



# Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



## NOTICE OF ADOPTED AMENDMENT

07/22/2014

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

FROM: Plan Amendment Program Specialist

SUBJECT: City of Salem Plan Amendment  
DLCD File Number 012-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. 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: Thursday, August 07, 2014

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 Acknowledgment or 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 than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Aaron Panko, City of Salem  
Gordon Howard, DLCD Urban Planning Specialist  
Angela Lazarean, DLCD Regional Representative

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# NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE	012-14
File No.:	(20401)
	[17944]
Received:	7/17/2014

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See OAR 660-018-0040). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use Form 4 for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use Form 5 for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use Form 6 with submittal of an adopted periodic review task.

Jurisdiction: City of Salem

Local file no.: **CA14-02**

Date of adoption: 07-14-2014 Date sent: 7/18/2014

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 06-09-2014

No

Is the adopted change different from what was described in the Notice of Proposed Change?  Yes  No

If yes, describe how the adoption differs from the proposal:

Local contact (name and title): Aaron Panko, Planner II

Phone: 503-540-2356 E-mail: [apanko@cityofsalem.net](mailto:apanko@cityofsalem.net)

Street address: 555 Liberty St SE, Rm 305 City: Salem Zip: 97301-

## PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

### For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

### For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

Change from \_\_\_\_\_ to \_\_\_\_\_ acres.  A goal exception was required for this change.

Change from \_\_\_\_\_ to \_\_\_\_\_ acres.  A goal exception was required for this change.

Change from \_\_\_\_\_ to \_\_\_\_\_ acres.  A goal exception was required for this change.

Change from \_\_\_\_\_ to \_\_\_\_\_ acres.  A goal exception was required for this change.

Location of affected property (T, R, Sec., TL and address): \_\_\_\_\_

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary



**If the comprehensive plan map change is a UGB amendment** including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:

Non-resource – Acres:

Forest – Acres:

Marginal Lands – Acres:

Rural Residential – Acres:

Natural Resource/Coastal/Open Space – Acres:

Rural Commercial or Industrial – Acres:

Other: – Acres:

**If the comprehensive plan map change is an urban reserve amendment** including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:

Non-resource – Acres:

Forest – Acres:

Marginal Lands – Acres:

Rural Residential – Acres:

Natural Resource/Coastal/Open Space – Acres:

Rural Commercial or Industrial – Acres:

Other: – Acres:

**For a change to the text of an ordinance or code:**

Identify the sections of the ordinance or code that were added or amended by title and number:

Chapters 30 - Licenses, 400 - Use Classifications, 522 - Comm'l Retail (CR), 523 - General Comm'l , 524 - Central Business District (CB), 531 - South Waterfront Mixed-Use (SWMU), 540 - Public Amusement (PA), 542 - Public & Private Educational Serv (PE), 543 - Public & Private Health Services (PH), 544 -Public Service (PS), 551 -Industrial Comm'l (IC), 554 - General Industrial (IG), 604 - Pine St Mixed-Use Overlay Zone, 605 - Northgate Mixed-Use Overlay Zone, 701 - Standards & Review Procedure).

**For a change to a zoning map:**

Identify the former and new base zone designations and the area affected:

Change from            to            . Acres:

Change from            to            . Acres:

Change from            to            . Acres:

Change from            to            . Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:            . Acres added:            . Acres removed:

Location of affected property (T, R, Sec., TL and address):

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List affected state or federal agencies, local governments and special districts:

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.



COMMUNITY DEVELOPMENT DEPARTMENT

555 Liberty St. SE / Room 305 • Salem, OR 97301-3503 • (503) 588-6173 • (503) TTY 588-6353 • (503) Fax 588-6005

July 16, 2014

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

**NOTICE OF FINAL DECISION: Ordinance No. 11-14  
Amending SRC Chapters 30, 400, 522, 523, 524, 531, 540, 542, 543, 544,  
551, 554, 604, 605, 701**

YOU ARE HEREBY NOTIFIED that the City Council of the City of Salem adopted Ordinance No. 11-14 at the July 14, 2014 session. Ordinance No. 11-14 amends the above-referenced chapters relating to Mobile Food Units. A copy of the ordinance is attached.

Any person with standing may appeal the City Council's decision by filing a "Notice of Intent to Appeal" with the Land Use Board of Appeals, 775 Summer St NE, Suite 330, Salem OR 97301-1283, **not later than 21 days after July 16, 2014**. Anyone with questions regarding filing an appeal with the Oregon Land Use Board of Appeals should contact an attorney.

The complete case file is available for review at the Community Development Department, 555 Liberty St SE, Room 305, Salem OR 97301. If you have any further questions, you may contact the City of Salem Planning Division at 503-588-6173.

Lisa Anderson-Ogilvie,  
Urban Planning Administrator

Attached: Ordinance No. 11-14

2 AN ORDINANCE RELATING TO MOBILE FOOD UNITS; AMENDING SRC 30.005,  
3 30.400, 30.405, 30.410, 400.045, 400.125, 522.005, 523.005, 524.005, 531.010, 540.005,  
4 542.005, 543.005, 544.005, 551.005, 554.005, 604.015, 605.015, 701.005, AND 701.010;  
5 REPEALING SRC 30.415, 30.420, 30.425, AND 701.020; AND RENUMBERING SRC  
6 701.025, 701.030, 701.035, 701.040, AND 701.045; AND DECLARING AN EMERGENCY

7 *The City of Salem ordains as follows:*

8 **Section 1.** SRC 30.005 is amended to read as follows:

9 **30.005. Definitions.** Except as the context otherwise specifically requires, as used in this  
10 Chapter, the following mean:

11 (a) Annual or annually means beginning on January 1 and ending on December 31  
12 of any calendar year.

13 (b) Automobile racetrack means any premises operated as a business where there  
14 are regularly or seasonally conducted contests among motor vehicles involving  
15 vehicle locomotion and the vehicles or their drivers are rated in relation to each  
16 other or to some standard. As used in this definition, "motor vehicle" includes, but  
17 is not limited to, cars, trucks, motorcycles, and go-carts.

18 (c) Camp site means any tourist unit where persons may camp or occupy any  
19 dwelling place other than a permanent building constructed entirely of wood or  
20 more lasting materials.

21 (d) Camp structure means any temporary structure designed to be used as shelter  
22 for human habitation.

23 (e) Chief means the Chief of the Salem Police Department or the Chief's designee.

24 (f) Consideration means, as the context requires:

25 (1) An admission fee, cover charge, coupon, or similar token;

26 (2) The purchase of a prescribed minimum quantity of goods, consumables, or  
27 services; or

28 (3) Any form of user charge or token for the privilege of dancing, including the  
29 deposit by any patron of a coin or token in a "juke box" or other device in order  
30 to obtain music for dancing.

1 (g) Dealer in used merchandise means a junk dealer, pawn broker, or second hand  
2 dealer.

3 (h) Director means the City Manager, or the department head charged by the City  
4 Manager with enforcement of this Chapter, or that department head's designee.

5 (i) Fire Code Official means the Fire Chief of the Salem Fire Department or the  
6 Fire Chief's designee.

7 (j) Junk means articles of personal property that have outlived their usefulness in  
8 their original form, or articles of personal property that have been discarded and are  
9 no longer used for their manufactured purpose, regardless of value. As used in this  
10 Chapter the term "junk" includes, but is not limited to:

11 (1) Any derelict motor vehicle, i.e., any used motor vehicle without a vehicle  
12 license or with an expired license;

13 (2) Any neglected motor vehicle, i.e., a motor vehicle that is missing critical  
14 parts required for the normal and legal operation of the vehicle, but has all of its  
15 body parts intact, including fenders, hood, trunk, glass, and tires; or

16 (3) Any wrecked motor vehicle, or part thereof, i.e., a motor vehicle that is  
17 dismantled or partially dismantled, or having a broken or missing window or  
18 windshield, or lacking a wheel or tire;

19 (4) Machinery or parts thereof that are inoperative, worn out, or in a state of  
20 disrepair;

21 (5) Any appliances or parts thereof that are inoperative, worn out, or in a state  
22 of disrepair;

23 (6) Any worn out or dilapidated indoor fixtures or furnishings, or parts thereof;

24 (7) Any bulk solid waste; and

25 (8) Solid waste items that are of a type or quantity inconsistent with normal and  
26 usual use such as wood, metal, scrap and other similar items.

27 (k) Junk dealer is any person who as an owner engages in the business of buying  
28 and selling of any junk.

29 (l) License means the written form of permission required in order to operate a  
30 business or pursue a vocation as required by this Chapter.

1 (m) Mobile food unit means any ~~kiosk, shed, shelter,~~ motor vehicle, trailer, ~~vehicle~~  
2 or wagon which is ~~placed in a semi-permanent location for a period not to exceed~~  
3 ~~six months,~~ and used for the purpose of preparing, processing, or converting food  
4 for immediate consumption as a drive-in, drive-through, curb or walk-up service. A  
5 mobile food unit does not include a street vendor's cart or a motor vehicle, trailer or  
6 wagon used exclusively for selling prepackaged food items (i.e. an ice cream truck).

7 (n) Night club means any premises where:

8 (1) The general public is permitted to attend and dance upon the payment of an  
9 admission fee or some other form of consideration; and

10 (2) There is a dance floor or other space where dancing to live or recorded  
11 music is regularly permitted; and

12 (3) The premises or other space where dancing is regularly permitted is not the  
13 subject of a license issued by the Oregon Liquor Control Commission to sell or  
14 dispense alcoholic beverages.

15 (4) As used in this Chapter, "night club" does not include any dance that occurs  
16 as part of a special event that has been licensed pursuant to this Chapter or that  
17 occurs a part of a community event that has a permit issued pursuant to SRC  
18 Chapter 104, or any dance conducted by a non-profit organization that is an  
19 incidental function of its organization and whose building has been constructed  
20 to meet structural and fire life safety requirements for dances.

21 (o) Operator means a person engaged in the business of furnishing or operating a  
22 business defined by this Chapter, whether upon contract or by offering such service  
23 to the public generally.

24 (p) Pawnbroker means any person engaged in the business of loaning money to  
25 another person where personal security, pawns, or pledges are the condition of the  
26 loan; or the business of purchasing articles of personal property with the agreement  
27 to resell the articles to the vendors thereof, at prices agreed upon at or before the  
28 time of such purchase.

29 (q) Person means any natural person, partnership, corporation, limited liability  
30 company, government entity, association or other entity in law or fact.

1 (r) Recreational vehicle means any camper, motor home, or travel trailer. As used  
2 in this definition, "camper," "motor home," and "travel trailer" shall have the  
3 meanings set forth in ORS Chapter 801.

4 (s) Regularly permitted dancing means:

5 (1) Dancing that is advertised or acknowledged by the operator as being  
6 available to patrons at least three days in any month; or

7 (2) Patrons are allowed to dance on the premises on at least three days in any  
8 month with the knowledge of and without effective prohibition by the operator.

9 (t) Secondhand dealer means any person engaged in the business of buying, selling,  
10 or otherwise dealing in secondhand goods either as a separate business or as a  
11 substantial part of another business.

12 (u) Secondhand goods means any article of personal property which enters the  
13 stream of commerce after it has been purchased by a private party from a vendor;  
14 provided, however, secondhand goods shall not include any article of person  
15 property conveyed to a secondhand dealer solely by donation. As used in this  
16 Chapter, the term secondhand goods includes, but is not limited to:

17 (1) Precious metals and precious and semiprecious gems and gemstones,  
18 including but not limited to, gold, silver, platinum, copper, diamonds, rubies,  
19 emeralds, sapphires, and turquoise.

20 (2) Jewelry containing any precious metals, precious gems, or semi-precious  
21 gems.

22 (3) Collectibles, including but not limited to, trading cards, stamps, coins,  
23 decorative arts, ceramics, flatware, paintings, sculptures, and other fine and  
24 decorative arts.

25 (4) Antique and used furniture.

26 (5) Computers, computer components, computer peripherals, and computer  
27 games.

28 (v) Severe mobility limitation means a physical impairment that precludes a  
29 person's ability to walk without the physical assistance of another person and/or the  
30 assistance of a wheelchair, stretcher, or similar device. Persons who can walk with



1 a walker or cane but do not need the assistance of another person shall not be  
2 considered as having a severe mobility limitation.

3 (w) Special event means any dance, movie, play, concert, circus, carnival, exhibi-  
4 tion, sports event, haunted house, or other similar live, filmed, or televised  
5 performance, activity, or program held or presented at any privately-owned  
6 premises, where an admission fee or other form of consideration is charged or  
7 required, but not including any such event occurring at a premises operated as a  
8 business for such activities where the activity is occurring in the course of its  
9 regular schedule of events or where the occupancy or use of the premises for such  
10 events has been previously approved by the City of Salem.

11 (x) Street vendor means any person who travels from street to street upon public  
12 sidewalks in a commercial zone carrying, conveying, or transporting goods and  
13 offering and exposing the same for sale from a mobile type device such as a  
14 pushcart or similar conveyance.

15 (y) Taxicab means a motor vehicle, other than an ambulance, wheelchair coach, or  
16 limousine, which is intended to be used for the transportation for hire of persons or  
17 property and which is not operated exclusively over a fixed and defined route.

18 (z) Tree trimmer means any person engaged in the business of trimming, pruning,  
19 altering, removing, or providing tree surgery for trees growing, standing, or located  
20 upon any public street, sidewalk, park, or other public right-of-way, except a person  
21 owning a plant nursery and treating, trimming, pruning, altering, or removing shade  
22 trees in stock at such nursery or at the time of planting the same after sale.

23 (aa) Tourist park means any lot, tract, or parcel of land operated by a business for  
24 the purposes of furnishing tourist units for a fee or in connection with securing the  
25 trade or patronage of the users thereof. Such definition does not include any park  
26 which is owned and operated by any state, county, or city government or any  
27 agency thereof.

28 (bb) Tourist unit means any place in a tourist park which is designed to be used for  
29 temporary habitation by a single family in a camp site or recreational vehicle.

30 (cc) Vehicle for hire means a taxicab or wheelchair coach.

1 (dd) Vehicle for hire driver means a person who carries on the vocation of driving  
2 a taxicab or wheelchair coach.

3 (ee) Vehicle for hire operator means a person engaged in the business of furnishing  
4 or operating a taxicab or wheelchair coach service, whether such business has  
5 employees or delivers its services through independent contractors.

6 (ff) Wheelchair coach means a privately owned motor vehicle for hire, other than  
7 an ambulance, that is constructed or equipped and regularly provided or offered to  
8 be provided, primarily for the nonemergency transportation of persons with severe  
9 mobility limitations.

10 **Section 2.** SRC 30.400 is amended to read as follows:

11 **30.400. License Required.**

12 (a) A mobile food unit license shall be valid for a period of one year from the  
13 effective date of the license, and may be renewed pursuant to SRC 30.055.

14 (b) A separate mobile food unit license and fee shall be required and secured by the  
15 vendor under the provisions of SRC Chapter 30 for each mobile food unit used by  
16 the vendor to carry on the vendor's business.

17 ~~**30.400. Inspection.** Prior to the issuance of a mobile food unit license, the Director shall~~  
18 ~~inspect each mobile food unit to be used. The Director shall verify that each mobile food~~  
19 ~~unit is structurally and mechanically sound. The Director shall certify that the design will not~~  
20 ~~create a nuisance or hazard to the public and that the site plan conforms with all safety and~~  
21 ~~zoning requirements.~~

22 **Section 3.** SRC 30.405 is amended to read as follows:

23 **30.405. Location.**

24 (a) ~~The issuance of a mobile food unit license shall not grant the licensee~~  
25 ~~permission to operate in violation of any law or regulation. The operation of the~~  
26 ~~mobile food unit shall conform with all applicable zoning and land use~~  
27 ~~requirements, and the mobile food unit shall be located so as to not create a traffic~~  
28 ~~or safety hazard.~~

29 (b) ~~If the mobile food unit is located on private property not owned by the licensee,~~  
30 ~~the licensee shall maintain on-site a copy of an agreement between the licensee and~~

1 the property owner granting permission to use the property.

2 (a) Mobile food units may only operate in zones where allowed as a permitted use.

3 (eb) Mobile food units shall not operate or be located in a public right of way.

4 Mobile food units may operate on City owned property provided the licensee is  
5 granted a site specific permit which shall be displayed conspicuously on-site.

6 ~~-(d) Mobile food units shall only be located at one development site for a  
7 maximum of six months in any consecutive twelve month period, which  
8 commences from the date of occupation of the development site by the mobile food  
9 unit. As used herein, a development site means any lot, parcel, integrated shopping  
10 center defined in SRC Chapter 900 or any aggregation of lots or parcels, portions of  
11 which share parking, access, or landscaping.~~

12 (c) A mobile food unit may only operate in an approved parking lot, or other hard  
13 surface area, where the off-street parking requirements for all uses or activities  
14 served by the off-street parking area are met.

15 **Section 4.** SRC 30.410 is amended to read as follows:

16 **30.410. Standards.**

17 (a) Operation of a mobile food unit shall conform with all applicable laws and  
18 regulations, including zoning and land use requirements.

19 (b) A mobile food unit, including all items associated with the operation, shall not  
20 obstruct pedestrian pathways, driveways or drive aisles of any off-street parking  
21 area and shall be located so as to no create a traffic or safety hazard.

22 (c) All mobile food units which are parked in a stationary location for a period of  
23 24 hours or longer shall provide screening for all conduit, tanks, and storage areas  
24 from all public areas and streets by sight-obscuring fencing and/or temporary  
25 landscaping and skirting shall be provided along the perimeter of the mobile food  
26 unit.

27 (d) Mobile food units are not permanent structures and must remain capable of  
28 being moved.

29  
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1 (e) Mobile food unit operators shall pick up any paper, cardboard, wood, or plastic  
2 containers, wrappers, or any litter which is deposited by any person within twenty  
3 feet of the mobile food unit when conducting business.

4 ~~30.410. Use of Streets by Licensee.~~ No mobile food unit licensed under this Chapter shall have  
5 the any exclusive right to any location, nor shall it be permitted to operate in any congested area  
6 where its operation might impede or inconvenience the public.

7 **Section 5.** SRC 400.045 is amended to read as follows:

8 **400.045. Retail Sales and Service.** Retail Sales and Service consists of the sale, lease, or  
9 rental of products or services to the general public for personal or household use. Customers  
10 typically come to the site to obtain goods or services. Some delivery or shipping may also be  
11 included.

