

CHAPTER 511. - RS—SINGLE FAMILY RESIDENTIAL

Sec. 511.001. - Purpose.

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

(Prior Code, § 511.001; Ord. No. 31-13; Ord. No. 13-21, § 1(Exh. A), 2-14-2022)

Sec. 511.005. - Uses.

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

TABLE 511-1. USES		
Use	Status	Limitations & Qualifications
Household Living		
Single family	P	The following single family activities: <ul style="list-style-type: none"> ■ Single family detached dwelling. ■ Residential home, as defined under ORS 197.660. ■ Manufactured dwelling park, subject to SRC <u>chapter 235</u>. ■ Manufactured home
	S	The following single family activities: <ul style="list-style-type: none"> ■ Townhouse, subject to SRC <u>700.085</u>. ■ Zero side yard dwelling, subject to SRC 700.095.
	N	All other Single Family.
Two family	P	
Three family	S	Three family, subject to SRC <u>700.081</u> .
Four family	S	Four family, subject to SRC <u>700.081</u> .

Multiple family	S	Cottage cluster, subject to SRC <u>700.011</u> .
	N	All other multiple family.
Group Living		
Room and board	P	Single-room occupancy with up to six rooms.
	N	All other room and board.
Residential care	C	Residential facility, as defined under ORS 197.660, when located on a lot with frontage on an arterial or collector street.
	N	All other residential care.
Nursing care	C	Nursing care, when located on a lot with frontage on an arterial or collector street.
	N	All other nursing care.
Lodging		
Short-term commercial lodging	C	Short-term rentals.
	N	All other short-term commercial lodging.
Long-term commercial lodging	N	
Nonprofit shelters	C	Nonprofit shelters serving 5 or fewer persons, when located on a lot with frontage on an arterial or collector street.
	P	Nonprofit shelters for victims of domestic violence serving 10 or fewer persons.
	N	All other nonprofit shelters.

Retail Sales and Service		
Eating and drinking establishments	N	
Retail sales	N	
Personal services	C	The following personal services activities: <ul style="list-style-type: none"> ■ Beauty salons. ■ Barber shops.
	N	All other personal services.
Postal services and retail financial services	N	
Business and Professional Services		
Office	N	
Audio/visual media production	N	
Laboratory research and testing	N	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services		
Motor vehicle and manufactured dwelling and trailer sales	N	
Motor vehicle services	N	
Commercial parking	N	
Park-and-ride facilities	P	Park-and-ride facilities, when converted from portions of existing off-street parking areas.
	N	All other park-and-ride facilities.

Taxicabs and car services	N	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	N	
Commercial entertainment—outdoor	S	Golf courses, subject to SRC <u>700.015</u> .
	N	All other commercial entertainment—outdoor.
Major event entertainment	N	
Recreational and cultural community services	P	Libraries.
	S	Golf courses, subject to SRC <u>700.015</u> .
	C	Community or neighborhood club buildings, including swimming pools and similar recreation facilities when operated by a nonprofit community club.
	N	All other recreation and cultural community services.
Parks and open space	N	Arboreta and botanical gardens.
	P	All other parks and open space.
Nonprofit membership assembly	C	
Religious assembly	S	Religious assembly, subject to SRC <u>700.055</u> .
Health Services		

Medical centers/hospitals	N	
Outpatient medical services and laboratories	N	
Educational Services		
Day care	P	The following day care activities: ■ Child day care home. ■ Adult day care home.
	C	The following day care activities: ■ Child day care center. ■ Adult day care center.
	N	All other day care.
Basic education	S	Basic education, subject to SRC <u>700.010</u> .
Post-secondary and adult education	N	
Civic Services		
Governmental services	N	
Social services	N	
Governmental maintenance services and construction	N	
Public Safety		
Emergency services	N	The following emergency services activities: ■ Ambulance stations. ■ Ambulance service facilities.
	P	All other emergency services.

