

## **CHAPTER 136**

### **CHEMAWA/I-5 NORTHEAST QUADRANT GATEWAY OVERLAY ZONE**

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**136.010 INTENT AND PURPOSE.** The Chemawa/I-5 Northeast Quadrant Gateway Overlay Zone sets forth particular development standards to guide development, redevelopment, and changes in land use within the overlay district to provide a “gateway” to Salem. Unless otherwise provided, the overlay development standards are in addition to generally applicable standards provided elsewhere in this code. (Ord No. 3-97)

**136.020 DEFINITIONS.** As used in this chapter, except as the context otherwise requires:

(a) **“Change of use”** means making a different or more intense use of any building, structure, or land than that which existed on March 1, 1996 and for which permission may be required pursuant to this code.

(b) **“Develop” or “Development”** means to divide a parcel of land into two or more parcels; the construction, reconstruction, structural alteration, relocation, or enlargement of any buildings; any extension of any use of land or any clearing, grading, landscaping, curb cutting, or other use of land for which permission may be required pursuant to this code. To “develop” does not include:

(1) Completion of a structure or use of land for which a valid building permit has been issued as of March 1, 1996;

(2) Maintenance and repair, usual and necessary for the continuance of an existing use;

(3) Reasonable emergency procedures necessary for the safety or operation of the property;

(4) Interior remodeling and such exterior remodeling that does not increase square footage of building, increase building height, or substantially alter the appearance of the structure. (Ord No. 3-97)

**136.030 ESTABLISHMENT OF THE CHEMAWA/I-5 NORTHEAST QUADRANT GATEWAY OVERLAY ZONE.** For the purposes of placing special additional regulations on the development of the land therein, the Chemawa/I-5 Northeast Quadrant Gateway Overlay Zone is hereby created. The boundaries of the overlay district are as shown on the official zoning map. The overlay zone shall be applied to all lands within the district upon annexation to the City of Salem. (Ord No. 3-97)

**136.040 USES IN THE CHEMAWA/I-5 NORTHEAST QUADRANT GATEWAY OVERLAY ZONE.** The following uses are prohibited within the overlay zone:

- (a) Gasoline service stations (SIC 554),
- (b) Recycling depots,
- (c) Crude petroleum and natural gas extraction (131),
- (d) Pulp (261), paper (262), and paper board (263) mills,
- (e) Chemical and allied products (28),
- (f) Leather tanning and finishing (311),
- (g) Gas production and distribution (492),
- (h) Petroleum and petroleum products (517), and
- (g) Solid waste transfer stations.

Any use, change of use, or development shall meet the requirements of this chapter. (Ord No. 3-97; Ord No. 5-06)

**136.050 VARIANCES.** Any person desiring to develop contrary to the regulations prescribed in this chapter may make application in accordance with the procedures in SRC chapter 110. The Hearings Officer may vary development standards upon finding that the variance criteria of SRC chapter 115 have been met. (Ord No. 3-97)

**136.060 DECLARATION OF UTILITY AND TRANSPORTATION DEMANDS.** If an applicant of any property or portion of property in the Chemawa/I-5 Northeast Quadrant Gateway Overlay Zone proposes a use that is different than that presented in the pre-annexation analysis, the applicant shall provide the City with the following information:

- (a) An analysis that shows that the development for the subject overlay zone can be completed without exceeding the water and sewer utility allocations cited in the water and sewer master plans; and
- (b) A transportation impact analysis (TIA) that shows that development for the entire overlay zone can be completed without exceeding the design capacity of the I-5/Chemawa Interchange and the local and regional transportation network. (Ord No. 3-97; Ord No. 5-06)

**136.070 LOT COVERAGE.** Each lot, or the overlay district as a whole if developed as a single project, shall have at least twenty (20) percent of its gross area dedicated to open space. The district perimeter setback, other required landscaped yards, and other required landscaped areas may be included in the calculation to meet the twenty (20) percent open space requirement.

**136.080 INDUSTRIAL PERFORMANCE STANDARDS.** All manufacturing or associated work activities shall be conducted within a fully enclosed building (with the exception of outside storage, SRC 157.120). (Ord No. 3-97)

**136.090 OVERLAY DISTRICT PERIMETER SETBACK.** Uses adjacent to the district boundaries shall conform to the following standards:

- (a) The district perimeter setback area is a twenty (20) foot buffer area measured from the district boundary.
- (b) No structures, parking areas, or signs are allowed within the district perimeter setback with the following exception: parking areas may encroach ten (10) feet into district perimeter setback Area C (figure 136-1).
- (c) Structures taller than twenty (20) feet shall be set back from the twenty-foot (20) district perimeter setbacks one (1) foot for each foot of structure greater than twenty (20) feet in height
- (d) Recreational equipment, furniture, and pedestrian pathways/sidewalks are allowed within the district perimeter setback.
- (e) A non-sight-obscuring eight (8) foot fence is permitted within the district perimeter set back area. The fence shall be integrated into the landscaping plan so as to minimize the visual impact of the fence within the landscaping.
- (f) Sight-obscuring fences, walls, hedges, or berms required in this code are not permitted within the district perimeter setback area.
- (g) Landscaped berms not greater than four (4) feet in height are permitted within the district perimeter setback. (Ord No. 3-97)

**136.100 OFF-STREET PARKING, LOADING AREAS, AND OUTDOOR STORAGE AREAS.** Within the overlay district all uses shall meet the requirements of SRC chapter 133 as well as the following requirements:

- (a) Off-Street Parking
  - (1) A Transportation Demand Management program approved by the director of public works may satisfy up to fifteen (15) percent of the parking space requirements.
  - (2) Bicycle parking at a ratio of one bicycle space for each twenty (20) vehicle parking spaces may satisfy up to three (3) percent of the parking space requirements.
- (b) Outdoor Storage Areas. In addition to the requirements of SRC 157.120, the following standards apply:
  - (1) An outdoor storage area may not be located within twenty (20) feet of the district perimeter setback Landscaping Areas A, B, or C (figure 136-1).
  - (2) Outdoor storage areas larger than one (1) acre (43, 560 square feet) shall include interior permanent landscaping islands.
  - (3) Maneuver areas and roadways within the outdoor storage areas for trucks and other warehouse equipment shall be dust free. (Ord No. 3-97)

**136.110 LANDSCAPING.** Within the overlay district, all uses shall meet the requirements of SRC chapter 132 unless modified by the requirements of this chapter:

- (a) Open Space.
  - (1) Designated open space (excluding designated wetlands) where living vegetation has been removed or damaged, or where earth has been disturbed by the development process, shall be landscaped with a mixture of trees, shrubs, hedges, turf, and vegetative ground cover.
  - (2) No single tree species shall comprise more than thirty-four percent of new trees.
- (b) Vertical Landscaping. Where building exteriors extend greater than seventy (70) linear feet without an opening (not including windows or personnel doorways) or articulation of the wall (a visible vertical or horizontal modulation of two (2) or more feet), vertical landscaping shall be provided to lessen the visual bulk of the facade.
  - (1) A minimum of ten (10) planting units per seventy (70) feet of non-articulated building is required.
  - (2) The vertical landscaping shall consist of seventy-five (75) percent shade, conifer/evergreen, or ornamental trees.
  - (3) The landscaping shall be placed abutting, and centered within the non-articulated building frontage to lessen the visual bulk of the facade.
- (c) The district perimeter setback (excluding designated wetlands) shall be landscaped with a mixture of trees, shrubs, hedges, turf, and vegetative ground cover in accordance with this chapter and SRC chapter 132. (Ord No. 3-97)

**Figure 136-1 (1)** Figure 136-1 identifies four (4) district perimeter setback landscape areas: Area A, Area B, Area C, and Area D. The minimum required landscaping for each area is as follows:

- Area A: One (1) planting unit (PU) per fourteen (14) square feet of district perimeter setback area.
- Area B: One (1) PU per sixteen (16) square feet of district perimeter setback area.
- Area C: One (1) planting unit (PU) per fourteen (14) square feet of district perimeter setback area.
- Area D: One (1) PU per twenty-five (25) square feet of district perimeter setback area.