12 **(a) Eating and Drinking Establishments.**

13 **(1) Characteristics.** Eating and Drinking Establishments are characterized by  
14 the preparation and sale of food and/or non-alcoholic beverages for  
15 consumption on the premises and/or take-away/delivery service, and/or the sale  
16 of alcoholic beverages for on-site consumption.

17 **(2) Examples.** Brew pubs; cafes; coffee shops; delicatessens; mobile food  
18 units; restaurants; drive-up or drive-through fast food restaurants; taverns and  
19 bars.

20 **(3) Exceptions.**

21 **(A)** Breweries, wineries, distilleries, and cider houses where on-site food  
22 and/or beverage consumption is not the primary activity are included in  
23 Manufacturing: General Manufacturing.

24 **(B)** Night clubs are included in Recreation, Entertainment, and Cultural  
25 Services and Facilities: Commercial Entertainment – Indoor.

26 **(C)** Commercial or industrial catering kitchens where food is prepared and  
27 delivered off-site are included in Manufacturing: General Manufacturing.

28 **(D)** Bars and restaurants owned and operated by civic, social, or fraternal  
29 organizations for use by their members are included in Recreation,  
30

1 Entertainment, and Cultural Services and Facilities: Non-Profit Membership  
2 Assembly.

3 ~~(E) Mobile food units are included in Temporary Uses.~~

4 **(b) Retail Sales.**

5 **(1) Characteristics.** Retail Sales is characterized by the sale, lease, or rental of  
6 products directly to final consumers, but may include the sale, lease, or rental of  
7 products to contractors. Visits by customers are generally not scheduled.  
8 Stores are typically open to the general public.

9 **(2) Examples.** Appliance stores; auto supply stores; bicycle shops; book  
10 stores; candy stores; catering establishments; clothing, footwear, and apparel  
11 stores; commercial art galleries; consignment shops; convenience stores; copy  
12 shops; costume or formal wear rental; department stores; drug stores;  
13 electronics stores; fruit and vegetable markets; furniture, lighting, and home  
14 furnishing stores; furniture rental; grocery stores; hardware stores; health and  
15 beauty stores; lawn and garden supply stores; liquor stores; lumber and building  
16 materials stores; meat and seafood markets; paint stores; pawn shops; pet stores  
17 and pet supply stores; retail bakeries; retail nurseries; photocopying and  
18 blueprinting; sporting goods stores; tobacco stores; video rental.

19 **(3) Exceptions.**

20 **(A)** Gasoline stations are included in Motor Vehicle, Trailer, and  
21 Manufactured Dwelling Sales and Services: Motor Vehicle Services.

22 **(B)** Truck stops are included in Motor Vehicle, Trailer, and Manufactured  
23 Dwelling Sales and Services: Heavy Vehicle and Trailer Service and  
24 Storage.

25 **(C)** Sales, leasing, and rental of new and used vehicles, including, but not  
26 limited to, automobiles, trucks, motorcycles, boats, and recreational  
27 vehicles, are included in Motor Vehicle, Trailer, and Manufactured  
28 Dwelling Sales and Services: Motor Vehicle and Manufactured Dwelling  
29 and Trailers Sales.  
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(D) Lumber yards and other building material businesses that sell only to contractors are included in Wholesale Sales, Storage, and Distribution.

(E) Sales, rental, and leasing of heavy trucks and trailers are included in Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services: Heavy Vehicle and Trailer Sales.

**(c) Personal Services.**

**(1) Characteristics.** Personal Services are characterized by establishments that provide non-medical services to individuals involving the intellectual or manual personal labor of the server, rather than a saleable product of the server's skill. Services may be performed on a customer's person or personal items. Services may include repair, maintenance, or cleaning of clothing and/or accessories and/or non-medical aesthetic or personal care treatments to individuals. These services typically are provided directly to consumers.

**(2) Examples.** Barber shops; beauty salons; garment alteration; jewelry and watch repair; laundromats; laundry and dry cleaning establishments where customers typically bring items to the site for cleaning; photograph portrait studios; shoe repair; spas; tailors and seamstresses; tattoo/piercing parlors.

**(3) Exceptions.**

**(A)** Industrial laundries and dry cleaning plants where customers do not typically come to the site, and linen and diaper services where items are generally delivered to the customer off-site, are included in Construction Contracting, Repair, Maintenance, and Industrial Services: Cleaning Plants.

**(B)** Repair of personal and household items other than clothing and accessories is included in Construction Contracting, Repair, Maintenance, and Industrial Services: General Repair Services.

**(C)** Establishments providing day time supervision for persons of any age are included in Education Services: Day Care.

**(D)** Pet grooming and other animal care services are included in Farming, Forestry, and Animal Services: Animal Services.

1 (d) **Postal Services and Retail Financial Services.**

2 (1) **Characteristics.** Postal and Retail Financial Services are characterized by  
3 establishments that provide postal or financial services directly to clients or  
4 customers on the site. Services may also be provided remotely, without direct  
5 face-to-face customer interaction. Physical products are generally not sold on  
6 the site, except for incidental sale of supplies directly related to postal or  
7 financial services.

8 (2) **Examples.** Banks; credit agencies engaging in lending transactions with  
9 consumers; credit unions; customer-oriented post offices; customer-oriented  
10 private mail or package delivery service locations; money transfer and check  
11 cashing.

12 (3) **Exceptions.**

13 (A) Bank headquarters and corporate offices of financial services  
14 companies where customers do not typically come to the site are included in  
15 Business and Professional Services: Office.

16 (B) Postal distribution centers are included in Wholesale Sales, Storage, and  
17 Distribution: Warehousing and Distribution.

18 (C) Pawn shops and consignment stores are included in Retail Sales and  
19 Service: Retail Sales.

20 **Section 6.** SRC 400.125 is amended to read as follows:

21 **400.125. Other Uses.**

22 (a) **Temporary Uses.**

23 (1) **Characteristics.** Temporary Uses are uses that are allowed as temporary  
24 uses under the UDC and which require a temporary use permit under SRC  
25 Chapter 701. Temporary Uses are inherently temporary in nature and include  
26 activities that are seasonal or directed toward a specific event; or activities  
27 associated with the process of development; ~~and activities that are mobile.~~

28 (2) **Examples.** Christmas tree sales; construction storage yards; ~~mobile food~~  
29 ~~units~~; replacement single family dwellings; residential sales/development  
30

1 offices; temporary and seasonal gravel parking and loading areas; temporary  
2 motor vehicle and recreational vehicle sales.

3 **(b) Home Occupations.**

4 **(1) Characteristics.** Home Occupations are characterized by any business or  
5 professional activity conducted by a resident within a building used for  
6 Household Living, or within an accessory structure thereto, which is clearly  
7 accessory and subordinate to the residential use of the building and its premises.  
8 Home Occupations maintain the essential residential character of the building  
9 and its premises and do not to give the outward appearance, nor manifest any  
10 characteristic, of a business.

11 **(2) Examples.** Dressmaker, lawyer, public accountant, artist, caterer, writer,  
12 teacher, musician, home office of a physician, dentist, or other practitioner of  
13 any of the healing arts, or practices of any art or craft.

14 **(3) Exceptions.**

15 **(A)** Automotive repair, body work, painting, and other Motor Vehicle  
16 Services are included in Motor Vehicle, Trailer, and Manufactured Dwelling  
17 Sales and Service: Motor Vehicle Services.

18 **(B)** Small engine repair, appliance repair, and other General Repair  
19 Services are included in Construction Contracting, Repair, Maintenance, and  
20 Industrial Services: General Repair Services.

21 **(C)** Salvaging, sorting, and recycling of discarded materials, and other  
22 Waste-Related Facilities, are included in Utilities: Waste-Related Facilities.

23 **Section 7.** SRC 522.005 is amended to read as follows:

24 **522.005. Uses.**

25 **(a)** Except as otherwise provided in this section, the permitted (P), special (S),  
26 conditional (C), and prohibited (N) uses in the CR zone are set forth in Table 522-1.

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**TABLE 522-1**

**USES**

Table 522-1: Uses		
Use	Status	Limitations & Qualifications
<b>Household Living</b>		
Single Family	P	Residential Home, as defined under ORS 197.660, within an existing single family dwelling allowed as a continued use pursuant to SRC 522.005(b).
	S	Secondary Dwellings and Guest Rooms, subject to SRC 700.065.
	N	All other Single Family.
Two Family	N	
Multiple Family	C	
<b>Group Living</b>		
Room and Board	P	Room and Board serving 5 or fewer persons.
	C	Room and Board serving 6 to 75 persons.
	N	All other Room and Board.
Residential Care	P	
Nursing Care	P	
<b>Lodging</b>		
Short-Term Commercial Lodging	P	
Long-Term Commercial Lodging	C	
Non-Profit Shelters	P	Non-Profit Shelters serving 5 or fewer persons.
	C	Non-Profit Shelters serving 6 to 75 persons.
	N	All other Non-Profit Shelters.
<b>Retail Sales and Service</b>		
Eating and Drinking Establishments	P	
Retail Sales	N	Used merchandise stores, where sales and storage of merchandise and equipment is not conducted entirely within a building.
	P	All other Retail Sales.
Personal Services	P	
Postal Services and Retail Financial Services	P	
<b>Business and Professional Services</b>		
Office	P	
Audio/Visual Media Production	P	
Laboratory Research and Testing	P	
<b>Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service</b>		
Motor Vehicle and Manufactured Dwelling and Trailer Sales	C	
Motor Vehicle Services	P	Gasoline service stations.
	C	All other Motor Vehicle Services
Commercial Parking	P	
Park-and-Ride Facilities	P	
Taxicabs and Car Services	P	
Heavy Vehicle and Trailer Sales	C	Truck rental and leasing.
	N	All other Heavy Vehicle and Trailer Sales.

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Table 522-1: Uses		
Use	Status	Limitations & Qualifications
Heavy Vehicle and Trailer Service and Storage	P	Truck stops.
	C	The following Heavy Vehicle and Trailer Service and Storage activities: <ul style="list-style-type: none"> <li>▪ Heavy vehicle and equipment operation instruction.</li> <li>▪ Tire retreading and tire repair shops.</li> </ul>
	N	All other Heavy Vehicle and Trailer Service and Storage.
<b>Recreation, Entertainment, and Cultural Services and Facilities</b>		
Commercial Entertainment – Indoor	C	Nightclubs, located within 200 feet of a residential zone.
	P	All other Commercial Entertainment – Indoor.
Commercial Entertainment – Outdoor	C	Privately owned camps, campgrounds, and recreational vehicle parks.
	N	The following Commercial Entertainment – Outdoor activities: <ul style="list-style-type: none"> <li>▪ Amusement parks.</li> <li>▪ Drive-in movie theaters.</li> </ul>
	P	All other Commercial Entertainment – Outdoor.
Major Event Entertainment	C	
Recreational and Cultural Community Services	P	
Parks and Open Space	P	
Non-Profit Membership Assembly	P	
Religious Assembly	P	
<b>Health Services</b>		
Medical Centers/Hospitals	N	
Outpatient Medical Services and Laboratories	P	
<b>Education Services</b>		
Day Care	P	
Basic Education	P	
Post-Secondary and Adult Education	P	
<b>Civic Services</b>		
Governmental Services	P	
Social Services	P	
Governmental Maintenance Services and Construction	N	
<b>Public Safety</b>		
Emergency Services	P	
Detention Facilities	N	
Military Installations	P	
<b>Funeral and Related Services</b>		
Cemeteries	N	
Funeral and Cremation Services	P	
<b>Construction Contracting, Repair, Maintenance, and Industrial Services</b>		
General Repair Services	P	



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Table 522-1: Uses		
Use	Status	Limitations & Qualifications
Building and Grounds Services and Construction Contracting	P	The following Buildings and Grounds Services and Construction Contracting activities: <ul style="list-style-type: none"> <li>▪ Landscape, lawn, and garden services.</li> <li>▪ Tree and shrub services.</li> </ul>
	C	Carpet and upholstery cleaning establishments.
	N	All other Building and Grounds Services and Construction Contracting.
Cleaning Plants	N	
Industrial Services	P	
<b>Wholesale Sales, Storage, and Distribution</b>		
General Wholesaling	N	
Heavy Wholesaling	N	
Warehousing and Distribution	C	Distribution centers for online, mail order, and catalog sales.
	N	All other Warehousing and Distribution.
Self-Service Storage	N	
<b>Manufacturing</b>		
General Manufacturing	P	General Manufacturing, provided the manufacturing does not exceed 10,000 square feet of total floor area per development site and retail sales of the products manufactured is provided on-site.
	C	The following General Manufacturing activities, when exceeding 10,000 square feet of total floor area per development site: <ul style="list-style-type: none"> <li>▪ Industrial and institutional food service contractors.</li> <li>▪ Costume jewelry and precious metals metalsmithing.</li> <li>▪ Sundries and notions.</li> <li>▪ Signs.</li> </ul>
	N	All other General Manufacturing.
Heavy Manufacturing	N	
Printing	P	
<b>Transportation Facilities</b>		
Aviation Facilities	N	
Passenger Ground Transportation Facilities	P	Transit stop shelters.
	C	The following Passenger Ground Transportation Facilities: <ul style="list-style-type: none"> <li>▪ Local and suburban passenger transportation.</li> <li>▪ Intercity and rural highway passenger transportation within 2,000 feet from the center point of an I-5 interchange and having direct access on to a major arterial.</li> </ul>
	N	All other Passenger Ground Transportation Facilities.
Marine Facilities	N	
<b>Utilities</b>		
Basic Utilities	C	Reservoirs; water storage facilities.
	P	All other Basic Utilities.
Wireless Communication Facilities	Allowed	Wireless Communication Facilities are allowed, subject to SRC Chapter 703.
Drinking Water Treatment Facilities	C	
Power Generation Facilities	C	
Data Center Facilities	N	

Table 522-1: Uses		
Use	Status	Limitations & Qualifications
Fuel Dealers	N	
Waste-Related Facilities	C	The following Waste-Related Facilities are allowed conditionally: <ul style="list-style-type: none"> <li>▪ Recycling depots.</li> <li>▪ Solid waste transfer stations.</li> </ul>
	N	All other Waste-Related Facilities.
<b>Mining and Natural Resource Extraction</b>		
Petroleum and Natural Gas Production	N	
Surface Mining	N	
<b>Farming, Forestry, and Animal Services</b>		
Agriculture	P	
Forestry	P	
Agriculture and Forestry Services	P	
Keeping of Livestock and Other Animals	N	
	N	New wildlife rehabilitation facility.
Animal Services	P	All other Animal Services.
<b>Other Uses</b>		
Temporary Uses	P	The following Temporary Uses: <ul style="list-style-type: none"> <li>▪ Mobile food units, subject to SRC 701.020.</li> <li>▪ Temporary motor vehicle and recreational vehicle sales, subject to SRC 701.035.</li> </ul>
Home Occupations	S	Home Occupations, subject to SRC 700.020.

(b) **Continued Uses.** Existing single family detached dwellings, other than manufactured dwellings, within the CR zone constructed prior to February 1, 1983, but which would otherwise be made non-conforming by this Chapter, are hereby deemed continued uses.

(1) Building or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 522.010(e).

(2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for a residential use; provided, however, conversion of the building or structure to a non-residential use shall thereafter prevent conversion back to a residential use.

1 **Section 8.** SRC 523.005 is amended to read as follows:

2 **523.005. Uses.**

3 (a) Except as otherwise provided in this section, the permitted (P), special (S),  
 4 conditional (C), and prohibited (N) uses in the CG zone are set forth in Table 523-1.

5 **TABLE 523-1**  
 6 **USES**

7 **Table 523-1: Uses**

8 Use	Status	Limitations & Qualifications
9 <b>Household Living</b>		
10 Single Family	P	Residential Home, as defined under ORS 197.660, within an existing single family dwelling allowed as a continued use pursuant to SRC 523.005(b).
	N	All other Single Family
12 Two Family	N	
13 Multiple Family	C	
14 <b>Group Living</b>		
15 Room and Board	P	Room and Board serving 5 or fewer persons.
	C	Room and Board serving 6 to 75 persons.
	N	All other Room and Board.
16 Residential Care	C	
17 Nursing Care	P	
18 <b>Lodging</b>		
19 Short-Term Commercial Lodging	P	
20 Long-Term Commercial Lodging	P	
21 Non-Profit Shelters	P	Non-Profit shelters serving 5 or fewer persons.
	C	Non-Profit shelters serving 6 to 75 persons.
	N	All other Non-Profit Shelters.
22 <b>Retail Sales and Service</b>		
23 Eating and Drinking Establishments	P	
24 Retail Sales	N	Used merchandise stores, where sales and storage of merchandise and equipment is not conducted entirely within a building, or within a yard fully enclosed by a sight-obscuring fence, wall, or hedge.
	P	All other Retail Sales.
25 Personal Services	P	
26 Postal Services and Retail Financial Services	P	
27 <b>Business and Professional Services</b>		
28 Office	P	
29 Audio/Visual Media Production	P	
30 Laboratory Research and Testing	P	

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Table 523-1: Uses		
Use	Status	Limitations & Qualifications
<b>Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service</b>		
Motor Vehicle and Manufactured Dwelling and Trailer Sales	P	
Motor Vehicle Services	P	
Commercial Parking	P	
Park-and-Ride Facilities	P	
Taxicabs and Car Services	P	
Heavy Vehicle and Trailer Sales	P	
Heavy Vehicle and Trailer Service and Storage	P	
<b>Recreation, Entertainment, and Cultural Services and Facilities</b>		
Commercial Entertainment - Indoor	C	Nightclubs, located within 200 feet of a residential zone.
	P	All other Commercial Entertainment – Indoor.
Commercial Entertainment - Outdoor	C	Drive-in movie theaters.
	P	All other Commercial Entertainment – Outdoor.
Major Event Entertainment	C	Race Tracks.
	P	All other Major Event Entertainment.
Recreational and Cultural Community Services	P	
Parks and Open Space	P	
Non-Profit Membership Assembly	P	
Religious Assembly	P	
<b>Health Services</b>		
Medical Centers/Hospitals	N	
Outpatient Medical Services and Laboratories	P	
<b>Education Services</b>		
Day Care	P	
Basic Education	P	
Post-Secondary and Adult Education	P	
<b>Civic Services</b>		
Governmental Services	P	
Social Services	P	
Governmental Maintenance Services and Construction	N	
<b>Public Safety</b>		
Emergency Services	P	
Detention Facilities	N	
Military Installations	P	
<b>Funeral and Related Services</b>		
Cemeteries	N	
Funeral and Cremation Services	P	
<b>Construction Contracting, Repair, Maintenance, and Industrial Services</b>		
General Repair Services	P	

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**Table 523-1: Uses**

Use	Status	Limitations & Qualifications
Building and Grounds Services and Construction Contracting	P	
Cleaning Plants	P	
Industrial Services	P	
<b>Wholesale Sales, Storage, and Distribution</b>		
General Wholesaling	P	
Heavy Wholesaling	P	The following Heavy Wholesaling activities: <ul style="list-style-type: none"> <li>▪ Nursery stock wholesalers.</li> <li>▪ Tractor and farm equipment wholesalers.</li> </ul>
	C	The following Heavy Wholesaling activities: <ul style="list-style-type: none"> <li>▪ Firearms wholesalers.</li> <li>▪ Wood products and timber wholesalers.</li> </ul>
	N	All other Heavy Wholesaling.
Warehousing and Distribution	P	The following Warehousing and Distribution activities: <ul style="list-style-type: none"> <li>▪ Distribution centers for online, mail order, and catalog sales.</li> <li>▪ Postal processing and distribution centers.</li> </ul>
	N	All other Warehousing and Distribution
Self-Service Storage	N	
<b>Manufacturing</b>		
General Manufacturing	P	General Manufacturing, provided the manufacturing does not exceed 10,000 square feet of total floor area per development site and retail sales of the products manufactured is provided on-site.
	C	The following General Manufacturing activities, when exceeding 10,000 square feet of total floor area per development site: <ul style="list-style-type: none"> <li>▪ Industrial and institutional food service contractors.</li> <li>▪ Costume jewelry and precious metals metalsmithing.</li> <li>▪ Sundries and notions.</li> <li>▪ Signs.</li> </ul>
	N	All other General Manufacturing.
Heavy Manufacturing	N	
Printing	P	
<b>Transportation Facilities</b>		
Aviation Facilities	N	
Passenger Ground Transportation Facilities	P	
Marine Facilities	N	
<b>Utilities</b>		
Basic Utilities	C	Reservoirs; water storage facilities.
	P	All other Basic Utilities.
Wireless Communication Facilities	Allowed	Wireless Communication Facilities are allowed, subject to SRC Chapter 703.
Drinking Water Treatment Facilities	C	
Power Generation Facilities	C	
Data Center Facilities	N	





1 **Section 9.** SRC 524.005 is amended to read as follows:

2 **524.005. Uses.**

3 (a) Except as otherwise provided in this section, the permitted (P), special (S),  
 4 conditional (C), and prohibited (N) uses in the CB zone are set forth in Table 524-1.

