

CHAPTER 524. - CB—CENTRAL BUSINESS DISTRICT

Sec. 524.001. - Purpose.

The purpose of the Central Business District (CB) Zone is to implement the central business district designation of the Salem Area Comprehensive Plan through the identification of allowed uses and the establishment of development standards. The CB zone serves Salem and the region as a principal center of business and commerce. It allows a compact arrangement of retail and commercial enterprises together with office, financial, cultural, entertainment, governmental, and residential use designed and situated to afford convenient access by pedestrians.

(Prior Code, § 524.001; Ord. No. 31-13)

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.

TABLE 524-1. USES		
Use	Status	Limitations & Qualifications
Household Living		
Single family	P	Residential home, as defined under ORS 197.660.
	N	All other single family.
Two family	P	Duplex.
	N	All other two family.
Three family	P	
Four family	P	
Multiple family	P	

Group Living		
Room and board	P	The following room and board activities: <ul style="list-style-type: none"> ■ Single-room occupancy. ■ Other room and board serving 5 or fewer persons.
	C	The following room and board activities: <ul style="list-style-type: none"> ■ Other room and board serving 6 to 75 persons. ■ Relocation of an existing room and board facility within the CB zone serving more than 75 persons, provided the facility has existed within the CB zone as of September 1, 1993, and there is no increase in bed capacity.
	N	All other room and board.
Residential care	P	
Nursing care	P	
Lodging		
Short-term commercial lodging	P	
Long-term commercial lodging	N	

Nonprofit shelters	P	Nonprofit shelters serving 5 or fewer persons.
	C	The following nonprofit shelters: <ul style="list-style-type: none"> ■ Nonprofit shelters serving 6 to 75 persons. ■ Relocation of an existing nonprofit shelter within the CB zone serving more than 75 persons, provided the shelter has existed within the CB zone as of September 1, 1993, and there is no increase in bed capacity.
	P	Nonprofit shelters serving victims of domestic violence for 10 or fewer persons.
	N	All other nonprofit shelters.
Retail Sales and Services		
Eating and drinking establishments	P	
Retail sales	N	Medical marijuana and recreational marijuana sales or transfers, except for retail sales of cannabidiol (CBD) products.
	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	N	Mobile home dealers.
	P	All other motor vehicle and manufactured dwelling and trailer sales.
Motor vehicle services	P	
Commercial parking	P	Commercial parking within a parking structure.
	C	All other commercial parking
Park-and-ride facilities	P	
Taxicabs and car services	P	
Heavy vehicle and trailer sales	N	
Heavy vehicle and trailer service and storage	N	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial entertainment—indoor	P	

Commercial entertainment— outdoor	N	Drive-in movie theaters.
	P	All other commercial entertainment— outdoor.
Major event entertainment	P	Major event entertainment conducted indoors.
	N	All other major event entertainment.
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	
Educational 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	N	
Construction Contracting, Repair, Maintenance, and Industrial Services		
General repair services	P	
Building and grounds services and construction contracting	N	The following building and grounds services and construction contracting activities: <ul style="list-style-type: none"> ■ Building construction. ■ Heavy construction. ■ Disinfecting and pest control services. ■ Building cleaning and maintenance services.
	P	All other building and grounds services and construction contracting.

Cleaning plants	P	
Industrial services	P	
Wholesale Sales, Storage, and Distribution		
General wholesaling	P	General wholesaling is permitted, provided that it is combined with retail sales in the same line of goods.
Heavy wholesaling	P	Nursery stock, provided that it is combined with retail sales in the same line of goods.
	C	The following heavy wholesaling activities, provided they are combined with retail sales in the same line of goods: <ul style="list-style-type: none"> ■ Minerals and ore. ■ Metal service centers and wholesalers. ■ Firearms. ■ Wood products and timber.
	N	All other heavy wholesaling.
Warehousing and distribution	P	Distribution centers for online, mail order, and catalog sales.
	N	All other warehousing and distribution.
Self-service storage	S	Self-service storage within a building existing on March 16, 2022 located outside the Salem Downtown Historic District, subject to SRC <u>700.071</u> .
	N	All other self-service storage.

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	C	Helicopter landing areas, with or without passenger terminal facilities.
	N	All other aviation facilities.
Passenger ground transportation facilities	P	
Marine facilities	P	

Utilities		
Basic utilities	C	Reservoirs; water storage facilities.
	P	Basic utilities are permitted, unless noted below.
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: <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	N	
Agriculture and forestry services	P	
Keeping of livestock and other animals	N	
Animal services	P	The following animal services, when conducted within a completely enclosed building: <ul style="list-style-type: none"> ■ Small animal veterinary services. ■ Grooming of household pets.
	N	All other animal services.
Other Uses		
Temporary Uses	P	The following temporary uses: <ul style="list-style-type: none"> ■ Construction modular, subject to SRC <u>701.016</u>. ■ Emergency shelter, subject to SRC <u>701.025</u>. ■ Managed temporary village, subject to SRC <u>701.030</u>. ■ Safe parking shelter, subject to SRC <u>701.041</u>.
Home occupations	S	Home occupations, subject to SRC <u>700.020</u> .
Accessory dwelling units	S	Accessory dwelling units, subject to SRC 700.007

(b) Notwithstanding Table 524-1, any permitted, special, or conditional use within the CB zone shall be a prohibited use within the zone if developed with a drive-through.

