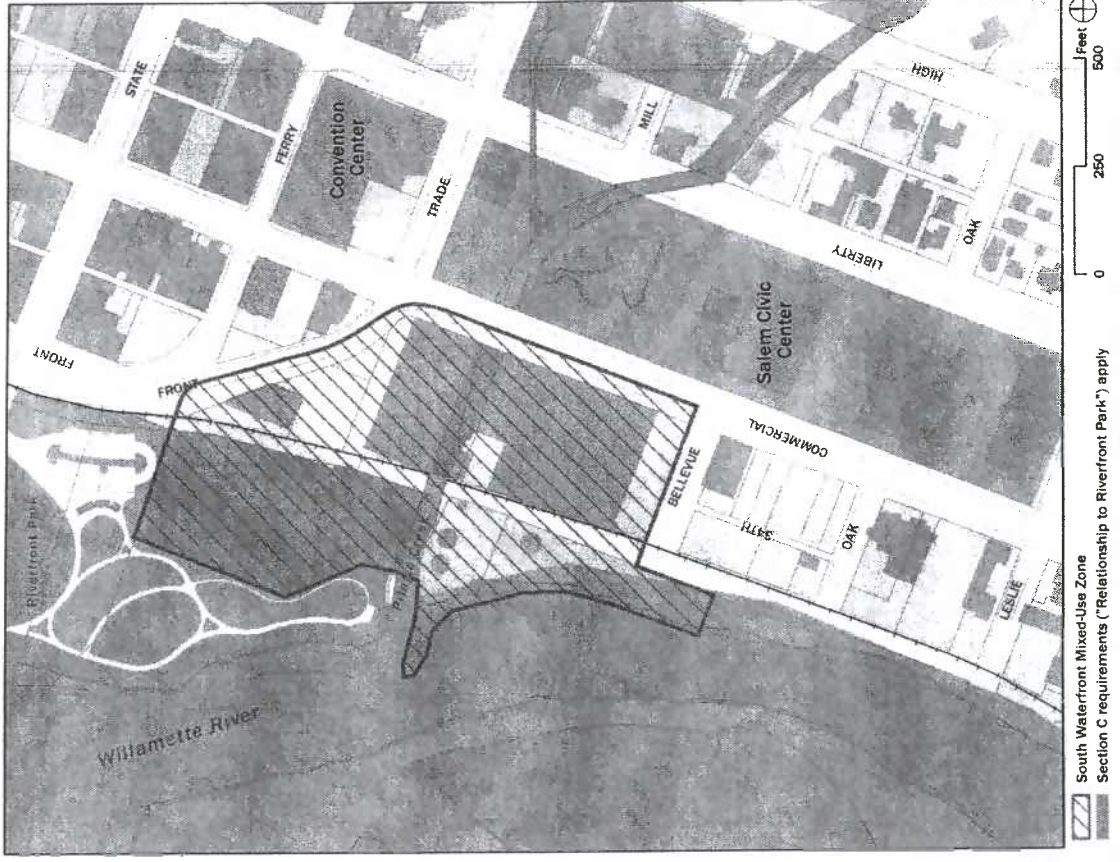
Figure 15: Awning/canopy dimensions

C. Relationship to Riverfront Park

1. Applicability

- 1) The requirements outlined in this section (Section C, "Relationship to Riverfront Park") apply to buildings located on parcels immediately adjacent to Riverfront Park, as illustrated by Figure 16.

Figure 16: Applicability of Section C requirements ("Relationship to Riverfront Park")



C. Relationship to Riverfront Park

2. Park-Facing Ground Floors

a. Guideline:

- 1) To ensure that buildings located along Riverfront Park enhance the public environment, design park-facing ground floors to be highly integrated and responsive to the park, including “wrapping” the ground level of any parking structure with commercial or residential uses to the extent practicable in order to activate the ground floor and provide “eyes” on the park.

b. Standard:

- 1) In order to activate the ground floor and provide “eyes” on the park, buildings located along Riverfront Park must provide commercial and/or residential uses along a minimum of 70% of the park-facing ground floor. Commercial uses must provide pedestrian access to and from the park. If residential uses are provided on the ground floor, building entries to individual residential units must provide pedestrian access to and from the park. Fences, privacy hedges, or other partitions may be used to separate private outdoor residential space from public space (as illustrated in Figure 17), but may be no more than 48 inches in height as measured pursuant to SRC 131.110.
- 2) Parking structures must be “wrapped” at the ground level with commercial and/or residential uses as outlined above. However, parking may be “tucked” beneath the building ½ story below grade. If this technique is used, the ground floor must be accessed via a stoop measuring at least 3 feet and no more than 4’6” above grade. Parking levels must provide a minimum of 8 feet of vertical clearance (see Figure 18). Any exposed parking ventilation areas visible from the pedestrian level must be shielded with landscaping. The required 3 foot stoop may be counted toward the required minimum ground floor height outlined in A.3.

Figure 17: Ground-oriented housing can be used to “wrap” the ground floor of park-facing facades, and can hide parking structures

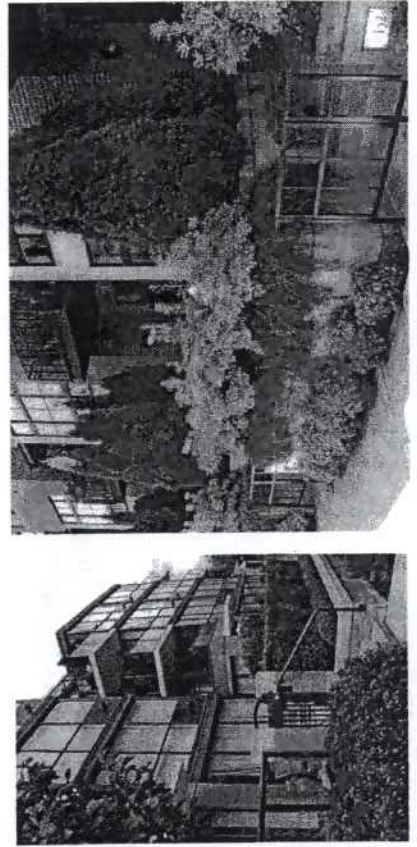
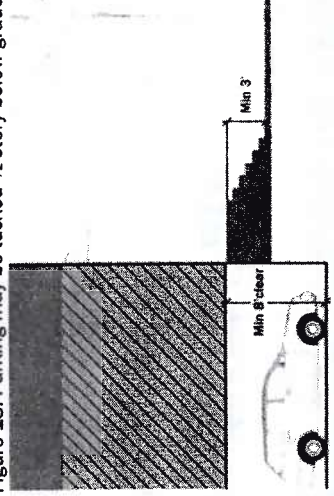


Figure 18: Parking may be tucked ½ story below grade



C. Relationship to Riverfront Park

3. Building Shadows

a. Guideline:

- 1) Design and site buildings adjacent to Riverfront Park in a manner that minimizes shadows on the playground area.

b. Standard:

- 1) Conduct a shadow study showing that the proposed building massing adjacent to Riverfront Park does not cast a shadow on the playground area as described below:
 - a. The shadow study must show that there is no shadow impact on the playground on March 21 (vernal equinox) at 3:00 p.m. (See Figure 19); and
 - b. The shadow study must show that there is no shadow impact on the playground on December 21 (winter solstice) at 3:00 p.m. (See Figure 20).

Figure 19: Example of a shadow study conducted for the park-adjacent parcel illustrating shadow impacts at 3:00 p.m. on **March 21**. (Note: the model below assumes full build-out of the parcel, and is for illustrative purposes only. The model is not reflective of how an actual building would respond to development standards and design considerations.)

