

## SITE PLAN REVIEW

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March 14, 2025

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555 Liberty Street SE, Room 305  
Salem, OR 97301

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### MARION PARKADE

### SITE ADDRESS

MARION PARKADE

445 MARION STREET NE

### **1. REQUEST**

The applicant, the City of Salem's Community Planning and Development Urban Development Department, along with their consultant, CBTWO Architects, is requesting approval for a consolidated land use review that includes a Class 3 Site Plan Review and eleven Class 2 Adjustments, detailed below, to facilitate alterations to the Marion Parkade.

#### **Class 2 Adjustments:**

- Three (3) - **SRC 524.010(c)**: Minimum Building Setback for Accessory Structures.
- Four (4) – **SRC 524.010(f)(5)**: Minimum Percentage of Ground Floor Windows.
- Four (4) - **SRC 806.035(c)(2)**: Minimum Perimeter Landscape and Screening of Off-Street Parking Adjacent to a Street.

### **2. PROJECT DESCRIPTION**

The subject property, encompassing approximately 2.65 acres, is zoned CB (Central Business District) and features the Marion Parkade parking structure, located north of the Salem Center Mall. This facility includes a three-story open parking structure with a capacity of up to 1,065 parking spaces. The structure occupies an entire city block, bordered by Marion Street NE to the south, Union Street NE to the north, High Street NE to the east, and Liberty Street NE to the west.

The proposed improvements aim to enhance the structure's usage by increasing safety, visibility, vibrancy, and accessibility. Additionally, the project seeks to extend the building's usable life and support the continued viability of Salem's previous investment in the property. The scope of work includes removing the four enclosed corner stair towers and replacing them with new, open-air, covered stair towers. A feature wall will be added to the upper floors, adjacent to the new stair units, visually anchoring the roof canopy while highlighting the building corners and stair towers. Solar array canopies will be installed on the third-floor parking deck. At street level, brick pony walls will be replaced with perforated metal screening, providing partial visibility between the garage and sidewalk to enhance safety while still concealing parked vehicles and their headlights from pedestrians. To further improve the building's appearance, perforated metal fins will be added to the second and third-floor façades, offering texture and visual interest. Lighting will be installed behind the perforated fins, creating an attractive nighttime display on

the street facing façades. Also, new signage at the building corners will help improve the visibility and identification of the parking facility.

The existing corner stair towers currently encroach into the public right-of-way (ROW) along Marion, High, and Liberty Streets. Removing them will reduce the building's encroachment into the public ROW and decrease the non-conformance of the existing façade, which extends beyond the property line on these three streets. These improvements offer added benefits beyond the project's goals by better aligning with the current development standards.

### 3. SITE PLAN REVIEW

As explained previously, the proposed project is subject to a Class 3 Site Plan Review under Salem Revised Code SRC 225.005. The following text provides applicable development standards in *gray italics* with detailed project information confirming compliance with the noted standard following in navy type with a **BOLD** header for clearer distinction between the two. Where deviation as allowed through an adjustment process is required it is noted and further addressed in Section 4 of this narrative.

*SRC 524.000 – CB – CENTRAL BUSINESS DISTRICT*

*Sec. 524.005 – Uses*

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

*From Table 524-1. Uses*

| <i>Use</i>   | <i>Status</i> | <i>Limitations &amp; Qualifications</i>              | <b>PROJECT INFORMATION:</b>  |
|--|---------------|--|--|
| <i>Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service</i> |               |  |  |
| <i>Commercial Parking</i>  | <i>P</i>      | <i>Commercial parking within a parking structure</i> | Subject property is developed with an existing permitted commercial parking structure. Proposed improvements will not change the existing use. Nor will it increase the size or intensity of the existing use. |
|  | <i>C</i>      | <i>All other Parking</i>                             |  |

*Sec. 524.010. – Development standards*

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

*(a) Lot Standards. Lots within the CB zone shall conform to the standards set forth in Table 524-2.*

*From Table 524-2. Lot Standards*

| <i>Requirement</i>     | <i>Standard</i>    | <i>Limitations &amp; Qualifications</i> | <b>PROJECT INFORMATION:</b>  |
|------------------------|--------------------|---|--|
| <i>Lot Area</i>        |                    |   |  |
| <i>All uses</i>        | <i>None</i>        |   | The subject property is 2.65 acres, which is 115,434 square feet.  |
| <i>Lot Width</i>       |                    |   |  |
| <i>All uses</i>        | <i>None</i>        |   | The subject property has an approximate width of 348-feet, 8-inches.   |
| <i>Lot Depth</i>       |                    |   |  |
| <i>All uses</i>        | <i>None</i>        |   | The subject property has an approximate depth of 330 feet.   |
| <i>Street Frontage</i> |                    |   |  |
| <i>Single Family</i>   |                    |   | Does not apply.  |
| <i>All other uses</i>  | <i>Min. 16 ft.</i> |   | The subject property occupies an entire city block with frontage on 4 streets, all exceeding 300 feet in length. |

(b) *Development density. Development density within the CB zone shall conform to the standards set forth in table 524-3.*

*From Table 524-3. Development Density*

| Form Table 02-40: Development Density |          |         |                              |   |
|---------------------------------------|----------|---------|------------------------------|---|
| Use                                   | Standard |         | Limitations & Qualifications | PROJECT INFORMATION:  |
|                                       | Minimum  | Maximum |                              |   |
| Dwelling Unit Density                 |          |         |                              |   |
|                                       |          |         |                              | Density standards do not apply.   |
| Floor Area Ratio                      |          |         |                              |   |
| All uses                              | 2.0 FAR  | None    |                              | The project has an existing FAR of 3.2. Proposed improvements will not impact existing FAR. |

(c) *Setbacks. Setbacks within the CB zone shall be provided as set forth in Table 524-4.*

*From Table 524-4. Setbacks*

| Requirement                                  | Standard             | Limitations & Qualifications   | <b>PROJECT INFORMATION:</b>   |
|--|----------------------|--|---|
| <i>Abutting Street</i>                       |                      |  |   |
| <i>Buildings</i>                             |                      |  |   |
| All uses                                     | 0 ft. or Max. 10 ft. | <p>Maximum 10-foot setback applies to those portions of a building where a plaza or other outdoor space open to the public is provided between the building and the street right-of-way.</p> <p>Portions of buildings greater than 25 feet in height may be setback up to 10 additional feet from the street right-of-way.</p> | <p>The existing public parking structure is situated adjacent to or within the right-of-way, with the exception of Union Street NE, where existing enclosed stair towers are set back approximately 11 feet from street property line. The existing third level parking deck is 29-feet, 8-inches above the street grade, the existing elevator structure and enclosed stair towers have an approximate height of 44 feet, which is within the permitted limits and allows a maximum setback of 20 feet.</p> <p>The third level parking deck height will be unchanged, as will the elevator towers. The new open stair tower's roof canopy will have a height of more than 35-feet permitting the maximum 20-foot setback to be maintained.</p> |
| <i>Accessory Structures</i>                  |                      |  |   |
| Accessory to all uses other than residential | Min. 10 ft.          | Not applicable to transit stop shelters.   | Canopies with solar arrays are proposed for installation on the third-floor parking deck, parallel to High Street on the east, Marion Street on the south, and Liberty Street on the west. The proposed canopies have been sited to maximize their solar gains. Due to this and the fact that the existing structure encroaches into the right-of-way, adjustments to the minimum setback requirement are triggered for each of them. For detailed information on the request, please refer to Section 4: Adjustments.  |

| Requirement              | Standard            | Limitations & Qualifications | PROJECT INFORMATION:  |
|--------------------------|---------------------|------------------------------|---|
| <b>Vehicle Use Areas</b> |                     |                              |   |
| All uses                 | Per SRC chapter 806 |                              | Existing parking encroaches into required setbacks and into the ROW, this condition will remain unchanged; however, as there is no change to the location of the noncompliant parking and therefore is allowed to remain. |
| <b>Interior Front</b>    |                     |                              |   |
| Not applicable           |                     |                              | The subject property does not contain an interior front property line.  |
| <b>Interior Rear</b>     |                     |                              |   |
| Not applicable           |                     |                              | The subject property does not contain an interior rear property line.   |

(d) Lot coverage; height; building frontage. Buildings and accessory structures within the CB zone shall conform to the lot coverage, height, and building frontage standards set forth in Table 524-5.