(Prior Code, § 524.005; Ord. No. 31-13; Ord. No. 11-14; Ord. No. 22-15, § 13, 11-23-2015; Ord. No. 10-16, § 2, 8-8-2016; Ord. No. 6-17, § 14, 5-8-2017; Ord. No. 10-17, § 15, 7-10-2017; Ord. No. 6-19, § 1(Exh. A), 6-24-2019, eff. 7-24-2019; Ord. No. 1-20, § 2(Exh. B), 2-24-2020; Ord. No. 13-21, § 1(Exh. A), 2-14-2022; Ord. No. 22-22, § 1(Exh. A), 11-28-2022; Ord. No. 7-23, § 1(Exh. A), 11-27-2023; Ord. No. 8-24, § 1(Exh. A), 9-23-2024)

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.

TABLE 524-2. LOT STANDARDS		
Requirement	Standard	Limitations and 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) *Development density.* Development density within the CB zone shall conform to the standards set forth in table 524-3.

TABLE 524-3. DEVELOPMENT DENSITY			
Use	Standard		Limitations and Qualifications
	Minimum	Maximum	
Dwelling Unit Density			
Two family, three family, four family, and multiple family	25 dwelling units per acre	None	Applicable to development that is exclusively residential.

Room and board	25 dwelling units per acre	None	Applicable to single-room occupancy.
	N/A	N/A	Applicable to all other room and board.
Floor Area Ratio			
All uses	2.0 FAR	None	

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

TABLE 524-4. SETBACKS		
Requirement	Standard	Limitations & Qualifications
Abutting Street		
Buildings		
All uses	0 ft. or Max. 10 ft.	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.
		Portions of buildings greater than 25 feet in height may be setback up to 10 additional feet from the street right-of-way.
Accessory Structures		

Accessory to single family, two family, three family, four family, and multiple family	None	Applicable to accessory structures not more than 4 ft. in height.
	Min. 10 ft.	Applicable to accessory structures greater than 4 ft. in height.
Accessory to all other uses	Min. 10 ft.	Not applicable to transit stop shelters.
Vehicle Use Areas		
All uses	Per SRC <u>chapter 806</u>	
Interior Front		
Buildings		
All uses	None	
Accessory Structures		
Accessory to all uses	None	
Vehicle Use Areas		
All uses	Per SRC <u>chapter 806</u>	
Interior Side		
Buildings		
All uses	None	
Accessory Structures		
Accessory to all uses	None	

Vehicle Use Areas		
All uses	Per SRC <u>chapter 806</u>	
Interior Rear		
Buildings		
All uses	None	
Accessory Structures		
Accessory to all uses	None	
Vehicle Use Areas		
All uses	Per SRC <u>chapter 806</u>	

(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.

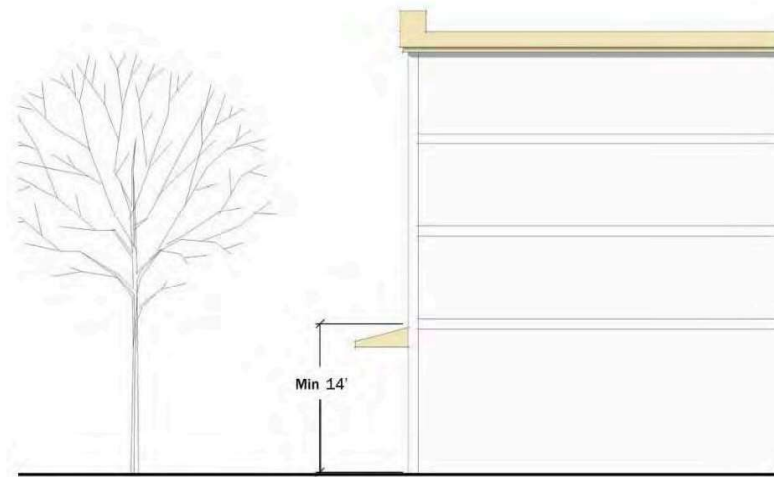
TABLE 524-5. LOT COVERAGE; HEIGHT; BUILDING FRONTAGE		
Requirement	Standard	Limitations & Qualifications
Lot Coverage		
Buildings and Accessory Structures		
All uses	No Max.	

