

**CHAPTER 16.02  
SINGLE-FAMILY RESIDENTIAL - RS ZONE**

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\* Terms defined in Chapter 16.49 MCC

**16.02.000 PURPOSE.** The purpose of the RS (single-family residential) zone is to allow development of attached or detached residences on individual lots provided with urban services at low urban densities. Other uses provided in MCC 16.02.010 and 16.02.02 are also appropriate. These areas are designated as single-family residential or equivalent designation in the applicable urban area comprehensive plan.

**16.02.010 USES.** The following uses, when developed under the applicable development standards in this title, are permitted in the RS zone:

- A. Detached single family dwelling\* on a lot.
- B. Child day care home\* for 12 or fewer children or less.
- C. Utility\* substations.
- D. The following uses subject to the special standards in Chapter 16.26 MCC:
  - 1. Mobile home\* on a lot in a mobile home subdivision or as a replacement for a legally non-conforming mobile home (see MCC 16.26.020).
  - 2. Two-family shared housing (see MCC 16.26.040).
  - 3. Duplex\* on a corner lot (see MCC 16.26.060).
  - 4. Zero side yard dwelling\* units (see MCC 16.26.080).
  - 5. Home occupations, limited\* (see MCC 16.26.200).
  - 6. Residential sales offices (see MCC 16.26.300).
  - 7. Boat and RV storage area (see MCC 16.26.340).
  - 8. Religious organizations\* (see MCC 16.26.600).
  - 9. Planned developments (see MCC 16.26.800).
  - 10. Mobile home parks (see MCC 16.26.901).
  - 11. Elementary and secondary schools, SIC 8211 (see MCC 16.26.620).
  - 12. Manufactured home on a lot (see MCC 16.26.030).
- E. Signs subject to Chapter 16.31 MCC.
- F. The following accessory uses are permitted on a lot in conjunction with a permitted dwelling or mobile home:
  - 1. Decks and patios (open, covered or enclosed);

2. Storage building for: fire wood, equipment used in conjunction with dwelling and yard maintenance; personal property (except vehicles) not in conjunction with any commercial or industrial business other than a home occupation;
3. Green house;
4. Sauna;
5. Hobby shop;
6. Shelter for pets;
7. Fall out shelters,
8. Swimming pools and hot tubs;
9. Guest facility\* subject to MCC 16.25.200(A)(9);
10. Rooming\* or boarding\* of up to 2 persons in a dwelling;
11. Pets\* Not more than 10 mammals over four months old are allowed as pets unless a conditional use permit is obtained;
12. One recreational vehicle space\* subject to MCC 16.26.410;
13. Additional kitchens in a dwelling provided all kitchens in the dwelling are used by only one family and provided the kitchens are not located in separate dwelling units.
14. Offering for sale five or fewer vehicles\* owned by the occupants of the dwelling in any calendar year.
15. Garages\* and carports\* for covered vehicle parking.
16. Child foster home\*.
17. Sleeping quarters in the dwelling or mobile home for domestic employees of the resident of the dwelling or mobile home.
18. Fences subject to the requirements in Chapter 16.28 MCC.
19. Vegetable gardens, orchards and crop cultivation for personal use. No sale of produce is permitted. No birds or fur-bearing animals, other than pets,\* and no livestock, poultry or beekeeping permitted.
20. Parking of vehicles\* in a structure, or outdoors provided:
  - a. All of the vehicles are owned by the owner or lessee of the lot or their guests; and
  - b. Vehicles may be parked outdoors:
    - i. Within the front yard in a driveway that meets the standards in MCC 16.30.150; and;
    - ii. In the lot area where accessory buildings are permitted, provided the parking area is screened by a six-foot-high sight-obscuring fence, wall or hedge from other lots in a residential use and has an all-weather surface drained to prevent standing water.
    - iii. Not more than three vehicles shall be parked on a lot within required yards abutting streets.
  - c. Parked vehicles shall be for the personal use of the occupants of the dwelling.
  - d. Two vehicles used in conjunction with a home occupation or other employment may be parked on a lot.
  - e. Any vehicle used in conjunction with a home occupation or other employment that is rated at more than one-ton capacity must be parked in an enclosed structure.

G. Temporary uses permitted in MCC 16.25.300.

H. Transit and school bus stop shelters.

**16.02.020 CONDITIONAL USES.** The following uses may be permitted subject to obtaining a conditional use permit:

- A. Public parks and playgrounds.
- B. Public buildings and structures such as libraries, fire stations and public utility facilities\*.
- C. Individual and family social services as defined in SIC 8322.

- D. Civic, social and fraternal organizations as defined in SIC 864.
- E. Child care facility\* (see MCC 16.26.220).
- F. Residential facilities\* (see MCC 16.26.240).
- G. Membership recreation club. SIC 7997 (see MCC 16.26.320).
- H. Public golf course. SIC 7992 (see MCC 16.26.320).
- I. Duplex on a corner lot without the limits in MCC 16.02.010(D)(3).
- J. Home occupation, conditional\* subject to MCC 16.32.400.

**16.02.030 PROHIBITED USES.** Within an RS zone no building, structure, vehicle or land shall be used, erected, structurally altered, or enlarged for any use not permitted under MCC 16.02.010 and 16.02.020.