Detention facilities	N	
Military installations	N	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	N	Crematories.
	C	All other funeral and cremation services.
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	N	
Building and grounds services and construction contracting	N	
Cleaning plants	N	
Industrial services	N	
Wholesale Sales, Storage, and Distribution		
General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	N	
Self-service storage	N	
Manufacturing		
General manufacturing	N	
Heavy manufacturing	N	

Printing	N	
Transportation Facilities		
Aviation facilities	N	
Passenger ground transportation facilities	P	Transit stop shelters.
	N	All other passenger ground transportation facilities.
Marine facilities	N	
Utilities		
Basic utilities	P	
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC <u>chapter 703</u> .
Drinking water treatment facilities	C	
Power generation facilities	N	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	N	
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	The following agriculture activities:

		<ul style="list-style-type: none"> ■ Marijuana production. ■ Psilocybin production.
	P	All other agriculture.
Forestry	P	
Agriculture and forestry services	N	
Keeping of livestock and other animals	N	
Animal services	C	Existing wildlife rehabilitation facility.
	N	All other animal services.
Other Uses		
Accessory short-term rentals	S	Accessory short-term rental, subject to SRC <u>700.006</u>
Temporary uses	P	<p>The following temporary uses:</p> <ul style="list-style-type: none"> ■ Christmas tree sales, subject to SRC <u>701.015</u>. ■ Construction modular, subject to SRC <u>701.016</u>. ■ Emergency shelter, subject to SRC <u>701.025</u>, when located on the site of a religious assembly use. ■ Managed temporary village, subject to SRC <u>701.030</u>, when located on the site of a religious assembly use or on land owned or leased by a government entity. ■ Residential sales/development office, subject to SRC <u>701.040</u>. ■ Replacement single family dwelling, subject to SRC 701.035. ■ Safe parking shelter, subject to SRC <u>701.041</u>, when located on the site of a religious assembly use or on land owned or leased by a government entity.

Home occupations	S	Home occupations, subject to SRC <u>700.020</u> .
Guest houses and guest quarters	P	Guest houses and guest quarters are permitted as an accessory use to single family, provided such houses and quarters are dependent upon the main building for either kitchen or bathroom facilities, or both, and are used for temporary lodging and not as a place of residence.
Storage of commercial vehicle as an accessory use to household living	P	Storage of a commercial vehicle as an accessory use to household living is permitted, provided no more than 1 commercial vehicle is stored per dwelling unit.
Historic resource adaptive reuse pursuant to SRC <u>chapter 230</u>	Allowed	Historic resource adaptive reuse pursuant to SRC <u>chapter 230</u> is allowed, subject to SRC <u>230.085</u> .
Accessory dwelling units	S	Accessory dwelling units, subject to SRC 700.007.
Live-work units	S	Live-work units, subject to SRC 700.021

(b) Continued uses. Existing, legally-established uses established prior to August 24, 2022, which would otherwise be made nonconforming 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 511.010(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 that use; provided, however, conversion of the building or structure to another use shall thereafter prevent conversion back to that use.

(c) Neighborhood hub uses. Any use that is a permitted use within the Neighborhood Hub (NH) zone shall be a permitted use on lots created pursuant to SRC 511.010(a).

(Prior Code, § 511.005; Ord. No. 31-13; Ord. No. 22-15, § 4, 11-23-2015; Ord. No. 6-17, § 3, 5-8-2017; Ord. No. 5-17, § 26(511.005), 6-12-2017; Ord. No. 10-17, § 6, 7-10-2017; Ord. No. 1-20, § 2(Exh. B), 2-24-2020; Ord. No. 13-21, § 1(Exh. A), 2-14-2022; Ord. No. 11-22, § 1(Exh. A), 7-25-2022, eff. 8-24-2022; Ord. No. 22-22, § 1(Exh. A), 11-28-2022; Ord. No. 7-23, § 1(Exh. A), 11-27-2023)

Sec. 511.010. - Development standards.

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

(a) *Land divisions in the RS zone.* When land is subdivided in the RS zone that is at least ten acres in size, includes or abuts an existing or planned collector or minor arterial street, and is located more than one-quarter mile from all commercial, mixed-use, and neighborhood hub zones; neighborhood hub uses shall be allowed on at least two of the lots that are created, provided all of the following standards are met:

(1) The lots shall be contiguous. For the purposes of this standard, any lots that are only separated by right-of-way may be considered contiguous.

(2) At least one of the lots shall be located on an existing or planned collector or minor arterial street.

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

TABLE 511-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
Single family	Min. 1,500 sq. ft.	Applicable to townhouses.
	Min. 4,000 sq. ft.	Applicable to all other single family.
Two family	Min. 4,000 sq. ft.	
Three family	Min. 5,000 sq. ft.	
Four family and multiple family	Min. 7,000 sq. ft.	
Nonprofit shelters	Min. 4,000 sq. ft.	Applicable to nonprofit shelters serving victims of domestic violence.
	Min. 6,000 sq. ft.	Applicable to all other nonprofit shelters.