Rear Yard Coverage		
Buildings		
All uses	N/A	
Accessory Structures		
Accessory to all uses	No Max.	
Height		
Buildings		
All uses	Min. 2 stories	
	No Max.	
Accessory Structures		
Accessory to single family, two family, three family, four family, and multiple family	Max. 15 ft.	
Accessory to all other uses	No Max.	
Building Frontage		
Buildings		

<p>All uses</p>	<p>Min. 90%</p>	<p>For corner lots, this standard applies to the street with the highest street classification. Where both streets have the same street classification, this standard shall apply to the street designated by the applicant.</p> <p>For the intersecting street, the building frontage standard shall be a minimum of 75%.</p>
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- (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.
- (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.

FIGURE 524-1. GROUND FLOOR BUILDING HEIGHT



- (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.

FIGURE 524-2. BUILDING FAÇADE ARTICULATION



- (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.
- (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:
- (A) *Vertical separation.* Where vertical separation is provided between the residential entrance and the public right-of-way, the vertical separation shall be a minimum of 1.5 feet but not more than three feet and shall take the form of steps or a ramp to a porch, stoop or terrace (see Figure 524-3).
- (B) *Horizontal separation.* Where horizontal separation is provided between the residential entrance and the public right-of-way, the horizontal separation shall be a minimum of five feet but not more than ten feet and shall take the form of a landscaped area, such as private open space, or a hardscaped area, such as a plaza (see Figure 524-3).

FIGURE 524-3. RESIDENTIAL GROUND FLOOR
ENTRANCE SEPARATION FROM STREET



- (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.

(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.

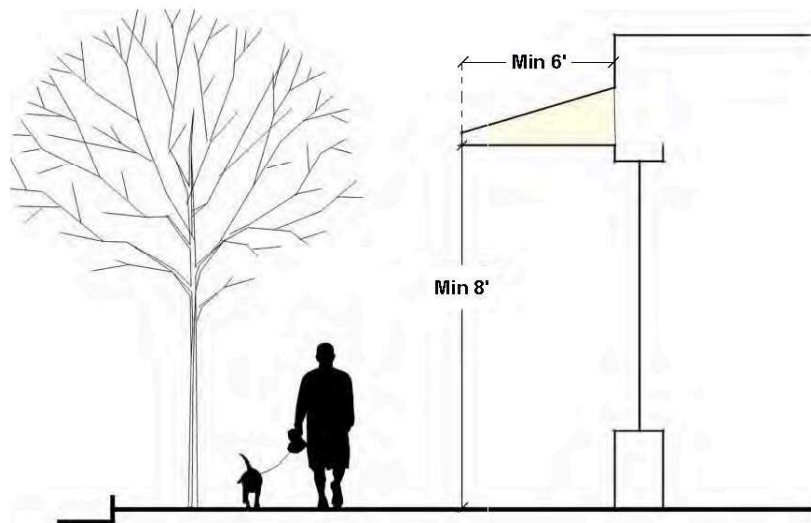
FIGURE 524-4. GROUND FLOOR WINDOWS



(6) *Weather protection.*

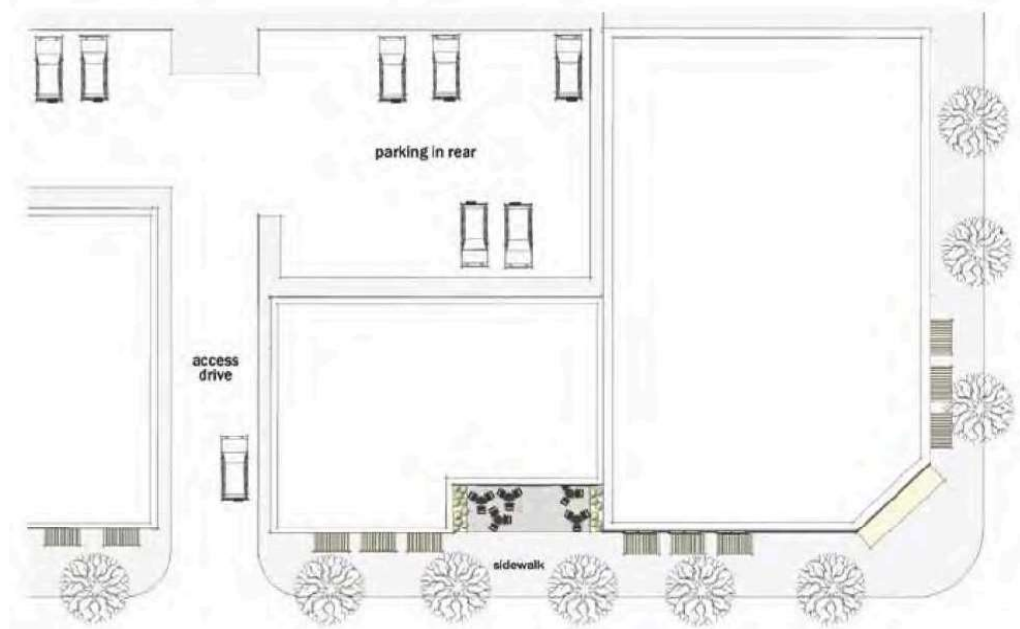
(A) Building facades facing a street shall include weather protection, in the form of awnings or canopies, along a minimum of 90 percent of the length of the ground floor building façade adjacent to a street. Awnings or canopies shall have a minimum depth of six feet, shall have a minimum clearance height 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.