**16.02.100 DEVELOPMENT STANDARDS.** The standards and regulations in this chapter and the additional standards and regulations referenced in Chapters 16.24 and 16.26 through 16.34 MCC apply to all lots, structures and uses unless indicated otherwise. No structure or use shall be approved until all requirements in this chapter have been satisfied.

The provisions of this chapter are complementary and supplementary to other provisions of this title. In the event of a conflict between a provision of this chapter and a more restrictive provision of this title applicable to a particular lot, structure or use, the more restrictive provision shall apply.

**16.02.110 HEIGHT.** Within an RS zone:

- A. Structures shall not exceed 35 feet in height except as provided for in subsections (B) and (C) of this section.
- B. Structures for public and semi-public\* uses: 70 feet provided required setbacks shall be increased one foot for every foot the structure height exceeds 35 feet.
- C. Structures exempt from height requirements identified in MCC 16.27.160 and structures with specific height requirements identified in Chapter 16.28 MCC are not subject to subsection (A) and (B) of this section; however, required setbacks for structures identified in MCC 16.27.160 shall be increased one foot for every foot the structure exceeds 35 feet.

**16.02.120 LOT AREA AND DIMENSIONS.** Within an RS zone:

- A. Lot Area. The minimum lot area for a single family dwelling in a subdivision approved after the effective date of the ordinance codified in this title is 4,000 square feet when located within the Salem/Keizer area urban growth boundary. In all other cases lots shall be a minimum of 6,000 square feet. (See Chapter 16.27 MCC for density limitations).
- B. Lot Dimensions. Except as provided in MCC 16.26.800 for planned developments, the average width of a lot shall be at least 60 feet; provided that within the Salem/Keizer urban growth boundary the width of a lot shall be at least 40 feet, and the depth of a lot shall be at least 70 feet.

**16.02.130 FRONT YARDS AND YARDS ABUTTING STREETS.** Within an RS zone:

- A. Within the Salem/Keizer urban growth boundary, along the full extent of each front lot line, lot line abutting a street right-of-way line, there shall be a required yard 12 feet in depth; provided, however, garages or carports having a vehicle entrance facing a street right-of-way line shall be set back at least 20 feet from the street right-of-way line. For other urban growth boundaries the required yard shall be 20 feet.
- B. Notwithstanding the provisions of subsection (A) of this section, there shall be a required yard of 20 feet from the right-of-way of a designated arterial or collector street or from the special setback established in MCC 16.27.210, whichever is greater.

- C. Setbacks for accessory structures shall be as provided in Chapter 16.28 MCC.
- D. Yards for planned developments and mobile home parks shall be as provided in Chapter 16.26 MCC.

**16.02.140 INTERIOR SIDE YARDS.** Within an RS zone the following side yards shall be provided:

- A. A minimum of five feet; provided, inside the Salem/Keizer urban growth boundary, side yards of zero feet on one side and at least 10 feet on the other side are permitted for zero side yard dwellings (see MCC 16.26.080) when the lot abutting the zero setback is in the same ownership at the time the dwelling is constructed and the zero setback will not encroach on any easements.
- B. Setbacks for accessory structures shall be as provided in Chapter 16.28 MCC.
- C. Yards for planned developments and mobile home parks shall be as provided in Chapter 16.26 MCC.

**16.02.150 INTERIOR REAR YARDS.** Within an RS zone the following rear yards shall be provided:

- A. Within the Salem/Keizer urban growth boundary 14 feet for any single family dwelling and for a primary building that does not exceed 15 feet in height. A primary building greater than 15 feet in height shall maintain a 20 foot rear yard.
- B. Within other urban growth boundaries 20 feet for a single family dwelling and for any portion of a building other than a single family dwelling.
- C. Setbacks for accessory structures shall be as provided in Chapter 16.28 MCC.
- D. Yards for planned developments and for mobile home parks shall be as provided in Chapter 16.26 MCC.

**16.02.200 LANDSCAPING.** Within an RS zone:

- A. All portions of required yards lying between a street or roadway and the dwelling, or between the street or roadway and any sight-obscuring fence, wall or hedge located within the required yard, shall be landscaped.
- B. All required landscaped areas shall be landscaped as provided in Chapter 16.29 MCC.

**16.02.300 INFORMATIONAL REFERENCE TO ADDITIONAL STANDARDS.** Additional use and development standards may be found in the following chapters:

Floodplain Overlay Zone	Chapter 16.19 MCC
Greenway Overlay Zone	Chapter 16.20 MCC
Airport Overlay Zone	Chapter 16.21 MCC
Geologically Hazardous Overlay Zone	Chapter 16.24 MCC
Planned Developments	Chapter 16.26 MCC
Mobile Home Parks	Chapter 16.26 MCC
General Development Standards and Regulations	Chapter 16.27 MCC
Development Standards for Secondary, Accessory and Temporary Structures	Chapter 16.28 MCC
Landscaping	Chapter 16.29 MCC
Off-Street Parking and Loading	Chapter 16.30 MCC
Subdivision and Partition Requirements	Chapter 16.33 MCC