From Table 524-5

| Requirement                                  | Standard       | Limitations & Qualifications  | PROJECT INFORMATION:   |
|--|----------------|---|--|
| Lot Coverage                                 |                |   |  |
| Buildings and Accessory Structures           |                |   |  |
| All uses                                     | No. Max.       |   |  |
| Rear Yard Coverage                           |                |   |  |
| Buildings and Accessory Structures           |                |   |  |
| All uses                                     | N/A            |   | Not applicable to the subject property.  |
| Height                                       |                |   |  |
| Buildings                                    |                |   |  |
| All uses                                     | Min. 2 stories |   | The existing structure is 3 levels and is 44-feet, 4-inches tall, measured to the top of the existing elevator and stair towers. The proposed improvements: new open stair towers with feature wall, at the building corners and the solar array canopies will not exceed the 44-foot, 4-inch height of the existing structure and the number of parking levels will remain at 3 exceeding the minimum standard. |
|  | No Max.        |   |  |
| Accessory Structures                         |                |   |  |
| Accessory to all uses other than residential | No. Max.       |   | The proposed solar array canopies will be located on the third-floor parking deck, and will have an approximate height of 12-feet, 3-inches from the parking deck, and from the street grade it will be approximately 42-feet which is permitted in the zone.  |
| Building Frontage                            |                |   |  |
| Buildings                                    |                |   |  |
| All uses                                     | Min. 90%       | For corner lots, this standard applies to the street with the highest street classification, this standard shall apply to the street designated by the applicant. | The existing structure has frontage on four streets: Marion, High, and Liberty Streets, all classified as Major Arterials, and Union Street, which is classified as a Collector. The minimum setback is 0 feet, with a maximum allowed setback of 20 feet. The required  |

| <i>Requirement</i> | <i>Standard</i> | <i>Limitations &amp; Qualifications</i>  | <b>PROJECT INFORMATION:</b>  |
|--------------------|-----------------|--|--|
|                    |                 | <i>For the intersecting street, the building frontage standard shall be a minimum of 75%</i> | <p>minimum building frontage based on street classification is:</p> <ul style="list-style-type: none"> <li>• Marion Street NE 90%</li> <li>• High Street NE 75%</li> <li>• Liberty Street NE 75%</li> <li>• Union Street NE 75%</li> </ul> <p>The existing structure is located within the allowed setback which provides an existing building frontage of more than 100% due to encroachments into the public ROW. The proposed stair replacements, which will occur at the four building corners, will result in a minimal reduction in building frontage. However, the building frontage will remain at 100% for all streets, exceeding the minimum standard required for each.</p> |

- (e) *Landscaping. Landscaping within the CB zone shall be provided as set forth in this subsection.*
- (1) *Setbacks. Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.*
- (2) *Vehicle use areas. Vehicle use areas shall be landscaped as provided under SRC chapters 806 and 807.*

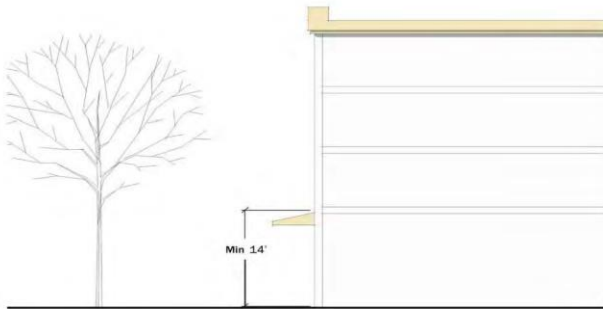
**PROJECT INFORMATION:** There are no required building setbacks, so landscaping is not necessary for the building itself. The existing structure is located adjacent to or within the right-of-way, and this condition will remain unchanged. Similarly, the ground-level parking is also located adjacent to or within the right-of-way. The standard for perimeter setbacks and landscaping for off-street parking abutting streets requires either a 10-foot setback with a Type A landscape or a 6-foot setback with a maximum 3-foot-tall wall and Type A landscape. Since the existing parking is directly adjacent to or within the right-of-way, no setback is available for landscaping and screening, meaning the standard cannot be met.

The existing brick pony walls, which abut the public sidewalk, will be removed and replaced with perforated metal screening that will be 3 feet tall. This new screening will provide limited visibility between the two uses, improving safety while maintaining a physical barrier between vehicles and the sidewalk.

While the new screening will block direct views of parked vehicles and their headlights, it does not fully comply with the intent of the standard, which requires more extensive landscaping and fully opaque screening. This triggers the need for adjustments along the four streets. It is important to note that the existing pony walls, while solid, are also non-compliant, as they exceed the maximum height of 36 inches. The new screening, at 36 inches, will conform to the maximum height standard outlined in SRC 806. A detailed adjustment request is provided in Section 4. as the proposed improvements will not fully address the landscaping and screening standard on all abutting streets.

(f) *Design.* Development within the CB zone shall conform to the design standards set forth in this subsection; provided, however, any development requiring historic design review shall only be subject to design review according to the historic design review standards or the historic design review guidelines set forth in SRC chapter 230 and any development within an overlay zone shall only be subject to the design standards set forth in this subsection in-lieu of the design review standards or the design review guidelines of the overlay zone. The design standards included in this subsection are not design review standards and are therefore not subject to design review under SRC Chapter 225.

(1) *Ground floor building height.* The ground floors of buildings shall be a minimum of 14 feet in height (see Figure 524-1). For the purposes of this standard, ground floor height is measured from the floor to the ceiling of the first floor.



**PROJECT INFORMATION:** The existing ground floor height, which is not affected by the façade improvements, is approximately 18 feet.

(2) *Building façade articulation.* The ground floor facades of buildings shall be distinguished from their upper floor facades through incorporation of at least one of the following architectural detailing techniques identified in this subsection (see Figure 524-2). This standard does not apply to the repainting of the façade of an existing building.

(A) Change in materials;

(B) Change in color; or

(C) Molding or other horizontally-articulated transition piece.



**PROJECT INFORMATION:** The exterior finish materials include reddish-brown brick and natural-colored cast concrete. The corner stair towers are constructed of brick and feature tinted glazing and a flat roof. Added articulation is achieved by:



- The new open stair towers will be of a different material, with a feature wall, and topped with a large roof canopy that will define the building corners and add a prominent "cap" where none currently exists.
- The proposed perforated screening at the ground floor will introduce a new material and color along the sidewalk, further distinguishing the ground level from the upper floors.
- The addition of illuminated metal fins at the building's midsection will enhance texture and depth while providing a refreshed lighting array for the parkade's upper street-facing walls.
- Proposed solar array canopies along Marion, High, and Liberty Streets will introduce an additional horizontal element, complimenting the corner roof canopies and clearly defining the uppermost floor of the structure..

*(3) Building entrances. Primary building entrances shall be provided for each building façade facing a street as follows:*

*(A) For non-residential uses on the ground floor, a primary building entrance shall be provided for each non-residential ground floor tenant space facing a street. If a non-residential ground floor tenant space within a building has frontage on more than one street, a single primary building entrance for the non-residential ground floor tenant space may be provided at the corner of the building where the streets intersect.*

*(B) For residential uses on the ground floor, a primary building entrance shall be provided for each building facade facing a street. If a building has frontage on more than one street, a single primary building entrance may be provided at the corner of the building where the streets intersect.*

**PROJECT INFORMATION:** The project is an open public parking structure which serves the commercial downtown core. There are multiple pedestrian entry points on all four street facades, which will be maintained.

*(4) Separation of residential ground floor entrances from street. When a residential entrance is located on the ground floor of a building adjacent to a street, the entrance shall be vertically or horizontally separated from the public right-of-way as follows:*

**PROJECT INFORMATION:** The subject property currently does not contain any residential uses, nor are any proposed; therefore, this standard does not apply.