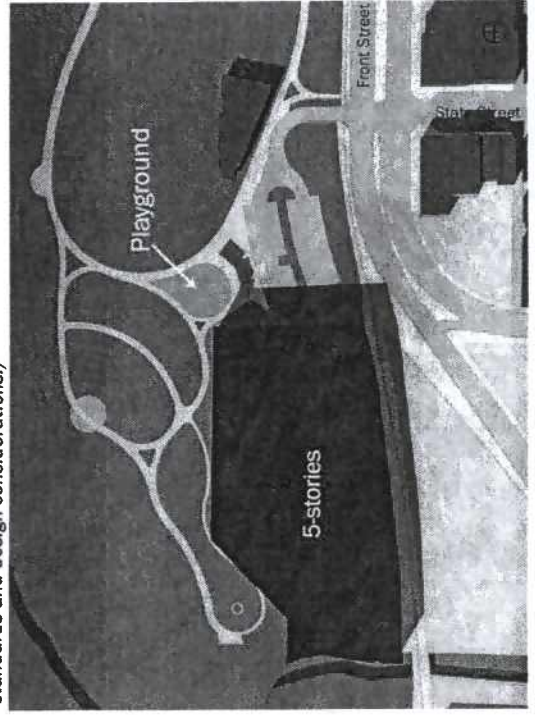
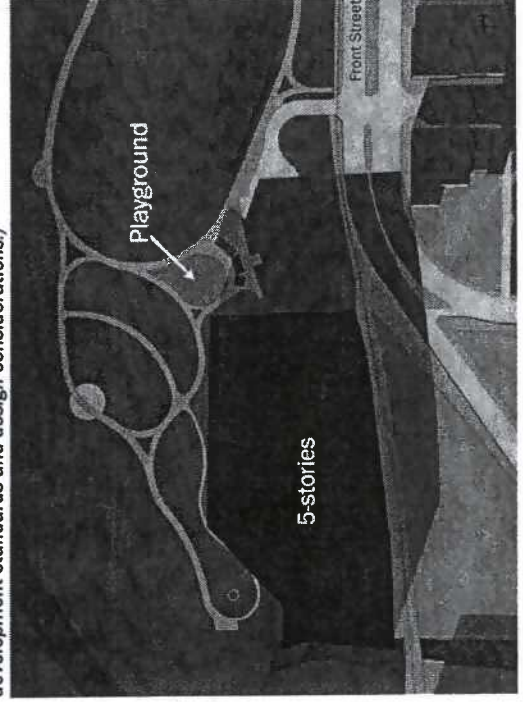


Figure 20: Example of a shadow study conducted for the park-adjacent parcel illustrating the shadow impacts at 3:00 p.m. on **December 21**. (Note: the model below assumes full build-out of the parcel, and is for illustrative purposes only. The model is not reflective of how an actual building would respond to development standards and design considerations.)

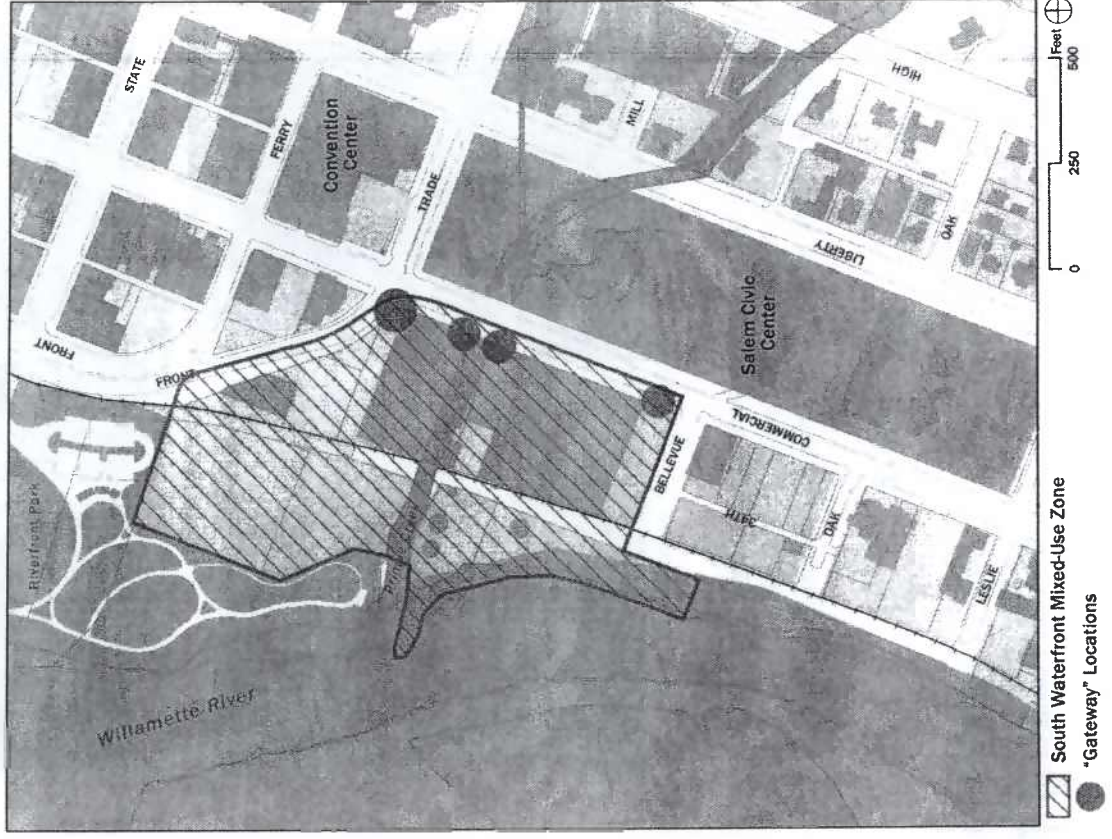


D. Gateways

1. Applicability

- 1) The requirements outlined under this section (Section D, "Gateways") apply only to corner or "Gateway" locations identified by the map in Figure 21. These locations include the southwest corner at the intersection of Commercial and Front Streets (which serves as a Gateway to the South Waterfront Mixed-Use Zone from Downtown Salem), the corner of Commercial Street northeast and southeast of Pringle Creek, and the corner of Commercial Street and Bellevue.

Figure 21: Applicability of Requirements for Gateways



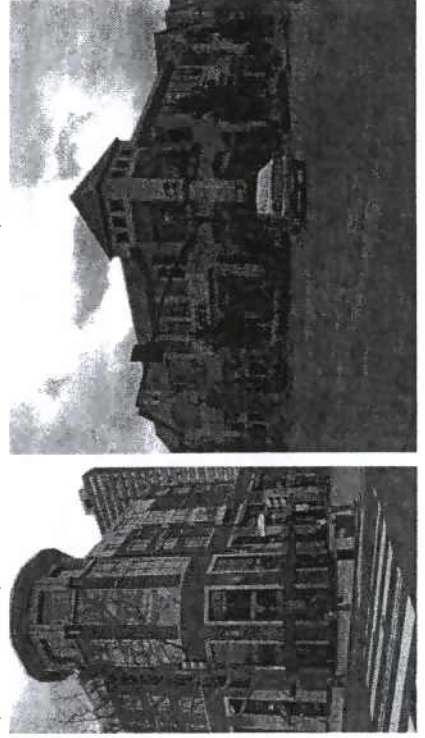
D. Corners and Gateways

2. Corner Treatments

a. Guideline:

- 1) Emphasize important corners and gateways by incorporating architectural or site planning design elements that visually emphasize the corner of the building. This may be accomplished through various site and building design techniques, including:
 - Utilizing prominent architectural elements which emphasize the corner of the building, such as increased building height or massing, cupolas or turrets, pitched roofs at the corner of the building, special window treatments, etc. (see Figure 22).
 - Incorporating special "signature" signage located at the corner of the building (see Figure 24).
 - Designing public gathering spaces (such as plazas) located at the corner that utilize special paving materials, site furnishings, and/or landscaping treatments (see Figure 25).

Figure 22: Examples of architectural elements which emphasize the corner of the building



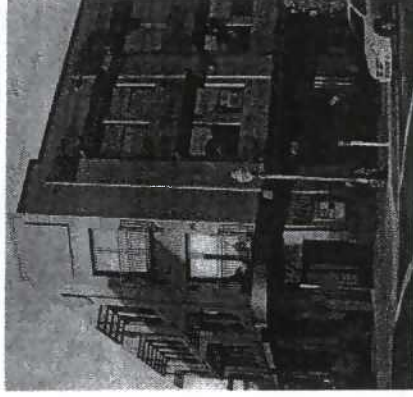
Philadelphia, PA

Lake Oswego, OR

b. Standard:

- 1) Buildings located at identified gateways shall adequately address the corner by providing primary building entries at chamfered corners (i.e., cutting the corner of the building at a 45-degree angle) (see Figure 23).