5 **TABLE 524-1**

6 **USES**

7 **Table 524-1: Uses**

Use	Status	Limitations & Qualifications
<b>Household Living</b>		
Single Family	P	The following Single Family activities: ▪ Single family detached dwelling. ▪ Residential Home, as defined under ORS 197.660.
	N	All other Single Family.
Two Family	P	Duplex.
	N	All other Two Family.
Multiple Family	P	
<b>Group Living</b>		
Room and Board	P	Room and Board serving 5 or fewer persons.
	C	The following Room and Board activities: ▪ Room and Board serving 6 to 75 persons. ▪ Relocation of an existing Room and Board facility within the CB zone serving more than 75 persons, provided the facility has existed within the CB zone as of September 1, 1993, and there is no increase in bed capacity.
	N	All other Room and Board.
Residential Care	P	
Nursing Care	P	
<b>Lodging</b>		
Short-Term Commercial Lodging	P	
Long-Term Commercial Lodging	N	
Non-Profit Shelters	P	Non-Profit Shelters serving 5 or fewer persons.
	C	The following Non-Profit Shelters: ▪ Non-Profit Shelters serving 6 to 75 persons. ▪ Relocation of an existing Non-Profit Shelter within the CB zone serving more than 75 persons, provided the shelter has existed within the CB zone as of September 1, 1993, and there is no increase in bed capacity.
	N	All other Non-Profit Shelters.
<b>Retail Sales and Services</b>		
Eating and Drinking Establishments	P	
Retail Sales	P	
Personal Services	P	
Postal Services and Retail Financial Services	P	

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Table 524-1: Uses		
Use	Status	Limitations & Qualifications
<b>Business and Professional Services</b>		
Office	P	
Audio/Visual Media Production	P	
Laboratory Research and Testing	P	
<b>Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service</b>		
Motor Vehicle and Manufactured Dwelling and Trailer Sales	N	Mobile home dealers.
	P	All other Motor Vehicle and Manufactured Dwelling and Trailer Sales.
Motor Vehicle Services	P	
Commercial Parking	P	
Park-and-Ride Facilities	P	
Taxicabs and Car Services	P	
Heavy Vehicle and Trailer Sales	N	
Heavy Vehicle and Trailer Service and Storage	N	
<b>Recreation, Entertainment, and Cultural Services and Facilities</b>		
Commercial Entertainment - Indoor	P	
Commercial Entertainment - Outdoor	N	Drive-in movie theaters
	P	All other Commercial Entertainment – Outdoor.
Major Event Entertainment	P	Major Event Entertainment conducted indoors.
	N	All other Major Event Entertainment.
Recreational and Cultural Community Services	P	
Parks and Open Space	P	
Non-Profit Membership Assembly	P	
Religious Assembly	P	
<b>Health Services</b>		
Medical Centers/Hospitals	N	
Outpatient Medical Services and Laboratories	P	
<b>Educational Services</b>		
Day Care	P	
Basic Education	P	
Post-Secondary and Adult Education	P	
<b>Civic Services</b>		
Governmental Services	P	
Social Services	P	
Governmental Maintenance Services and Construction	N	
<b>Public Safety</b>		
Emergency Services	P	
Detention Facilities	N	
Military Installations	P	
<b>Funeral and Related Services</b>		
Cemeteries	N	
Funeral and Cremation Services	N	

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Table 524-1: Uses		
Use	Status	Limitations & Qualifications
<b>Construction Contracting, Repair, Maintenance, and Industrial Services</b>		
General Repair Services	P	
Building and Grounds Services and Construction Contracting	N	The following Building and Grounds Services and Construction Contracting activities: <ul style="list-style-type: none"> <li>▪ Building construction.</li> <li>▪ Heavy construction.</li> <li>▪ Disinfecting and pest control services.</li> <li>▪ Building cleaning and maintenance services.</li> </ul>
	P	All other Building and Grounds Services and Construction Contracting.
Cleaning Plants	P	
Industrial Services	P	
<b>Wholesale Sales, Storage, and Distribution</b>		
General Wholesaling	P	General Wholesaling is permitted, provided that it is combined with retail sales in the same line of goods.
Heavy Wholesaling	P	Nursery stock, provided that it is combined with retail sales in the same line of goods.
	C	The following Heavy Wholesaling activities, provided they are combined with retail sales in the same line of goods: <ul style="list-style-type: none"> <li>▪ Minerals and ore.</li> <li>▪ Metal service centers and wholesalers.</li> <li>▪ Firearms.</li> <li>▪ Wood products and timber.</li> </ul>
	N	All other Heavy Wholesaling.
Warehousing and Distribution	P	Distribution centers for online, mail order, and catalog sales.
	N	All other Warehousing and Distribution
Self-Service Storage	N	
<b>Manufacturing</b>		
General Manufacturing	P	General Manufacturing, provided the manufacturing does not exceed 10,000 square feet of total floor area per development site and retail sales of the products manufactured is provided on-site.
	C	The following General Manufacturing activities, when exceeding 10,000 square feet of total floor area per development site: <ul style="list-style-type: none"> <li>▪ Industrial and institutional food service contractors.</li> <li>▪ Costume jewelry and precious metals metalsmithing.</li> <li>▪ Sundries and notions</li> <li>▪ Signs.</li> </ul>
	N	All other General Manufacturing.
Heavy Manufacturing	N	
Printing	P	
<b>Transportation Facilities</b>		
Aviation Facilities	C	Helicopter landing areas, with or without passenger terminal facilities.
	N	All other Aviation Facilities.
Passenger Ground Transportation Facilities	P	
Marine Facilities	P	

Table 524-1: Uses		
Use	Status	Limitations & Qualifications
<b>Utilities</b>		
Basic Utilities	C	Reservoirs; water storage facilities.
	P	Basic Utilities are permitted, unless noted below.
Wireless Communication Facilities	Allowed	Wireless Communication Facilities are allowed, subject to SRC Chapter 703.
Drinking Water Treatment Facilities	C	
Power Generation Facilities	C	
Data Center Facilities	N	
Fuel Dealers	N	
Waste-Related Facilities	C	The following Waste-Related Facilities: ▪ Recycling depots. ▪ Solid waste transfer stations.
	N	All other Waste-Related Facilities.
<b>Mining and Natural Resource Extraction</b>		
Petroleum and Natural Gas Production	N	
Surface Mining	N	
<b>Farming, Forestry, and Animal Services</b>		
Agriculture	P	
Forestry	N	
Agriculture and Forestry Services	P	
Keeping of Livestock and Other Animals	N	
Animal Services	N	
<b>Other Uses</b>		
Temporary Uses	P	Mobile food units, subject to SRC 701.020.
Home Occupations	S	Home Occupations, subject to SRC 700.020.

**(b) Drive-Through Uses in Salem Downtown Historic District.**

(1) Notwithstanding Table 524-1, banks and credit unions constructed on or after October 1, 2011 within the Salem Downtown Historic District shall be conditional uses within the Salem Downtown Historic District if developed with a drive-through, and adequate measures are taken to ensure pedestrian safety.

(2) Notwithstanding Table 524-1, any permitted, special, or conditional use within the Salem Downtown Historic District, except for banks and credit unions constructed on or after October 1, 2011, shall be a prohibited use within the Downtown Historic District if developed with a drive-through.

1 **Section 10.** SRC 531.010 is amended to read as follows:

2 **531.010. Uses.**

3 (a) The permitted (P), special (S), conditional (C), and prohibited (N) uses in the  
 4 SWMU zone are set forth in Table 531-1.

5 **TABLE 531-1**

6 **USES**

7 **Table 531-1: Uses**

8 Use	Status	Limitations & Qualifications
9 <b>Household Living</b>		
10 Single Family	P	The following Single Family activities: ▪ Townhouse. ▪ Residential Home, as defined under ORS 197.660.
	N	All other Single Family.
12 Two Family	P	Duplex.
	N	All other Two Family.
13 Multiple Family	P	
14 <b>Group Living</b>		
Room and Board	N	
15 Residential Care	P	The following Residential Care activities: ▪ Residential Facility, as defined under ORS 197.660. ▪ Assisted living.
	N	All other Residential Care.
17 Nursing Care	P	In-patient rehabilitation and recuperative care.
	N	All other Nursing Care.
18 <b>Lodging</b>		
19 Short-Term Commercial Lodging	P	
Long-Term Commercial Lodging	N	
20 Non-Profit Shelters	P	Non-Profit Shelters serving 5 or fewer persons.
	C	Non-Profit Shelters serving 6 to 75 persons.
	N	All other Non-Profit Shelters.
22 <b>Retail Sales and Services</b>		
23 Eating and Drinking Establishments	P	Eating and Drinking Establishments, subject to SRC 531.010(c).
Retail Sales	P	Retail Sales, subject to SRC 531.010(c).
24 Personal Services	P	Personal Services, subject to SRC 531.010(c).
25 Postal Services and Retail Financial Services	P	Postal Services and Retail Financial Services, subject to SRC 531.010(c).
26 <b>Business and Professional Services</b>		
27 Office	P	
Audio/Visual Media Production	P	
28 Laboratory Research and Testing	P	Laboratory Research and Testing, subject to SRC 531.010(c).
29 <b>Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service</b>		
30 Motor Vehicle and Manufactured Dwelling and Trailer Sales	P	Indoor sales and leasing, subject to SRC 531.010(c).
	N	All other Motor Vehicle and Manufactured Dwelling and Trailer Sales.

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**Table 531-1: Uses**

Use	Status	Limitations & Qualifications
Motor Vehicle Services	N	
Commercial Parking	N	Commercial Parking on surface parking lots.
	P	All other Commercial Parking, subject to SRC 531.010(c).
Park-and-Ride Facilities	P	
Taxicabs and Car Services	N	
Heavy Vehicle and Trailer Sales	N	
Heavy Vehicle and Trailer Service and Storage	N	
<b>Recreation, Entertainment, and Cultural Services and Facilities</b>		
Commercial Entertainment - Indoor	N	Firing Ranges.
	P	All other Commercial Entertainment – Indoor is permitted.
Commercial Entertainment - Outdoor	N	The following Commercial Entertainment – Outdoor activities: ▪ Recreational vehicle parks. ▪ Firing Ranges.
	P	All other Commercial Entertainment – Outdoor.
Major Event Entertainment	N	
Recreational and Cultural Community Services	P	
Parks and Open Space	P	
Non-Profit Membership Assembly	P	
Religious Assembly	P	
<b>Health Services</b>		
Medical Centers/Hospitals	N	
Outpatient Medical Services and Laboratories	P	
<b>Educational Services</b>		
Day Care	P	
Basic Education	P	
Post-Secondary and Adult Education	P	
<b>Civic Services</b>		
Governmental Services	P	
Social Services	P	
Governmental Maintenance Services and Construction	N	
<b>Public Safety</b>		
Emergency Services	P	
Detention Facilities	N	
Military Installations	N	
<b>Funeral and Related Services</b>		
Cemeteries	N	
Funeral and Cremation Services	N	
<b>Construction Contracting, Repair, Maintenance, and Industrial Services</b>		
General Repair Services	P	General Repair Services, subject to SRC 531.010(c).
Building and Grounds Services and Construction Contracting	N	The following Building and Grounds Services and Construction Contracting activities: ▪ Lawn and garden services. ▪ Exterminators.

Table 531-1: Uses		
Use	Status	Limitations & Qualifications
	P	All other Building and Grounds Services and Construction Contracting, subject to SRC 531.010(c).
Cleaning Plants	P	Cleaning Plants, subject to SRC 531.010(c).
Industrial Services	N	
<b>Wholesale Sales, Storage, and Distribution</b>		
General Wholesaling	N	
Heavy Wholesaling	N	
Warehousing and Distribution	N	
Self-Service Storage	N	
<b>Manufacturing</b>		
General Manufacturing	P	General Manufacturing, subject to SRC 531.010(c).
Heavy Manufacturing	N	
Printing	P	Printing, subject to SRC 531.010(c).
<b>Transportation Facilities</b>		
Aviation Facilities	N	
Passenger Ground Transportation Facilities	P	
Marine Facilities	P	
<b>Utilities</b>		
Basic Utilities	P	
Wireless Communication Facilities	Allowed	Wireless Communication Facilities are allowed, subject to SRC Chapter 703.
Drinking Water Treatment Facilities	N	
Power Generation Facilities	N	
Data Center Facilities	N	
Fuel Dealers	N	
Waste-Related Facilities	N	
<b>Mining and Natural Resource Extraction</b>		
Petroleum and Natural Gas Production	N	
Surface Mining	N	
<b>Farming, Forestry, and Animal Services</b>		
Agriculture	N	
Forestry	N	
Agriculture and Forestry Services	N	
Keeping of Livestock and Other Animals	N	
Animal Services	P	
<b>Other Uses</b>		
Temporary Uses	P	Mobile food units, subject to SRC 701.020.
Home Occupations	S	Home Occupations, subject to SRC 700.020.

(b) **Additional Prohibited Uses.** Notwithstanding Table 531-1, any permitted, special, or conditional use within the SWMU zone less than 10,000 square feet in



1 total floor shall be a prohibited use within the SWMU zone if developed with a  
2 drive-through.

3 **(c) Limitations on Uses.** Where a use is allowed subject to the provisions of this  
4 subsection, the use shall conform to the following additional limitations:

5 **(1)** Establishments under the following uses shall be limited to no more than  
6 10,000 square feet of total floor area per establishment:

7 **(A)** Laboratory Research and Testing.

8 **(B)** Building and Grounds Services and Construction Contracting.

9 **(C)** Cleaning Plants.

10 **(D)** General Manufacturing.

11 **(E)** Printing.

12 **(2)** The total floor area of all establishments falling under Motor Vehicle and  
13 Manufactured Dwelling and Trailer Sales shall be limited to a maximum of  
14 20,000 square feet.

15 **(3)** Buildings for establishments under the following uses shall be limited to no  
16 more than 40,000 square feet of ground floor area:

17 **(A)** Retail Sales, with the exception of grocery stores. Grocery stores shall  
18 be limited to buildings with no more than 60,000 square feet of ground floor  
19 area.

20 **(B)** Personal Services.

21 **(C)** Postal Services and Retail Financial Services.

22 **(D)** General Repair Services.

23 **(E)** Animal Services.

24 **(4)** Buildings for establishments under the following uses shall be limited to no  
25 more than 60,000 square feet of ground floor area:

26 **(A)** Eating and Drinking Establishments.

27 **(B)** Commercial Entertainment – Indoor.

28 **(C)** Commercial Entertainment – Outdoor.

29 **(5)** Commercial Parking shall be limited to the following locations:  
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(A) Structures existing as of January 7, 2009, that have been rehabilitated or remodeled to allow for the use of the structure for parking.

(B) Underground parking structures.

(C) Any other structures, provided:

(i) No more than 25 percent of the parking spaces within an individual structure shall be used for Commercial Parking.

(ii) The total number of parking spaces within the structures shall not exceed the maximum number of parking spaces allowed for each use pursuant to SRC Chapter 806.

**(d) Mix of Uses Required.**

(1) Within the SWMU zone a minimum of 15 percent of each development site shall be Household Living and a minimum of 15 percent of each development site shall be other than Household Living. The percentage shall be calculated by determining the percentage of total habitable building floor area devoted to Household Living activities and the total habitable building floor area devoted to activities other than Household Living, relative to the total habitable building floor area, exclusive of parking structures and other non-habitable space. Total habitable building floor area used for Short-Term Commercial Lodging may be substituted for up to 25 percent of the required Household Living area.

(2) The required mix of uses may be reduced to a minimum of 5 percent provided the following are met:

(A) There is a vertical mix of uses in one or more mixed-use buildings. The mix shall include space for activities other than Household Living on at least a portion of the ground floor and Household Living activities on one or more upper floors; and

(B) All ground floor Household Living activities facing a public street shall maintain a minimum structural ceiling height of 12 feet to provide the opportunity for future conversion to activities other than Household Living.

