

## CHAPTER 608. - WEST SALEM GENERAL INDUSTRIAL OVERLAY ZONE

### Sec. 608.001. - Purpose.

The purpose of the West Salem General Industrial Overlay Zone is to identify allowed uses and to establish development standards that promote a compatible mixture of retail, commercial, and industrial development.

(Prior Code, § 608.001; Ord. No. 31-13)

### Sec. 608.005. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Mixed-use development* means a combination of uses in two or more of the following use categories within a single building, or within separate buildings on the same lot or contiguous lots:

- (a) Household living;
- (b) Lodging;
- (c) Retail sales and service;
- (d) Business and professional services;
- (e) Health services; or
- (f) Civic services.

(Prior Code, § 608.005; Ord. No. 31-13)

### Sec. 608.010. - West Salem General Industrial Overlay Zone boundary.

The boundaries of the West Salem General Industrial Overlay Zone are shown in Figure 608-1.

(Prior Code, § 608.010; Ord. No. 31-13)

### Sec. 608.015. - Uses.

Except as otherwise provided in this section, any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the West Salem General Industrial Overlay Zone.

- (a) *Continued uses.* Uses existing within the West Salem General Industrial Overlay Zone that were allowed as permitted, special, or conditional uses on December 1, 2002, but which would otherwise be made nonconforming uses by this chapter, are hereby deemed continued uses. The owner shall have the burden to demonstrate continued use status under this subsection.
  - (1) A continued use may be intensified, and buildings or structures housing a continued use may be enlarged, rebuilt, or the exterior altered, provided such intensification, enlargement, rebuilding, or exterior alteration complies with all applicable standards in the underlying zone.
  - (2) An owner or user of property on December 1, 2002, may extend a continued use onto any contiguous vacant land owned by such owner or user if such land was held under the same ownership on December 1, 2002, and has been maintained under the same ownership continuously thereafter. The extension of a continued use onto contiguous vacant land under the same ownership must comply with all applicable standards in the underlying zone.

- (3) A continued use may be changed to any use that is allowed in the West Salem General Industrial Overlay Zone. If the use shall terminate the continued use status conferred by this subsection and the property must thereafter only use uses allowed in the West Salem General Industrial Overlay Zone.
- (4) A determination by the Building Official that the building or structure housing a continued use is derelict or dangerous, as defined in SRC 50.600 and 56.230, shall terminate the continued use status conferred by this subsection and the property may thereafter only be used for uses allowed in the West Salem General Industrial Overlay Zone.
- (b) *Additional permitted uses.* The uses set forth in Table 608-1 are additional permitted (P) uses in the West Salem General Industrial Overlay Zone.

<b>TABLE 608-1. ADDITIONAL PERMITTED USES</b>		
<b>Use</b>	<b>Status</b>	<b>Limitations &amp; Qualifications</b>
<b>Retail Sales and Services</b>		
Eating and drinking establishments	P	
Retail sales	P	
Personal services	P	Only the following personal services activities are additional permitted uses: <ul style="list-style-type: none"> <li>■ Beauty shops.</li> <li>■ Barber shops.</li> </ul>
<b>Business and Professional Services</b>		
Office	P	
Laboratory research and testing	P	
<b>Recreation, Entertainment, and Cultural Services and Facilities</b>		
Commercial entertainment—indoor	P	Only the following commercial entertainment—indoor activities are additional permitted uses: <ul style="list-style-type: none"> <li>■ Entertainment establishments.</li> <li>■ Membership sports and recreation clubs.</li> </ul>
Commercial entertainment—outdoor	P	Only the following commercial entertainment—outdoor activities are additional permitted uses: <ul style="list-style-type: none"> <li>■ Membership sports and recreation clubs.</li> </ul>
<b>Health Services</b>		

Outpatient medical services and laboratories	P	
<b>Civic Services</b>		
Governmental services	P	
<b>Public Safety</b>		
Emergency services	P	
Military installations	P	
<b>Construction Contracting, Repair, Maintenance, and Industrial Services</b>		
General repair services	P	

(c) *Additional prohibited uses.* In addition to the prohibited uses in the underlying zone, the uses set forth in Table 608-2 are additional prohibited (N) uses in the West Salem General Industrial Overlay Zone.

