

CHAPTER 522. - CR—RETAIL COMMERCIAL

Sec. 522.001. - Purpose.

The purpose of the Commercial Retail (CR) Zone is to implement the commercial designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The CR zone generally allows a wide array of retail sales and office uses.

(Prior Code, § 522.001)

Sec. 522.005. - Uses.

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

TABLE 522-1. USES		
Use	Status	Limitations & Qualifications
Household Living		
Single family	P	Residential home, as defined under ORS 197.660, within an existing single family dwelling allowed as a continued use pursuant to SRC <u>522.005(b)</u> .
	S	Secondary dwellings and guest rooms, subject to SRC <u>700.070</u> .
	N	All other single family.
Two family	N	
Three family	S	Subject to SRC <u>700.081</u> .
Four family	S	Subject to SRC <u>700.081</u> .
Multiple family	C	

Group Living		
Room and board	P	Room and board serving 5 or fewer persons.
	C	Room and board serving 6 to 75 persons.
	N	All other room and board.
Residential care	P	
Nursing care	P	
Lodging		
Short-term commercial lodging	P	
Long-term commercial lodging	C	
Nonprofit shelters	P	Nonprofit shelters serving 5 or fewer persons.
	C	Nonprofit shelters serving 6 to 75 persons.
	P	Nonprofit shelters for victims of domestic violence serving 10 or fewer persons.
	N	All other nonprofit shelters.
Retail Sales and Service		
Eating and drinking establishments	P	

Retail sales	N	Used merchandise stores, where sales and storage of merchandise and equipment is not conducted entirely within a building.
	P	All other retail sales.
Personal services	P	
Postal services and retail financial services	P	
Business and Professional Services		
Office	P	
Audio/visual media production	P	
Laboratory research and testing	P	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Motor vehicle and manufactured dwelling and trailer sales	C	
Motor vehicle services	P	Gasoline service stations.
	C	All other motor vehicle services.
Commercial parking	P	
Park-and-ride facilities	P	
Taxicabs and car services	P	

Heavy vehicle and trailer sales	C	Truck rental and leasing.
	N	All other heavy vehicle and trailer sales.
Heavy vehicle and trailer service and storage	P	Truck stops.
	C	The following heavy vehicle and trailer service and storage activities: <ul style="list-style-type: none"> ■ Heavy vehicle and equipment operation instruction. ■ Tire retreading and tire repair shops.
	N	All other heavy vehicle and trailer service and storage.
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	C	Nightclubs, located within 200 feet of a residential zone.
	P	All other commercial entertainment—indoor.
Commercial entertainment—outdoor	C	Privately owned camps, campgrounds, and recreational vehicle parks.
	N	The following commercial entertainment—outdoor activities: <ul style="list-style-type: none"> ■ Amusement parks. ■ Drive-in movie theaters.
	P	All other commercial entertainment—outdoor.
Major event entertainment	C	

Recreational and cultural community services	P	
Parks and open space	P	
Nonprofit membership assembly	P	
Religious assembly	P	
Health Services		
Medical centers/hospitals	N	
Outpatient medical services and laboratories	P	
Education Services		
Day care	P	
Basic education	P	
Post-secondary and adult education	P	
Civic Services		
Governmental services	P	
Social services	P	
Governmental maintenance services and construction	N	

Public Safety		
Emergency services	P	
Detention facilities	N	
Military Installations	P	
Funeral and Related Services		
Cemeteries	N	
Funeral and cremation services	P	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	P	
Building and grounds services and construction contracting	P	The following buildings and grounds services and construction contracting activities: <ul style="list-style-type: none"> ■ Landscape, lawn, and garden services. ■ Tree and shrub services.
	C	Carpet and upholstery cleaning establishments.
	N	All other building and grounds services and construction contracting.
Cleaning plants	N	
Industrial services	P	
Wholesale Sales, Storage, and Distribution		

General wholesaling	N	
Heavy wholesaling	N	
Warehousing and distribution	C	Distribution centers for online, mail order, and catalog sales.
	N	All other warehousing and distribution.
Self-service storage	N	
Manufacturing		
General manufacturing	P	General manufacturing, provided the manufacturing does not exceed 10,000 square feet of total floor area per development site and retail sales of the products manufactured is provided on-site.
	C	The following general manufacturing activities, when exceeding 10,000 square feet of total floor area per development site: <ul style="list-style-type: none"> ■ Industrial and institutional food service contractors. ■ Costume jewelry and precious metals metalsmithing. ■ Sundries and notions. ■ Signs.
	N	All other general manufacturing.
Heavy manufacturing	N	
Printing	P	