1 **Section 11.** SRC 540.005 is amended to read as follows:

2 **540.005. Uses.** The permitted (P), special (S), conditional (C), and prohibited (N) uses in the  
 3 PA zone are set forth in Table 540-1.

4 **TABLE 540-1**  
 5 **USES**

6 **Table 540-1: Uses**

7 Use	Status	Limitations & Qualifications
8 <b>Household Living</b>		
9 Single Family	P	The following Single Family activities: ▪ Dwelling unit for a caretaker on the premises being cared for or guarded. ▪ Houseboats, when developed in conjunction with a marina.
	S	Manufactured home as a dwelling for a caretaker, subject to SRC 700.030.
	N	All Other Single Family.
12 Two Family	N	
13 Multiple Family	N	
14 <b>Group Living</b>		
Room and Board	N	
15 Residential Care	N	
Nursing Care	N	
16 <b>Lodging</b>		
17 Short-Term Commercial Lodging	N	
Long-Term Commercial Lodging	N	
18 Non-Profit Shelters	N	
19 <b>Retail Sales and Service</b>		
20 Eating and Drinking Establishments	P	<u>Mobile Food Units</u>
	N	<u>All Other Eating and Drinking Establishments</u>
21 Retail Sales	N	
Personal Services	N	
22 Postal Services and Retail Financial Services	N	
23 <b>Business and Professional Services</b>		
24 Office	N	
Audio/Visual Media Production	N	
25 Laboratory Research and Testing	N	
26 <b>Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services</b>		
27 Motor Vehicle and Manufactured Dwelling and Trailer Sales	N	
Motor Vehicle Services	N	
28 Commercial Parking	N	
Park-and-Ride Facilities	N	
29 Taxicabs and Car Services	N	
Heavy Vehicle and Trailer Sales	N	
30 Heavy Vehicle and Trailer Service and Storage	N	

Table 540-1: Uses

Use	Status	Limitations & Qualifications
<b>Recreation, Entertainment, and Cultural Services and Facilities</b>		
Commercial Entertainment – Indoor	P	
Commercial Entertainment – Outdoor	N	The following Commercial Entertainment – Outdoor activities: <ul style="list-style-type: none"> <li>▪ Camps.</li> <li>▪ Recreational vehicle parks.</li> </ul>
	P	All other Commercial Entertainment – Indoor.
Major Event Entertainment	P	
Recreational and Cultural Community Services	P	
Parks and Open Space	P	
Non-Profit Membership Assembly	N	
Religious Assembly	N	
<b>Health Services</b>		
Medical Centers/Hospitals	N	
Outpatient Medical Services and Laboratories	N	
<b>Educational Services</b>		
Day Care	N	
Basic Education	N	
Post-Secondary and Adult Education	N	
<b>Civic Services</b>		
Governmental Services	N	
Social Services	N	
Governmental Maintenance Services and Construction	N	
<b>Public Safety</b>		
Emergency Services	P	
Detention Facilities	N	
Military Installations	P	
<b>Funeral and Related Services</b>		
Cemeteries	N	
Funeral and Cremation Services	N	
<b>Construction Contracting, Repair, Maintenance, and Industrial Services</b>		
General Repair Services	N	
Building and Grounds Services and Construction Contracting	N	
Cleaning Plants	N	
Industrial Services	N	
<b>Whole Sales, Storage, and Distribution</b>		
General Wholesaling	N	
Heavy Wholesaling	N	
Warehousing and Distribution	N	
Self-Service Storage	N	
<b>Manufacturing</b>		
General Manufacturing	N	

<b>Table 540-1: Uses</b>		
<b>Use</b>	<b>Status</b>	<b>Limitations &amp; Qualifications</b>
Heavy Manufacturing	N	
Printing	N	
<b>Transportation Facilities</b>		
Aviation Facilities	N	
Passenger Ground Transportation Facilities	P	Transit stop shelters.
	N	All other Passenger Ground Transportation Facilities.
Marine Facilities	P	Marinas.
	N	All other Marine Facilities.
<b>Utilities</b>		
Basic Utilities	P	
Wireless Communication Facilities	Allowed	Wireless Communication Facilities are allowed, subject to SRC Chapter 703.
Drinking Water Treatment Facilities	N	
Power Generation Facilities	N	
Data Center Facilities	N	
Fuel Dealers	N	
Waste-Related Facilities	N	
<b>Mining and Natural Resource Extraction</b>		
Petroleum and Natural Gas Production	N	
Surface Mining	N	
<b>Farming, Forestry, and Animal Services</b>		
Agriculture	P	
Forestry	P	
Agriculture and Forestry Services	N	
Keeping of Livestock and Other Animals	N	
Animal Services	C	Wildlife rehabilitation facilities.
	N	All other Animal Services.
<b>Other Uses</b>		
Temporary Uses	P	Mobile food units, subject to SRC 701.020.
Home Occupations	N	

**Section 12.** SRC 542.005 is amended to read as follows:

**542.005. Uses.** The permitted (P), special (S), conditional (C), and prohibited (N) uses in the PE zone are set forth in Table 542-1.

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**TABLE 542-1  
USES**

<b>Table 542-1: Uses</b>		
Use	Status	Limitations & Qualifications
<b>Household Living</b>		
Single Family	P	Dwelling unit for a caretaker on the premises being cared for or guarded.
	S	Manufactured home as a dwelling for a caretaker, subject to SRC 700.030.
	N	All Other Single Family.
Two Family	N	
Multiple Family	N	
<b>Group Living</b>		
Room and Board	N	
Residential Care	P	
Nursing Care	P	
<b>Lodging</b>		
Short-Term Commercial Lodging	N	
Long-Term Commercial Lodging	N	
Non-Profit Shelters	P	
<b>Retail Sales and Service</b>		
Eating and Drinking Establishments	P	<u>Mobile Food Units</u>
	N	<u>All Other Eating and Drinking Establishments</u>
Retail Sales	N	
Personal Services	N	
Postal Services and Retail Financial Services	N	
<b>Business and Professional Services</b>		
Office	P	The following office activities: <ul style="list-style-type: none"> <li>▪ Distance education and distance learning.</li> <li>▪ Home health care services.</li> </ul>
	N	All other Office.
Audio/Visual Media Production	N	
Laboratory Research and Testing	N	
<b>Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services</b>		
Motor Vehicle and Manufactured Dwelling and Trailer Sales	N	
Motor Vehicle Services	N	
Commercial Parking	N	
Park-and-Ride Facilities	N	
Taxicabs and Car Services	N	
Heavy Vehicle and Trailer Sales	N	
Heavy Vehicle and Trailer Service and Storage	N	
<b>Recreation, Entertainment, and Cultural Services and Facilities</b>		
Commercial Entertainment – Indoor	N	

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Table 542-1: Uses		
Use	Status	Limitations & Qualifications
Commercial Entertainment – Outdoor	N	
Major Event Entertainment	N	
Recreational and Cultural Community Services	P	
Parks and Open Space	P	
Non-Profit Membership Assembly	N	
Religious Assembly	N	
<b>Health Services</b>		
Medical Centers/Hospitals	P	
Outpatient Medical Services and Laboratories	P	
<b>Educational Services</b>		
Day Care	P	
Basic Education	P	
Post-Secondary and Adult Education	P	
<b>Civic Services</b>		
Governmental Services	N	
Social Services	P	
Governmental Maintenance Services and Construction	N	
<b>Public Safety</b>		
Emergency Services	P	
Detention Facilities	N	
Military Installations	N	
<b>Funeral and Related Services</b>		
Cemeteries	N	
Funeral and Cremation Services	N	
<b>Construction Contracting, Repair, Maintenance, and Industrial Services</b>		
General Repair Services	N	
Building and Grounds Services and Construction Contracting	N	
Cleaning Plants	N	
Industrial Services	N	
<b>Whole Sales, Storage, and Distribution</b>		
General Wholesaling	N	
Heavy Wholesaling	N	
Warehousing and Distribution	N	
Self-Service Storage	N	
<b>Manufacturing</b>		
General Manufacturing	N	
Heavy Manufacturing	N	
Printing	N	
<b>Transportation Facilities</b>		
Aviation Facilities	N	
Passenger Ground Transportation Facilities	P	Transit stop shelters.
	N	All other Passenger Ground Transportation Facilities.

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Table 542-1: Uses		
Use	Status	Limitations & Qualifications
Marine Facilities	N	
<b>Utilities</b>		
Basic Utilities	P	
Wireless Communication Facilities	Allowed	Wireless Communication Facilities are allowed, subject to SRC Chapter 703.
Drinking Water Treatment Facilities	N	
Power Generation Facilities	N	
Data Center Facilities	N	
Fuel Dealers	N	
Waste-Related Facilities	N	
<b>Mining and Natural Resource Extraction</b>		
Petroleum and Natural Gas Production	N	
Surface Mining	N	
<b>Farming, Forestry, and Animal Services</b>		
Agriculture	P	
Forestry	P	
Agriculture and Forestry Services	N	
Keeping of Livestock and Other Animals	N	
Animal Services	C	Wildlife rehabilitation facilities.
	N	All other Animal Services.
<b>Other Uses</b>		
Temporary Uses	P	Mobile food units, subject to SRC 701.020.
Home Occupations	N	

**Section 13.** SRC 543.005 is amended to read as follows:

**543.005. Uses.** The permitted (P), special (S), conditional (C), and prohibited (N) uses in the PH zone are set forth in Table 543-1.

**TABLE 543-1  
USES**

Table 543-1: Uses		
Use	Status	Limitations & Qualifications
<b>Household Living</b>		
Single Family	P	Dwelling unit for a caretaker on the premises being cared for or guarded.
	S	Manufactured home as a dwelling for a caretaker, subject to SRC 700.030.
	N	All Other Single Family.
Two Family	N	
Multiple Family	N	



Table 543-1: Uses

Use	Status	Limitations & Qualifications
<b>Group Living</b>		
Room and Board	N	
Residential Care	P	
Nursing Care	P	
<b>Lodging</b>		
Short-Term Commercial Lodging	N	
Long-Term Commercial Lodging	N	
Non-Profit Shelters	P	
<b>Retail Sales and Service</b>		
Eating and Drinking Establishments	P	Mobile Food Units
	N	All Other Eating and Drinking Establishments
Retail Sales	P	Drug stores and pharmacies.
	N	All other Retail Sales.
Personal Services	N	
Postal Services and Retail Financial Services	N	
<b>Business and Professional Services</b>		
Office	P	Home health care services.
	C	Distance education and distance learning.
	N	All other Office.
Audio/Visual Media Production	N	
Laboratory Research and Testing	N	
<b>Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services</b>		
Motor Vehicle and Manufactured Dwelling and Trailer Sales	N	
Motor Vehicle Services	N	
Commercial Parking	N	
Park-and-Ride Facilities	N	
Taxicabs and Car Services	N	
Heavy Vehicle and Trailer Sales	N	
Heavy Vehicle and Trailer Service and Storage	N	
<b>Recreation, Entertainment, and Cultural Services and Facilities</b>		
Commercial Entertainment – Indoor	N	
Commercial Entertainment – Outdoor	N	
Major Event Entertainment	N	
Recreational and Cultural Community Services	P	
Parks and Open Space	P	
Non-Profit Membership Assembly	N	
Religious Assembly	N	
<b>Health Services</b>		
Medical Centers/Hospitals	P	
Outpatient Medical Services and Laboratories	P	

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Table 543-1: Uses		
Use	Status	Limitations & Qualifications
<b>Educational Services</b>		
Day Care	P	
Basic Education	C	
Post-Secondary and Adult Education	C	
<b>Civic Services</b>		
Governmental Services	P	Administration of public health programs.
	N	All other Governmental Services.
Social Services	P	
Governmental Maintenance Services and Construction	N	
<b>Public Safety</b>		
Emergency Services	P	
Detention Facilities	P	
Military Installations	N	
<b>Funeral and Related Services</b>		
Cemeteries	N	
Funeral and Cremation Services	N	
<b>Construction Contracting, Repair, Maintenance, and Industrial Services</b>		
General Repair Services	N	
Building and Grounds Services and Construction Contracting	N	
Cleaning Plants	N	
Industrial Services	N	
<b>Whole Sales, Storage, and Distribution</b>		
General Wholesaling	N	
Heavy Wholesaling	N	
Warehousing and Distribution	P	General warehousing and storage, when operated by a public entity.
	N	All other Warehousing and Distribution.
Self-Service Storage	N	
<b>Manufacturing</b>		
General Manufacturing	N	
Heavy Manufacturing	N	
Printing	N	
<b>Transportation Facilities</b>		
Aviation Facilities	P	Helicopter landing areas.
	N	All other Aviation Facilities.
Passenger Ground Transportation Facilities	P	Transit stop shelters.
	N	All other Passenger Ground Transportation Facilities.
Marine Facilities	N	
<b>Utilities</b>		
Basic Utilities	P	
Wireless Communication Facilities	Allowed	Wireless Communication Facilities are allowed, subject to SRC Chapter 703.
Drinking Water Treatment Facilities	N	
Power Generation Facilities	N	
Data Center Facilities	N	

Table 543-1: Uses		
Use	Status	Limitations & Qualifications
Fuel Dealers	N	
Waste-Related Facilities	P	Compost facility for yard debris franchise haulers and government entities, when located on the site of, and in compliance with, the Oregon State Corrections Area Plan.
	N	All other Waste-Related Facilities.
<b>Mining and Natural Resource Extraction</b>		
Petroleum and Natural Gas Production	N	
Surface Mining	N	
<b>Farming, Forestry, and Animal Services</b>		
Agriculture	P	
Forestry	P	
Agriculture and Forestry Services	N	
Keeping of Livestock and Other Animals	N	
Animal Services	C	Wildlife rehabilitation facilities.
	N	All other Animal Services.
<b>Other Uses</b>		
Temporary Uses	P	Mobile food units, subject to SRC 701.020.
Home Occupations	N	

**Section 14.** SRC 544.005 is amended to read as follows:

**544.005. Uses.** The permitted (P), special (S), conditional (C), and prohibited (N) uses in the PS zone are set forth in Table 544-1.

**TABLE 544-1  
USES**

Table 544-1: Uses		
Use	Status	Limitations & Qualifications
<b>Household Living</b>		
Single Family	P	Dwelling unit for a caretaker on the premises being cared for or guarded.
	S	Manufactured home as a dwelling for a caretaker, subject to SRC 700.030.
	N	All Other Single Family.
Two Family	N	
Multiple Family	N	
<b>Group Living</b>		
Room and Board	N	
Residential Care	P	
Nursing Care	P	
<b>Lodging</b>		
Short-Term Commercial Lodging	N	

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Table 544-1: Uses		
Use	Status	Limitations & Qualifications
Long-Term Commercial Lodging	N	
Non-Profit Shelters	P	
<b>Retail Sales and Service</b>		
Eating and Drinking Establishments	P	
Retail Sales	P	Caterers.
	N	All other Retail Sales.
Personal Services	N	
Postal Services and Retail Financial Services	N	
<b>Business and Professional Services</b>		
Office	P	The following Office activities: <ul style="list-style-type: none"> <li>▪ Distance education and distance learning.</li> <li>▪ Home health care services.</li> <li>▪ Information technology services.</li> </ul>
	N	All other Office.
Audio/Visual Media Production	N	
Laboratory Research and Testing	N	
<b>Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services</b>		
Motor Vehicle and Manufactured Dwelling and Trailer Sales	N	
Motor Vehicle Services	N	
Commercial Parking	N	
Park-and-Ride Facilities	P	
Taxicabs and Car Services	N	
Heavy Vehicle and Trailer Sales	N	
Heavy Vehicle and Trailer Service and Storage	P	
<b>Recreation, Entertainment, and Cultural Services and Facilities</b>		
Commercial Entertainment – Indoor	N	
Commercial Entertainment – Outdoor	N	
Major Event Entertainment	N	
Recreational and Cultural Community Services	P	
Parks and Open Space	P	
Non-Profit Membership Assembly	N	
Religious Assembly	N	
<b>Health Services</b>		
Medical Centers/Hospitals	P	
Outpatient Medical Services and Laboratories	P	
<b>Educational Services</b>		
Day Care	P	
Basic Education	P	

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Table 544-1: Uses		
Use	Status	Limitations & Qualifications
Post-Secondary and Adult Education	P	
<b>Civic Services</b>		
Governmental Services	P	
Social Services	P	
Governmental Maintenance Services and Construction	P	
<b>Public Safety</b>		
Emergency Services	P	
Detention Facilities	P	
Military Installations	P	
<b>Funeral and Related Services</b>		
Cemeteries	N	
Funeral and Cremation Services	N	
<b>Construction Contracting, Repair, Maintenance, and Industrial Services</b>		
General Repair Services	N	
Building and Grounds Services and Construction Contracting	N	
Cleaning Plants	N	
Industrial Services	N	
<b>Whole Sales, Storage, and Distribution</b>		
General Wholesaling	N	
Heavy Wholesaling	N	
Warehousing and Distribution	P	Major post offices and postal distributions centers.
	N	All other Warehousing and Distribution.
Self-Service Storage	N	
<b>Manufacturing</b>		
General Manufacturing	N	
Heavy Manufacturing	N	
Printing	P	
<b>Transportation Facilities</b>		
Aviation Facilities	P	Helicopter landing areas.
	N	All other Aviation Facilities.
Passenger Ground Transportation Facilities	P	
Marine Facilities	N	
<b>Utilities</b>		
Basic Utilities	P	
Wireless Communication Facilities	Allowed	Wireless Communication Facilities are allowed, subject to SRC Chapter 703.
Drinking Water Treatment Facilities	P	
Power Generation Facilities	P	
Data Center Facilities	P	
Fuel Dealers	N	
Waste-Related Facilities	C	Solid waste disposal sites.
	N	All other Waste-Related Facilities.

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Table 544-1: Uses		
Use	Status	Limitations & Qualifications
<b>Mining and Natural Resource Extraction</b>		
Petroleum and Natural Gas Production	N	
Surface Mining	N	
<b>Farming, Forestry, and Animal Services</b>		
Agriculture	P	
Forestry	P	
Agriculture and Forestry Services	N	
Keeping of Livestock and Other Animals	N	
Animal Services	C	Wildlife rehabilitation facility.
	N	All other Animal Services.
<b>Other Uses</b>		
Temporary Uses	P	Mobile food units, subject to SRC 701.020.
Home Occupations	N	

**Section 15.** SRC 551.005 is amended to read as follows:

**551.005. Uses.**

(a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the IC zone are set forth in Table 551-1.