<b>TABLE 608-2. ADDITIONAL PROHIBITED USES</b>		
<b>Use</b>	<b>Status</b>	<b>Limitations &amp; Qualifications</b>
<b>Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service</b>		
Motor vehicle and manufactured dwelling and trailer sales	N	Only the following motor vehicle and manufactured dwelling and trailers sales activities are additional prohibited uses: <ul style="list-style-type: none"> <li>■ Motorcycle dealers.</li> <li>■ Off-road vehicles and utility trailers.</li> </ul>
<b>Recreation, Entertainment, and Cultural Services and Facilities</b>		
Major event entertainment	N	Only the following major event entertainment activities are additional prohibited uses: <ul style="list-style-type: none"> <li>■ Race tracks.</li> </ul>
<b>Construction Contracting, Repair, Maintenance, and Industrial Services</b>		

Building and grounds services and construction contracting	N	<p>Only the following buildings and grounds services and construction contracting activities are additional prohibited uses:</p> <ul style="list-style-type: none"> <li>■ Disinfecting and pest control services.</li> <li>■ Building cleaning and maintenance services.</li> </ul>
<b>Wholesale Sales, Storage, and Distribution</b>		
Heavy wholesaling	N	<p>Only the following heavy wholesaling activities are additional prohibited uses:</p> <ul style="list-style-type: none"> <li>■ Scrap and waste materials.</li> <li>■ Chemicals and allied products.</li> </ul>
<b>Manufacturing</b>		
General manufacturing	N	<p>Only the following general manufacturing activities are additional prohibited uses:</p> <ul style="list-style-type: none"> <li>■ Paperboard containers and boxes.</li> <li>■ Paper bag and coated and treated paper manufacturing.</li> <li>■ Drugs, cleaning agents, and personal care products.</li> <li>■ Batteries.</li> <li>■ Sign manufacturing.</li> </ul>
Heavy manufacturing	N	<p>Only the following heavy manufacturing activities are additional prohibited uses:</p> <ul style="list-style-type: none"> <li>■ Animal slaughtering and processing.</li> <li>■ Pulp, paper, and paperboard mills.</li> <li>■ Sawmills.</li> <li>■ Chemical manufacturing.</li> <li>■ Petroleum and coal products.</li> <li>■ Cement and concrete products.</li> <li>■ Foundries, smelting, and other similar activities.</li> <li>■ Ordnance, small arms, and ammunition.</li> </ul>
<b>Transportation Facilities</b>		
Aviation facilities	N	
<b>Utilities</b>		

Fuel dealers	N	
Waste-related facilities	N	Only the following waste-related facilities are additional prohibited uses: <ul style="list-style-type: none"> <li>■ Solid waste transfer stations.</li> </ul>
<b>Mining and Natural Resource Extraction</b>		
Petroleum and natural gas production	N	
Surface mining	N	
<b>Farming, Forestry, and Animal Services</b>		
Agriculture	N	
Forestry	N	
Agriculture and forestry services	N	
Keeping of livestock and other animals	N	

(Prior Code, § 608.015; Ord. No. 31-13)

Sec. 608.020. - Development standards.

Development within the West Salem General Industrial Overlay Zone must comply with the development standards applicable in the underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