*(5) Windows. Windows shall be provided throughout building facades as follows:*

*(A) Ground floor windows.*

*(i) Ground floor building facades facing a street shall include transparent windows on a minimum of 65 percent of the ground floor façade (see Figure 524-4). The windows shall not be mirrored or treated in such a way to block visibility into the building. The windows shall have a minimum visible transmittance (VT) of 37 percent.*

*(ii) Alternative standard for existing buildings. Notwithstanding subsection (f)(5)(A)(i) of this section, where a building existing on March 16, 2022, does not include ground floor windows as required under this subsection, the percentage of transparent windows existing on the ground floor façade shall not be reduced and additional windows meeting the transparency requirements of subsection (f)(5)(A)(i) may be added without meeting the minimum 65 percent standard.*

**PROJECT INFORMATION:** The parking structure was built in the late 1980s, with glazing limited to the enclosed stair towers, whose facades are located outside the site boundaries. The existing windows are tinted, and in the case of the two northern stair towers, the ground-floor glazing panels have been replaced with solid boards, rendering the ground-floor glazing non-transparent and therefore non-compliant.

To enhance safety and visibility, the corner stair towers will be removed and replaced with new open stair towers. The enclosed stair tower located mid-block on Marion will remain, but its tinted windows will be replaced with clear glazing, improving visibility and reducing the non-compliant conditions related to ground-floor façade glazing. This design approach aligns with SRC 524.010(f)(5)(A)(ii) by installing transparent glazing on the remaining stair tower façade.

Although the ground-floor glazing is currently non-compliant, the reduction in the amount of ground-floor glazing due to the removal of the enclosed corner stair towers triggers the need for adjustments. Please refer to Section 4. Adjustments for the detailed request.

*(B) Upper floor windows. Upper floor building facades facing streets and open space shall include windows along a minimum of 30 percent of each building floor length, and on a minimum of 30 percent of the overall exterior wall area, of the upper floor façade.*



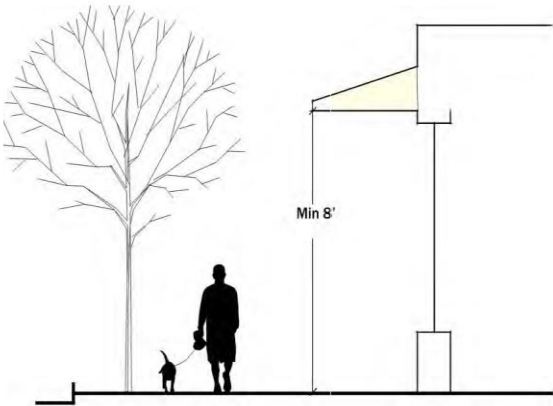
**PROJECT INFORMATION:** As previously noted, the structure is an open parking garage. The second floor features large expanses of open “window” areas, while the third floor is unroofed. These conditions will remain unchanged therefore this standard does not apply.

*(6) Weather protection.*

- (A) Building facades facing a street shall include weather protection, in the form of awnings or canopies, along a minimum of 90 percent of the length of the ground floor building façade adjacent to a street. Awnings or canopies shall have a minimum clearance height above the sidewalk of eight feet and may encroach into the public street right-of-way as provided in SRC 76.160 (see Figure 524-5).*
- (B) Alternative standard for existing buildings. Notwithstanding subsection (f)(6)(A) of this section, where a building existing on March 16, 2022, does not include weather protection as required under this subsection, the percentage of weather protection existing along the ground floor façade shall not be reduced and additional weather*



*protection meeting the sidewalk clearance requirements of subsection (f)(6)(A) may be added without meeting the minimum 90 percent standard.*

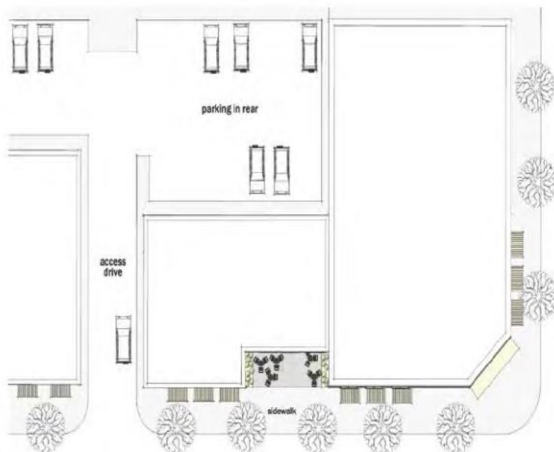


**PROJECT INFORMATION:** Weather protection is provided along the buildings ground floor façade along, Marion Street NE, High Street NE, and Liberty Street NE only. Even with the proposed changes, weather protection along those ground floor facades will be: 100% of the Marion Street NE ground floor façade, 96.3% of the High Street NE and Liberty Street NE ground floor façade. There is no change on Union Street NE. Since the structure was constructed prior to March 16, 2022 the alternative standard is met.

*(7) Balconies. Building facades facing Front Street shall provide upper floor balconies for residential units. Balconies shall be a minimum of 48 square feet in size, have no dimension less than six feet, and shall be directly accessible from each dwelling unit through a doorway.*

**PROJECT INFORMATION:** This standard does not apply.

*(8) Off-street parking location. Off-street surface parking areas and vehicle maneuvering areas shall be located behind or beside buildings and structures. Off-street surface parking areas and vehicle maneuvering areas shall not be located between a building or structure and a street (see Figure 524-6).*

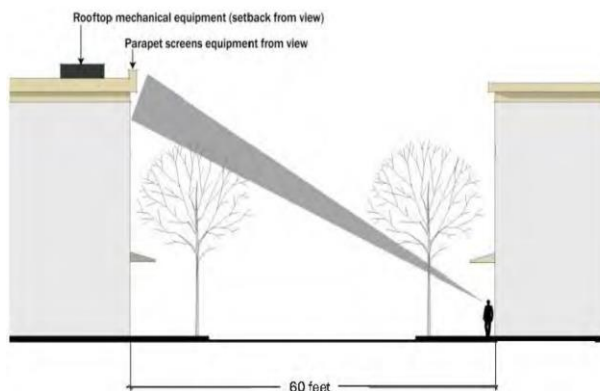


**PROJECT INFORMATION:** All parking and vehicle maneuvering occurs within the open parking garage.

(9) *Mechanical and service equipment. Mechanical and service equipment shall conform to the following standards:*

(A) *Ground level mechanical and service equipment. Ground level mechanical and service equipment shall be screened with landscaping and/or a sight-obscuring fence or wall. Ground level mechanical and service equipment shall be located behind or beside buildings (see Figure 524-7).*

(B) *Rooftop mechanical and service equipment. Rooftop mechanical and service equipment, with the exception of solar panels and wind generators, shall be setback or screened so as to not be visible to a person standing at ground level 60 feet from the building. (see Figure 524-8).*



**PROJECT INFORMATION:** Solar array canopies are proposed for this project as permitted. These canopies will provide additional cover or shade along the perimeter of the third-floor parking deck while also generating electricity. However, they are not required to be screened. No other mechanical equipment is proposed.

(10) *Pedestrian walkways. Above grade pedestrian walkways may be provided, except that no above grade pedestrian walkway shall be provided to property located within the Salem Downtown Historic District.*

**PROJECT INFORMATION:** The subject property is not located within the Salem Downtown Historic District and all above ground pedestrian walkways are existing.

#### *SRC 800.00 - GENERAL DEVELOPMENT STANDARDS*

*Sec. 800.015. Lot standards, generally.*

**PROJECT INFORMATION:** The subject property is existing with no changes to its configuration proposed.

*Sec. 800.020. Designation of lot lines.*

*(a) Front lot line. The front lot line shall be designated as set forth in this subsection (see Figure 800-1).*

- (1) Interior lot. For an interior lot, the front lot line shall be the property line abutting the street.*
- (2) Corner lot. For a corner lot, the front lot line shall be the property line abutting a street designated by the building permit applicant; provided, however, that lot dimension standards are met.*
- (3) Double frontage lot. For a double frontage lot, the front lot line shall be the property line abutting a street designated by the building permit applicant; provided, however, that lot dimension requirements are met.*
- (4) Flag lot. For a flag lot, the front lot line shall be the outside property line that is an extension of the flag lot accessway or the property line separating the flag portion of the lot from the lot between it and the street from which access is provided to the flag lot, unless the Planning Administrator otherwise directs, in which case the front lot line shall be set forth in the conditions of approval for the tentative plan of the plat, which shall be recorded on deeds conveying lots.*
- (5) Other lots. In the case of any lot not covered by subsections (a)(1) through (4) of this section, the front lot line shall be the property line that the architecturally designed front of the building faces.*

**PROJECT INFORMATION:** The subject property is comprised of an entire square block, it is addressed on Marion Street NE and is called the Marion Parkade; therefore, we believe the “front” of the building faces Marion Street NE.