Figure 23: Chamfered corner



Hood River, OR

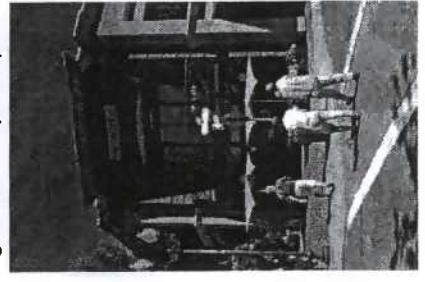
Figure 24: "Signature" signage at the corner*



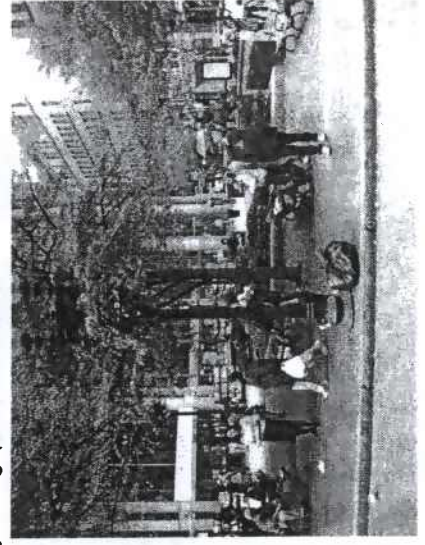
Hood River, OR

*City Staff to verify compliance with sign code

Figure 25: Examples of public gathering spaces at the corner



Bend, OR



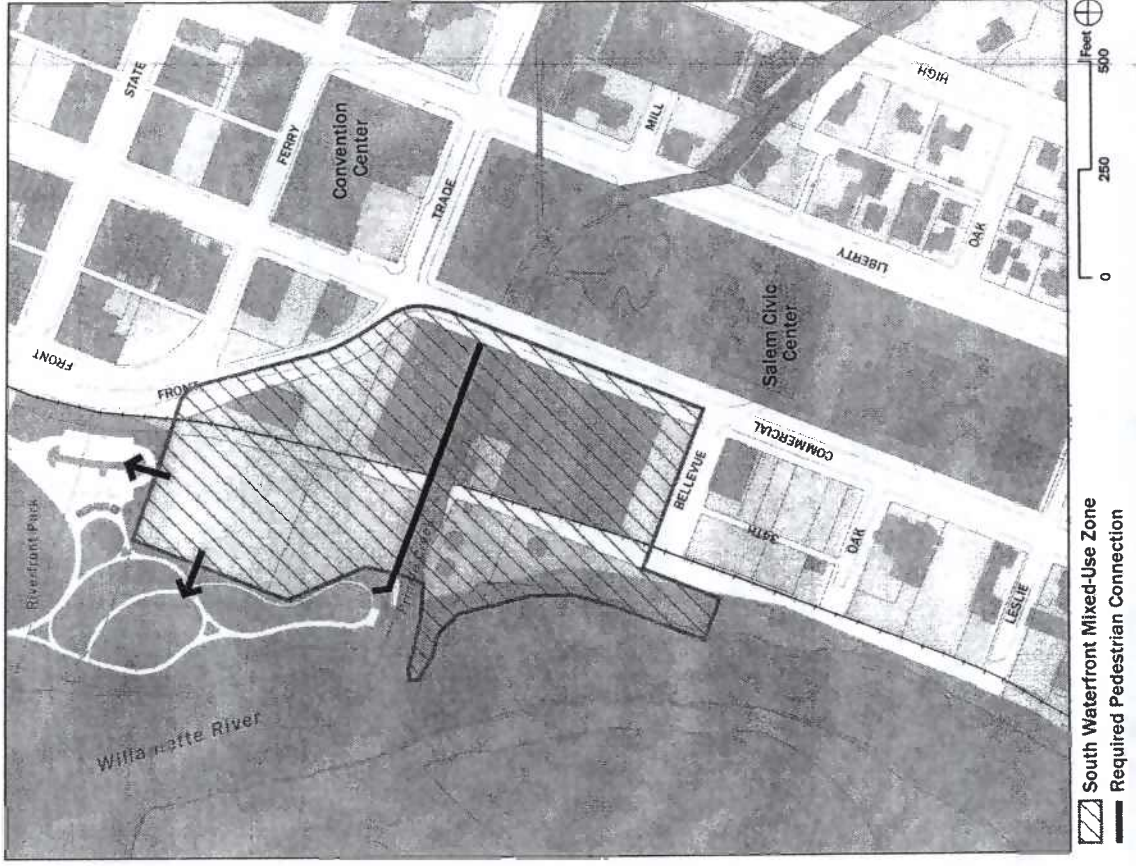
Boston, MA

E. Pedestrian Connections

1. Applicability

- 1) The requirements outlined under this section (Section E, "Pedestrian Connections") apply to developments along the north bank of Pringle Creek and to developments at the western and northern edges of the site abutting Riverfront Park, as identified by the map in Figure 26.
- 2) For buildings facing Pringle Creek, the ground floor is defined as the floor most closely aligned with street level.

Figure 26: Required Pedestrian Connections



E. Pedestrian Connections

2. Required Pedestrian Connections

a. Guideline:

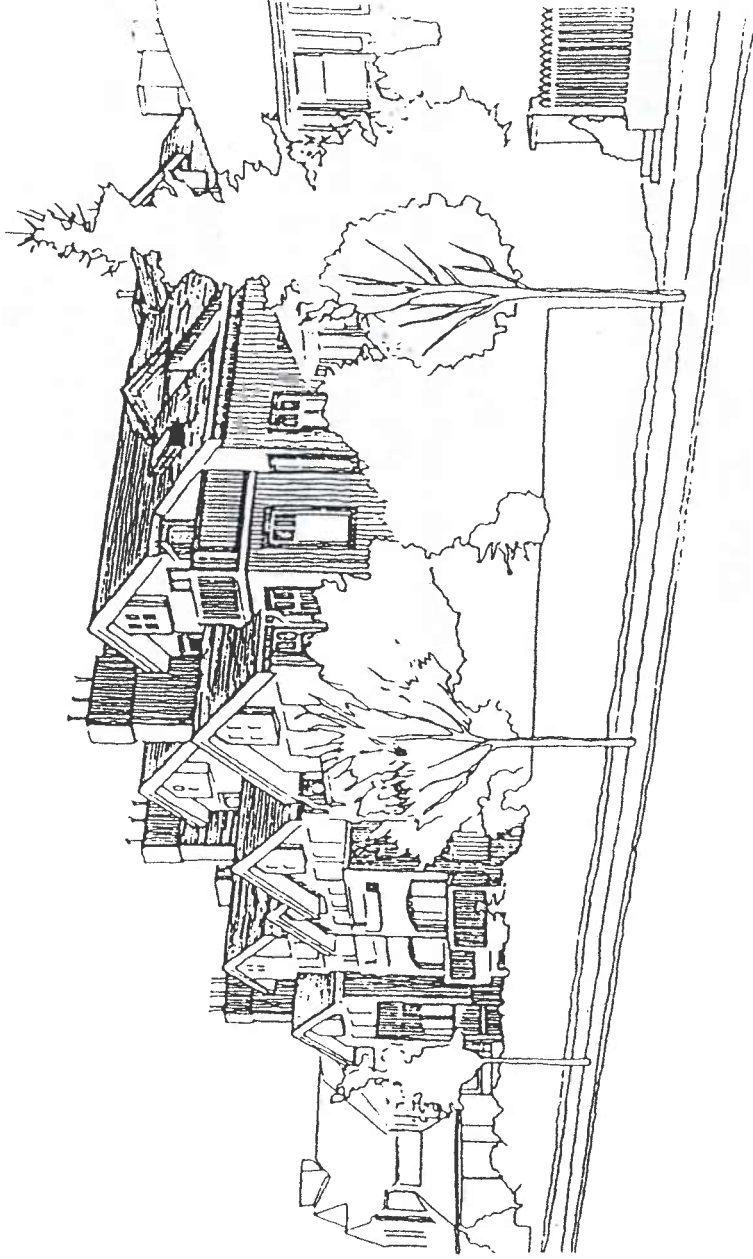
- 1) Enable for a clear and convenient public pedestrian path along the north bank of Pringle Creek which is accessible from the sidewalk along Commercial Street, and provides a connection to Riverfront Park by providing an easement or public dedication.
- 2) Provide convenient pedestrian access and connectivity from the northwestern portion of the site to pedestrian facilities in Riverfront Park.

b. Standard:

- 1) At least one public pedestrian connection is required along the north bank of Pringle Creek. The required pedestrian path must connect with the sidewalk along Commercial Street at street level.
- 2) At least two pedestrian connections are required to provide access from the site to the established pedestrian paths in Riverfront Park: one that connects to Riverfront Park at the western edge of the site, and one that connects to Riverfront Park at the northern edge of the site.
- 3) A pedestrian connection must be provided to connect the west sidewalk along Commercial Street to established pedestrian paths in Riverfront Park.
- 4) Required pedestrian connections along the north bank of Pringle Creek must comply with the dimensional requirements outlined in Section B-2 (“Pedestrian-Oriented Building Design: Specific, Building Setbacks and Frontages”), standard #5.