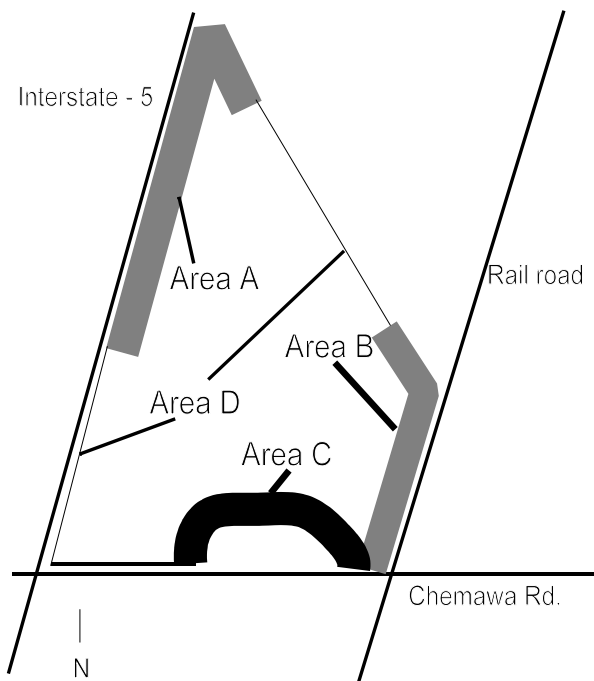


Figure 136-1  
Landscaping Areas

- Area A: 1,600-foot frontage on Interstate-5 and 300-foot frontage along the north district boundary.
- Area B: 300-foot frontage along the north district boundary, 900-foot frontage along the railroad.
- Area C: The road frontage connecting Indian School Road NE and Chemawa Road NE
- Area D: The remaining district perimeter setback areas not within Areas A, B, or C.

(2) The planting units may be distributed or clustered within the identified landscaping areas in accordance with SRC 132 Table 132-3. If clustering of landscaping is utilized to create visual corridors within the district perimeter setback, no visual corridor shall be wider than one-hundred and fifty (150) feet. A visual corridor is an area with no or limited landscaping (less than one (1) planting unit per forty-nine (49) square feet) within the district perimeter setback. A visual corridor is measured along the axis of the landscaping area. It is the distance between a landscaped area consisting of at least twenty (20) planting units (with at least one (1) shade tree or two (2) conifer trees) to the next landscaped area within the district perimeter setback area with similar characteristics.

(3) The landscaping along the road frontage connecting Indian School Road NE and Chemawa Road NE (Area C) shall have street trees every fifty (50) feet within a planting strip separating the roadway and sidewalk.

(4) Within fifteen (15) years of planting, all new trees shall provide canopy coverage to at least thirty-five (35) percent of the district perimeter setback area.

(d) Interior Yard Vehicular Use Areas. A minimum of ten (10) percent of all parking lots shall be landscaped. The landscaping shall be distributed throughout the parking area within landscape islands and in accordance with SRC chapter 132.

(1) Landscape islands shall have a minimum planting area of twenty-five (25) square feet with no dimension less than five (5) feet and be protected from vehicular damage by a minimum six (6) inch high curb.

(2) Shade trees shall be distributed throughout the parking areas so that no parking space is more than thirty-five (35) feet from the trunk of a shade tree.

(3) Turf, vegetative ground cover, or decorative bricks must completely cover the remainder of the required landscaped planting islands not covered by shrubs.

(e) Loading Areas. All loading spaces, docks, doors, and bays shall be screened from the district perimeter setback and adjacent property by a sight-obscuring fence, wall, hedge, or berm at least six (6) feet in height.

(f) Outdoor storage areas permanent landscaping islands shall:

(1) Have a minimum planting area of twenty-five (25) square feet with no dimension less than five (5) feet,

(2) Be protected from vehicular damage by a minimum six (6) inch high curb or barrier, and

(3) Have a minimum fifteen (15) planting units.

(4) Six (6) planting islands are required for outdoor storage areas over one (1) acre. An additional planting island is required for each one-half (½) acre over one (1) acre. (Ord No. 3-97)

**136.120 SIGNS.** Within the overlay district all uses shall meet the requirements of SRC chapter 62. In addition:

(a) Outdoor advertising signs as defined in SRC chapter 62 are prohibited.

(b) Signs are not permitted within the district perimeter setback.

(c) Freestanding signs as defined in SRC chapter 62:

(1) Are allowed outside of the district perimeter setback area provided the sign are not visible from Interstate-5.

(2) Are limited to a maximum height of ten (10) feet.

(3) Must be ground mounted. The sign may be mounted on a landscaped berm no higher than four (4) feet in height for a maximum sign height of fourteen (14) feet above grade.

(d) Wall and parapet signs are allowed in accordance with SRC chapter 62. Such signs visible from the district perimeter are limited to no more than one-hundred-fifty (150) square feet or ten (10) percent of the area of the wall the sign is attached to, whichever is less.

(e) Temporary signs, balloons, banners, or sign displays are prohibited except in interior district areas which are not visible from the boundary of the district.

(g) Directional signs area allowed in accordance with SRC chapter 62 and this section. (Ord No. 3-97)

**136.130 TRANSPORTATION.** (a) Pedestrian and transit connections. The overlay district shall have an internal pedestrian network connecting the primary buildings, automobile parking area, and open spaces. The pedestrian network shall provide direct connection to transit on Chemawa Road NE and to Indian School Road NE.

(b) Development of a transit stop on Chemawa Road NE shall be addressed by the overlay district TIA.

(c) The internal transportation network of the quadrant shall encourage and accommodate freight movement by truck and rail. (Ord No. 3-97)