FIGURE 524-5. WEATHER PROTECTION

- (7) *Security fencing/gates.* Where fencing/gates are used for security at recessed alcoves or entries of buildings, the security fencing/gates shall:
- (A) Be made of metal;
 - (B) Not inhibit access to storefront alcoves during normal business operating hours;
 - (C) Not be sight-obscuring;
 - (D) Not be used to cover storefront display windows that are not components of a recessed alcove or entry; and
 - (E) Have an open area of 70 percent or greater. For purpose of this standard, open area means the proportion of perforations or other open voids included within the fence/gate as compared to the total fence/gate area. For example, a security fence/gate that has an open area of 70 percent means that 70 percent of the area of the security fence/gate consists of open voids while the remaining 30 percent constitutes solid material surface.
- (8) *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.
- (9) *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).

FIGURE 524-6. OFF-STREET PARKING LOCATION

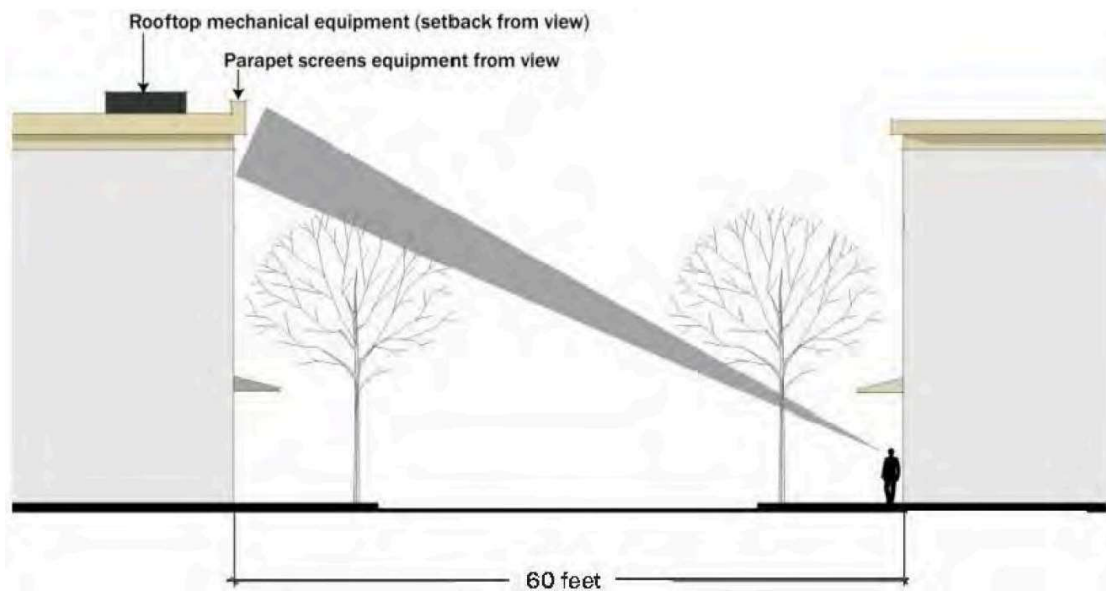


- (10) *Mechanical and service equipment.* Mechanical and service equipment shall conform to the following standards:
- (A) *Ground level mechanical and service equipment.* Ground level mechanical and service equipment shall be screened with landscaping and/or a sight-obscuring fence or wall. Ground 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).

FIGURE 524-7. GROUND LEVEL MECHANICAL AND SERVICE EQUIPMENT



FIGURE 524-8. ROOFTOP MECHANICAL AND SERVICE EQUIPMENT



(11) *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.

(Prior Code, § 524.010; Ord. No. 31-13; Ord. No. 1-20, § 2(Exh. B), 2-24-2020; Ord. No. 13-21, § 1(Exh. A), 2-14-2022; Ord. No. 7-23, § 1(Exh. A), 11-27-2023; Ord. No. 8-24, § 1(Exh. A), 9-23-2024)

Sec. 524.015. - Other provisions.

In addition to the standards set forth in this chapter, all development within the CB zone must comply with the 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, § 524.015; Ord. No. 31-13)