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Development Design Handbook

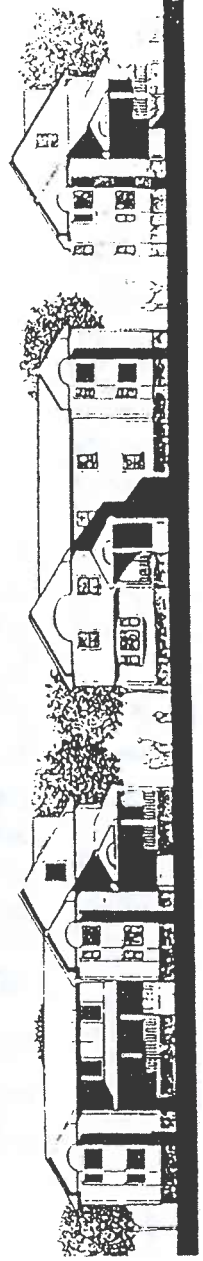


Multiple Family Development
Compact Development
Core Area Development
Historic Resources
North Downtown Planning
District
Portland/Fairgrounds Road
Overlay Zone
Edgewater Street/Wallace
Road Overlay Zone

April 2008

January 7, 2009

CITY OF *Salem*
AT YOUR SERVICE



DEVELOPMENT DESIGN HANDBOOK



Prepared by:
The Department of Community Development
Planning Division
City of Salem, Oregon
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January 1999
Amended November 2000, October 2001
April 2002, November 2002, December 2002
February 2003
February 2006
March 2006
April 2008

January 7, 2009

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PREFACE

The City of Salem Development Design Handbook is divided into eight **nine** sections. Each section is intended to provide the necessary information for a successful development proposal.

Section one provides an introduction to the city's development design process;

Section two outlines the design requirements for multiple family development;

Section three identifies the requirements for compact development;

Section four contains requirements for the core area;

Section five covers historic resources;

Section six covers requirements for development within the City's North Downtown Planning Districts;

Section seven covers requirements for development within the City's Portland/Fairgrounds Road Overlay Zone;

Section eight lists the standards and guidelines for the Edgewater Street/Wallace Road Overlay Zone; and

Section nine lists the standards and guidelines for the South Waterfront Mixed-Use zone; and

Section nine-ten is the appendix which provides the definition of terms and project submittal requirements.

Salem's development design review process is unique (see Figure 1, pages 10-11). Other cities that offer a design review process may require that projects be evaluated by the Historic Landmarks Commission. Often it is not clear what criteria guides the decision-making body. In other instances, jurisdictions create very strict requirements as to appropriate architectural style or building color. Salem's process offers an applicant choices in determining how a project is reviewed.

The Salem design process is sensitive to the added costs, added time, and potentially subjective decisions which can result from a design review process, yet is equally sensitive to the inherent difficulty in requiring all projects to meet the same set of rigid standards. In balancing the two alternatives, the Salem design process allows the applicant to select either: (1) adherence to prescribed and detailed specific design standards, or (2) review of the project through a more flexible design review process. In this way, the applicant, not the City, selects the review process that best suit the objectives of the project.

Strict adherence to the specific design standards results in a project design which, by definition, is acceptable to the City. Applicants selecting this alternative save processing time and their projects are checked for conformance with the design standards much like they are now checked for conformance with building code standards. There are no additional "processes" or additional City decisions required under this alternative; if the project meets the standards the City must approve the plans. And, like projects reviewed for conformity with building code standards, projects approved under this alternative would not be considered land use decisions; there are no public notice or hearing requirements; and the approved plans are not appealable to the State Land Use Board of Appeals (LUBA).

However, in recognition that it is difficult to regulate good design, some very well designed projects may not meet all of the City's prescribed design standards. In this instance, the applicant may choose to follow the more general design guidelines and seek project approval from the City's Historic Landmarks Commission (for historic design review) or Planning Commission (for non-historic design review). This process adds considerable design flexibility, yet lengthens the review and involves City discretion for approval. Under this alternative, the project becomes a limited land use decision under State law, subject to public notice requirements and possible appeal to LUBA.

Whether the applicant chooses to design within the parameters of the specific design standards, or to go through the more flexible design review process, the goal is better overall project design and compatibility with existing neighborhoods.

To ensure project success, applicants should be certain that their development proposal complies with all city code requirements. Any submittal requirements of the development review process must be accurate and complete.

Perhaps the most important aspect to consider in the project proposal is the character of the area surrounding the project. This handbook helps applicants clear the hurdles often associated with defining neighborhood character.



SECTION 1 - INTRODUCTION

E. City Code Requirements

Requirements of the Salem Revised Code (SRC) apply to all projects subject to Development Design Review. It is the responsibility of the applicant to confirm with city staff which code sections apply to a particular proposal. Applicants are encouraged to discuss project proposals with the Permit Application Center staff early and also review the Salem Revised Code prior to scheduling a project preapplication conference.

Permit Application Center staff may be contacted at (503) 588-6256. Provided below are specific code references which may be helpful to review. The list is not intended to be comprehensive but rather highlight the most applicable sections of the code.

Uniform Building Code

SRC Title I - Government

SRC Chapter 20C - Historic Landmarks Commission

SRC Title V - Community Development Design Standards

SRC Chapter 56, Building Code
SRC Chapter 58, Fire Prevention Code
SRC Chapter 62, Sign Code

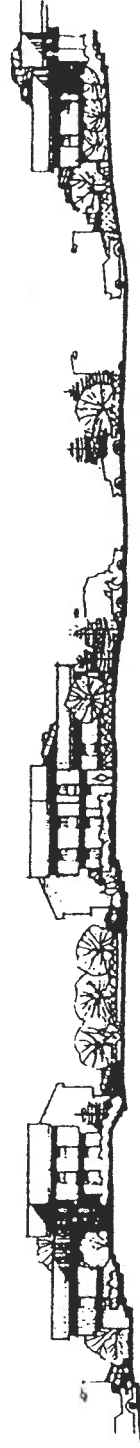
SRC Title VII - Streets and Public Ways

SRC Chapter 68, Preservation of Trees and Vegetation
SRC Chapter 69, Landslide Hazards
SRC Chapter 75, Erosion Prevention and Sediment Control
SRC Chapter 86, Trees and Shrubs

SRC Title X - Zoning

SRC chapter 110, General Zoning Provisions
SRC Chapter 111, Definitions
SRC Chapter 114, Proceedings on Land Use Actions
SRC Chapter 120, Design Review
SRC Chapter 120A, Historic Preservation
SRC Chapter 130, General Development Standards
SRC Chapter 132, Landscaping
SRC Chapter 133, Off-street Parking, Loading and Driveways
SRC Chapter 137, Riverfront Overlay Zone
SRC Chapter 138, Broadway / High Street Overlay Zone
SRC Chapter 139, CD - Compact Development
SRC Chapter 143A, Commercial/High Density Residential Overlay Zone
SRC Chapter 143B, Portland/Fairgrounds Overlay Zone
SRC Chapter 143D, Edgewater Street/Wallace Road Overlay Zone
Zone
SRC Chapter 148, RM1 / RM2 Multiple Family Residential
SRC Chapter 150, Commercial Office (CO)
SRC Chapter 152, Commercial Retail (CR)
SRC Chapter 154, Central Business District (CB)
~~SRC Chapter 62, South Waterfront Mixed-Use (SWMU)~~

Department of Public Works Design Standards



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APPENDICES

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SECTION 9 10- APPENDICES

APPENDIX A: Definition of Terms

Accessory Building Structure: A building structure or use which is incidental and subordinate to and dependent upon the main use on the same premises.

Addition: Construction that increases the size of the original structure by building outside the existing walls or roof.

Adult Recreation Area: Site area set aside for the active recreational pursuits of adult residents.

Alley: A public easement or right-of-way not more than twenty (20) feet and not less than ten (10) feet in width, which intersects with a public street.

Arcade: A continuous passageway parallel to and open to a street, open space, or building usually covered by a canopy or permanent roofing, and accessible and open to the public.

Awning: A shelter supported entirely from the exterior wall of a building.

Balcony: A projecting platform on a building, sometimes supported from below, sometimes cantilevered, enclosed with a railing or balustrade.

Base Course: A foundation or footing layer of masonry running horizontally in a wall.

Bufferyard: A unit of land together with a landscaped area of specified plantings and screening between land uses of differing character to eliminate or minimize potential conflicts or nuisances and provide an aesthetic environment.

Buildable Width: The distance along the street right-of-way radial to the curve, if appropriate, that is sufficiently deep to accommodate a lot depth of 70 feet and meet setback requirements and is exclusive of side yard setbacks and/or bufferyards.

Building Articulation: Design emphasis given to architectural details such as walls, windows, balconies and entries which serve to divide buildings into smaller identifiable pieces.

Building Bulk: The expanse of a structure.

Building Mass: The three dimensional bulk of a structure defined by the height, width and depth of the horizontal and vertical planes of a building.

Building Offset: Change in vertical planes along an exterior building wall of a structure, and does not include decks or covers over entryways. An offset that does not continue the entire length of the building, and therefore, configured as a "bump out," counts as one building offset.

Building Offset Interval: The distance between change of vertical planes of a structure.

Building Scale: The relationship between the mass of a building and its surroundings including the width of street, open space and the mass of surrounding buildings.