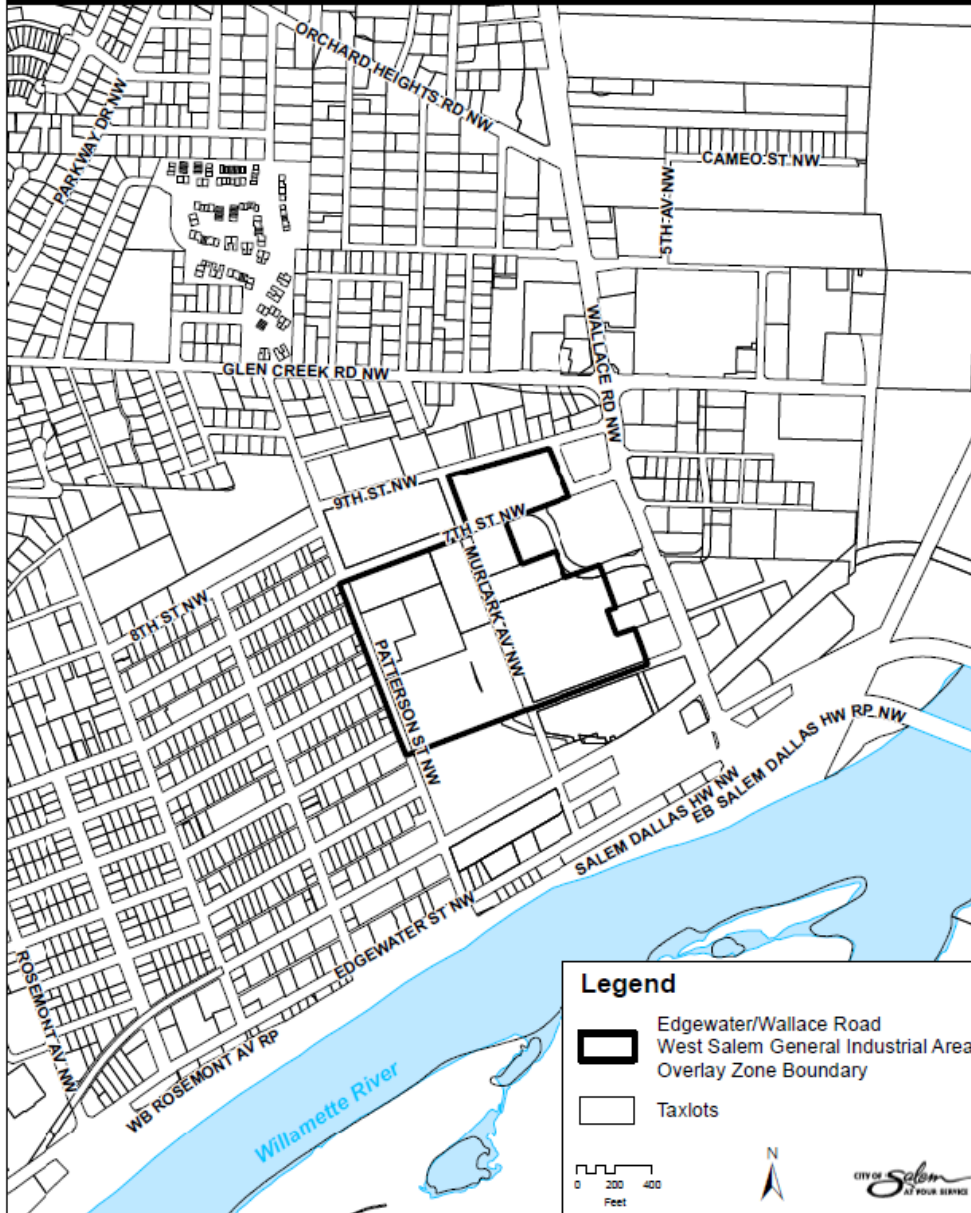
- (a) *Continued development.* Buildings and structures existing within the West Salem General Industrial Overlay Zone that conformed to the development standards existing on December 1, 2002, but which would otherwise be made nonconforming development by this chapter, are hereby deemed continued development. The owner shall have the burden to demonstrate continued development status under this subsection.
- (1) Continued development may be enlarged, rebuilt, or the exterior altered, provided such enlargement, rebuilding, or exterior alteration complies with all applicable standards in the underlying zone.
  - (2) An owner or user of property on December 1, 2002, may extend continued development onto any contiguous vacant land owned by such owner or user if such land was held under the same ownership on December 1, 2002, and has been maintained under the same ownership continuously thereafter. The extension of continued development onto contiguous vacant land under the same ownership must comply with all applicable standards in the underlying zone.