*(b) Rear lot line. The rear lot line shall be designated as set forth in this subsection (see Figure 800-2).*

**PROJECT INFORMATION:** Given that Marion Street NE is the location of the front property line Union Street NE will be considered of the rear lot line.

*(c) Side lot line. A side lot line is any lot line which is not a front or rear lot line.*

**PROJECT INFORMATION:** Based on the previous standards, Hight Street NE and Liberty Street are considered the side property lines. However, all property lines are located abutting the public ROW.

*Sec. 800.025. Flag lots.*

*Flag lots are allowed subject to the standards set forth in this section.*

**PROJECT INFORMATION:** Based on the subject property’s configuration and the fact that it has access to 4 city streets the site is not considered a flag lot.

*Sec. 800.035. Setbacks.*

*(a) Setbacks to be unobstructed. Except as otherwise provided under subsection (b) of this section, required setbacks shall be unobstructed.*

**PROJECT INFORMATION:** The existing public parking structure encroaches into the public ROW at the ground floor level on Marion Street NE, High Street NE, and Liberty Street NE, with the deeper overhead encroachments due to the upper levels of parking projecting over the public sidewalk on Marion Street NE, Hight Street NE, and Liberty Street NE. The existing elevators and stair towers also encroach into the public ROW on Marion Street NE, High Street NE, and Liberty Street NE. The

existing stair towers will be removed and new open stair towers will be constructed within the subject property which will reduce the amount of ROW encroachment at the building corners.

(b) *Permitted projections into required setbacks. Permitted projections into required setbacks are set forth in Table 800-2.*

| Type of Projection   | Maximum Projection   |  | <b>PROJECT INFORMATION:</b>  |
|--|--|--|--|
|  | Front Abutting Street;<br>Side Abutting Street   | Rear Abutting Street   |  |
| Planter boxes; window bays; greenhouse windows; chimneys; flues; belt courses; leaders; sills; pilasters; lintels; solar collectors; and ornamental features | 24 in.   | 24 in.   | The existing public parking structure was built within the ROW and over the public sidewalk on Marion, High, and Liberty Streets, this condition will be unchanged by the proposed improvements. Although, the amount of ROW encroachment will be reduced at the building corners. |
| Cornices; eaves; and gutters   | 24 in.   | 24 in.   | The upper floors of the structure encroach over the public sidewalk on three streets as previously indicated.  |
| Fire escapes   | Not allowed  | 5 ft., provided in no case shall such projection come closer than 6 ft. to any property line.  | This does not apply.   |
| Steps  | Not limited  | 24 in.   | The existing stair towers encroach over property lines; however, the new open stair towers will be placed at the property line.  |
| Wheelchair ramps   | Not limited, provided:   | Not limited, provided the floor area does not exceed 4 ft. above grade.  | This does not apply.   |
| Porches and decks—covered, but unenclosed  | Not limited, provided:<br><br>(1) The structure covering the porch or deck does not exceed 15 ft. above grade;<br><br>(2) The floor area of the porch or deck does not exceed 4 ft. above grade; and<br><br>(3) In no case shall the covered porch or deck come closer than 10 ft. to the property line. | Not limited, provided:<br><br>(1) The structure covering the porch or deck does not exceed 15 ft. above grade;<br><br>(2) The floor area of the porch or deck does not exceed 4 ft. above grade; and<br><br>(3) In no case shall the covered porch or deck come closer than 8 ft. to | As previously noted, the upper floors of the parking structure encroach over the ROW, and will remain as is.   |

| Type of Projection           | Maximum Projection  |   | <b>PROJECT INFORMATION:</b>  |
|------------------------------|---|---|--|
|                              | Front Abutting Street;<br>Side Abutting Street  | Rear Abutting Street  |  |
|                              |   | the rear property line.   |  |
| Porches and decks—uncovered  | <p>Not limited, provided:</p> <p>(1) The floor area of the porch or deck does not exceed 3 ft. above grade;</p> <p>(2) No railing or perimeter seating on the porch or deck exceeds 44 inches in height above the floor of the porch or deck at any point; and</p> <p>(3) A landscaped area 4 ft. in depth is maintained between the property line and the porch or deck.</p> | <p>Not limited, provided the floor area of the porch or deck does not exceed 4 ft. above grade.</p> <p>5 ft., when the floor area of the porch or deck exceeds 4 ft. above grade; provided, however, in no case shall the porch or deck come closer than 6 ft. to any property line.</p>    | The third-floor parking deck is open, solar array canopies are proposed along the perimeter of the structure. Adjustments are requested as needed. |
| Patios—covered, but enclosed | <p>Not limited, provided:</p> <p>(1) The structure covering the patio does not exceed 15 ft. above grade;</p> <p>(2) The floor area of the patio does not exceed 4 ft. above grade; and</p> <p>(3) In no case shall the covered patio come closer than 10 ft. to the property line.</p>   | <p>Not limited, provided:</p> <p>(1) The structure covering the patio does not exceed 15 ft. above grade;</p> <p>(2) The floor area of the patio does not exceed 4 ft. above grade; and</p> <p>(3) In no case shall the covered patio come closer than 8 ft. to the rear property line.</p> | This is not applicable to the existing structure.  |



|   |  |  |  |
|---|--|--|--|
| <i>Patios—uncovered</i>   | <i>Not limited, provided:</i><br><br><i>(1) The floor area of the patio does not exceed 3 ft. above grade; and</i><br><br><i>(2) A landscaped area 4 ft. in depth is maintained between the property line and the patio.</i> | <i>Not limited, provided the floor area of the patio does not exceed 4 ft. above grade.</i>          | <i>This is not applicable to the existing structure.</i> |
| <i>Balconies; outside stairways; and other unenclosed, unroofed projections</i>   | <i>Not allowed</i>   | <i>5 ft., provided in no case shall such projection come closer than 6 ft. to any property line.</i> | <i>This is not applicable to the existing structure.</i> |
| <b><i>Limitations and Qualifications</i></b><br><br><i>(1) No permitted projection into a rear setback shall extend to within 10 ft. of the centerline of an alley, or to within 6 ft. of an accessory structure.</i> |  |  |  |

*(c) Zone-to-zone setbacks abutting property outside City limits or urban growth boundary.*

**PROJECT INFORMATION:** The subject property is located within the City limits therefore this standard does not apply.

*(d) Setbacks abutting an interstate freeway, railroad right-of-way, or alley.*

**PROJECT INFORMATION:** The subject property abuts 4 public streets therefore this standard does not apply.

*Sec. 800.040. Special setbacks.*

**PROJECT INFORMATION:** The subject property is not subject to a special setback.

*Sec. 800.045. Height.*

**PROJECT INFORMATION:** The existing structure has a building height of 44-feet, 4-inches which is measured from the existing grade at the street to the top of the elevator tower. The proposal does not look to change this.

*Sec. 800.050. Fences, walls, hedges, gates, and retaining walls.*

*Unless otherwise provided under the UDC, the standards set forth in this section shall apply to fences, walls, hedges, gates, and retaining walls in all zones. Where screening is required under the UDC in the form of a fence, wall, or hedge, it shall meet the standards set forth in SRC chapter 807, in addition to the standards set forth in this section. For purposes of this section, the term "front yard" means that portion of a lot located between the front property line and a line parallel to the front property line extended from the wall of the main building lying at the greatest distance from the front property line.*

**PROJECT INFORMATION:** There are no new fences, walls, hedges, gates, or retaining wall proposed. However, the existing pony walls located at the street level, will be removed and replaced with perforated metal screens. These screens will comply with the maximum allowed height based on their location. Perforated metal is an allowed material. No other standards from this section apply.