Building Transition Area: A unit of land along the perimeter of a site within which structures must be set back from property lines in relation to structure height.

Canopy tree: A deciduous shade tree planted primarily for its high crown of foliage.

Children's Play Area: An area under the immediate supervision of adults set aside for the play activity of children five (5) years of age or younger.

Column: A slender, vertical element that supports or appears to support part of a building or structure.

Columnar Tree: A tree characterized as being tall, cylindrical or tapering.

Common Open Space: An open space area intended for the shared use by residents of the development. Common open space may include landscaping, walkways, play areas, swimming pools, roof gardens, or other open areas which provide visual or recreational amenities for the residents. Common open space may not include storm water retention/detention areas unless it meets the minimum requirements as specified in the handbook. About ratio of slope, common open space is calculated on the size of the entire development regardless of the location of individual property/lot lines. If done in phases, each phase must meet the requirements on a stand-alone basis.

Connectivity: Integrating subject sites with surrounding land uses.

Cornice: The exterior molding or trim on a structure, usually forming the top band of a wall where the facade of the structure meets the roof; may also appear elsewhere on the facade to provide definition to the functional elements of the facade, usually consists of bed molding, soffit, fascia, and crown molding.

Court: A space, open and unobstructed to the sky, located at or above grade level on a lot and bounded on three or more sides by walls of a building.

SECTION 910- APPENDICES

APPENDIX A: Definition of Terms (cont)

CPTED: Crime Prevention Through Environmental Design

Deck: A platform, built of wood or simulated material, extending from the building to be used for outside leisure activities.

Development Design Guideline: A descriptive statement that allows for flexibility and creativity in achieving a requirement.

Development Design Review: Site plan and design review of specific types of development as authorized by City Council action.

Development Design Standard: A prescriptive statement that is quantifiable and involves no discretion in achieving a requirement.

Duplex: A dwelling or residence containing two (2) independent dwelling units.

Dwelling Unit: A residence intended for occupancy by one household.

Facade: The front or any face of a building with frontage along a public street.

Face: The vertical plane of one exterior side of a building.

Faux Painting: The painting of a surface in such a way that it appears to be a different surface or material (i.e., marble, brick, metal, etc.).

Fenestration: The arrangement or pattern of windows and doors on the facade of a building.

Footprint: The space or shape that a building or structure occupies on the ground.

Ground Cover: A living plant species which normally reaches a height of less than three (3) feet upon maturity, planted in such a manner so as to form a continuous cover over the ground.

Hillside Lot: A lot having an average cross slope of 15 percent or more and zoned or developed for residential use.

Historic Landmarks Commission: A Review body appointed by the City Council responsible for determining if specific development projects have met all city development design guidelines and applicable standards in designated Historic resources, as well as applicable zones.

Horizontal Landscape Element: Shrubs, hedges or similar plantings that grow wider than they are tall.

Human Scale: The size of a building element or space relative to the dimensions and proportions of the human body.

Identical Buildings: Buildings constructed of a single material of uniform texture and on a single plane.

In-Kind: Replacement with the same material and design.

Landscape Island: An area within parking areas which is planted with vegetative ground cover and trees.

Limited Land Use Action (for purposes of this document): A final decision made by the city pertaining to a site based on application of design guidelines. Limited land use decisions involve discretion in decision-making.

Lintel: A structural member placed over an opening or a recess in a wall and supporting construction above.

Marquee: A permanent roof-like shelter over an entrance attached to and supported by the building and projecting over public right-of-way. A marquee is generally flat in shape.

Massing: The three-dimensional bulk or expanse of a building or structure defined by the height, width and depth of the horizontal and vertical planes or a building.

Multiple Family Development: Any building, or portion thereof, 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.

Open Space: Site area not devoted to buildings, parking, driveways or storage areas. (See Common Open Space).

Overhang: A projection of the roof or upper story of a building or structure beyond the wall of the lower part.

Overlay Zone: A set of development regulations which are added to standard underlying zoning requirements for a defined geographic area to achieve a specific goal.

Parking Area: An area where motor vehicles, recreational vehicles, trailers and boats are parked, stored or displayed.

Pedestrian Circulation: The internal site pedestrian pathway system.

Pedestrian Path: Any sidewalk, footpath or trail which provides onsite pedestrian access and circulation.

Pediments: A surface used ornamentally over doors or windows; usually triangular but may be curved.

SECTION 910 - APPENDICES

APPENDIX A: Definition of Terms (cont)

Pilaster: Decorative features that imitate engaged piers or columns but are not supporting structures; usually a rectangular or semicircular member used as a simulated pillar in entrances and other door openings.

Plant Unit (pu): A measurement of the acceptable amount of landscaping required by city code.

1 small shrub	= 1 pu
1 ornamental tree	= 2 pu
1 large shrub	= 2 pu
1 evergreen/conifer tree	= 5 pu
1 shade tree	= 10 pu
1 significant tree	= 15 pu

Plaza - An open space which may be improved and landscaped and usually surrounded by streets and buildings.

Porch: A structure attached to a building to shelter an entrance or to serve as a semi-enclosed space; usually roofed and generally open-sided.

Portico: A porch or open-sided structure consisting of a roof supported by columns sheltering an entrance.

Primary Entry Way: The principal access point for persons visiting the residents of a dwelling unit.

Private Open Space: A semi-enclosed area which is intended for use strictly by the occupants of one dwelling unit. Private open space may include porches, patios, balconies, terraces, roof top gardens, verandas and decks.

Prominent Landscape Features: Features other than plant materials such as wetlands, creeks, streams, drainageways, ponds, sculptures, benches and fence/wall materials when required for screening.

Recreational Open Space: An area which is open from ground to sky and intended for active or passive leisure pursuits.

Regraded: Site disturbance with a finish cut or fill beyond the building line, which exceeds a depth of two feet.

Required Yard: A yard specified in the underlying zone for buildings and parking lot setbacks adjacent to streets and front, side and rear lot lines.

Residential Historic District: An officially designated historic district existing primarily of single family residential properties, which may have supporting uses that include but are not limited to multi-family residential properties churches, and parks, as designated on the City of Salem official zoning map.

Restoration: The act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code required work to make properties functional is appropriate within a restoration project.

R-VIS (Visible Light Reflectance): The percentage of light in the visible spectrum, 380 to 780 nanometers, that is reflected from the glass surface.

Roof Pitch: The angle of slope of a roof.

Roof-top Garden: An open area on a flat roof with planters designed for leisure enjoyment.

Salem Downtown Historic District: The area so designated on the City of Salem official zoning map.

Screening: A method of visually shielding or obscuring an area through the use of fencing, walls, berms or densely planted vegetation.

Sill: A horizontal member or structure that forms the lowest member of a framework in a structure or at the base of a window opening.

Story: 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.

Stringcourse, belt course: A horizontal band generally narrower than other courses, extending across the facade of a structure and in some instances encircling such decorative features as pillars or engaged columns; may be flush or projecting, and flat-surfaced, molded, or richly carved.

Terrace: A platform adjoining a building, paved or planted, especially one used for leisure enjoyment.

Townhouse: A one-family dwelling unit, with a private entrance, which is part of a structure whose dwelling units are attached horizontally in a linear arrangement, and having a totally exposed front and rear wall to be used for access, light, and ventilation.

SECTION 9 10- APPENDICES

APPENDIX A: Definition of Terms (cont)

Transom: A horizontal piece in a window, over a door or between a door and a window.

Tri-plex: A building containing three individual dwelling units.

T-VIS (Visible Light Transmittance): The percentage of light in the visible spectrum, 380 to 780 nanometers, that is transmitted through the glass.

Umbrella-type Awning: An awning which is curved and similar in shape to an opened umbrella.

Veranda: A covered porch or balcony, extending along the outside of a building, planned for summer leisure.

Vertical Window: A window with a vertical dimension more than its horizontal dimension.

Window Calculations for building facades: In square feet, the area of the ground floor facade facing the public street right-of-way and amount of window area provided along the facade. If the window area is at least 65 percent of the ground floor facade area, the standard is met. An alternate method of measurement is to determine the length of the building facade and the width of windows provided along the ground floor of the building. If the ratio of window width is at least 65 percent of the length of the building's ground floor facade, the standard is met. This method of calculation may only be used if the windows proposed are designed with a height to width ratio that is typical of large windows characteristic of downtown storefronts. Windows "characteristic of downtown storefronts" are deemed to be met if the vertical dimension is equal to or more than its horizontal dimension, or if the vertical dimension equals six (6) feet or more in height.

SECTION 9 **10** - APPENDICES

APPENDIX B: Pre-Application Conference Submittal Requirements

A preapplication conference is required for all projects subject to development design review. The purpose of the preapplication conference is to provide the applicant and city staff the opportunity to discuss a proposed project and determine the desired type of development design review.