**TABLE 551-1  
USES**

Table 551-1: Uses		
Use	Status	Limitations & Qualifications
<b>Household Living</b>		
Single Family	P	The following Single Family activities: <ul style="list-style-type: none"> <li>Residential Home, as defined under ORS 197.660, within an existing single family dwelling allowed as a continued use pursuant to SRC 551.005(b).</li> <li>Dwelling unit for a caretaker on the premises being cared for or guarded.</li> </ul>
	S	Manufactured home as a dwelling for a caretaker, subject to SRC 700.030.
	C	The following Single Family activities: <ul style="list-style-type: none"> <li>Single family detached dwelling.</li> <li>Residential Home, as defined under ORS 197.660.</li> <li>Manufactured home.</li> </ul>
	N	All other Single Family.
Two Family	C	Duplex.
	N	All other Two Family.
Multiple Family	C	
<b>Group Living</b>		
Room and Board	C	Room and Board serving up to 75 persons.

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**Table 551-1: Uses**

Use	Status	Limitations & Qualifications
	N	All other Room and Board.
Residential Care	C	
Nursing Care	P	
<b>Lodging</b>		
Short-Term Commercial Lodging	P	
Long- Term Commercial Lodging	C	
Non-Profit Shelters	C	Non-Profit Shelters serving up to 75 persons.
	N	All other Non-Profit Shelters.
<b>Retail Sales and Service</b>		
Eating and Drinking Establishments	P	
Retail Sales	P	
Personal Services	P	
Postal Services and Retail Financial Services	P	
<b>Business and Professional Services</b>		
Office	P	
Audio/Visual Media Production	P	
Laboratory Research and Testing	P	
<b>Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service</b>		
Motor Vehicle and Manufactured Dwelling and Trailer Sales	P	
Motor Vehicle Services	P	
Commercial Parking	P	
Park-and-Ride Facilities	P	
Taxicabs and Car Services	P	
Heavy Vehicle and Trailer Sales	P	
Heavy Vehicle and Trailer Service and Storage	P	
<b>Recreation, Entertainment, and Cultural Services and Facilities</b>		
Commercial Entertainment - Indoor	C	Night clubs, located within 200 feet of a residential zone.
	P	All other Commercial Entertainment – Indoor .
Commercial Entertainment - Outdoor	P	
Major Event Entertainment	N	Race tracks.
	P	All other Major Event Entertainment.
Recreational and Cultural Community Services	P	
Parks and Open Space	P	
Non-Profit Membership Assembly	P	
Religious Assembly	P	
<b>Health Services</b>		
Medical Centers/Hospitals	N	
Outpatient Medical Services and Laboratories	P	
<b>Education Services</b>		
Day Care	P	

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Table 551-1: Uses		
Use	Status	Limitations & Qualifications
Basic Education	P	
Post-Secondary and Adult Education	P	
<b>Civic Services</b>		
Governmental Services	P	
Social Services	P	
Governmental Maintenance Services and Construction	P	
<b>Public Safety</b>		
Emergency Services	P	
Detention Facilities	N	
Military Installations	P	
<b>Funeral and Related Services</b>		
Cemeteries	N	
Funeral and Cremation Services	P	
<b>Construction Contracting, Repair, Maintenance, and Industrial Services</b>		
General Repair Services	P	
Building and Grounds Services and Construction Contracting	P	
Cleaning Plants	P	
Industrial Services	P	
<b>Wholesale Sales, Storage, and Distribution</b>		
General Wholesaling	P	
Heavy Wholesaling	C	The following Heavy Wholesaling activities: <ul style="list-style-type: none"> <li>▪ Firearms wholesalers.</li> <li>▪ Wood products and timber wholesalers.</li> </ul>
	N	The following Heavy Wholesaling activities: <ul style="list-style-type: none"> <li>▪ Chemicals and allied products wholesalers.</li> <li>▪ Scrap dealers.</li> </ul>
	P	All other Heavy Wholesaling.
Warehousing and Distribution	P	
Self-Service Storage	P	
<b>Manufacturing</b>		
General Manufacturing	P	The following General Manufacturing activities: <ul style="list-style-type: none"> <li>▪ Industrial and institutional food service contractors.</li> <li>▪ Sign Manufacturing.</li> <li>▪ Fabrics, leather goods, footwear, and apparel manufacturing. EXCEPT rubber and plastic footwear manufacturing.</li> <li>▪ General food manufacturing.</li> <li>▪ Beverage and related products manufacturing.</li> <li>▪ Tobacco products manufacturing.</li> <li>▪ Cabinetry.</li> <li>▪ Aircraft and aircraft parts manufacturing.</li> <li>▪ Motor Vehicles and Motor Vehicle Equipment manufacturing.</li> <li>▪ Computer and electronics manufacturing.</li> <li>▪ Paperboard containers and boxes manufacturing.</li> </ul>



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**Table 551-1: Uses**

Use	Status	Limitations & Qualifications
	C	The following General Manufacturing activities: <ul style="list-style-type: none"> <li>▪ Rubber and plastic footwear manufacturing.</li> <li>▪ Rubber and plastics products manufacturing.</li> <li>▪ Costume jewelry and precious metals metalsmithing.</li> <li>▪ Furniture manufacturing.</li> <li>▪ Fabricated metal products manufacturing.</li> <li>▪ Wood product manufacturing.</li> <li>▪ Engineered wood product manufacturing.</li> <li>▪ Wood preservation.</li> <li>▪ Plastics and rubber products manufacturing.</li> <li>▪ General chemical manufacturing.</li> <li>▪ Leather tanning.</li> <li>▪ Metal coating and engraving.</li> <li>▪ Battery manufacturing.</li> <li>▪ Ship and boat building.</li> <li>▪ Commercial and service industry machinery manufacturing.</li> <li>▪ Metalworking machinery manufacturing.</li> <li>▪ Sawmill and woodworking machinery manufacturing.</li> </ul>
	N	All other General Manufacturing.
Heavy Manufacturing	N	
Printing	P	
<b>Transportation Facilities</b>		
Aviation Facilities	C	Helicopter landing areas, with or without passenger and freight terminal facilities.
	N	All other Aviation Facilities.
Passenger Ground Transportation Facilities	P	
Marine Facilities	P	
<b>Utilities</b>		
Basic Utilities	P	
Wireless Communication Facilities	Allowed	Wireless Communication Facilities are allowed, subject to SRC Chapter 703.
Drinking Water Treatment Facilities	C	
Power Generation Facilities	C	
Data Center Facilities	P	
Fuel Dealers	P	
Waste-Related Facilities	P	Recycling depots.
	C	Solid waste transfer stations.
	N	All other Waste-Related Facilities.
<b>Mining and Natural Resource Extraction</b>		
Petroleum and Natural Gas Production	C	
Surface Mining	N	
<b>Farming, Forestry, and Animal Services</b>		
Agriculture	P	
Forestry	P	
Agriculture and Forestry Services	P	

Table 551-1: Uses		
Use	Status	Limitations & Qualifications
Keeping of Livestock and Other Animals	C	The following Keeping of Livestock and Other Animal activities: <ul style="list-style-type: none"> <li>▪ Animal shelters.</li> <li>▪ Boarding kennels.</li> <li>▪ Animal training facilities.</li> </ul>
	N	All other Keeping of Livestock and Other Animals.
Animal Services	C	Wildlife rehabilitation facilities.
	P	All other Animal Services.
<b>Other Uses</b>		
Temporary Uses	P	Mobile food units, subject to SRC 701.020.
Home Occupations	S	Home Occupations, subject to SRC 700.020.

(b) **Continued Uses.** Existing single family detached dwellings, other than manufactured dwellings, within the IC zone constructed prior to February 1, 1983, but which would otherwise be made non-conforming by this Chapter, are hereby deemed continued uses.

(1) Building or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 551.010(g).

(2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for a residential use; provided, however, conversion of the building or structure to a non-residential use shall thereafter prevent conversion back to a residential use.

**Section 16.** SRC 554.005 is amended to read as follows:

**554.005. Uses.** The permitted (P), special (S), conditional (C), and prohibited (N) uses in the IG zone are set forth in Table 554-1.

**TABLE 554-1  
USES**

Table 554-1: Uses		
Use	Status	Limitations & Qualifications
<b>Household Living</b>		
Single Family	P	Dwelling unit for a caretaker on the premises being cared for or guarded.

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Table 554-1: Uses		
Use	Status	Limitations & Qualifications
	S	Manufactured home as a dwelling for a caretaker, subject to SRC 700.030.
	N	All other Single Family.
Two Family	N	
Multiple Family	N	
<b>Group Living</b>		
Room and Board	N	
Residential Care	N	
Nursing Care	N	
<b>Lodging</b>		
Short-Term Commercial Lodging	N	
Long-Term Commercial Lodging	N	
Non-Profit Shelters	N	
<b>Retail Sales and Service</b>		
Eating and Drinking Establishments	P	
Retail Sales	P	The following Retail Sales activities: <ul style="list-style-type: none"> <li>▪ Photocopying, duplicating, and blueprinting services.</li> <li>▪ Retail nurseries and lawn and garden supply stores.</li> <li>▪ Lumber and other building materials dealers.</li> </ul>
	N	All other Retail Sales.
Personal Services	P	The following Personal Services activities are permitted: <ul style="list-style-type: none"> <li>▪ Laundromats.</li> <li>▪ Drycleaners.</li> </ul>
	N	All other Personal Services.
Postal Services and Retail Financial Services	P	Banks, credit unions, and other customer-oriented facilities for financial institutions.
	N	All other Postal Services and Retail Financial Services.
<b>Business and Professional Services</b>		
Office	P	The following Office activities are permitted: <ul style="list-style-type: none"> <li>▪ Headquarters of banks and other financial institutions.</li> <li>▪ Direct mail advertising services.</li> <li>▪ Commercial art and photography.</li> <li>▪ Secretarial and court reporting services.</li> <li>▪ Photo finishing laboratories.</li> <li>▪ Management and public relations services.</li> <li>▪ Outdoor advertising services.</li> <li>▪ Professional, business, or political membership organizations.</li> <li>▪ Arrangement of transportation.</li> <li>▪ Vocational trade schools.</li> <li>▪ Research.</li> <li>▪ Telecommunication services.</li> </ul>
	N	All other Office.
Audio/Visual Media Production	P	
Laboratory Research and Testing	P	

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**Table 554-1: Uses**

Use	Status	Limitations & Qualifications
<b>Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services</b>		
Motor Vehicle and Manufactured Dwelling and Trailer Sales	N	The following Motor Vehicle and Manufactured Dwelling and Trailer Sales activities: <ul style="list-style-type: none"> <li>▪ Automobile sales.</li> <li>▪ Manufactured dwelling sales.</li> <li>▪ Recreational vehicle sales, when the sales display area is greater than 5 acres in size.</li> </ul>
	P	All other Motor Vehicle and Manufactured Dwelling and Trailer Sales.
Motor Vehicle Services	N	Gasoline service stations.
	P	All other Motor Vehicle Services.
Commercial Parking	P	
Park-and-Ride Facilities	P	
Taxicabs and Car Services	P	
Heavy Vehicle and Trailer Sales	P	
Heavy Vehicle and Trailer Service and Storage	N	Truck stops.
	P	All other Heavy Vehicle and Trailer Service and Storage.
<b>Recreation, Entertainment, and Cultural Services and Facilities</b>		
Commercial Entertainment - Indoor	P	Health clubs, gyms, and membership sports and recreation clubs.
	N	All other Commercial Entertainment – Indoor.
Commercial Entertainment - Outdoor	N	
Major Event Entertainment	C	Race tracks.
	N	All other Major Event Entertainment.
Recreational and Cultural Community Services	N	
Parks and Open Space	P	
Non-Profit Membership Assembly	P	
Religious Assembly	P	
<b>Health Services</b>		
Medical Centers/Hospitals	N	
Outpatient Medical Services and Laboratories	N	
<b>Educational Services</b>		
Day Care	P	Child day care services.
	N	All other Day Care.
Basic Education	N	
Post-Secondary and Adult Education	P	Vocational trade schools.
	N	All other Post-Secondary and Adult Education.
<b>Civic Services</b>		
Governmental Services	N	
Social Services	N	
Governmental Maintenance Services and Construction	P	
<b>Public Safety</b>		
Emergency Services	P	
Detention Facilities	N	

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Table 554-1: Uses		
Use	Status	Limitations & Qualifications
Military Installations	N	
<b>Funeral and Related Services</b>		
Cemeteries	N	
Funeral and Cremation Services	N	
<b>Construction Contracting, Repair, Maintenance, and Industrial Services</b>		
General Repair Services	P	
Building and Grounds Services and Construction Contracting	P	
Cleaning Plants	P	
Industrial Services	P	
<b>Wholesale Sales, Storage, and Distribution</b>		
General Wholesaling	P	
Heavy Wholesaling	S	Scrap and waste material wholesalers, subject to SRC 700.060.
	C	Chemicals and allied products wholesalers.
	P	All other Heavy Wholesaling.
Warehousing and Distribution	P	
Self-Service Storage	P	
<b>Manufacturing</b>		
General Manufacturing	P	
Heavy Manufacturing	C	
Printing	P	
<b>Transportation Facilities</b>		
Aviation Facilities	C	Helicopter landing areas, with or without passenger and freight terminal facilities.
	N	All other Aviation Facilities.
Passenger Ground Transportation Facilities	P	
Marine Facilities	P	The following Marine Facilities: <ul style="list-style-type: none"> <li>▪ Water transportation of passengers.</li> <li>▪ Services incidental to water transportation services.</li> </ul>
	N	All other Marine Facilities.
<b>Utilities</b>		
Basic Utilities	P	
Wireless Communication Facilities	Allowed	Wireless Communication Facilities are allowed, subject to SRC Chapter 703.
Drinking Water Treatment Facilities	P	
Power Generation Facilities	P	
Data Center Facilities	N	
Fuel Dealers	P	
Waste-Related Facilities	P	Recycling depots.
	C	Solid waste transfer stations.
	N	All other Waste-Related Facilities.
<b>Mining and Natural Resource Extraction</b>		
Petroleum and Natural Gas Production	C	
Surface Mining	C	
<b>Farming, Forestry, and Animal Services</b>		
Agriculture	P	

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Table 554-1: Uses		
Use	Status	Limitations & Qualifications
Forestry	P	
Agriculture and Forestry Services	P	
Keeping of Livestock and Other Animals	C	
Animal Services	P	
<b>Other Uses</b>		
Temporary Uses	P	Mobile food units, subject to SRC 701.020.
Home Occupations	S	Home Occupations, subject to SRC 700.020.

**(b) Continued Uses.** Existing single family detached dwellings, other than manufactured dwellings, within the IG zone constructed prior to February 1, 1983, but which would otherwise be made non-conforming by this Chapter, are hereby deemed continued uses.

(1) Building or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 554.010(f).

(2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for a residential use; provided, however, conversion of the building or structure to a non-residential use shall thereafter prevent conversion back to a residential use.

**Section 17.** SRC 604.015 is amended to read as follows:

**604.015. Uses.**

(a) Except as otherwise provided in this section, the uses set forth in Table 604-1 shall be the only permitted (P), special (S), conditional (C), and prohibited (N) uses in the Pine Street Mixed-Use Overlay Zone.

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TABLE 604-1

USES

Table 604-1: Uses			
Use	Status		Limitations & Qualifications
	CG Underlying Zone	IC Underlying Zone	
<b>Household Living</b>			
Single Family	P	C	The following Single Family activities: <ul style="list-style-type: none"> <li>Townhouse.</li> <li>Residential Home, as defined under ORS 197.660.</li> </ul>
	N	P	Dwelling unit for a caretaker or watchperson on the premises being cared for or guarded.
	N	N	All other Single Family.
Two Family	N	C	
Multiple Family	P	C	Multiple Family, constructed as part of a mixed-use development.
	C	C	All other Multiple Family
<b>Group Living</b>			
Room and Board	P	C	Room and Board serving 5 or fewer persons.
	C	N	Room and Board serving 6 to 75 persons.
	N	N	All other Room and Board.
Residential Care	C	C	
Nursing Care	P	P	
<b>Lodging</b>			
Short-Term Commercial Lodging	P	P	
Long-Term Commercial Lodging	N	C	
Non-Profit Shelters	C	C	Non-Profit Shelters serving 5 or fewer persons.
	N	N	All other Non-Profit Shelters.
<b>Retail Sales and Services</b>			
Eating and Drinking Establishments	P	P	
Retail Sales	N	N	Used merchandise stores, where sales and storage of merchandise and equipment is not conducted entirely within a building.
	N	P	The following Retail Sales activities: <ul style="list-style-type: none"> <li>Auto supply stores.</li> <li>Meat and seafood markets where live animals are sold or processed.</li> </ul>
	P	P	All other Retail Sales.
Personal Services	P	P	
Postal Services and Retail Financial Services	P	P	
<b>Business and Professional Services</b>			
Office	P	P	
Audio/Visual Media Production	P	P	
Laboratory Research and Testing	P	P	

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<b>Table 604-1: Uses</b>			
<b>Use</b>	<b>Status</b>		<b>Limitations &amp; Qualifications</b>
	<b>CG Underlying Zone</b>	<b>IC Underlying Zone</b>	
<b>Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service</b>			
Motor Vehicle and Manufactured Dwelling and Trailer Sales	C	C	
Motor Vehicle Services	C	C	
Commercial Parking	P	P	
Park-and-Ride Facilities	P	P	
Taxicabs and Car Services	N	P	
Heavy Vehicle and Trailer Sales	N	N	
Heavy Vehicle and Trailer Service and Storage	N	N	
<b>Recreation, Entertainment, and Cultural Services and Facilities</b>			
Commercial Entertainment - Indoor	C	C	Nightclubs, located within 200 feet of a residential zone.
	P	P	All Other Commercial Entertainment – Indoor.
Commercial Entertainment - Outdoor	N	N	
Major Event Entertainment	N	N	
Recreational and Cultural Community Services	P	P	
Parks and Open Space	P	P	
Non-Profit Membership Assembly	P	P	
Religious Assembly	P	P	
<b>Health Services</b>			
Medical Centers/Hospitals	N	N	
Outpatient Medical Services and Laboratories	P	P	
<b>Educational Services</b>			
Day Care	P	P	
Basic Education	P	P	
Post-Secondary and Adult Education	P	P	
<b>Civic Services</b>			
Governmental Services	P	P	
Social Services	P	P	
Governmental Maintenance Services and Construction	N	N	
<b>Public Safety</b>			
Emergency Services	P	P	
Detention Facilities	N	N	
Military Installations	P	P	
<b>Funeral and Related Services</b>			
Cemeteries	N	N	