*Sec. 800.055. Solid waste service areas.*

*Solid waste service areas shall provide for the safe and convenient collection of solid waste and recyclable and compostable materials by the local solid waste collection franchisee.*

**PROJECT INFORMATION:** There are no new solid waste service areas proposed therefore this section does not apply.

*Sec. 800.060. Exterior lighting.*

*(a) Exterior lighting shall not shine or reflect onto adjacent properties, or cast glare onto the public right-of-way.*

**PROJECT INFORMATION:** Proposed lighting is limited and will be installed in conjunction with the fin appliques along the upper floors of the parking structure façade. Lighting will not cast glare and is intended to act as an enhancement of the façade at the upper floors. Please refer to the Enlarged Elevations, Sheet SP-08 for details related to the location and shielding of lighting.

*(b) Exterior light fixtures shall be located and designed so that the light source, when viewed at a height of five feet above the ground at a distance of five feet outside the boundary of the lot, shall be either:*

- (1) Completely shielded from direct view; or*
- (2) No greater than five foot-candles in illumination.*

**PROJECT INFORMATION:** New exterior lighting will meet City standards and be shielded as required. As noted above, details related to shielding are provided on the Enlarged Elevations, Sheet SP-08.

*Sec. 800.065. Pedestrian access.*

*Except where pedestrian access standards are provided elsewhere under the UDC, and unless otherwise provided in this section, all developments, other than development of single-family, two-family, three-family, and four-family uses, and multiple family uses subject to SRC chapter 702, shall include an on-site pedestrian circulation system developed in conformance with the standards in this section. For purposes of this section development means the construction of, or addition to, a building or accessory structure or the construction of, or alteration or addition to, an off-street parking or vehicle use area. Development does not include construction of, or additions to, buildings or accessory structures that are less than 200 square feet in floor area. Development also does not include the installation of electric vehicle charging stations in existing approved parking lots or vehicle use areas.*

*(a) Pedestrian connections required. The on-site pedestrian circulation system shall provide pedestrian connectivity throughout the development site as follows:*

- (1) Connection between building entrances and streets.*

**PROJECT INFORMATION:** The existing structure abuts public sidewalks with multiple pedestrian entrances on all four street frontages, these access points will remain.

- (2) Connection between buildings on the same development site.*

**PROJECT INFORMATION:** The subject property is covered by the single structure therefore this standard is not applicable.

- (3) Connection through off-street parking areas.*

- (A) Surface parking areas. Except as provided under subsection (a)(3)(A)(iii) of this section, off-street surface parking areas greater than 25,000 square feet in size or including four or more consecutive parallel drive aisles shall include pedestrian connections through the parking area to the primary building entrance or where there is no building, through the parking area as provided in this subsection.*

**PROJECT INFORMATION:** The development is a three-story parking structure not a surface parking lot.

*(B) Parking structures and parking garages. Where an individual floor of a parking structure or parking garage exceeds 25,000 square feet in size, a pedestrian connection shall be provided through the parking area on that floor to an entrance/exit.*

**PROJECT INFORMATION:** The parking areas are existing, with no reconfiguration occurring, other than the reduction of spaces to accommodate the solar array canopy structures, which is limited to the third floor. An existing covered pedestrian connection through the parking on this level will be maintained.

*(4) Connection to existing or planned paths and trails. Where an existing or planned path or trail identified in the Salem Transportation System Plan (TSP) or the Salem Comprehensive Parks System Master Plan passes through a development site, the path or trail shall:*

**PROJECT INFORMATION:** As indicated previously, the existing structure provides multiple pedestrian connections to adjacent public sidewalks. There are no other paths or trails in the area associated with this property.

*(5) Connection to abutting properties. Whenever a vehicular connection is provided from a development site to an abutting property, a pedestrian connection shall also be provided. A pedestrian connection is not required, however:*

**PROJECT INFORMATION:** There are no other properties abutting this site therefore this standard does not apply.

*(b) Design and materials. Required pedestrian connections shall be in the form of a walkway, or may be in the form of a plaza. Where a path or trail identified in the Salem Transportation System Plan (TSP) or Salem Comprehensive Parks System Master Plan is required, the path or trail shall conform to the applicable standards of the TSP or Salem Comprehensive Parks System Master Plan in-lieu of the standards in this subsection.*

**PROJECT INFORMATION:** There are no new connections required therefore this standard does not apply.

*(c) Lighting. The on-site pedestrian circulation system shall be lighted to a level where the system can be used at night by employees, customers, and residents.*

**PROJECT INFORMATION:** Updates to existing lighting are limited to the facades, which will not impact the pedestrian circulation system, therefore this standard is not applicable.

*(d) Applicability of standards to development sites comprised of lots under separate ownership.*

**PROJECT INFORMATION:** The subject property is a single owner, the City of Salem.

#### **SRC 804.000 – DRIVEWAY APPROACHES**

##### **Sec. 804.010. Applicability.**

*This chapter applies to the design, construction, relocation, reconstruction, enlargement, or alteration of any driveway approach.*

**PROJECT INFORMATION:** There are 3 existing driveways, one on High Street NE, one on Liberty Street NE, and the third is on Union Street NE. The City of Salem, will be closing the driveway on Union Street NE; however, a permit is not required as this alteration is part of the construction of a “publicly or privately engineered public improvement project.”

**SRC 806.000 – OFF-STREET PARKING, LOADING AND DRIVEWAYS**

**Sec. 806.015. Amount off-street parking.**

**(a) Maximum off-street parking.**

Except as otherwise provided in this section, and unless otherwise provided under the UDC, off-street parking shall not exceed the amounts set forth in Table 806-1. For the purposes of calculating the maximum amount of off-street parking allowed, driveways shall not be considered off-street parking spaces.

**From Table 806-1. Maximum Off-Street Parking**

| Use  | Maximum Number of Spaces Allowed <sup>(1), (2), (3)</sup> | Limitations and Qualifications | <b>PROJECT INFORMATION:</b>  |
|--|---|--------------------------------|--|
| <b>Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service</b>   |   |                                |  |
| Commercial parking   | N/A   |                                | The existing structure can accommodate up to 1,086 parking spaces. There will be a reduction 5 spaces on the third-floor open deck to accommodate the structural columns for the solar array canopies; however, there will be no reconfiguration to the parking areas. The total number of remaining spaces is 1081, 488 will be standard sized and 593 will be compact. |
| <sup>(1)</sup> Unless otherwise provided, when off-street parking is expressed in terms of a number of spaces per a square footage, the square footage shall equal the gross floor area.<br><sup>(2)</sup> When a proposed use includes no structure and an applicable maximum off-street parking requirement is not otherwise identified in the table, the maximum number of off-street parking spaces allowed for the use shall be one space per employee.<br><sup>(3)</sup> For uses with more than 65,000 square feet of floor area, the total amount of off-street surface parking on the lot, or lots, proposed for the development, and any contiguous lots under the same ownership, shall not exceed the floor area of the building or buildings. For purposes of measuring the total amount of off-street surface parking, loading areas and other paved areas not for use by passenger vehicles shall not be counted. |   |                                |  |

**(b) Compact parking.** Up to 75 percent of the off-street parking spaces provided on a development site may be compact parking spaces.

**PROJECT INFORMATION:** Of the 1081 parking spaces, 593 are designated as compact, which is 54.8% of the total parking provided.

**(c) Carpool and vanpool parking.** New developments with 60 or more off-street parking spaces, and falling within the public services and industrial use classifications, and the business and professional services use category, shall designate a minimum of five percent of their total off-street parking spaces for carpool or vanpool parking.

**PROJECT INFORMATION:** There is no new or added parking within the existing structure therefore no carpool or vanpool parking is required nor is it proposed.

**(d) Required electric vehicle charging spaces.** For any newly constructed building with five or more dwelling units on the same lot, including buildings with a mix of residential and nonresidential uses, a minimum of 40 percent of the off-street parking spaces provided on the site for the building shall be designated as spaces to serve electrical vehicle charging. In order to comply with this subsection, such spaces shall include provisions for electrical service capacity, as defined in ORS 455.417.