Prior to the preapplication conference, the applicant shall review all applicable development design guidelines and standards contained in the City of Salem Development Design Review Handbook. The project proposal presented to Planning Division staff during the preapplication conference must address the development design guidelines and design standards.

At the preapplication conference the applicant must have available:

- 1) Initial site plan(s) addressing:
 - a) existing site conditions, site opportunities and constraints;
 - b) the use of all adjacent buildings;
 - c) the zoning of the site and adjacent properties;
 - d) topography of the site;
 - e) location of all significant trees and other prominent landscape features;
- 2) Schematic plans for the proposed project; and
- 3) The applicant must be prepared to discuss how the proposal best meets the requirements of the city's design guidelines and standards.

Following the preapplication conference, the applicant shall select review based on design guidelines or design standards. Applications submitted for design approval shall conform to the design standards or the intent of the design guidelines contained in the Development Design Handbook.

SECTION 9 10 - APPENDICES - NOTES

SECTION 9 10- APPENDICES

APPENDIX C: Project Plan Submittal Requirements for Applicable Zones, and Referencing Historic Resources

Plans that are submitted for Development Design Review must include those items listed below which are determined by the Urban Planning Administrator to be necessary for approval. The submittal requirements listed below are in addition to any other submittal materials required by the City of Salem.

- 1) A proposed site plan showing the complete dimensions and setbacks of the lot, all existing and proposed buildings and structures, including their location, size, height, proposed use, design and gross floor area of each building.
- 2) Architectural drawings, renderings, or sketches showing all elevations of proposed buildings as they will appear on completion.
- 3) All existing and proposed walls and fences, including the location, height, type of design and composition.
- 4) The location and design of the existing and proposed on-site pedestrian and vehicle circulation system.
- 5) A landscape plan showing the location of natural features, significant trees and plant materials proposed to be removed, retained or planted; the amount, height, type and location of landscaped areas, planting beds, and plant materials; and provisions for irrigation. The location of significant trees shall be identified using the City's 2001 aerial photographs and on-site verification.
- 6) Locations and dimensions of all existing and proposed outdoor storage areas including but not limited to trash collection and recycling areas.
- 7) A topographic survey and grading plan showing two-foot contour intervals on hillside lots and five-foot intervals on all other lots, unless a different interval is found acceptable by the Planning Administrator.
- 8) An open space plan showing the locations of common and private open space including active and passive recreational areas. The open space plan shall show the total area of individual classifications of proposed open space and shall be drawn to scale.

Project Plan Submittal Requirements for Historic Resources
Refer to SRC Chapter 120A

SECTION 9 10 - APPENDICES - NOTES

SECTION 9 10- APPENDICES

APPENDIX D: Salem Historic Landmarks and Design Review Commission

The Historic Landmarks and Design Review Commission is a nine-member board appointed by the City Council and comprised of the following representatives.

At least five of the members shall meet the United States Secretary of the Interior's Historic Preservation Qualification standards, to the extent that professionals meeting those standards are available in the community. In making such appointments, the mayor should consider the applicants' qualifications in the fields of archaeology, architectural history, conservation, cultural anthropology, curation, engineering, folklore, historic architecture, historic landscape architecture, historic preservation, historic preservation planning, and history. The remaining commissioners may be appointed at large. When making appointments, the mayor may also consider applicants' qualifications in the fields of construction, restoration, real estate, local history, and architecture as these fields are directly related to the routine functions of the commission.

The members of the Historic Landmarks Commission shall be residents or have their places of business in the City of Salem.

