

CHAPTER 152

CR-RETAIL COMMERCIAL

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152.010. CLASSIFICATION OF USES. Most permitted, special, and conditional uses are classified with reference to the Standard Industrial Classification (SIC) Manual. (See S.C. 113.090.) Numbers in parenthesis following a use designation indicate that the use is listed and described under that number in the SIC. Where particular activities otherwise included under an SIC category are excluded from the permitted, special, or conditional use, those particular activities are listed, preceded by the words "BUT EXCLUDING" following the more general category from which they are excluded. Particular activities thus excluded may or may not be listed in other sections of this chapter.

152.020. PERMITTED USES. The following uses, when developed under the general development standards in this zoning code applicable to the CR district and to all such uses, generally, are permitted in the CR district:

- (a) **Agriculture and forestry:**
 - (1) Agricultural production - crops (01);
 - (2) Veterinary services for animal specialties (0742);
 - (3) Landscape and horticultural services (078);
 - (4) Timber tracts (081);
 - (5) Forestry Services (0851), excluding storage of pest control chemicals; and
 - (6) Forest nurseries and gathering of forest products.
- (b) **Construction:**
 - (1) Offices for any use listed in SIC Division C - Construction.
- (c) **Printing and publishing:**
 - (1) Commercial printing (275).
- (d) **Transportation, communications, electric, gas, and sanitary services:**
 - (1) U.S. Postal Service (431);
 - (2) Arrangement of passenger transportation (472);
 - (3) Telephone communications (481);
 - (4) Telegraph and other communication (482); and
 - (5) Radio and television broadcasting (483).
- (e) **Retail trade:**
 - (1) Lumber and other building materials dealers (521);
 - (2) Paint, glass and wallpaper stores (523);
 - (3) Hardware stores (525);
 - (4) Retail nurseries, lawn and garden supply stores (526);
 - (5) General merchandise stores (53);
 - (6) Miscellaneous general merchandise stores (539);
 - (7) Grocery stores (541);
 - (8) Meat and fish (seafood) markets, including freezer provisions (no live animals or slaughtering of live animals permitted on site (5421);
 - (9) Fruit stores and vegetable markets (543);
 - (10) Candy, nut, and confectionery store (544);
 - (11) Dairy products store (no processing, sales on premises only) (545);
 - (12) Retail bakeries (546);
 - (13) Miscellaneous food stores (549);
 - (14) Auto and home supply stores (retail sales only, no service or installation) (5531);

(15) Apparel and accessory stores (56);
(16) Furniture, home furnishings, and equipment stores (57);
(17) Eating and drinking places (58);
(18) Drug stores and proprietary stores (591);
(19) Liquor stores (592);
(20) Miscellaneous shopping goods stores (594); and
(21) Retail stores, not elsewhere classified (599) including, in addition to uses specifically listed in SIC group 599, electrical and lighting shops, and office machines and equipment stores.

(f) **Finance, insurance, and real estate:**

- (1) Depository Institutions (60);
(2) Nondepository credit Institutions (61);
(3) Security and commodity brokers, dealers, exchanges and services (62);
(4) Insurance carriers (63);
(5) Insurance agents, brokers, and service (64);
(6) Real estate (65); and
(7) Holding, and other investment offices (67).

(g) **Services:**

- (1) Hotels and motels (701) BUT EXCLUDING casino hotels;
(2) Bed and breakfast establishments;
(3) Room and board facilities serving five or fewer persons;
(4) Personal services (72) BUT EXCLUDING carpet and upholstery cleaning (7217) and industrial launderers (7218);
(5) Advertising (731);
(6) Consumer credit reporting agencies, mercantile reporting agencies, and adjustment and collection agencies. (732);
(7) Mailing, reproduction, commercial art and photography, and stenographic services (733);
(8) News syndicates (7383);
(9) Miscellaneous business services (738) BUT EXCLUDING research and development laboratories (8731);
(10) Automobile parking (752);
(11) Equipment Rental and Leasing (7359);
(12) Watch, clock, and jewelry repair (763);
(13) Repair shops and related services, not elsewhere classified (7699) BUT EXCLUDING motorcycle repair service;
(14) Motion picture distribution and allied services (782);
(15) Motion picture theaters, except drive-in (7832);
(16) Dance halls, studios, and schools (791);
(17) Theatrical producers (except motion pictures), bands, orchestras, and entertainers (792);
(18) Bowling center (793);
(19) Miscellaneous amusement and recreation services (799) BUT EXCLUDING casinos, public golf courses (7992), amusement parks (7996), and entertainment establishments, except as permitted as a special use in S.C. 152.030(a)(4);

- (20) Health services (80) BUT EXCLUDING hospitals (806);
- (21) Legal services (81);
- (22) Educational services (82);
- (23) Social services (83) except homeless shelters serving more than five persons;
- (24) Museums, art galleries, botanical and zoological gardens (84);
- (25) Membership organizations (86);
- (26) Engineering, Accounting, Research, Management, and Related Services (87); and
- (27) Services, not elsewhere classified (899).