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<b>Table 604-1: Uses</b>			
<b>Use</b>	<b>Status</b>		<b>Limitations &amp; Qualifications</b>
	<b>CG Underlying Zone</b>	<b>IC Underlying Zone</b>	
Funeral and Cremation Services	P	P	
<b>Construction Contracting, Repair, Maintenance, and Industrial Services</b>			
General Repair Services	P	P	
Building and Grounds Services and Construction Contracting	N	N	
Cleaning Plants	N	N	Industrial laundries.
	P	P	All other Cleaning Plants.
Industrial Services	N	N	
<b>Wholesale Sales</b>			
General Wholesaling	P	P	General Wholesaling, provided 40 percent or more of the building square footage is dedicated to the sale of merchandise for household or personal consumption by the general public.
Heavy Wholesaling	N	N	
Warehousing and Distribution	N	N	
Self-Service Storage	N	N	
<b>Manufacturing</b>			
General Manufacturing	C	P	General Manufacturing, provided 40 percent or more of the building square footage is dedicated to the sale of merchandise for household or personal consumption by the general public.
Heavy Manufacturing	N	N	
Printing	P	P	
<b>Transportation Facilities</b>			
Aviation Facilities	N	N	
Passenger Ground Transportation Facilities	P	P	
Marine Facilities	N	N	
<b>Utilities</b>			
Basic Utilities	P	P	
Wireless Communication Facilities	Allowed	Allowed	Wireless Communication Facilities are allowed, subject to SRC Chapter 703.
Drinking Water Treatment Facilities	N	C	
Power Generation Facilities	N	N	
Data Center Facilities	N	N	
Fuel Dealers	N	N	
Waste-Related Facilities	N	N	
<b>Mining and Natural Resource Extraction</b>			
Petroleum and Natural Gas Production	N	N	

Table 604-1: Uses			
Use	Status		Limitations & Qualifications
	CG Underlying Zone	IC Underlying Zone	
Surface Mining	N	N	
<b>Farming, Forestry, and Animal Services</b>			
Agriculture	N	N	
Forestry	N	N	
Agriculture and Forestry Services	N	N	
Keeping of Livestock and Other Animals	N	N	
Animal Services	P	P	Small animal veterinary services.
	C	C	Wildlife rehabilitation facility.
	N	N	All other Animal Services.
<b>Other Uses</b>			
Temporary Uses	P	P	Mobile food units are permitted, subject to SRC 701.020.
Home Occupations	S	S	Home Occupations are allowed, subject to SRC 700.020.

(b) **Additional Conditional Uses.** In addition to the uses set forth in Table 604-1, any permitted, special, or conditional use within the Pine Street Mixed-Use Overlay Zone shall be a conditional use within the overlay zone if developed with any of the following:

- (1) Drive-through;
- (2) Outside storage and parking of professional and commercial equipment; or
- (3) Loading of commercial vehicles over 20,000 pounds of gross vehicle weight.

(c) **Continued Uses.** Uses existing within the Pine Street Mixed-Use Overlay Zone that were allowed as permitted, special, or conditional uses on October 1, 2001, but which would otherwise be made non-conforming uses by this Chapter, are hereby deemed continued uses. The owner shall have the burden to demonstrate continued use status under this subsection.

- (1) A continued use may be intensified, and buildings or structures housing a continued use may be enlarged, rebuilt, or the exterior altered, provided such intensification, enlargement, rebuilding, or exterior alteration complies

1 with all applicable standards in the underlying zone.

2 (2) A continued use may be extended onto any contiguous vacant land under  
3 the same ownership if such land was held under the same ownership on October  
4 1, 2001, and has been maintained under the same ownership continuously  
5 thereafter. The extension of a continued use onto contiguous vacant land under  
6 the same ownership must comply with all applicable standards in the underlying  
7 zone.

8 (3) A continued use may be changed to any use that is allowed in the Pine  
9 Street Mixed-Use Overlay Zone. Such change of use shall terminate the  
10 continued use status conferred by this subsection and the property must  
11 thereafter only be used for uses allowed in the Pine Street Mixed-Use Overlay  
12 Zone.

13 (4) A determination by the Building Official that the building or structure  
14 housing a continued use is derelict or dangerous, as defined in SRC 50.600 and  
15 56.230, shall terminate the continued use status conferred by this subsection and  
16 the property may thereafter only be used for uses allowed in the Pine Street  
17 Mixed-Use Overlay Zone.

18 **Section 18.** SRC 605.015 is amended to read as follows:

19 **605.015. Uses.**

20 (a) Except as otherwise provided in this section, the uses set forth in Table 605-1  
21 shall be the only permitted (P), special (S), conditional (C), and prohibited (N) uses  
22 in the Northgate Mixed Use Overlay Zone.

23 **TABLE 605-1**

24 **USES**

25 **Table 605-1: Uses**

Use	Status	Limitations & Qualifications
<b>Household Living</b>		
Single Family	P	The following Single Family activities: <ul style="list-style-type: none"><li>▪ Townhouse.</li><li>▪ Residential Home, as defined under ORS 197.660.</li></ul>
	N	All other Single Family
Two Family	C	Duplex, not constructed as part of a mixed-use development.
	N	All other Two Family.
Multiple Family	P	Multiple Family, constructed as part of a mixed-use development.

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**Table 605-1: Uses**

Use	Status	Limitations & Qualifications
	C	All other Multiple Family.
<b>Group Living</b>		
Room and Board	C	Room and Board Serving 5 or fewer persons.
	N	All other Room and Board.
Residential Care	C	Residential Facility, as defined under ORS 197.660.
	N	All other Residential Care.
Nursing Care	P	
<b>Lodging</b>		
Short-Term Commercial Lodging	P	
Long-Term Commercial Lodging	C	Long-Term Commercial Lodging, not constructed as part of a mixed-use development.
	N	All other Long-Term Commercial Lodging.
Non-Profit Shelters	C	Non-Profit Shelters serving 5 or fewer persons.
	N	All other Non-Profit Shelters.
<b>Retail Sales and Service</b>		
Eating and Drinking Establishments	P	
Retail Sales	N	The following Retail Sales activities: <ul style="list-style-type: none"> <li>▪ Meat and seafood markets, where live animals are sold or processed.</li> <li>▪ Used merchandise stores, where sales and storage of merchandise and equipment is not conducted entirely within a building.</li> </ul>
	P	All other Retail Sales.
Personal Services	P	
Postal Services and Retail Financial Services	P	
<b>Business and Professional Services</b>		
Office	P	
Audio/Visual Media Production	P	
Laboratory Research and Testing	P	
<b>Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services</b>		
Motor Vehicle and Manufactured Dwelling and Trailer Sales	C	
Motor Vehicle Services	C	
Commercial Parking	P	
Park-and-Ride Facilities	P	
Taxicabs and Car Services	N	
Heavy Vehicle and Trailer Sales	N	
Heavy Vehicle and Trailer Service and Storage	N	
<b>Recreation, Entertainment, and Cultural Services and Facilities</b>		
Commercial Entertainment – Indoor	C	Nightclubs, located within 200 feet of a residential zone.
	P	All other Commercial Entertainment – Indoor.

Table 605-1: Uses

Use	Status	Limitations & Qualifications
Commercial Entertainment – Outdoor	N	The following Commercial Entertainment – Outdoor activities: <ul style="list-style-type: none"> <li>▪ Amusement parks.</li> <li>▪ Drive-in movie theaters.</li> <li>▪ Golf courses.</li> <li>▪ Sporting and recreational camps.</li> <li>▪ Recreational vehicle parks and campsites.</li> </ul>
	P	All other Commercial Entertainment – Outdoor.
Major Event Entertainment	N	
Recreational and Cultural Community Services	P	
Parks and Open Space	P	
Non-Profit Membership Assembly	P	
Religious Assembly	P	
<b>Health Services</b>		
Medical Centers/Hospitals	N	
Outpatient Medical Services and Laboratories	P	
<b>Educational Services</b>		
Day Care	P	
Basic Education	P	
Post-Secondary and Adult Education	P	
<b>Civic Services</b>		
Governmental Services	P	
Social Services	P	
Governmental Maintenance Services and Construction	N	
<b>Public Safety</b>		
Emergency Services	P	
Detention Facilities	N	
Military Installations	P	
<b>Funeral and Related Services</b>		
Cemeteries	N	
Funeral and Cremation Services	P	
<b>Construction Contracting, Repair, Maintenance, and Industrial Services</b>		
General Repair Services	C	
Building and Grounds Services and Construction Contracting	C	Carpet and upholstery cleaning establishments.
	N	All other Building and Grounds Services and Construction Contracting.
Cleaning Plants	N	
Industrial Services	N	
<b>Whole Sales, Storage, and Distribution</b>		
General Wholesaling	N	
Heavy Wholesaling	N	
Warehousing and Distribution	C	Online, mail order, and catalog sales.
	N	All other Warehousing and Distribution.
Self-Service Storage	N	

Table 605-1: Uses		
Use	Status	Limitations & Qualifications
<b>Manufacturing</b>		
General Manufacturing	C	The following General Manufacturing activities: <ul style="list-style-type: none"> <li>▪ Costume jewelry and precious metals metalsmithing.</li> <li>▪ Sundries and notions.</li> <li>▪ Sign manufacturing.</li> </ul>
	N	All other General Manufacturing.
Heavy Manufacturing	N	
Printing	N	
<b>Transportation Facilities</b>		
Aviation Facilities	N	
Passenger Ground Transportation Facilities	P	Transit stop shelters.
	C	All other Passenger Ground Transportation Facilities.
Marine Facilities	N	
<b>Utilities</b>		
Basic Utilities	P	
Wireless Communication Facilities	Allowed	Wireless Communication Facilities are allowed subject to SRC Chapter 703.
Drinking Water Treatment Facilities	N	
Power Generation Facilities	N	
Data Center Facilities	N	
Fuel Dealers	N	
Waste-Related Facilities	N	
<b>Mining and Natural Resource Extraction</b>		
Petroleum and Natural Gas Production	N	
Surface Mining	N	
<b>Farming, Forestry, and Animal Services</b>		
Agriculture	N	
Forestry	N	
Agriculture and Forestry Services	N	
Keeping of Livestock and Other Animals	N	
Animal Services	P	Small animal veterinary services.
	N	All other Animal Services.
<b>Other Uses</b>		
Temporary Uses	P	Mobile food units are permitted, subject to SRC 701.020.
Home Occupations	S	Home Occupations are allowed, subject to SRC 700.020.

(b) **Additional Conditional Uses.** In addition to the uses set forth in Table 605-1, any permitted, special, or conditional use within the Northgate Mixed-Use Overlay Zone shall be a conditional use within the overlay zone if developed with any of the following:

- (1) Drive-through;

- 1 (2) Outside storage and parking of professional and commercial equipment; or  
2 (3) Loading of commercial vehicles over 20,000 pounds of gross vehicle  
3 weight.

4 (c) **Continued Uses.** Uses existing within the Northgate Mixed-Use Overlay Zone  
5 that were allowed as permitted, special, or conditional uses on October 1, 2001, but  
6 which would otherwise be made non-conforming uses by this Chapter, are hereby  
7 deemed continued uses. The owner shall have the burden to demonstrate continued  
8 use status under this subsection.

9 (1) A continued use may be intensified, and buildings or structures housing a  
10 continued use may be may be enlarged, rebuilt, or the exterior altered, provided  
11 such intensification, enlargement, rebuilding, or exterior alteration complies  
12 with all applicable standards in the underlying zone.

13 (2) A continued use may be extended onto any contiguous vacant land under  
14 the same ownership if such land was held under the same ownership on October  
15 1, 2001, and has been maintained under the same ownership continuously  
16 thereafter. The extension of a continued use onto contiguous vacant lots under  
17 the same ownership must comply with all applicable standards in the underlying  
18 zone.

19 (3) A continued use may be changed to any use that is allowed in the Northgate  
20 Mixed Overlay Zone. Such change of use shall terminate the continued use  
21 status conferred by this subsection and the property must thereafter only be used  
22 for uses allowed in the Northgate Mixed-Use Overlay Zone.

23 (4) A determination by the Building Official that the building or structure  
24 housing a continued use is derelict or dangerous, as defined in SRC 50.600 and  
25 56.230, shall terminate the continued use status conferred by this subsection and  
26 the property may thereafter only be used for uses allowed in the Northgate  
27 Mixed-Use Overlay Zone.

28 **Section 19.** SRC 701.005 is amended to read as follows:

29 **701.005. Definitions.** Unless the context otherwise specifically requires, as used in this  
30 Chapter, the following mean:

1 (a) Construction storage yard: A storage area for construction supplies, materials,  
2 and/or equipment, located on a site other than the construction site itself, for use  
3 only during the actual construction of a project.

4 ~~(b) Mobile food unit: Any kiosk, shed, shelter, trailer, vehicle, or wagon which is~~  
5 ~~self-propelled, or which is capable of being towed, pulled, or pushed down a street,~~  
6 ~~and which is used to prepare, process, or sell food and/or beverages for immediate~~  
7 ~~consumption through drive-in, drive-through, curb, or walk-up service. A mobile~~  
8 ~~food unit does not include a street vendor's cart or a peddler's vehicle or~~  
9 ~~conveyance. Mobile food units are not permanent structures and must remain~~  
10 ~~capable of being moved.~~

11 (eb) Replacement single family dwelling: A new single family dwelling  
12 constructed to replace an existing owner occupied, site-built, single family dwelling  
13 on the same lot.

14 (dc) Residential sales/development office: A building or structure within a  
15 subdivision, Planned Unit Development (PUD), condominium development,  
16 apartment complex, or manufactured dwelling park whose principal use is for the  
17 sale, rent, lease, and/or development of lots, units, and/or structures within the  
18 subdivision, PUD, condominium development, apartment complex, or  
19 manufactured dwelling park.

20 (ed) Temporary motor vehicle and recreational vehicle sales: The use of property  
21 for the sale of cars, light trucks, or recreational vehicles by a commercial dealer for  
22 a period that does not exceed 4 consecutive days.

23 (fe) Temporary and seasonal gravel off-street parking and loading area: A gravel  
24 off-street parking or loading area utilized to meet a need for parking or loading that  
25 is temporary or seasonal in nature, and which is restricted to a limited duration.

26 **Section 20.** SRC 701.010 is amended to read as follows:

27 **701.010. Temporary Use Permit.**

28 (a) **Applicability.** No building, structure, or land shall be used or developed for  
29 any use which is allowed as a temporary use under the UDC unless a temporary use  
30 permit has been granted pursuant to this Chapter.



1 (b) **Classes.**

2 (1) **Class 1 Temporary Use Permit.** A Class 1 Temporary Use Permit is a  
3 permit for the following:

4 (A) Christmas tree sales;

5 (B) Construction storage yard;

6 ~~(C) Mobile food unit;~~

7 ~~(D)~~ Replacement single family dwelling;

8 ~~(E)~~ Residential sales/development office; and

9 ~~(F)~~ Temporary Motor vehicle and recreational vehicle sales.

10 (2) **Class 2 Temporary Use Permit.** A Class 2 Temporary Use Permit is a  
11 permit for the following:

12 (A) Temporary and seasonal gravel parking and loading areas.

13 (c) **Procedure Type.**

14 (1) A Class 1 Temporary Use Permit is processed as a Type I procedure under  
15 SRC Chapter 300.

16 (2) A Class 2 Temporary Use Permit is processed as a Type II procedure under  
17 SRC Chapter 300.

18 **Section 21. Repeal.** The following sections of the Salem Revised Code are repealed:

19 30.415; 30.420; 30.425; and 701.020.

20 **Section 22. Renumbering.** 701.025 is renumbered 701.020; 701.030 is renumbered 701.025;

21 701.035 is renumbered 701.030; 701.040 is renumbered 701.035; 701.045 is renumbered  
22 701.040.

23 **Section 23. Codification.** In preparing this ordinance for publication and distribution, the City  
24 Recorder shall not alter the sense, meaning, effect or substance of this ordinance, but within such  
25 limitations, may:

26 (a) Renumber sections and parts of sections of the ordinance;

27 (b) Rearrange sections;

28 (c) Change reference numbers to agree with renumbered chapters, sections or other parts;

29 (d) Delete references to repealed sections;

30 (e) Substitute the proper subsection, section or chapter, or other division numbers;

- 1 (f) Change capitalization and spelling for the purpose of uniformity;
- 2 (g) Add headings for purposes of grouping like sections together for ease of reference; and
- 3 (h) Correct manifest clerical, grammatical or typographical errors.

4 **Section 24. Severability.** Each section of this ordinance, and any part thereof, is severable, and  
5 if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of  
6 this ordinance shall remain in full force and effect.

7 ~~**Section 25. Effective Date.**~~ This ordinance shall become effective thirty days after enactment,  
8 unless a notice of appeal is timely filed, in which case the ordinance shall become effective on  
9 the date the ordinance is deemed acknowledged pursuant to ORS 197.625(2).

10 **Section 25. Emergency Clause.** *This act being necessary for the immediate preservation of the*  
11 *public peace, health and safety, an emergency is declared to exist, and this ordinance shall be in*  
12 *full force and effect from and after the date of its passage.*

13 PASSED by the City Council this 14<sup>th</sup> day of July, 2014.

14 ATTEST:

15  
16 *Kathy Hall*



17 City Recorder

18 Approved by City Attorney:   
19

20 Checked by: A. Panko

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FUTURE REPORT: June 16, 2014  
FOR CITY COUNCIL MEETING OF: June 23, 2014  
AGENDA ITEM NO.: 8.1 (b)

TO: MAYOR AND CITY COUNCIL  
THROUGH:  LINDA NORRIS, CITY MANAGER  
FROM:  GLENN W. GROSS, COMMUNITY DEVELOPMENT DIRECTOR  
SUBJECT: AMENDING THE SALEM REVISED CODE REGULATIONS RELATED TO MOBILE FOOD UNITS

**ISSUE:**

Should the City Council conduct first reading of Ordinance Bill No. 11-14 amending Salem Revised Code Chapter 30 (Licenses), Chapter 400 (Use Classification), Chapter 701 (Temporary Uses) and corresponding amendments to zoning chapters in order to update the regulations for mobile food units, and hold a public hearing on the matter before deciding whether to advance Ordinance Bill No. 11-14 to second reading for enactment?