SECTION 9 10 - APPENDICES - NOTES

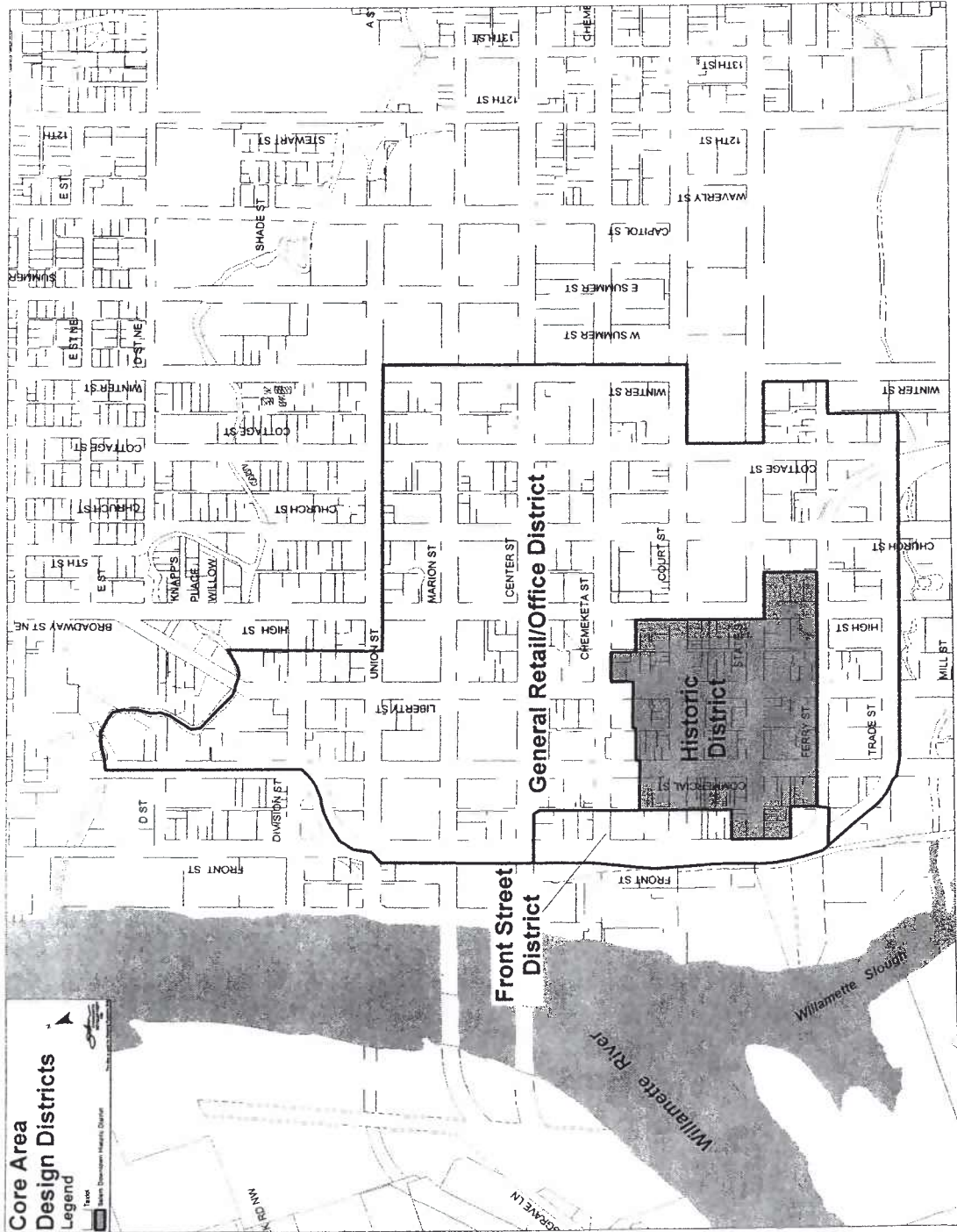
SECTION 40 11- MAPS

MAPS

SECTION 10 11 - MAPS - NOTES

SECTION 40 11- MAPS

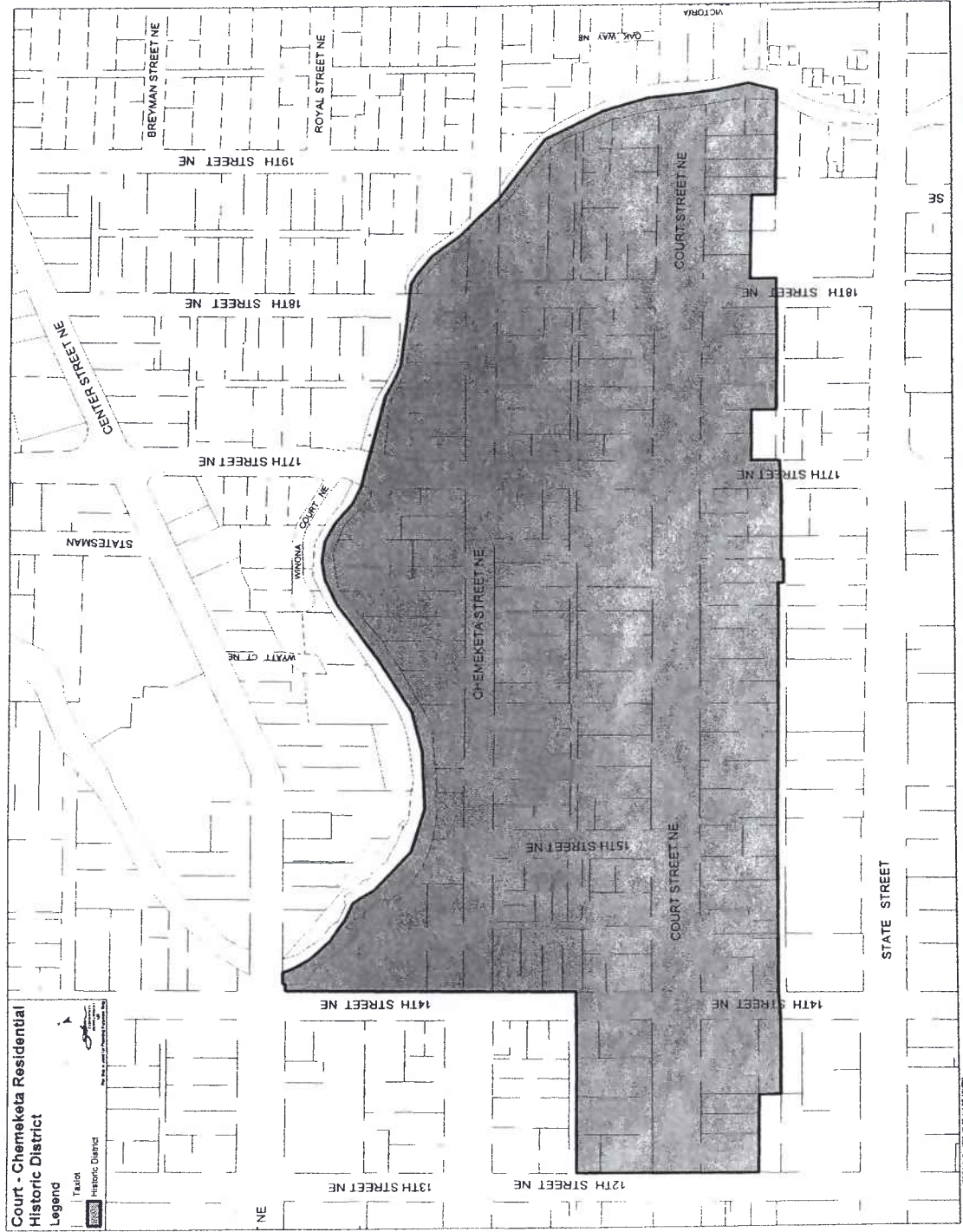
Core Area Design District



SECTION 10 11 - MAPS - NOTES

SECTION 40 **11**- MAPS

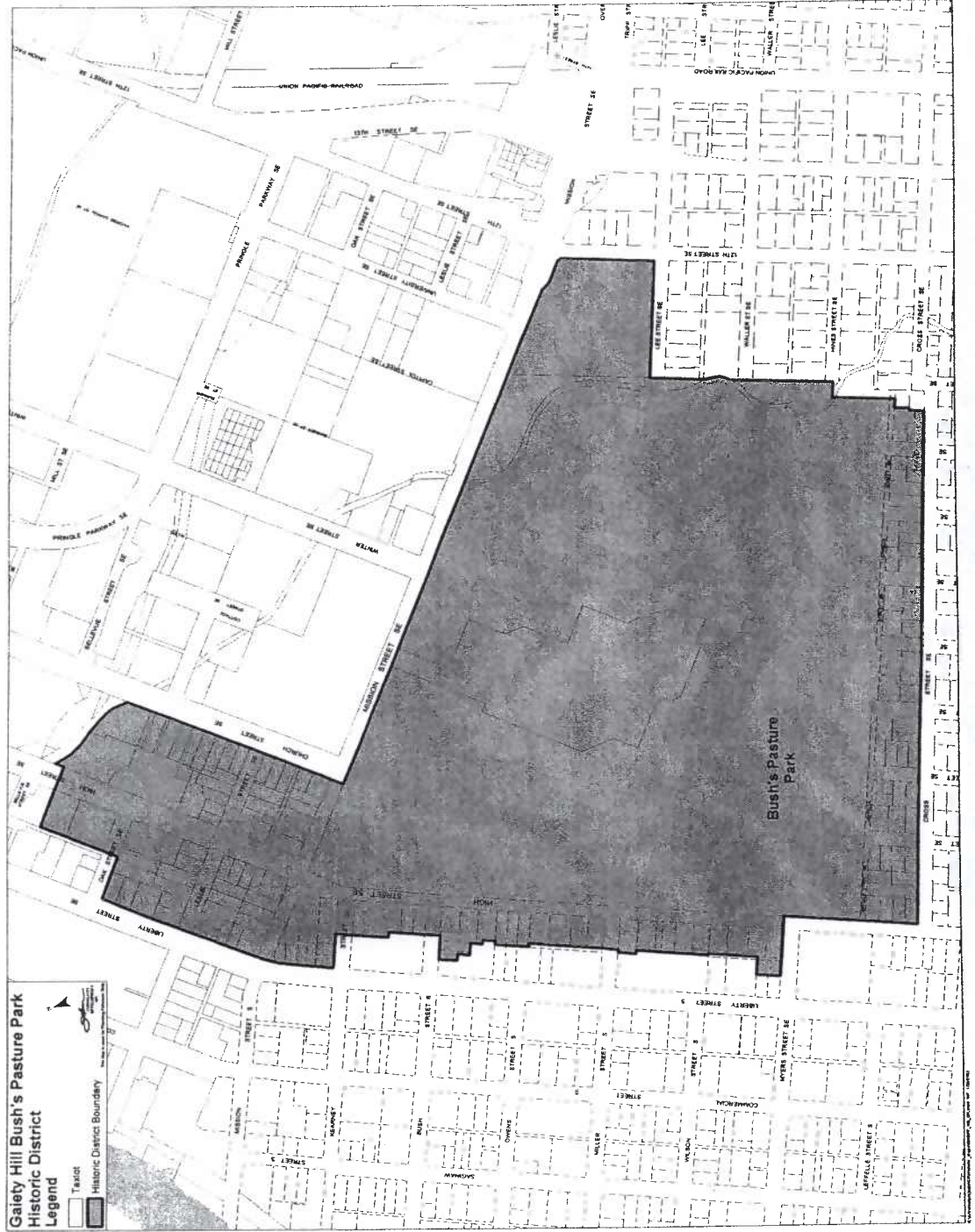
Court-Chemeketa Residential Historic District