- (3) A determination by the Building Official that a continued development is derelict or dangerous, as defined in SRC 56.230, shall terminate the continued development status conferred by this subsection and the building or structure thereafter be deemed a nonconforming development.
- (b) *Development standards for additional permitted uses set forth in Table 608-1.* Within the West Salem General Industrial Overlay Zone, the additional uses set forth in Table 608-1 shall conform to the following additional development standards:
- (1) *Site area.* The use shall be located on a lot not more than six acres in size.
  - (2) *Parking and loading areas.*
    - (A) Planter bays or islands shall have a minimum planting area of 50 square feet.
    - (B) Within parking lots greater than 50,000 square feet in size, a minimum of one tree per eight parking spaces is required, of which not more than 25 percent may be evergreen trees. Required trees must be planted within 20 feet of the parking lot perimeter.
  - (3) *Screening.*
    - (A) Trash receptacles shall be screened from adjacent household living uses and streets by a sight obscuring fence, wall, or hedge.
    - (B) Concertina or barbed wire fencing shall not be located within 60 feet of the street right-of-way, unless such fencing is obstructed by a building or structure.
    - (C) Concertina or barbed wire fencing shall be screened from public view and adjacent property by sight-obscuring landscaping.
  - (4) *Outdoor storage.*
    - (A) Outdoor storage areas shall not be located within required setbacks.
    - (B) Outdoor storage areas shall be enclosed by a minimum six-foot-high sight-obscuring fence, wall, hedge, or berm; provided, however, items more than six feet in height above grade shall be screened by sight-obscuring landscaping.
    - (C) Items stored within outdoor storage areas shall not exceed a maximum height of 14 feet above grade.
- (c) *Pedestrian access.*
- (1) A pedestrian connection shall be provided from the public sidewalk to the primary building entrance.
  - (2) A pedestrian connection through the parking area to the primary building entrance shall be provided when the parking area is greater than 60 feet in depth.
  - (3) Within shopping centers, office complexes, and mixed-use developments, pedestrian connections shall be provided to connect the buildings. Pedestrian connections shall be the most practical, direct route.
  - (4) Pedestrian connections shall be a minimum of five feet in width, and defined by visual contrast or tactile finish texture.
  - (5) Wheel stops or extended curbs shall be provided along required pedestrian connections to prevent the encroachment of vehicles onto pedestrian connections.
- (d) *Project enhancements.* Development within the West Salem General Industrial Overlay Zone shall include four or more of the following project enhancements:
- (1) Joint parking agreement under SRC 806.020(a)(5) or implementation of a plan to satisfy off-street parking requirements through alternative modes of transportation under SRC 806.015(e)(2);
  - (2) Freestanding sign not more than five feet in height and placed upon a foundation;
  - (3) Weather protection, in the form of awnings or canopies, along more than 50 percent of the length of the ground floor building facade adjacent to sidewalks or pedestrian connections;

- (4) Pedestrian connections that are:
  - (A) Constructed with pavers, scored or colored cement, and/or stamped asphalt;
  - (B) Elevated above the parking area and driveway; or
  - (C) Defined with landscaping or building features such as canopies, awnings, or arcades;
- (5) Replacement of existing surface parking areas with new development of buildings or structures;
- (6) A minimum of seven percent interior landscaping within parking areas not more than 50,000 square feet in size; or a minimum of ten percent interior landscaping within parking areas greater than 50,000 square feet in size;
- (7) Installation of landscaping and irrigation using a plan designed by an Oregon landscape architect;
- (8) Development of a mixed-use building;
- (9) Construction of a building where at least 50 percent of the building frontage is constructed contiguous to the minimum building setback line;
- (10) Construction of one or more buildings at least two stories in height;
- (11) Construction of planter bays, each a minimum of 50 square feet in size, to meet minimum interior parking area landscaping requirements;
- (12) Construction of planter bays below the surface grade of parking areas to accommodate surface water runoff;  
or
- (13) Use of native plant materials to meet minimum landscaping requirements.

FIGURE 608-1. WEST SALEM GENERAL INDUSTRIAL OVERLAY ZONE

# West Salem General Industrial Overlay Zone



(Prior Code, § 608.020; Ord. No. 31-13; Ord. No. 3-18, § 9, 5-14-2018, eff. 6-13-2018)