**PROJECT INFORMATION:** EV parking is not required nor proposed.



*Sec. 806.020. Method of providing off-street parking.*

(a) *General. If provided, off-street parking shall be accommodated through one or more of the following methods:*

- (1) Ownership. Ownership in fee by the owner of the property served by the parking;*
- (2) Easement. A permanent and irrevocable easement appurtenant to the property served by the parking;*
- (3) Lease Agreement. A lease agreement;*
- (4) Lease or rental agreement in parking structure. A lease or rental agreement in an off-street parking facility established pursuant to ORS 223.805 to 223.845.*

**PROJECT INFORMATION:** The City of Salem is the sole owner of this public parking structure.

(b) *Review and filing of agreement. Prior to execution of any lease or rental agreement set forth in this section, the form of such agreement shall be reviewed by the City Attorney. An executed copy of the approved agreement shall be filed with the Planning Administrator.*

**PROJECT INFORMATION:** This standard does not apply.

*Sec. 806.035. Off-street parking and vehicle use area development standards for uses or activities other than single family, two family, three family, and four family.*

*Unless otherwise provided under the UDC, off-street parking and vehicle use areas, other than driveways and loading areas, for uses or activities other than single family, two family, three family, and four family shall be developed and maintained as provided in this section.*

(a) *General applicability. The off-street parking and vehicle use area development standards set forth in this section shall apply to:*

- (1) The development of new off-street parking and vehicle use areas;*
- (2) The expansion of existing off-street parking and vehicle use areas, where additional paved surface is added;*
- (3) The alteration of existing off-street parking and vehicle use areas, where the existing paved surface is replaced with a new paved surface; and*
- (4) The paving of an unpaved area.*

**PROJECT INFORMATION:** The subject property is an existing publicly owned open parking structure, there is no expansion or reconfiguration proposed. There are no plans to replace or expanded paved surfaces.

(b) *Location.*

- (1) Generally. Off-street parking and vehicle use areas shall not be located within required setbacks.*
- (2) Carpool and vanpool parking. Carpool and vanpool parking shall be located so it is the closest employee parking to the building entrance normally used by employees; provided, however, it shall not be located closer than any parking designated for disabled parking.*
- (3) Underground parking. Off-street parking may be located underground in all zones, except the RA and RS zones. Such underground parking may be located beneath required setbacks; provided, however, no portion of the structure enclosing the underground parking shall project into the required setback, and all required setbacks located above the underground parking structure shall be landscaped as otherwise required under the UDC.*

**PROJECT INFORMATION:** As previously indicated, this is an existing public parking structure, perimeter parking spaces are located abutting or encroaching into the public ROW there are no plans to change these existing conditions. There are no plans to change or reconfigure existing parking. There is no existing carpool/vanpool parking and none is proposed. All parking is located at grade or in the upper two floors of the existing structure.



(c) *Perimeter setbacks and landscaping.*

(1) *Perimeter setbacks and landscaping, generally.*

(A) *Perimeter setbacks.* Perimeter setbacks, as set forth in this subsection, shall be required for off-street parking and vehicle use areas abutting streets, abutting interior front, side, and rear property lines, and adjacent to buildings and structures. Perimeter setbacks for parking garages are set forth under subsection (c)(5) of this section.

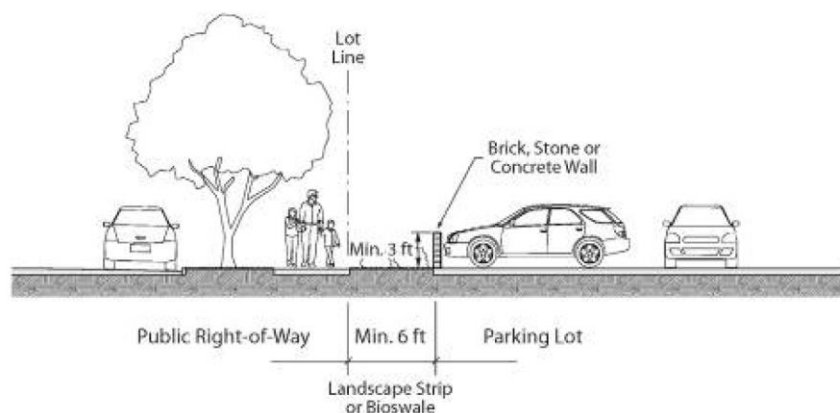
"(5) *Perimeter setbacks and landscaping for parking garages.* Perimeter setbacks and landscaping as set forth in subsection (c) of this section shall be required for parking garages; provided, however, perimeter setbacks and landscaping are not required for:

- (A) Any portion of a parking garage with frontage on a street and containing ground floor uses or activities other than parking.
- (B) Any parking garage within an industrial zone, public zone, or commercial zone, other than a CO zone, that abuts an interior front, side, or rear property line where there is no required building setback.
- (C) Any parking garage abutting an alley. "

(2) *Perimeter setbacks and landscaping abutting streets.* Unless a greater setback is required elsewhere within the UDC, off-street parking and vehicle use areas abutting a street shall be setback and landscaped according to one the methods set forth in this subsection. Street trees located along an arterial street may be counted towards meeting the minimum required number of plant units.

(D) *Method D.* The off-street parking and vehicle use area shall be setback a minimum six feet in conjunction with a minimum three-foot-tall brick, stone, or finished concrete wall (see Figure 806-4). The wall shall be located adjacent to, but entirely outside, the required setback. The setback shall be landscaped according to the Type A standard set forth in SRC chapter 807. Any portion of the wall that encroaches into a vision clearance area set forth in SRC chapter 805 shall have a height no greater than the maximum allowed under SRC 805.010.

FIGURE 806-4. PERIMETER SETBACKS AND LANDSCAPING ABUTTING STREETS - METHOD D



**PROJECT INFORMATION:** As previously noted, this is an existing public parking structure that does not comply with current setback standards. The planned improvements aim to enhance safety, improve accessibility, increase energy efficiency, and provide cosmetic updates but will not change the deficiency of setback. The removal of the ground-floor pony walls is intended to improve visibility, ensuring public safety both within the structure and along its perimeter. An adjustment to the landscaping and screening standard is required for the removal of the non-

compliant pony walls which will be replaced with perforated metal screen panels which will screen parking but do not fully comply with the standard. Please refer to Section 4: Adjustments for the detailed request.

(d) *Interior landscaping.*

(1) *Interior landscaping, generally. Interior landscaping, as set forth in this subsection, shall be required for off-street parking areas 5,000 square feet or greater in size; provided, however, interior landscaping is not required for:*

(A) *Vehicle storage areas.*

(B) *Vehicle display areas.*

(C) *Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701.*

(D) *Gravel off-street parking areas, approved through a conditional use permit.*

(E) *Underground parking.*

(F) *Parking garages.*

**PROJECT INFORMATION:** As identified in (F) above, Interior landscaping is not required for this project.

(e) *Off-street parking area dimensions. Off-street parking areas shall conform to the minimum dimensions set forth in Table 806-5; provided, however, minimum off-street parking area dimensions shall not apply to:*

(1) *Vehicle storage areas.*

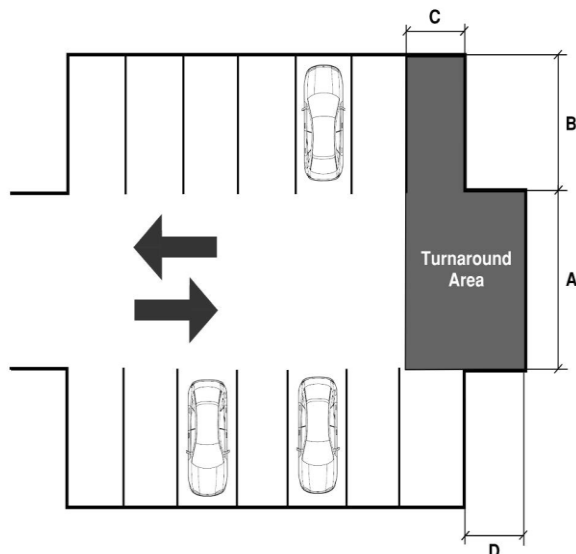
(2) *Vehicle display areas.*

**PROJECT INFORMATION:** Parking is existing, there are no increases or reconfigurations proposed.

(f) *Off-street parking area access and maneuvering. In order to ensure safe and convenient vehicular access and maneuvering, off-street parking areas shall:*

(1) *Be designed so that vehicles enter and exit the street in a forward motion with no backing or maneuvering within the street; and*

(2) *Where a drive aisle terminates at a dead-end, include a turnaround area as shown in Figure 806-9. The turnaround shall conform to the minimum dimensions set forth in Table 806-6.*



**PROJECT INFORMATION:** The existing parking areas allow for safe and convenient vehicular access and maneuvering; designed for forward motion entering and exiting with no drive aisles terminating in a dead-end. As previously mentioned there are no plans to reconfigure the parking or alter the vehicle maneuvering design of the existing parking garage on all floors.

