

**CHAPTER 143E  
SOUTH GATEWAY OVERLAY ZONE**

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**143E.010. Intent and Purpose.** The South Gateway Overlay Zone sets forth standards for development, redevelopment, and changes in land use along Commercial Street SE, to promote a variety of activities including multi-family residential, commercial and office uses in a manner consistent with the area's role as the southern gateway into Salem. Unless otherwise provided, the overlay development standards are in addition to generally applicable standards provided elsewhere in this zoning code. (Ord No. 89-2002)

**143E.020. Establishment of Overlay Zone; Applicability of Standards.**

**(a) Establishment of Overlay Zone.** For the purpose of placing special use restrictions on the following described land, the South Gateway Overlay Zone is hereby created: An area generally encompassing 350.00 feet easterly and westerly of the Center Line of Commercial Street SE, from Kuebler Boulevard SE to the I-5 Bypass Right-of-way, more particularly described as follows:

Beginning at a point on the South Right-of-way Line of Kuebler Boulevard SE; said point being Westerly 350.00 feet from the Center Line of Commercial Street SE, as documented in 1935 County Survey No. 1775, if measured perpendicular thereto, in Section 15, Township 8 South, Range 3 West of the Willamette Meridian, City of Salem, Marion County, Oregon; and running thence: southeasterly and parallel with the Center Line of said Commercial Street SE to a point on the North Line of Lot 26, Cinnamonwood Estates, as recorded in Volume 39, Page 44, Book of Town Plats, City of Salem, Marion County, Oregon; thence easterly along the North Line of said Lot 26 and continuing easterly along the North Line of Lots 25, 24, and 23 of said Cinnamonwood Estates to the northeast corner of said Lot 23; said point also being the northwest corner of Lot 22 of said Cinnamonwood Estates; thence northeasterly along the North Line of said Lot 22 and the northeasterly extension thereof to a point on the Easterly Right-of-way Line of the re-entrance to Commercial Street SE from I-5 Bypass (Battle Creek Junction-Lebanon Road Section, Pacific Highway); thence southeasterly along said Right-of-way Line to the point of intersection of the Westerly Right-of-way Line of said I-5 Bypass; thence northerly along the Westerly Right-of-way Line of said I-5 Bypass 235.00 feet, more or less; thence northerly and parallel with said re-entrance Right-of-way Line to a point that is 350.00 feet Easterly of said Center Line of Commercial Street SE, if measured perpendicular thereto; thence northwesterly and parallel with the Center Line of said Commercial Street SE to a point on the South Line of said Kuebler Boulevard SE; thence westerly along the South Line of said Kuebler Boulevard SE Right-of-way to the point of beginning.

**(b) Applicability of Standards.** The standards set forth in the remaining sections of this chapter shall apply only to development on lots within the boundary of the South Gateway Overlay Zone that are adjacent to Commercial Street SE or have access to Commercial Street SE through one or more adjoining lots. (Ord No. 89-2002)

**SOUTH GATEWAY OVERLAY ZONE USE REGULATIONS**

**143E.040. Continued Uses.** Uses and structures, excluding signs, existing within the South Gateway

Overlay Zone that conform to the zoning code and development standards existing on the effective date of this ordinance are deemed continuing uses and structures. Such uses or structures may be intensified, enlarged, rebuilt, or the exterior altered, provided such intensification, exterior alteration, enlargement, or rebuilding complies with all applicable zoning code and development standards. The owner of a lot or parcel may extend the uses or structures existing on that date onto any contiguous vacant lots or parcels, if that person owned each lot or parcel on the effective date of this ordinance and has maintained ownership continuously thereafter. Change of use or a determination by the Building Official that a building is derelict or dangerous, as defined in SRC 50.600 and 56.230, shall render the use or structure non-continuing, and remove the property or properties from the scope of this section. Uses and structures not subject to the provisions of this section must comply with the development standards of this chapter and zoning code. The owner shall have the burden to demonstrate continuing use status under this section. (Ord No. 89-2002)

**143E.050. Conditional Uses Within Overlay Zone.**

(a) The following uses and activities, where permitted in the underlying zone, are permitted, subject to conditional use approval as provided in SRC chapter 117 or 118:

- (1) Gasoline service stations (554);
- (2) Automotive repair services and garages (75); and
- (3) Outside storage and parking of professional and commercial equipment. (Ord No. 89-2002)

**143E.060. Prohibited Uses within Overlay Zone.**

(a) No building, structure or land shall be used, erected, structured, or structurally altered or enlarged for any use not permitted under the underlying zone, including:

- (1) Automotive dealers (55) BUT EXCLUDING auto and home supply stores (553) and gasoline service stations (554);
- (2) Outdoor display and storage of merchandise within 50 feet of Commercial Street SE right-of-way; and
- (3) Freestanding Support Structures within 300 feet of Commercial Street SE right-of-way. (Ord No. 89-2002)

**143e.070. Sign Regulations for South Gateway Overlay Zone.** In addition to other regulations applicable to signs within this chapter, the following limitations apply within the South Gateway Overlay Zone:

(a) Signs permitted within the underlying zone are allowed in the overlay zone pursuant to SRC Chapter 62, except:

- (1) Outdoor advertising signs, as defined under SRC 62.050;
- (2) Trailer reader boards; and
- (3) Rotating, moving, flashing, changing or blinking signs. (Ord No. 89-2002)