**RECOMMENDATION:**

Conduct first reading of Ordinance Bill No. 11-14 amending Salem Revised Code Chapter 30 (Licenses), Chapter 400 (Use Classification), Chapter 701 (Temporary Uses) and corresponding amendments to zoning chapters in order to update the regulations for mobile food units, and hold a public hearing on the matter before deciding whether to advance Ordinance Bill No. 11-14 to second reading for enactment.

**SUMMARY AND BACKGROUND:**

Mobile food unit operators have expressed frustration over the current Salem Revised Code (SRC) related to time limits and location requirements for mobile food units. On December 9, 2013, Council directed staff bring back recommendations for amendments to the code to provide greater flexibility for mobile food units. This report recommends amending the Code in response to issues raised by the mobile-food-unit operators.

On April 28, 2014, an information report was presented to Council outlining current code requirements and regulatory barriers identified by mobile food unit operators. Council directed staff to proceed with a code amendment.

On June 9, 2014, Council adopted a formal resolution (Resolution No. 2014-40) to initiate a code amendment pursuant to SRC 300.1110(a) in order to update mobile food unit regulations.

**FACTS AND FINDINGS:**

***Procedural Findings***

1. Under SRC 300.1100, legislative land use proceedings include proposals to amend

the City's land use regulations and involve the creation, revision, or implementation of broad public policy generally affecting a large number of individual properties. The final decision in a legislative land use proceeding is an ordinance enacted by the City Council. Zoning code text amendments may be initiated by adoption of a resolution by the City Council, which shall state whether the matter is to be referred to another Review Authority for public hearing and recommendation. Due to Council's desire to expedite the review of the proposed code amendments, the matter was not referred to another Review Authority.

The process to amend the code related to mobile food units was initiated by Council in Resolution No. 2014-40. The Planning Administrator subsequently set a public hearing for July 14, 2014, and caused notice of the hearing to be mailed and published as required by the code.

SRC 300.1110(e)(1)(A) requires that the City mail notice of the first evidentiary public hearing in a legislative land use proceeding not more than 40 days, but not less than 20 days prior to the first evidentiary hearing.

2. ORS 197.610 and OAR 660-018-0020 require that notice be provided to the Department of Land Conservation and Development (DLCD) on any proposed amendment to a local land use regulation at least 35 days prior to the first public hearing. Notice to DLCD was mailed on June 9, 2014.

### ***Proposed Code Amendments***

1. SRC Chapter 30 (Licenses) and SRC Chapter 701 (Temporary Uses) currently regulate mobile food units. Temporary use permits are issued on a per site basis under SRC Chapter 701, while SRC Chapter 30 requires a license for every mobile food unit in operation. Many of the regulations in Chapter 30 and 701 overlap and only one set of regulations is needed.

Some mobile food unit operators have expressed interest in the ability to move between two or more sites. If mobile food units were regulated as temporary uses, operators must apply for a temporary use permit for each individual location where the unit operates. However, if mobile food units are exclusively regulated under Chapter 30 (Licenses), one license can be issued to each mobile food unit. The license would allow the operator to choose whether to operate in a fixed location or to move between sites. Staff proposes removing mobile food units as a temporary use in Chapter 701 (Temporary Uses), and regulating mobile food units exclusively through Chapter 30 (Licenses). The proposed changes are listed as follows:

2. SRC Chapter 30 Licenses
  - a) **Definition.** The proposed amended definition of mobile food unit is: any motor vehicle, trailer, or wagon which is used for the purpose of preparing, processing or converting food for immediate consumption as a drive-in, drive-through, curbside, or walk-up service.

A sentence is added to the definition to clarify that a mobile food unit does not include a street vendor's cart or a motor vehicle, trailer, or wagon used

exclusively for selling prepackaged food items (i.e. ice cream trucks). The clarification is needed because if ice cream trucks were classified as mobile food units they wouldn't be able to operate in residential neighborhoods.

Kiosks, sheds and shelters are proposed to be removed from the mobile food unit definition. Kiosks and sheds used for food preparation and sales are regulated as structures and are subject to building code requirements. Shelters such as tents or canopies are required to comply with the requirements of the fire code.

- b) Six-Month Time Limitation.** The requirement that mobile food units shall only be located at one development site for a maximum period of six months has been removed. Instead, staff has proposed a license, which is valid for a time period of one year, which may be renewed, and which is not specific to any single location.

The proposed license will allow a mobile food unit operator to either locate at a single location or move between two or more locations. The license fee would not change. The current fee is \$112.50 for a mobile food unit license.

- c) Two-Hour Time Limitation.** Under the current code, a mobile food unit license is required if an operator chooses to operate longer than two hours. Mobile food unit operators have been able to operate without a license if they move between sites and are not in any location for longer than two hours.

The proposed license will remove the two-hour limitation. All mobile food units will require the same license, regardless of how long they intend to operate at a location.

- d) Spacing Requirement.** Under the current code, a mobile food unit shall not be located within 500 feet of another mobile food unit on the same side of the street or within 250 feet of another mobile food unit on the opposite side of the street.

This provision prevents multiple units from operating at one site, or clustering. The proposed code removes the setback requirement, which would allow units to cluster.

- e) Inspections.** The current code requires the Compliance Services Division to inspect each mobile food unit before they can begin operating.

Under the proposed amendment, site plan approval of a mobile food unit location is not a requirement. There is no longer a need for an inspection of the location to ensure that it is consistent with an approved site plan, therefore the proposed code removes the inspection requirement. Mobile food units will still be required to comply with all applicable state and county health department requirements. The Compliance Services Division will respond to any complaint received about a mobile food unit operating in violation of the proposed standards, such as a mobile food unit operating without a license or in a zone which they are not permitted.

- f) **Lease Agreement.** The current code requires a mobile food unit operator to keep an on-site copy of the lease agreement between the licensee and the property owner granting permission to use the property.

Staff will no longer be approving a specific location. It will be the responsibility of the Mobile Food Unit Operator to ensure that all required permissions are obtained from a property owner. This section is proposed for removal.

- g) **Use of Streets by Licensee.** The current code states that no mobile food unit shall have the exclusive right to any location, nor shall it be permitted to operate in any congested area where its operation might impede or cause inconvenience to the public.

This section is not needed because the current and proposed regulations do not allow operation of a mobile food unit within the public right-of-way.

- h) **Sanitary Standards.** The current code provides that all utensils and equipment used by a mobile food unit shall be maintained in a clean and sanitary condition and shall conform to all standards prescribed by all applicable laws and regulations.

This section is proposed for removal. Mobile food units are required to comply with all applicable state and county health department sanitary standards. The City does not inspect for sanitary conditions, and therefore should not have standards related to them.

- i) **Conversion to Permanent Structures Prohibited.** The current code states that no mobile food unit shall be converted into a permanent structure, unless the unit is a pre-fabricated structure designed and approved by the State of Oregon and the Building Official for permanent placement.

Regardless of this provision, any mobile food unit must obtain a building permit in order to become a permanent structure. For a building permit to be issued, the applicant must demonstrate that all applicable building code requirements have been met. This section is therefore not needed and is proposed for removal.

### 3. SRC Chapter 400 Use Classifications

Mobile food units are currently classified as a temporary use in SRC Chapter 400. The code amendment proposes to remove mobile food units as a temporary use, and add them as an eating and drinking establishment, which falls under the retail sales and service use category.

### 4. Zoning Chapters

Mobile food units are currently allowed in certain zones as a temporary use. Under the proposed code, mobile food units will be classified as eating and drinking

establishments and may operate in zones which allow eating and drinking establishments as a permitted use.

The following zoning and overlay chapters are being amended to remove mobile food units as a temporary use and allow them as a permitted use:


SRC 522.005 - CR (Retail Commercial)  
SRC 523.005 - CG (General Commercial)  
SRC 524.005 - CB (Central Business District)  
SRC 531.010 - SWMU (South Waterfront Mixed-Use)  
SRC 540.005 - PA (Public Amusement)  
SRC 542.005 - PE (Public and Private Educational Services)  
SRC 543.005 - PH (Public and Private Health Services)  
SRC 544.005 - PS (Public Service)  
SRC 551.005 - IC (Industrial Commercial)  
SRC 554.005 - IG (General Industrial)  
SRC 604.015 - Pine Street Mixed-Use Overlay Zone  
SRC 605.015 - Northgate Mixed-Use Overlay Zone

Zones which will allow mobile food units as a permitted use, but which do not require amendments:

SRC 530 - FMU (Fairview Mixed-Use)  
SRC 532 - NCMU (Neighborhood Center Mixed-Use)  
SRC 545 - PM (Public Mall)  
SRC 550 - EC (Employment Center)  
SRC 553 - IP (Industrial Park)

Zones which mobile food units may not operate:

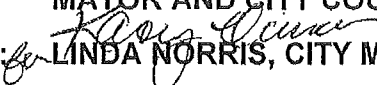

SRC 500 - EFU (Exclusive Farm Use)  
SRC 510 - RA (Residential Agriculture)  
SRC 511 - RS (Single Family Residential)  
SRC 512 - RD (Duplex Residential)  
SRC 513 - RM1 (Multi-Family Residential)  
SRC 514 - RM2 (Multi-Family Residential)  
SRC 515 - RH (Multi-Family High Rise Residential)  
SRC 520 - CN (Neighborhood Commercial)  
SRC 521 - CO (Commercial Office)  
SRC 555 - II (Intensive Industrial)

  
\_\_\_\_\_  
Lisa Anderson-Ogilvie, Urban Planning Administrator

Prepared by Aaron Panko, Planner II

FOR CITY COUNCIL MEETING OF:  
AGENDA ITEM NO.:

July 14, 2014  
4 (a)

TO: MAYOR AND CITY COUNCIL  
THROUGH:  LINDA NORRIS, CITY MANAGER  
FROM:  GLENN W. GROSS, COMMUNITY DEVELOPMENT DIRECTOR  
SUBJECT: SUPPLEMENTAL REPORT - AMENDING THE SALEM REVISED CODE REGULATIONS RELATED TO MOBILE FOOD UNITS

**ISSUE:**

Should the City Council adopt proposed engrossed Ordinance Bill No. 11-14, to provide for an emergency clause making the ordinance effective upon adoption, and proceed to second reading for enactment?

**RECOMMENDATION:**

Adopt proposed engrossed Ordinance Bill No. 11-14, to provide for an emergency clause making the ordinance effective upon adoption, and proceed to second reading for enactment.

**SUMMARY AND BACKGROUND:**

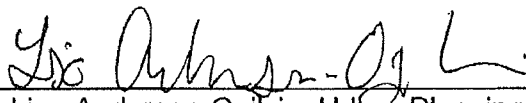
On June 23, 2014 Council conducted first reading of Ordinance Bill No. 11-14. The effective date for Ordinance Bill No. 11-14 is thirty days after enactment.

On July 3, 2014 a request was received urging Council to adopt an emergency clause making the ordinance effective upon adoption, instead of thirty days following enactment. The request for emergency legislation is included as Attachment A.

**FACTS AND FINDINGS:**

Proposed Engrossed Ordinance Bill No. 11-14, included as Attachment B, adds an emergency clause to Section 25 of the ordinance. The emergency clause will allow the ordinance to be adopted immediately after second reading, making the code amendment effective sooner than if no emergency clause were included.

Making the code amendment effective sooner will allow mobile food unit operators to immediately take advantage of the new regulations within the May-October peak sales/revenue window.



\_\_\_\_\_  
Lisa Anderson-Ogilvie, Urban Planning Administrator

Attachments: A) Request for Emergency Legislation



of broad public policy generally affecting a large number of individual properties. The final decision in a legislative land use proceeding is an ordinance enacted by the City Council. Zoning code text amendments may be initiated by adoption of a resolution by the City Council, which shall state whether the matter is to be referred to another Review Authority for public hearing and recommendation. Due to Council's desire to expedite the review of the proposed code amendments, the matter was not referred to another Review Authority.

The process to amend the code related to mobile food units was initiated by Council in Resolution No. 2014-40. A public hearing was set for July 14, 2014, and caused notice of the hearing to be mailed and published as required by the code.

SRC 300.1110(e)(1)(A) requires that the City mail notice of the first evidentiary public hearing in a legislative land use proceeding not more than 40 days, but not less than 20 days prior to the first evidentiary hearing.

2. ORS 197.610 and OAR 660-018-0020 require that notice be provided to the Department of Land Conservation and Development (DLCD) on any proposed amendment to a local land use regulation at least 35 days prior to the first public hearing. Notice to DLCD was mailed on June 9, 2014.

### ***Proposed Code Amendments***

1. SRC Chapter 30 (Licenses) and SRC Chapter 701 (Temporary Uses) currently regulate mobile food units. Temporary use permits are issued on a per site basis under SRC Chapter 701, while SRC Chapter 30 requires a license for every mobile food unit in operation. Many of the regulations in Chapter 30 and 701 overlap and only one set of regulations is needed.

Some mobile food unit operators have expressed interest in the ability to move between two or more sites. If mobile food units were regulated as temporary uses, operators must apply for a temporary use permit for each individual location where the unit operates. However, if mobile food units are exclusively regulated under Chapter 30 (Licenses), one license can be issued to each mobile food unit. The license would allow the operator to choose whether to operate in a fixed location or to move between sites. Staff proposes removing mobile food units as a temporary use in Chapter 701 (Temporary Uses), and regulating mobile food units exclusively through Chapter 30 (Licenses). The proposed changes are listed as follows:

2. SRC Chapter 30 Licenses
  - a) **Definition.** The proposed amended definition of mobile food unit is: any motor vehicle, trailer, or wagon which is used for the purpose of preparing, processing or converting food for immediate consumption as a drive-in, drive-through, curbside, or walk-up service.

A sentence is added to the definition to clarify that a mobile food unit does not include a street vendor's cart or a motor vehicle, trailer, or wagon used exclusively for selling prepackaged food items (i.e. ice cream trucks). The clarification is needed because if ice cream trucks were classified as mobile

food units they wouldn't be able to operate in residential neighborhoods.

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- b) Six-Month Time Limitation.** The requirement that mobile food units shall only be located at one development site for a maximum period of six months has been removed. Instead, staff has proposed a license, which is valid for a time period of one year, which may be renewed, and which is not specific to any single location.

The proposed license will allow a mobile food unit operator to either locate at a single location or move between two or more locations. The license fee would not change. The current fee is \$112.50 for a mobile food unit license.

- c) Two-Hour Time Limitation.** Under the current code, a mobile food unit license is required if an operator chooses to operate longer than two hours. Mobile food unit operators have been able to operate without a license if they move between sites and are not in any location for longer than two hours.

The proposed license will remove the two-hour limitation. All mobile food units will require the same license, regardless of how long they intend to operate at a location.

- d) Spacing Requirement.** Under the current code, a mobile food unit shall not be located within 500 feet of another mobile food unit on the same side of the street or within 250 feet of another mobile food unit on the opposite side of the street.

This provision prevents multiple units from operating at one site, or clustering. The proposed code removes the setback requirement, which would allow units to cluster.

- e) Inspections.** The current code requires the Compliance Services Division to inspect each mobile food unit before they can begin operating.

Under the proposed amendment, site plan approval of a mobile food unit location is not a requirement. There is no longer a need for an inspection of the location to ensure that it is consistent with an approved site plan, therefore the proposed code removes the inspection requirement. Mobile food units will still be required to comply with all applicable state and county health department requirements. The Compliance Services Division will respond to any complaint received about a mobile food unit operating in violation of the proposed standards, such as a mobile food unit operating without a license or in a zone which they are not permitted.

- f) Lease Agreement.** The current code requires a mobile food unit operator to

keep an on-site copy of the lease agreement between the licensee and the property owner granting permission to use the property.

Staff will no longer be approving a specific location. It will be the responsibility of the Mobile Food Unit Operator to ensure that all required permissions are obtained from a property owner. This section is proposed for removal.

- g) **Use of Streets by Licensee.** The current code states that no mobile food unit shall have the exclusive right to any location, nor shall it be permitted to operate in any congested area where its operation might impede or cause inconvenience to the public.

This section is not needed because the current and proposed regulations do not allow operation of a mobile food unit within the public right-of-way.

- h) **Sanitary Standards.** The current code provides that all utensils and equipment used by a mobile food unit shall be maintained in a clean and sanitary condition and shall conform to all standards prescribed by all applicable laws and regulations.

This section is proposed for removal. Mobile food units are required to comply with all applicable state and county health department sanitary standards. The City does not inspect for sanitary conditions, and therefore should not have standards related to them.

- i) **Conversion to Permanent Structures Prohibited.** The current code states that no mobile food unit shall be converted into a permanent structure, unless the unit is a pre-fabricated structure designed and approved by the State of Oregon and the Building Official for permanent placement.

Regardless of this provision, any mobile food unit must obtain a building permit in order to become a permanent structure. For a building permit to be issued, the applicant must demonstrate that all applicable building code requirements have been met. This section is therefore not needed and is proposed for removal.

### 3. SRC Chapter 400 Use Classifications

Mobile food units are currently classified as a temporary use in SRC Chapter 400. The code amendment proposes to remove mobile food units as a temporary use, and add them as an eating and drinking establishment, which falls under the retail sales and service use category.

### 4. Zoning Chapters

Mobile food units are currently allowed in certain zones as a temporary use. Under the proposed code, mobile food units will be classified as eating and drinking establishments and may operate in zones which allow eating and drinking establishments as a permitted use.