*(g) Grade. Off-street parking and vehicle use areas shall not exceed a maximum grade of ten percent. Ramps shall not exceed a maximum grade of 15 percent.*

**PROJECT INFORMATION:** There are no changes proposed to the existing structure where parking occurs, it will remain as originally constructed.

*(h) Surfacing. Off-street parking and vehicle use areas shall be paved with a hard surface material meeting the Public Works Design Standards; provided, however, up to two feet of the front of a parking space may be landscaped with ground cover plants (see Figure 806-10). Such two-foot landscaped area may count towards meeting interior off-street parking area landscaping requirements when provided abutting a landscape island or planter bay with a minimum width of five feet, but shall not count towards meeting perimeter setbacks and landscaping requirements. Paving is not required for:*

*(1) Vehicle storage areas within the IG zone.*

*(2) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701.*

*(3) Gravel off-street parking areas, approved through a conditional use permit.*

**PROJECT INFORMATION:** The existing parking structure is fully paved and no changes to the paving are proposed.

*(i) Drainage. Off-street parking and vehicle use areas shall be adequately designed, graded, and drained according to the Public Works Design Standards, or to the approval of the Director.*

**PROJECT INFORMATION:** The existing parking structure contains drainage, no changes to this existing system are proposed.

*(j) Bumper guards or wheel barriers. Off-street parking and vehicle use areas shall include bumper guards or wheel barriers so that no portion of a vehicle will overhang or project into required setbacks and landscaped areas, pedestrian accessways, streets or alleys, or abutting property; provided, however, bumper guards or wheel barriers are not required for:*

*(1) Vehicle storage areas.*

*(2) Vehicle sales display areas.*

**PROJECT INFORMATION:** The existing parking garage contains wheel stops which will remain in place to keep vehicles from migrating beyond the length of the parking space.

*(k) Off-street parking area striping. Off-street parking areas shall be striped in conformance with the off-street parking area dimension standards set forth in Table 806-6; provided, however, off-street parking area striping shall not be required for:*

*(1) Vehicle storage areas.*

*(2) Vehicle sales display areas.*

*(3) Temporary and seasonal gravel off-street parking areas, approved pursuant to SRC chapter 701.*

*(4) Gravel off-street parking areas, approved through a conditional use permit.*

**PROJECT INFORMATION:** As previously noted, parking is existing and there are no plans to reconfigure existing parking.

(l) *Marking and signage.*

- (1) *Off-street parking and vehicle use area circulation.* Where directional signs and pavement markings are included within an off-street parking or vehicle use area to control vehicle movement, such signs and marking shall conform to the Manual of Uniform Traffic Control Devices.
- (2) *Compact parking.* Compact parking spaces shall be clearly marked indicating the spaces are reserved for compact parking only.
- (3) *Carpool and vanpool parking.* Carpool and vanpool parking spaces shall be posted with signs indicating the spaces are reserved for carpool or vanpool use only before 9:00 a.m. on weekdays.

**PROJECT INFORMATION:** Pavement markings and signage will comply as required.

- (m) *Lighting.* Lighting for off-street parking and vehicle use areas shall not shine or reflect onto adjacent residentially zoned property, or property used for uses or activities falling under household living, or cast glare onto the street.

**PROJECT INFORMATION:** There are no residentially zoned properties adjacent to the site. Any new lighting, which is limited, will comply with applicable standards as required.

- (n) *Additional standards for new off-street surface parking areas more than one-half acre in size.* When a total of more than one-half acre of new off-street surface parking is proposed on one or more lots within a development site, the lot(s) proposed for development shall comply with the additional standards in this subsection. For purposes of these standards, the area of an off-street surface parking area is the sum of all areas within the perimeter of the off-street parking area, including parking spaces, aisles, planting islands, corner areas, and curbed areas, but not including interior driveways and off-street loading areas.

**PROJECT INFORMATION:** There is no new off-street parking proposed, therefore this standard does not apply.

**Sec. 806.040. Driveway development standards for uses or activities other than single family, two family, three family, or four family.**

*Unless otherwise provided under the UDC, driveways for uses or activities other than single family, two family, three family, or four family shall be developed and maintained as provided in this section.*

**PROJECT INFORMATION:** All driveways are existing with no changes proposed to those driveways on High Street NE and Liberty Street NE, which will remain. The driveway on Union will be closed by the City of Salem. This section, therefore, does not apply.

**Sec. 806.045. Bicycle parking; when required.**

- (a) *General applicability.* Bicycle parking shall be provided as required under this chapter for:
- (1) *Each proposed new use or activity.*
  - (2) *Any change of use or activity.*
  - (3) *Any intensification, expansion, or enlargement of a use or activity.*

**PROJECT INFORMATION:** There is no new or expanded parking proposed as a result this section does not apply.

**Sec. 806.065. Off-street loading areas; when required.**

- (a) *General applicability.* Off-street loading shall be provided and maintained as required under this chapter for:
- (1) *Each proposed new use or activity.*



(2) Any change of use or activity, when such change of use or activity results in a greater number of required off-street loading spaces than the previous use or activity.

(3) Any intensification, expansion, or enlargement of a use or activity.

**PROJECT INFORMATION:** There is no proposed change of use or activity and there is no expansion of the existing parking therefore this section does not apply.

#### *SRC 900.000 – SIGN CODE*

##### **Sec. 900.010. General rule.**

- (a) No person shall construct, erect, enlarge, alter, or relocate any sign, or install electrical parts, wiring, or illumination in or upon a sign, until all required permits have been obtained, including, but not limited to, sign permits, building permits, electrical permits, and any other permit required under federal, state, or local law.
- (b) Except as provided in SRC 900.030, no person shall erect, construct, enlarge, alter, repair, move, improve, convert, equip, use, or maintain any sign, or cause or permit the same to be done, in violation of any provision of this chapter or a permit issued hereunder.
- (c) Nothing in this chapter is intended, nor shall be construed, to permit the erection, construction, enlargement, alteration, or maintenance of any sign at any place or in any manner unlawful under any other federal, state, or local law. When any part of this chapter conflicts with another provision of federal, state, or local law, the provision that establishes the stricter standard shall control.

**PROJECT INFORMATION:** New signage identifying the Marion Parkade as well as internal wayfinding signage is anticipated.

##### **Sec. 900.170. Permanent signs in Central Business District (CB), West Salem Central Business (WSCB), South Waterfront Mixed-Use (SWMU), Mixed-Use (MU-I And MU-II), Edgewater/Second Street Mixed-Use Corridor (ESMU), And MU-R (Mixed Use Riverfront) Zones.**

The following permanent signs are allowed in the Central Business District (CB), West Salem Central Business District (WSCB), South Waterfront Mixed-Use (SWMU), Mixed-Use (MU-I and MU-II), Edgewater/Second Street Mixed-Use Corridor (ESMU), and MU-R (Mixed Use-Riverfront) Zones.

- (a) Household Living (one, two, three, and four Family).
- (b) Household Living (Multi-Family) and Group Living Uses are permitted the following signs:
- (c) Non-residential uses. When the primary use of a building is for a standalone non-residential use, the following signs are allowed:
  - (1) One wall sign, one projecting sign, or one freestanding sign for each street frontage. When the development site is located on a corner lot, only one freestanding sign shall be allowed.
    - (A) A wall sign shall be limited to a display surface not exceeding the greater of 32 square feet or two percent of gross face area of the primary building wall provided, however, that wall signs shall have a display surface not exceeding 100 square feet on the side of a building facing Riverfront Park, and shall not exceed a display surface exceeding 32 square feet on the side of a building facing the Willamette River.
    - (B) Projecting signs shall conform with SRC 900.120.
    - (C) A freestanding sign shall be limited to a display surface not exceeding 24 square feet and to a height not exceeding five feet.
  - (2) One hanging sign for each primary entrance. Hanging signs shall conform with SRC 900.115.