All other uses	Min. 6,000 sq. ft.	
Infill lot	Min. 5,500 sq. ft.	Applicable to all infill lots, unless a greater minimum lot area is required for the specific use.
Lot Width		
Single family	Min. 20 ft.	Applicable to townhouses.
	Min. 40 ft.	Applicable to all other single family.
All other uses	Min. 40 ft.	
Lot Depth		
Single family	Min. 70 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	No Max.	Applicable to townhouses.
	Max. 300% of average lot width	Applicable to all other single family.
Two family	Min. 70 ft.	
	Min. 120 ft.	Applicable to double frontage lots.
	Max. 300% of average lot width	
All other uses	Min. 80 ft.	
	Min. 120 ft.	Applicable to double frontage lots.

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

(c) *Dwelling unit density.* Dwelling unit density within the RS zone shall conform to the standards set forth in this subsection.

(1) *Subdivisions.* A site that is at least five acres in size and is subdivided shall comply with the following

standards:

- (A) The subdivision shall meet a minimum density of 5.5 units per acre. Notwithstanding SRC 700.007(a)(6) (A), accessory dwelling units may count toward this minimum density standard.
- (B) At least 15 percent of the dwelling units that will be constructed on the lots shall be middle housing.
- (2) *All other development.* Except for land divisions, all other development shall conform to the following standards:
 - (A) Within a quarter-mile of the Core Network. Except as provided in subsection (ii) below, development that is exclusively residential on lots or parcels that are vacant as of August 24, 2022, and located within one-quarter mile of the Core Network shall have a minimum density of 15 units per acre. Notwithstanding the minimum density, no more than 12 dwelling units shall be permitted on an individual lot.
 - (i) For the purposes of determining distance from the Core Network, the distance shall be measured along a route utilizing public or private streets that are existing or will be constructed with the development.
 - (ii) Exceptions. The following are exempt from the dwelling unit density standard:
 - (aa) Accessory dwelling units;
 - (bb) Development on a vacant lot or parcel platted within ten years prior to August 24, 2022.
 - (B) More than a quarter-mile of the Core Network. There shall be no required minimum density for development except as provided in this subsection (2) and for cottage clusters as required in SRC 700.011.
- (3) For the purposes of calculating the minimum density in subsections (1) and (2) above, the following land and water areas may be excluded from the total site area:
 - (A) Riparian corridors, provided the land is not developed or graded;
 - (B) Land with slopes exceeding 25 percent, provided the land is not developed or graded;
 - (C) Stormwater facilities dedicated or sold to the City; and
 - (D) Open space that will preserve significant natural features, provided that the perpetual maintenance and operation of that open space is provided by a home owners' association.
 - (E) In addition to (A) through (D) above, special setbacks may be excluded from the total site area when calculating the minimum density required for all other development that is exclusively residential and located within a quarter-mile of the Core Network as provided in subsection (2)(A) above.
- (d) *Setbacks.* Setbacks within the RS zone shall be provided as set forth in Table 511-3.

TABLE 511-3. SETBACKS

Requirement	Standard	Limitations & Qualifications
Abutting Street		

Buildings		
Multiple family	Min. 10 ft.	
All other uses	Min. 12 ft.	
	Min. 20 ft.	Applicable along collector or arterial streets.
Accessory Structures		
Multiple family	Min. 10 ft.	
Accessory to all other uses	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height.
	Min. 20 ft.	Applicable to accessory structures greater than 4 ft. in height, when located in a yard adjacent to a collector or arterial street.
Interior Front		
Buildings		
Multiple family	Min. 10 ft.	
All other uses	Min. 12 ft.	
Accessory Structures		
Multiple family	Min. 10 ft.	
Accessory to all other uses	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 12 ft.	Applicable to accessory structures greater than 4 ft. in height.