(h) **Public administration:**

- (1) Executive offices (911);
- (2) Executive and legislative combined (913);
- (3) Police protection (9221) excluding jail facilities;
- (4) Fire protection (9224);
- (5) Public Finance, taxation, and monetary policy (93);
- (6) Administration of human resources programs (94);
- (7) Administration of environmental quality and housing programs (95);
- (8) Administration of economic programs (96);
- (9) National security and international affairs (97); and
- (10) Emergency management administration.

(i) **Other uses:**

(1) Accessory buildings and uses normal and incidental to the uses permitted in this district;

(2) Transit stop shelters; and

(3) On-site response actions in accordance with applicable law to discharges of oil and releases of hazardous substances, pollutants, and contaminants. (Ord No. 53-83; Ord No. 6-84; Ord No. 146-84; Ord No. 127-85; Ord No. 82-86; Ord No. 107-86; Ord No. 16-88; Ord No. 47-89; Ord No. 13-90; Ord No. 70-91; Ord No. 71-91; Ord No. 25-93; Ord No. 116-94; Ord No. 57-2000; Ord No. 17-2004)

152.030. SPECIAL USES. (a) The following uses, when restricted, developed and conducted as required in SRC Chapter 119, are permitted in the CR district:

- (1) Gasoline service stations (554);
- (2) Used merchandise store (593);
- (3) Secondary dwellings and guest rooms;
- (4) Entertainment establishments;
- (5) Keeping of a miniature swine;
- (6) Existing wildlife rehabilitation facility;
- (7) Mobile food unit;
- (8) Antennas attached to existing or approved structures;
- (9) Freestanding support structures 35 feet or less in height and equipment enclosures.
- (10) Temporary motor vehicle sales (551);
- (11) Temporary recreational vehicle sales (556);
- (12) One single family dwelling, other than a manufactured home, per lot;
- (13) Ambulance Station;
- (14) Ambulance Service Facility.

(b) In lieu of establishing any use listed in subsection (a) of this section as a special use under SRC. Chapter 119, the developer may elect to apply for conditional use approval pursuant to SRC. Chapter 117 or 118. See SRC. 119.010. (Ord No. 82-86; Ord No. 92-86; Ord No. 78-89; Ord No. 67-93; Ord No. 48-94; Ord No. 116-94; Ord No. 82-96; Ord No. 57-2000; Ord No. 34-05; Ord No. 43-06)

152.035 ADMINISTRATIVE CONDITIONAL USES. (a) The following uses, with administrative conditional use approval as provided in S.C. chapter 116, are permitted in CR district:

(1) Freestanding support structures between 36 and 70 feet in height and equipment enclosures. (Ord No. 82-96)

152.040. CONDITIONAL USES. The following uses, with conditional use approval as provided in SRC chapter 117 or 118, as applicable, are permitted in the CR district:

(a) Those uses listed in S.C. 152.030, at the developer's option, as provided in subsection (b) of that section.

(b) Crude petroleum and natural gas extraction (131);

(c) **Manufacturing:**

(1) Jewelry, silverware, and plated ware (391);

(2) Costume jewelry, costume novelties, buttons, and miscellaneous notions, except precious metal (396);

(3) Signs and advertising specialties (3993).

(d) **Transportation, communications, electric, gas, and sanitary services:**

(1) Local and suburban passenger transportation (411);

(2) 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 (413);

(3) Communication services, not elsewhere classified (489);

(4) Electric services (491);

(5) Gas production and distribution (492);

(6) Water supply (494);

(7) Free standing support structures greater than 70 feet in height and equipment enclosures.

(e) **Retail:**

(1) Automotive dealers (55) BUT EXCLUDING gasoline service stations (554), and auto and home supply stores as permitted under S.C. 152.020(e)(14);

(2) Nonstore retailers (596).