The following zoning and overlay chapters are being amended to remove mobile food units as a temporary use and allow them as a permitted use:

SRC 522.005 - CR (Retail Commercial)  
SRC 523.005 - CG (General Commercial)  
SRC 524.005 - CB (Central Business District)  
SRC 531.010 - SWMU (South Waterfront Mixed-Use)  
SRC 540.005 - PA (Public Amusement)  
SRC 542.005 - PE (Public and Private Educational Services)  
SRC 543.005 - PH (Public and Private Health Services)  
SRC 544.005 - PS (Public Service)  
SRC 551.005 - IC (Industrial Commercial)  
SRC 554.005 - IG (General Industrial)  
SRC 604.015 - Pine Street Mixed-Use Overlay Zone  
SRC 605.015 - Northgate Mixed-Use Overlay Zone

Zones which will allow mobile food units as a permitted use, but which do not require amendments:

SRC 530 - FMU (Fairview Mixed-Use)  
SRC 532 - NCMU (Neighborhood Center Mixed-Use)  
SRC 545 - PM (Public Mall)  
SRC 550 - EC (Employment Center)  
SRC 553 - IP (Industrial Park)

Zones which mobile food units may not operate:

SRC 500 - EFU (Exclusive Farm Use)  
SRC 510 - RA (Residential Agriculture)  
SRC 511 - RS (Single Family Residential)  
SRC 512 - RD (Duplex Residential)  
SRC 513 - RM1 (Multi-Family Residential)  
SRC 514 - RM2 (Multi-Family Residential)  
SRC 515 - RH (Multi-Family High Rise Residential)  
SRC 520 - CN (Neighborhood Commercial)  
SRC 521 - CO (Commercial Office)  
SRC 555 - II (Intensive Industrial)

### ***Substantive Findings***

- 1) SRC 110.085(b) provides that amendments to the UDC may be made if:
  - a) The amendment is in the best interest of the public health, safety, and welfare of the City.

**Finding:** The proposed code amendment will update mobile food unit regulations that were first adopted in 1994. Mobile food unit operators have expressed frustration over the current regulations related to time limits and location requirements for mobile food units.

The City was asked to review the existing regulations for mobile food units, and revise or remove regulations which may no longer serve a valid purpose or which do not serve to protect public health, safety and general welfare of the City.

Updating the regulations and streamlining the license process will remove burdensome restrictions and promote more diversified food options for the residents of Salem.

- b) The amendment conforms with the Salem Area Comprehensive Plan, applicable Statewide Planning Goals, and applicable administrative rules adopted by the Department of Land Conservation and Development.

**Finding:** The proposed code amendment is consistent with and supportive of the goals, objectives, and policies found in the Salem Area Comprehensive Plan as described below:

*Compliance with Salem Area Comprehensive Plan*

Section IV (B), General Development Policy 1 – Citizen Involvement:

*Opportunities for broad-based citizen involvement in the development, revision, monitoring and implementation of the Salem Area Comprehensive Plan shall be provided by the City of Salem and Marion and Polk Counties. Where neighborhood groups have been officially recognized by the governing body, they shall be included in the planning process. To help assure citizen participation and information, public hearings shall be held prior to adoption of all land use ordinances*

**Finding:** The public outreach activities are summarized below:

- Salem Food Truck Association: The Salem Food Truck Association was instrumental in initiating the code amendment process to update the existing mobile food unit regulations. Potential barriers in the existing code were identified by the Salem Food Truck Association, and they were consulted on the proposed code changes.
- Oregon Restaurant and Lodging Association and Restaurant Owners: Other potential stakeholders who may be impacted by the proposed mobile food unit code amendment were notified of the code update, including several restaurants in the downtown area and the Oregon Restaurant and Lodging Association.
- Neighborhood Association Meetings: Staff attended a neighborhood meeting for the Central Area Neighborhood Development Organization (CANDO) to discuss the existing mobile food unit code and the proposed changes.
- Public Hearing Notice: The City Council Public Hearing was noticed in accordance with the requirements of Salem Revised Code (SRC) Chapter 300. In addition, the hearing notice was also distributed via electronic mail to mobile food

unit operators, restaurants, Marion County Environmental Health Department, the Latino Business Alliance Board and neighborhood association land use chairs.

The public outreach activities, public involvement in the planning process and public hearing before the City Council comply with, and therefore satisfy, this policy.

Section IV (B), General Development Policy 3 – Economic Growth:

*Economic growth which improves and strengthens the economic base of the Salem urban area should be encouraged.*

And;

Section IV (H), Economic Development Policy 3 – Economic Development Function:

*The established economic development entities' functions within the Salem urban area should include but not be limited to:*

- b. The promotion of a community environment and attitude, and governmental processes which are conducive to a successful economic development program.*

**Finding:** Mobile food unit operators have identified several barriers in the existing code and have recommended that the City take steps to simplify the administration of the code, and to allow a greater variety of mobile food unit operations such:

- 1) Simplifying the definition and license requirement for mobile food units
- 2) Allowing two or more units to gather on one development site
- 3) Allowing mobile food units to operate for longer than two hours
- 4) Allowing mobile food units to operate at one site for longer than six months

Removing outdated regulations which may no longer serve a valid purpose or which do not serve to protect public health, safety and general welfare of the City will allow a greater variety of food options and will help contribute to a more diversified local economy.

*Compliance with Statewide Planning Goals*

**GOAL 1: CITIZEN INVOLVEMENT**

*To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process*

**Finding:** The public outreach activities as described above, satisfy this goal.

**GOAL 9: ECONOMIC DEVELOPMENT**

*To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.*

**Finding:** The proposed code amendment will simplify and remove existing mobile food unit regulations, allowing a greater variety of food options to be provided and which in turn contributes to a more diversified local economy.

## 2) Written Testimony Received

*Oregon Restaurant and Lodging Association* – Comments were received from the Oregon Restaurant and Lodging Association objecting to the proposed code amendment. A copy of the letter is included as Attachment A.

*Salem Food Truck Association* – Comments were received from the Salem Food Truck Association in response to the objections received from the Oregon Restaurant and Lodging Association. A copy of the letter is included as Attachment B.


A separate letter was received from the Salem Food Truck requesting Council declare Ordinance Bill No. 11-14 to be emergency legislation, effective immediately on adoption. A copy of the letter is included as Attachment C.

*Central Area Neighborhood Development Organization (CAN-DO)* – At the June 17<sup>th</sup> CAN-DO board meeting, the Board voted unanimously to support the proposed mobile food unit ordinance amendments. An email from the CAN-DO Chair is included as Attachment D.

### **ALTERNATIVES:**

The City Council may:

1. Proceed with enactment of Ordinance Bill No. 11-14
2. Refer the proposal back to the Planning Administrator for additional review.
3. Abandon the proposal.

  
\_\_\_\_\_  
Lisa Anderson-Ogilvie, Urban Planning Administrator

Attachments:        A) Memo from Oregon Restaurant and Lodging Association  
                          B) Letter from Salem Food Truck Association  
                          C) Request for Emergency Legislation  
                          D) CAN-DO Letter of Support

Prepared by Aaron Panko, Planner II

# Memo



Date: July 1, 2014

To: Mayor Anna M. Peterson and Members of the Salem City Council

From: Bill Perry  
VP of Government Affairs, Oregon Restaurant & Lodging Association

Subject: Mobile Food Unit Ordinance / Consumer Protection and Public Health Concerns

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Mayor Peterson and City Councilors,

I would like to take this opportunity to discuss several concerns with regard to mobile food carts in Oregon. Please consider my comments from a consumer protection and public safety standpoint regarding mobile food carts. The main issue with mobile food carts occurs when the carts are not held to the intent of being mobile; they are supposed to return to a commissary kitchen to dispose of waste and to carry out their food preparation.

To begin with, the main prep kitchen in many cases is not inspected, (often the prep occurs in a home kitchen) and the delivery outlet (the mobile cart) is inspected, but not scored. Yet in every other restaurant, the public is guaranteed that the prep area is carefully inspected, and that the public health department provides access to scoring information at the point of delivery. With mobile food carts, however, that is not true.

In the case of fire safety for both workers and the public, a restaurant must have a proper commercial electrical system and hood and fire suppression system in an effort to prevent fires. However, electrical inspections of stationary mobile food carts are discouraged; and in most cases the food cart operators do not have their electrical systems inspected at all. Restaurants have special hood and fire suppression systems over their cooking areas, but a vast majority of the mobile carts do not have these fire prevention systems at all.

In usual restaurant scenarios, protections are in place during the permit process to ensure that all alleyways, hallways and open walkways are three feet in width and are unobstructed. Sidewalk seating too must be permitted to make certain there is ample room for pedestrian access and walking traffic. When mobile food carts are allowed to establish permanent structures in tight non-commercial parking spaces, food cart spacing and sidewalk seating does not meet the same standards. This practice, in the event of fire, puts employees, patrons and passersby at a greater risk of danger in current food cart areas. The mobile food cart operators do not seek permits because they are well aware that they do not meet these standards.



Structural safety concerns are also considered in public places. Most proposed structures by a business throughout our state must include submission of an architect or engineer's drawing before or with a permit application to ensure it is structurally sound and safe. Structures in Portland food cart areas are often placed without seeking and securing permits, and therefore the public has no guarantee the structure is safe at all. If Salem allows carts to become stationary, the same issues will arise.

Water quality is a growing concern in urban areas. Restaurants and other businesses are required to run their waste water through a grease trap or inceptor filtration system before it enters the city system. Food carts are not checked to seek where or how their waste water is put in the system; many of the cart operators are pouring it down storm drains or taking the water to non-commercial systems and putting it into the public water system. There is no guarantee to the public that their effluent waste is being disposed of in a safe manner to protect the public water supply.

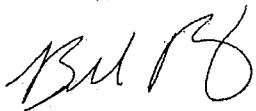
I would also like to note that the true origin of mobile food carts – both nationally and locally – were meant to be mobile and return to a commissary kitchen on a nightly basis. When issues that create the many risks to the public are considered with food carts, they generally occur when these carts are allowed to form “pods.” The “stacking” of carts prevents proper access and egress, and also creates electrical and fire hazards. These pods also build rain protection and seating structures, and crowds form in public right of ways, all without even seeking permits or permission to do so.

Do a walkthrough of any “pod” in Portland and you will see multiple examples of both operators and government jurisdictions ignoring current health and safety codes that have been in place long before the carts opened. These are not standards that are being changed since the mobile food carts opened; they are standards that the mobile food cart operators have decided they do not want to follow. They simply ignore the code and never even apply for the proper permits.

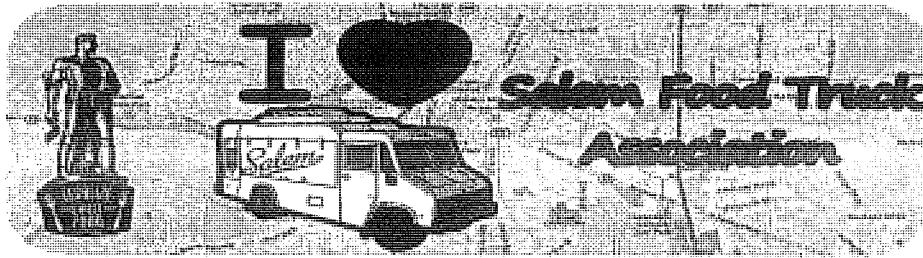
The aforementioned factors are just a select few of the many ways food carts are putting public health and safety at risk both individually and collectively if they are not required to meet the “mobile” aspect of their license. I am aware that not all of these examples fall under the city's jurisdiction, but I feel it is important to note that the lack of inspections and permitting on multiple fronts with respect to these carts is a significant risk to public safety. The infractions should be noted by all agencies, and it should be recognized that they occur more frequently in carts that do not move.

Please contact me if you have any questions or comments regarding this information. I can be reached at (503) 682-4422, and I appreciate your consideration of my concerns.

Sincerely,



Bill Perry  
Vice President of Government Affairs  
Oregon Restaurant & Lodging Association



July 2, 2014

Aaron Panko  
Planner II  
City of Salem  
Community Development Dept.  
555 Liberty St SE / Room 305  
Salem, OR 97301

Subject: Re: Memo of July 1, 2104 from Mr. Bill, Perry, ORLA

Dear Aaron,

As the current spokesperson for the Salem Food Truck Association I would like to address the points brought up by Mr. Perry.

First, Salem is not Portland. Our local mobile operators do not wish to replicate the situations described by Mr. Perry. Second, we do not wish to encourage our members or any other local mobile food operators to break the law. We disagree with the presumption that mobile operators are scofflaws, and that illegal acts are the norm for those that operate mobile units. Third, we support the concept that any type of permanent mobile unit area must be properly designed, permitted and connected to city services. Public access, ADA compliance, all of the usual and customary components of the process must be included to avoid the situations Mr. Perry describes.

The goal of the recommended changes before the City Council is to simplify the administration of Salem's mobile food code, create the ability to permit various forms of safe, legal mobile operations – from mobile to less mobile, from one unit to several (for events or longer periods), and then let the free marketplace and private enterprise determine what makes sense for Salem.

There are significant differences in operations, codes and regulations in Salem and Marion County versus Portland and Multnomah County that bear on the questions at hand. These regulations serve to protect the public and the community from some of the concerns expressed by Mr. Perry.

In Salem, mobile units operate under the auspices of the Marion County Environmental Services rules and regulations which are implemented by the Oregon Health Authority Public Health Division, OARS 333-162. All mobile units submit a plan for review, purchase an annual license and are subject to semi-annual inspections of the mobile unit and licensed commissary.

The laws regarding safe handling of food, water and waste water are the same if the mobile unit moves daily or rarely. For example no food may be prepared in a home kitchen. It must be prepared on the unit or in a licensed commissary.

530 Center St. NE Ste 545 Salem, OR 97301

[info@foodtrucksalem.com](mailto:info@foodtrucksalem.com)

Facebook @foodtruckSLE

[www.foodtrucksalem.com](http://www.foodtrucksalem.com)

Violations of these health rules can result in closure and fines up to \$500 per day. It is the responsibility of the County Health Inspector to verify proper operation. Every mobile unit licensed in Marion County must provide documentation in their Plan Application demonstrating approved water sources, waste-water disposal plans and location of licensed and inspected commissary, including a signed Commissary Agreement if they are using a rental kitchen.

While it may be true, as Mr Perry suggests, that in Portland or other cities throughout Oregon enforcement may vary, we feel that Marion County Health Inspectors are quite thorough in reviewing cart operations.

Marion County requires, for example the presence of restaurant quality exhaust and fire suppression systems on mobile units where stoves, fryers or grills are in operation. This is not the case in some other counties, but is a definite (and costly) requirement to receive a license in Marion County.

Regarding the concern about waste-water, in Salem, waste-water services for carts with limited mobility are often provided by pump-out service operators such as Honey Bucket or one of the other licensed sanitation firms in the area. Failure to properly dispose of waste-water is against the both the County health code and city ordinance.

Mr. Perry makes a number of references to the 'pods' of Portland. It is not the intent of Salem mobile operators to develop any permanent food truck locations that are not properly designed, permitted and inspected. In 2013 the City of Bend, Oregon established a small food truck area with city services hookups, power, ADA compliant access and a permanent seating area that met all city building and safety codes. We would recommend Salem look at Bend for suggested best practices regarding pods instead of the situation(s) in Portland.

We agree with Mr Perry that a visit to Portland would likely show a number of code violations in some food pods. We do not agree that the solution is to require mobile operator to be mobile on a daily basis. While that may have been the start of the mobile food industry, technologies (such as fire safety and refrigeration) and the culture have evolved to include a variety of legal, safe and practical ways to meet the needs of the consumers.

We believe the solution is to work with the local jurisdictions to create clear guidelines that empower the enforcement agencies to ensure regulations, codes and common sense are being applied for the safety and security of the public and the business owners. Then leave the rest to the marketplace.

Thank you for your time and the opportunity to address these concerns.

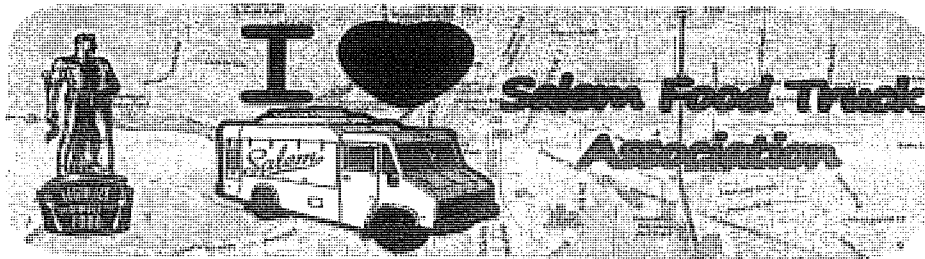
Richard Foote



spokesperson  
Salem Food Truck Association

530 Center St. NE Ste 545 Salem, OR 97301  
[info@foodtrucksalem.com](mailto:info@foodtrucksalem.com)  
Facebook @foodtruckSLE

[www.foodtrucksalem.com](http://www.foodtrucksalem.com)



July 3, 2014

Aaron Panko  
Planner II  
City of Salem  
Community Development Dept.  
555 Liberty St SE / Room 305  
Salem, OR 97301

Subject: Request for Emergency Legislation

Dear Aaron,

Mobile food operators in Salem would like to request the recommendation to the City Council include a request for declaring CA 14-02 to be emergency legislation.

Mobile food units are at the mercy of Oregon weather, and the majority of revenue is generated during good weather. Nationwide it is estimated that 75% of a food truck's revenue is generated April through October. In Salem, that revenue window is more likely to be mid-May through mid-October.

If CA 14-02 is enacted on July 14<sup>th</sup>, that would leave 94 calendar days remaining until mid-October. If the legislation is effective 30 days later, August 14<sup>th</sup> there are only 64 days. That eliminates 30 critical sales days. Furthermore it removes several weekends which are potential food truck meet-ups. Food Truck meet-ups are where several trucks gather to increase consumer traffic to the benefit of shopping centers, craft breweries and similar venues. We have received requests to plan such as events by business owners in Salem as soon as such events are permitted.

The local small businesses in the mobile food industry urge your department to recommend this legislation be declared an emergency for immediate adoption.

Thank you for your consideration.

Richard Foote

Handwritten signature of Richard Foote.

spokesperson  
Salem Food Truck Association

530 Center St. NE Ste 545 Salem, OR 97301

info@foodtrucksalem.com

Facebook @foodtruckSalemOR

[www.foodtrucksalem.com](http://www.foodtrucksalem.com)

**Aaron Panko - Re: Proposed ordinance amendments -- Mobile Food Units**

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ATTACHMENT D

**From:** <michaellivingston1@comcast.net>  
**To:** Aaron Panko <apanko@cityofsalem.net>  
**Date:** 6/20/2014 10:58 AM  
**Subject:** Re: Proposed ordinance amendments -- Mobile Food Units

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AARON: Thank you very much, and, I apologize for inconveniencing you.

At the June 17th CAN-DO Board meeting, the Board voted unanimously to support the proposed ordinance amendments.

MICHAEL LIVINGSTON