Interior Side		
Buildings		
Single family	Min. 5 ft.	Applicable to new buildings, other than zero side yard dwellings and townhouses.
	Min. 3 ft.	Applicable to existing buildings, other than zero side yard dwellings and townhouses.
	Per SRC <u>700.085</u>	Applicable to townhouses.
	Per SRC <u>700.095</u>	Applicable to zero side yard dwellings.
Two family, three family, four family, and multiple family	Min. 5 ft.	Applicable to new buildings.
	Min. 3 ft.	Applicable to existing buildings.
All other uses	Min. 5 ft.	Applicable to buildings not more than 35 ft. in height.
	Min. 5 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	Applicable to buildings greater than 35 ft. in height.
Infill lot	Min. 10 ft.	Applicable to buildings not more than 35 ft. in height where the interior side setback abuts lots zoned RA and RS.
	Min. 10 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	Applicable to buildings greater than 35 ft. in height where the interior side setback abuts lots zoned RA or RS.
	Min. 5 ft.	Applicable to buildings not more than 35 ft. in height where the interior side setback abuts lots zoned other than RA or RS.

	Min. 5 ft., plus 1 ft. for each 1 ft. of height over 35 ft., but need not exceed 20 ft. in depth.	Applicable to buildings greater than 35 ft. in height where the interior side setback abuts lots zoned other than RA or RS.
Accessory Structures		
Accessory to all uses; infill lot	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.
Interior Rear		
Buildings		
Multiple family	Min. 10 ft.	
All other uses	Min. 14 ft.	Applicable to any portion of a building not more than 1 story in height.
	Min. 20 ft.	Applicable to any portion of a building greater than 1 story in height.
Accessory Structures		
Multiple family	Min. 10 ft.	
Accessory to all other uses	None	Applicable to accessory structures not more than 9 ft. in height.
	Min. 1 ft. for each 1 ft. of height over 9 ft.	Applicable to accessory structures greater than 9 ft. in height.
	Min. 1 ft.	Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure.

Abutting Waterway		
Buildings		
Single Family	Min. 100 ft.	Applicable to townhouses constructed after March 16, 2022.
	None	Applicable to all other single family. All other setbacks required abutting streets and interior front, side, and rear property lines still apply.
Two family, three family, four family, and multiple family	Min. 100 ft.	Applicable to new buildings constructed after March 16, 2022.
		Existing buildings constructed prior to March 16, 2022 located within the 100-foot setback may be rebuilt in the same location within the same building footprint.
All other uses	None	All other setbacks required abutting streets and interior front, side, and rear property lines still apply.
Accessory Structures		
Accessory to all uses	None	All other setbacks required abutting streets and interior front, side, and rear property lines still apply.

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

TABLE 511-4. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		

Buildings and Accessory Structures		
Single family, two family, three family, and four family	Max. 60%	
Multiple family	No Max.	
Nonprofit shelters	Max. 60%	Applicable to nonprofit shelters serving victims of domestic violence.
	Max. 35%	Applicable to all other nonprofit shelters.
All other uses	Max. 35%	
Rear Yard Coverage		
Buildings		
All uses	N/A	
Accessory Structures		
Accessory to single family and two family	Max. 25%	
Accessory to all other uses	No Max.	
Height		
Buildings		
Single family, two family, three family, and four family	Max. 35 ft.	Applicable to new buildings.
	Max. 28 ft. or existing building height, whichever is greater	Applicable to existing buildings.
Multiple family	Max. 25 ft. or two-stories,	Two-story building height shall not

	whichever is greater	exceed 35 ft.
All other uses	Max. 50 ft.	
Accessory Structures		
Accessory to all uses	Max. 15 ft.	

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

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

- (g) *Development standards for continued uses.* Buildings or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the following standards:
- (1) The altered, enlarged, or rebuilt building or structure shall conform to development standards set forth in this chapter, and to all other applicable provisions of the UDC; or
 - (2) Any building or structure rebuilt shall be located on the same location on the lot as the original building or structure and may be enlarged, provided the enlargement does not increase the building or structure's nonconformity to development standards set forth in this chapter and all other applicable provisions of the UDC.
- (h) *Development standards for neighborhood hub uses.* In lieu of the development standards in this zone, neighborhood hub uses allowed pursuant to SRC 511.005(c) shall comply with the development standards set forth in the NH zone.

(Prior Code, § 511.010; Ord. No. 31-13; Ord. No. 6-17, § 4, 5-8-2017; Ord. No. 13-21, § 1(Exh. A), 2-14-2022; Ord. No. 11-22, § 1(Exh. A), 7-25-2022, eff. 8-24-2022)

Sec. 511.015. - Other provisions.

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

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

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