(f) **Services:**

(1) Camps and recreational vehicle parks (703);

(2) Carpet and upholstery cleaning (7217);

(3) Automotive rental and leasing, without drivers (751);

(4) Automotive repair shops (753);

(5) Automotive services, except repair (754);

(6) Electrical repair shops (762);

(7) Reupholstery and furniture repair (764);

(8) Motorcycle repair service;

- (9) Professional sports clubs and promoters (7941).
- (10) Homeless shelters and room and board facilities serving 6 to 75 persons.
- (g) Unlimited number of dwelling units and guest rooms in apartment houses, court apartments, lodging houses, condominiums, and residential hotels.
- (h) **Other uses:**
 - (1) Utilities - secondary truck parking and material storage yard.
 - (2) Recycling depots.
 - (3) Solid waste transfer stations.
 - (4) Off-site response actions in accordance with applicable law to discharges of oil and releases of hazardous substances, pollutants, and contaminants. (Ord No. 45-84; Ord No. 127-85; Ord No. 107-86; Ord No. 16-88; Ord No. 48-89; Ord No. 13-90; Ord No. 70-91; Ord No. 71-91; Ord No. 116-94; Ord No. 82-96; Ord No. 60-97)

152.050. PROHIBITED USES. Within any CR district, no building, structure, or land shall be used, erected, structurally altered, or enlarged for any use not permitted under S.C. 152.020 to 152.040, except as provided in S.C. 113.090(c).

DEVELOPMENT STANDARDS

152.060. HEIGHT. Within a CR district buildings and structures erected, altered, or enlarged shall not exceed 50 feet in height.

152.070. LOT AREA AND DIMENSIONS. There are no minimum lot area or dimensions requirements in a CR district, except for the street frontage requirements of S.C. 130.260.

152.080. YARDS ADJACENT TO STREETS. Within a CR district:

- (a) Along the full extent of each lot line adjacent to a street there shall be a required yard five feet in depth.
- (b) Setbacks for accessory buildings and structures except fences shall be the same as for main buildings. Setback requirements shall not apply to transit stop shelters. (Ord No. 65-86; Ord No. 114-86)

152.090. INTERIOR SIDE YARDS. Within a CR district:

- (a) All required bufferyards and vehicular use areas located in the side yard shall be landscaped and screened as required in S.C. Chapter 132.
- (b) Setbacks for accessory buildings and structures except fences shall be the same as for main buildings. (Ord No. 89-92)

152.100. INTERIOR REAR YARDS. Within a CR district:

- (a) All required bufferyards and vehicular use areas located in the rear yard shall be landscaped and screened as required in S.C. Chapter 132.
- (b) Setbacks for accessory buildings and structures except fences shall be the same as for main buildings. (Ord No. 89-92)

152.110. LANDSCAPING. Within a CR district:

(a) All required yards adjacent to a street and all required vehicular use areas shall be landscaped and screened as required in S.C. Chapter 132. (Ord No. 85-86; Ord No. 89-92)

152.120. CORE AREA CR ZONE DISTRICTS. For purposes of placing special use provisions on the use and development of land, on January 1, 1999, the following districts within the CR zone are established and described as follows: Area I. Lot 10 and the northern most 16 feet of Lot 9 in Block 77 of Salem as recorded in Marion County Book of Town Plats, Volume 1, Page 27. Area II. Bounded by Union Street, Cottage Street, Court Street and the alley between Church Street and Cottage Street. (Ord No. 95-98)

Area III. Bounded by Marion Street, Winter Street, Court Street and Cottage Street. Area IV. Lots 1, 2, 3, 4, 7 and 8 in Block 17 of University Addition to the City of Salem as recorded in Marion County Book of Town Plats, Volume 1, Page 27 and Volume 1, Page 32 and lots 1, 2, 3, 8 and 7 in Block 71 of Salem as recorded in Marion County Book of Town Plats, Volume 1, Page 20. (Ord No. 95-98)

152.130. DEVELOPMENT STANDARDS IN CORE AREA CR ZONE DISTRICTS. (a) Design. In addition to the development standards generally applicable to uses in the CR zone, the construction or alteration of the exterior facade of any building or structure in the Core Area CR Zone Districts shall be consistent with the standards and guidelines contained in the City of Salem Development Design Handbook. This section shall not apply to relocatable structures not attached to a permanent foundation.

(b) Yards adjacent to street; Building Placement. Notwithstanding the provision of SRC 152.080, the yard adjacent to the architecturally designed front of a building or structure shall be as specified in the City of Salem Development Design Handbook. (Ord No. 95-98)

152.140 through 152. Reserved for Expansion

152.900. REFERENCE TO ADDITIONAL STANDARDS. Additional or alternative use and development standards may be found in the following chapters:

Landslide Hazards	SRC Chapter 69
Lot Development Standards	SRC Chapter 130
Accessory Structures	SRC Chapter 131
Landscaping	SRC Chapter 132
Off-street Parking, Loading, and Driveways	SRC Chapter 133
Flood Plain Overlay Zones	SRC Chapter 140
Willamette Greenway Overlay Zones	SRC Chapter 141

(Ord No. 59-2000)