SECTION 40 11 - MAPS - NOTES

SECTION 40 11- MAPS

Gaiety Hill Bush's Pasture Park Historic District

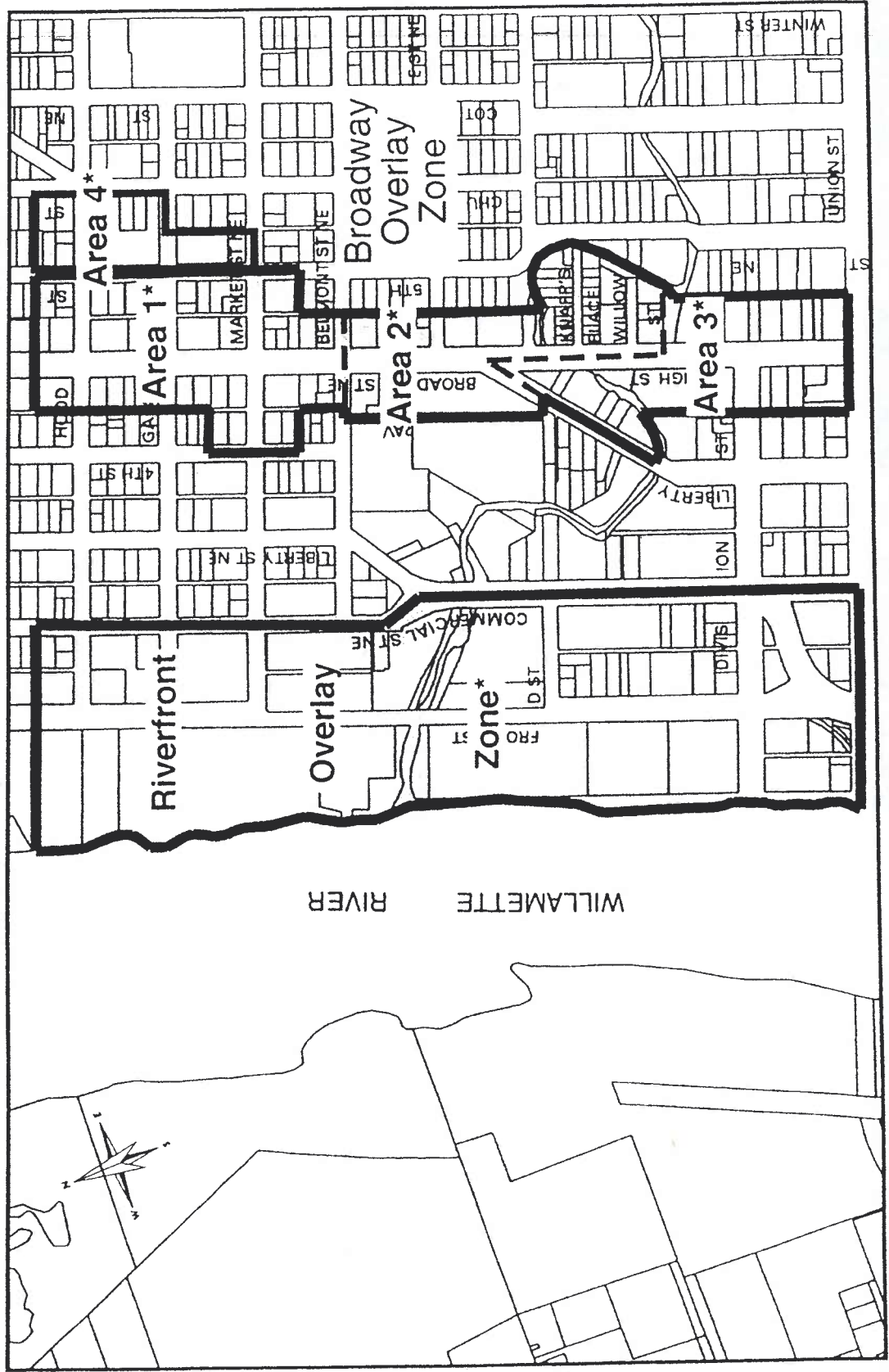


SECTION 40 11 - MAPS - NOTES

SECTION 40 11- MAPS

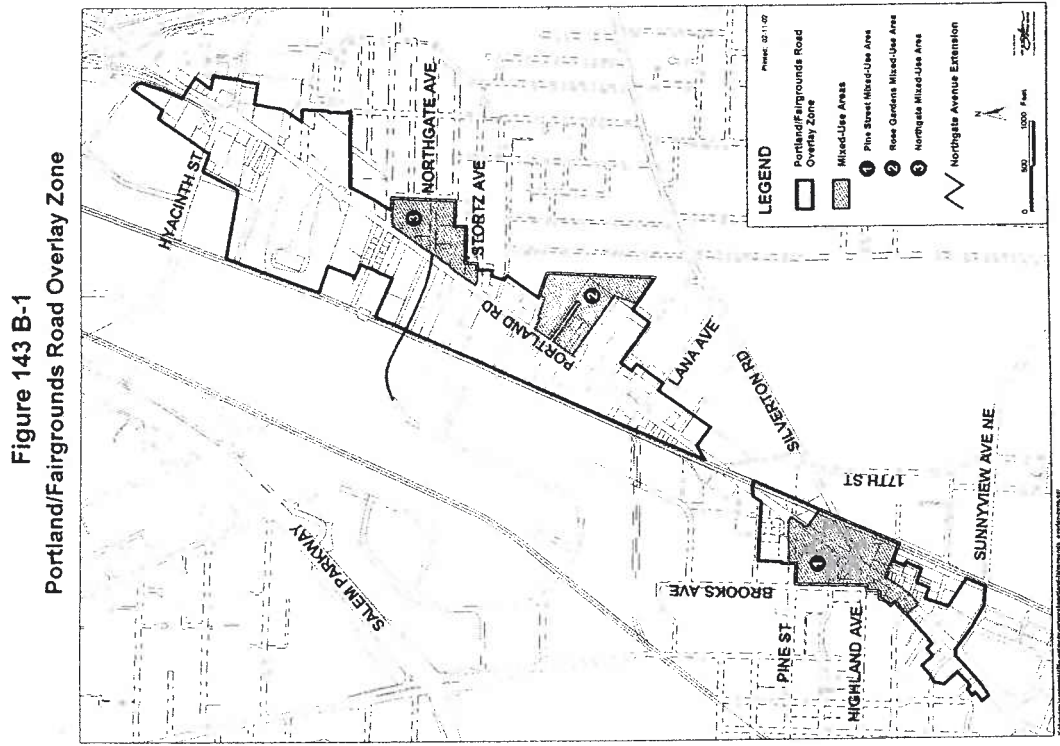
Riverfront and Broadway / High Street Overlay Zones

*Refer to SRC Chapter 137 / 138 for additional requirements



SECTION 1011- MAPS - NOTES

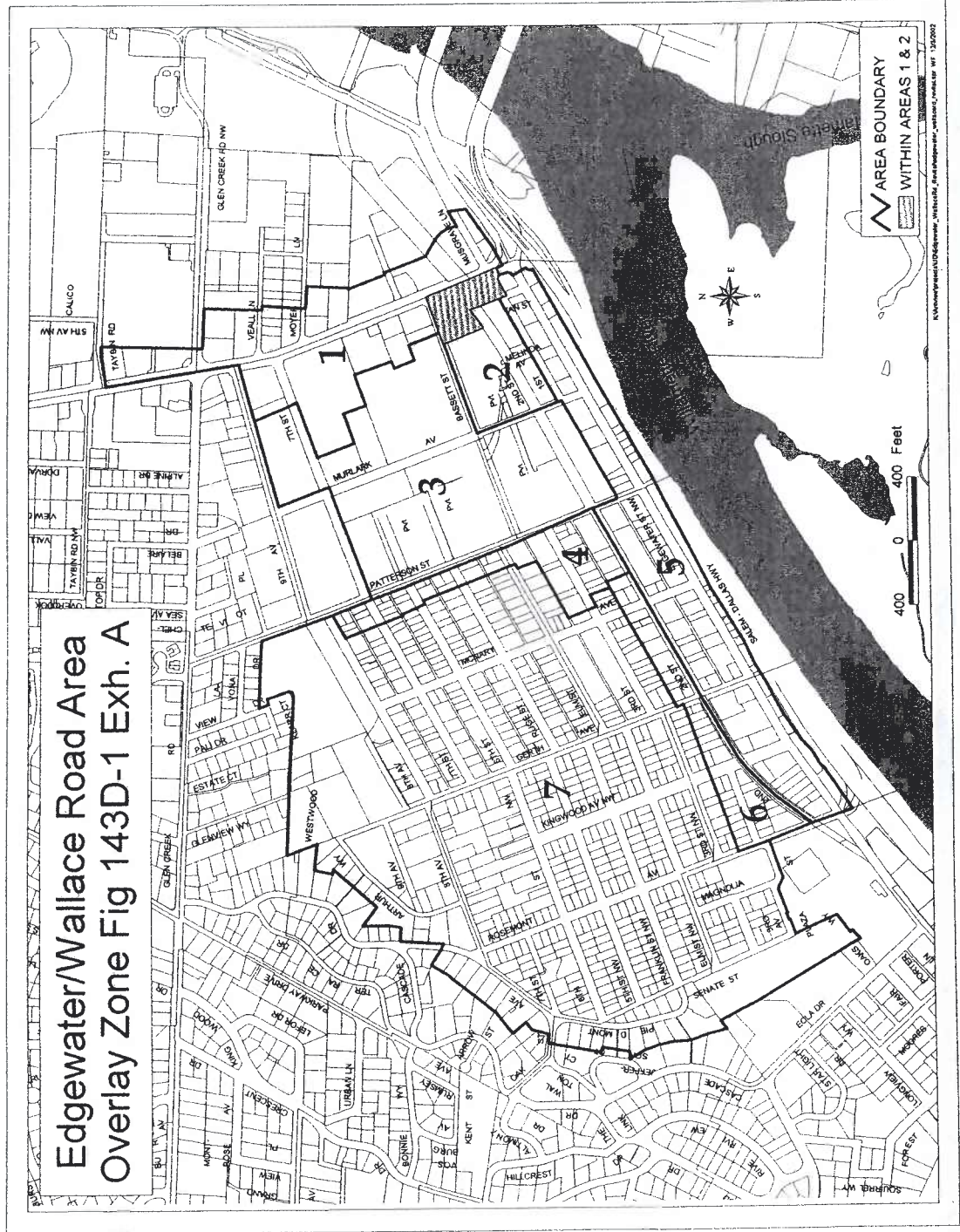
Portland / Fairgrounds Road Overlay Zone
Refer to SRC Chapter 143 for additional information



SECTION 40 11 - MAPS - NOTES

SECTION 4011- MAPS

Edgewater Street /Wallace Road Area Overlay Zone
Refer to SRC Chapter 143D for additional information



SECTION 10 11 - MAPS - NOTES