- (3) *Buildings with frontage along a designated Parkway or Freeway may have one additional wall sign on the wall facing a Parkway or Freeway not exceeding 32 square feet.*
- (4) *Buildings abutting a public alley may have one additional non-illuminated wall sign on the wall abutting an alley not exceeding six square feet.*
- (5) *Vehicle viewing sign. A maximum of two vehicle viewing signs per drive-through lane. The maximum combined vehicle viewing sign display surface per drive-through lane shall not exceed 48 square feet, however, the display area for any single vehicle viewing sign shall not exceed 32 square feet.*

**PROJECT INFORMATION:** The parking structure is permitted one wall sign of up to 100 square feet on each street-facing façade. Currently, wall signs are located on each façade at the building corners, and these will be replaced as part of the corner stair tower replacements. The new signs will be installed on the stair tower feature walls, with each sign covering an area of 73 square feet. This represents 1.1% of the total wall area, which is approximately 6,500 square feet.

#### **4. ADJUSTMENTS**

The proposed improvements for the City of Salem's Marion Parkade require Class 2 adjustments to the following three standards under SRC 250.005(a)(B):

- 1. **SRC 524.010(c)** – Minimum 10-foot setback for accessory structures, to allow the proposed solar array canopies to be placed along the perimeter of the open third-floor parking deck.
- 2. **SRC 524.010(f)(5)(A)(ii)** – Alternative standard for percentage of ground floor glazing on existing buildings.
- 3. **SRC 806.035(c)(2)(D)** – Perimeter setbacks and landscaping for off-street parking areas and garages abutting a street.

These requested adjustments are essential to facilitate the proposed improvements, which aim to increase use by promoting a safer environment in and around the existing structure, improve accessibility, enhance the aesthetic appeal of the façade of this public parking structure, and extend the usable life of the structure. Flexibility for certain development standards outlined in the current Salem Revised Code is necessary due to the existing conditions related to the existing structure and its siting on the subject lot and the abutting public right-of-way. While eleven adjustments are requested due to the structure occupying an entire city block, they are limited to the three standards identified above.

SRC 250.005(d) Criteria:

- (2) *An application for a Class 2 adjustment shall be granted if all of the following criteria are met:*
  - (A) *The purpose underlying the specific development standard proposed for adjustment is:*
    - (i) *Clearly inapplicable to the proposed development; or*
    - (ii) *Equally or better met by the proposed development.*

- 1. **Adjustment to SRC 524.010(c) – Setbacks.** The standard requires a minimum street setback of 10 feet for accessory structures, which is not met by the proposed solar array canopies to be installed on the third-floor parking deck. These canopies will be positioned along the perimeter of the third-floor parking deck, facing High Street NE, Marion Street NE, and Liberty

Street NE. The existing structure encroaches over the public right-of-way on all these streets, a condition that will remain unchanged by the proposed improvements.

The solar array canopies have been strategically placed to maximize solar exposure and shading, while ensuring that the existing circulation patterns on the parking deck remain unaffected. The standard assumes either new development or existing conditions that allow setbacks to be met. However, in this case, neither applies, as the solar canopies are being installed on the "roof" of an existing parking structure that is already built above the public sidewalk and right-of-way.

The proposed design is equal to or better than the standard, as the actual structure remains unchanged. The siting of the canopies enhances solar gain with minimal impact on the existing vehicle parking and maneuvering areas. In fact, meeting the setback standard would result in reduced solar gain, the loss of more than five parking spaces, and the need to reconfigure parking and vehicle maneuvering areas.

2. **Adjustment to SRC 524.010(f)(5)(A)(ii) – Ground floor windows.** The standard requires that 65 percent of the ground floor building façade be comprised of transparent glazing to allow visibility between building interiors and public sidewalks. For existing structures in the CB Zone, the standard aims to maintain transparent ground-floor windows where the full standard is not currently met, nor will it be met by the proposed improvements.

The existing structure has ground-floor windows only within the five enclosed stair towers, which account for less than 65 percent transparent glazing. Four of these stair towers will be removed and replaced with open stair towers, which will not include facades, thereby reducing the amount of ground-floor glazing. However, the proposed design improves upon the current situation: the existing glazing is tinted, which does not meet transparency requirements, and missing glazing has been infilled with solid boards, further failing to meet the standard.

Additionally, the majority of the corner stair tower facades are located outside the development site within the right-of-way (ROW), which is not consistent with current code requirements. By replacing the enclosed stair towers with open stair towers, the design maximizes visibility and reduces ROW encroachments along High, Marion, and Liberty Streets.

The glazing in the remaining stair tower, located mid-block on Marion Street, will be replaced with clear glazing, increasing visibility. This design better aligns with the intent of the standard by providing transparent glazing for the remaining enclosed stair tower and enhancing visibility between the new open corner stair towers and the pedestrian realm. Furthermore, it reduces non-compliance by eliminating the ROW encroachments caused by the corner stair towers.

3. **Adjustment to SRC 806.035(c)(2)(D) – Perimeter landscaping and screening for parking adjacent to a street.** The standard requires a minimum 6-foot-wide perimeter setback between off-street parking and streets, along with additional requirements for a 3-foot-tall wall and Type A landscaping. The existing parking structure is built at or over the property lines, meaning no perimeter setback is provided, nor can one be created. Additionally, the current

ground-floor pony walls exceed the maximum allowed height. The applicant proposes to remove the non-conforming pony walls and install perforated metal screening panels, which will screen vehicle headlights and provide a physical barrier between the sidewalk and the parking area. Because the setback cannot be provided and the screen panels are not fully opaque, adjustments to this standard are needed for all four streets.

The purpose of replacing the pony walls with perforated screening is to allow some transparency between the sidewalk and the parking garage at street level as a safety measure. The existing walls create hiding spots that are easily accessible from the adjacent public sidewalk, posing significant safety risks both within the parking structure and for pedestrians on the surrounding sidewalks. Removing the pony walls will enhance visibility between the parking areas and the pedestrian way, thereby improving safety for the community and aligning with one of the primary goals of the proposed improvements.

Improving visibility at street level is a key reason for this design, as it "opens up" the structure, both at the ground level and within the enclosed corner stair towers. This design is better suited to the needs of the community, especially considering that this is an existing parking structure, not an open surface parking lot, which is typically where this standard is applied. Furthermore, since the existing pony walls exceed the maximum height, the new screening will have a maximum height of 3 feet, which complies with the height requirement for screen walls.

*(B) If located within a residential zone, the proposed development will not detract from the livability or appearance of the residential area.*

**RESPONSE:** The subject property is not zoned residentially, nor is it adjacent to a residential zone or residential development.

*(C) If more than one adjustment has been requested, the cumulative effect of all the adjustments result in a project which is still consistent with the overall purpose of the zone.*

**RESPONSE:** The eleven Class 2 adjustments to three development standards which are currently not met by the existing structure are minimal and will not have a negative effect on the project or the surrounding area. They are proposed improvements are consistent with the existing and continued uses within the structure and the zone.

## **5. CONCLUSION**

The applicant, the City of Salem, along with their consultant, CBTWO Architects, is seeking approval for a consolidated land use review that includes a Class 3 Site Plan Review and eleven Class 2 Adjustments to three development standards, in order to facilitate improvements to the Marion Parkade. The proposed enhancements aim to:

- Increase safety by improving visibility through the opening of enclosed corner stair towers and ground floor parking areas.
- Improve accessibility.
- Provide solar array panels to enhance energy efficiency.
- Add perforated metal fins to the second and third-floor façade walls, introducing articulation, texture, and a decorative lighting array for aesthetic updates.

In addition to enhancing safety, accessibility, energy efficiency, functionality, and the overall aesthetic of the parking facility, these modifications are intended to reduce maintenance costs and structural damage from excessive power washing of stairwells, increase utilization of the parking structure, and promote vibrancy.

The applicant and their consultant believe that the requested adjustments are minimal and that the proposed improvements will provide greater public benefit by preserving the use of the existing facility.

Thank you for your consideration.

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