Transportation Facilities		
Aviation facilities	N	
Passenger ground transportation facilities	P	The following passenger ground transportation facilities: <ul style="list-style-type: none"> ■ Transit centers. ■ Transit stop shelters.
	C	The following passenger ground transportation facilities: <ul style="list-style-type: none"> ■ Local and suburban passenger transportation. ■ Intercity and rural highway passenger transportation within 2,000 feet from the center point of an I-5 interchange and having direct access on to a major arterial.
	N	All other passenger ground transportation facilities.
Marine facilities	N	
Utilities		
Basic utilities	C	Reservoirs; water storage facilities.
	P	All other basic utilities.
Wireless communication facilities	Allowed	Wireless communication facilities are allowed, subject to SRC <u>chapter 703</u> .
Drinking water treatment facilities	C	

Power generation facilities	C	
Data center facilities	N	
Fuel dealers	N	
Waste-related facilities	C	The following waste-related facilities are allowed conditionally: <ul style="list-style-type: none"> ■ Recycling depots. ■ Solid waste transfer stations.
	N	All other waste-related facilities.
Mining and Natural Resource Extraction		
Petroleum and natural gas production	N	
Surface mining	N	
Farming, Forestry, and Animal Services		
Agriculture	N	Marijuana production.
	P	All other agriculture.
Forestry	P	
Agriculture and forestry services	P	
Keeping of livestock and other animals	N	
Animal services	N	New wildlife rehabilitation facility.

	P	All other animal services.
Other Uses		
Temporary uses	P	The following temporary uses: <ul style="list-style-type: none"> ■ Emergency shelter, subject to SRC <u>701.025</u>. ■ Managed temporary village, subject to SRC <u>701.030</u>. ■ Temporary motor vehicle and recreational vehicle sales, subject to SRC <u>701.045</u>.
Home occupations	S	Home occupations, subject to SRC <u>700.020</u> .
Accessory dwelling units	S	Accessory dwelling units, subject to SRC <u>700.007</u> .

(b) Continued uses. Existing single family and two family uses , other than manufactured dwellings, within the CR zone constructed prior to February 1, 1983, but which would otherwise be made nonconforming by this chapter, are hereby deemed continued uses.

- (1) Building or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 522.010(e).
- (2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for a residential use; provided, however, conversion of the building or structure to a nonresidential use shall thereafter prevent conversion back to a residential use.

(Prior Code, § 522.005; Ord. No. 31-13; Ord. No. 11-14; Ord. No. 22-15, § 11, 11-23-2015; Ord. No. 7-16, § 12, 6-27-2016; Ord. No. 10-17, § 13, 7-10-2017; Ord. No. 1-20, § 2(Exh. B), 2-24-2020; Ord. No. 13-21, § 1(Exh. A), 2-14-2022)

Sec. 522.010. - Development standards.

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

- (a) *Lot standards.* Lots within the CR zone shall conform to the standards set forth in Table 522-2.

TABLE 522-2. LOT STANDARDS		
Requirement	Standard	Limitations & Qualifications
Lot Area		
All uses	None	
Lot Width		
All uses	None	
Lot Depth		
All uses	None	
Street Frontage		
Single family	Min. 40 ft.	
	Min. 30 ft.	Applicable to lots fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line.
All other uses	Min. 16 ft.	

(b) *Setbacks.* Setbacks within the CR zone shall be provided as set forth in Tables 522-3 and 522-4.

TABLE 522-3. SETBACKS

Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	Min. 5 ft.	
Accessory Structures		
Accessory to single family, three family, four family, and multiple family	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 5 ft.	Applicable to accessory structures greater than 4 ft. in height.
Accessory to all other uses	Min. 5 ft.	Not applicable to transit stop shelters.
Vehicle Use Areas		
All uses	Per SRC <u>chapter 806</u>	
Interior Front		
Buildings		
Single family, three family, and four family	None	
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC <u>chapter 807</u> .

All other uses	Zone-to-zone setback (Table 522-4)	
Accessory Structures		
Accessory to single family, three family, and four family	Min. 5 ft.	
Accessory to multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807 .
Accessory to all other uses	Zone-to-zone setback (Table 522-4)	
Vehicle Use Areas		
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807 .
All other uses	Zone-to-zone setback (Table 522-4)	
Interior Side		
Buildings		
Single family	None	
Three family and four family	Min. 5 ft.	

Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807 .
All other uses	Zone-to-zone setback (Table 522-4)	
Accessory Structures		
Accessory to single family, three family, and four family	None	Applicable to accessory structures having at least 1 wall which is an integral part of a fence.
	Min. 5 ft.	Applicable to all other accessory structures.
Accessory to multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807 .
Accessory to all other uses	Zone-to-zone setback (Table 522-4)	
Vehicle Use Areas		
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807 .
All other uses	Zone-to-zone setback (Table 522-4)	

Interior Rear		
Buildings		
Single family	None	
Three family and four family	Min. 5 ft.	
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807 .
All other uses	Zone-to-zone setback (Table 522-4)	
Accessory Structures		
Accessory to single family, three family, and four family	None	Applicable to accessory structures not more than 9 ft. in height.
	Min. 1 ft. for each 1 ft. of height over 9 ft.	Applicable to accessory structures greater than 9 ft. in height.
	Min. 1 ft.	Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure.
Accessory to multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807 .

Accessory to all other uses	Zone-to-zone setback (Table 522-4)	
Vehicle Use Areas		
Multiple family	Min. 10 ft.	Required landscaping shall meet the Type C standard set forth in SRC chapter 807 .
All other uses	Zone-to-zone setback (Table 522-4)	

TABLE 522-4. ZONE-TO-ZONE SETBACKS			
Abutting Zone	Type of Improvement	Setback⁽¹⁾	Landscaping & Screening
EFU	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft.	Type A
Residential Zone	Buildings and accessory structures	Min. 15 ft.	Type C
	Vehicle use areas		
Mixed-Use Zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft.	Type A
Commercial Zone	Buildings and accessory structures	None	N/A

	Vehicle use areas	Min. 5 ft.	Type A
Public Zone	Buildings and accessory structures	None	N/A
	Vehicle use areas	Min. 5 ft.	Type A
Industrial and Employment Zone: EC, IC, IBC, and IP	Buildings and accessory structures	Min. 5 ft.	Type A
	Vehicle use areas		
Industrial and Employment Zone: IG	Buildings and accessory structures	Min. 10 ft.	Type C
	Vehicle use areas		
Limitations and qualifications: (1) Zone-to-Zone setbacks are not required abutting an alley.			

(c) *Lot coverage; height.* Buildings and accessory structures within the CR zone shall conform to the lot coverage and height standards set forth in Table 522-5.

TABLE 522-5. LOT COVERAGE; HEIGHT		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
All uses	No Max.	
Rear Yard Coverage		
Buildings		
All uses	N/A	

Accessory Structures		
Accessory to all uses	No Max.	
Height		
Buildings		
All uses	Max. 50 ft.	
Accessory Structures		
Accessory to single family, three family, four family, and multiple family	Max. 15 ft.	
Accessory to all other uses	Max. 50 ft.	

(d) *Landscaping.*

- (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.
- (3) *Development site.* A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicle use areas, may count towards meeting this requirement.

(e) *Development standards for continued uses.*

- (1) *Buildings.* Buildings housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to development standards of the Single Family Residential (RS) Zone set forth in SRC chapter 511 and to all other applicable provisions of the UDC, except for lot size and dimension standards in SRC chapter 511.
- (2) *Accessory structures.* Existing accessory structures to a continued use may be structurally

altered or enlarged, or rebuilt following damage or destruction, and new accessory structures to a continued use may be constructed, provided such alteration, enlargement, rebuilding, or new accessory structure construction conforms to the development standards of the Single Family Residential (RS) Zone set forth in SRC chapter 511, except the lot size and dimensions standards, and to all other applicable provisions of the UDC.

- (3) *Option to rebuild in same location.* Notwithstanding SRC 522.010(e)(1) and (2), any building or accessory structure rebuilt following damage or destruction may either be located on the same location on the lot as the original building or structure, or in compliance with the setbacks of the Single Family Residential (RS) Zone set forth in SRC 511.010(b).

(Prior Code, § 522.010; Ord. No. 31-13; Ord. No. 7-16, § 3, 6-27-2016; Ord. No. 1-20, § 2(Exh. B), 2-24-2020; Ord. No. 11-22, § 1(Exh. A), 7-25-2022, eff. 8-24-2022)

Sec. 522.015. - Design review.

Design review under SRC chapter 225 is required for development within the CR as follows:

- (a) Multiple family development shall be subject to design review according to the multiple family design review standards set forth in SRC chapter 702.
- (b) Residential care with five or more self-contained dwelling units shall be subject to design review according to the multiple family design review standards set forth in SRC chapter 702.

(Prior Code, § 522.015; Ord. No. 31-13; Ord. No. 1-20, § 2(Exh. B), 2-24-2020)

Sec. 522.020. - Other provisions.

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

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

(k) Wetlands: SRC chapter 809.

(l) Landslide Hazards: SRC chapter 810.

(m) Sign Code: SRC chapter 900.

(Prior Code, § 522.020; Ord. No. 31-13)