

## **CHAPTER 154**

### **CB-CENTRAL BUSINESS DISTRICT**

- 154.010. Classification of Uses
- 154.020. Permitted Uses
- 154.030. Special Uses
- 154.035. Administrative Conditional Uses
- 154.040. Conditional Uses
- 154.050. Prohibited Uses
- 154.055. CB Zone Districts

### **DEVELOPMENT STANDARDS**

- 154.060. Side and Rear Yards
- 154.070. Yards Adjacent to Streets; Building
- 154.080. Building Height
- 154.090. Design Approval
- 154.100 through 154.890. Reserved for Expansion
- 154.900. Reference to Additional Standards

**154.010. CLASSIFICATION OF USES.** Most permitted, special, and conditional uses are classified with reference to the Standard Industrial Classification (SIC) Manual. (See SRC 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.

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

- (a) **Agriculture and forestry:**
  - (1) Ornamental Floriculture and Nursery Products (0181);
  - (2) Landscape counseling and planning (0781);
  - (3) Forestry services (085).
- (b) **Construction:**
  - (1) Building construction - general contractors and operative builders (15) offices only;
  - (2) Heavy Construction other than building construction - contractors (16) offices only;
  - (3) Construction - special trade contractors (17).
- (c) **Manufacturing:**
  - (1) Printing and publishing (27) BUT EXCLUDING printing trade services (279).
- (d) **Transportation, communication, electric, gas, and sanitary services:**
  - (1) Local and suburban transit and interurban highway passenger transportation (41);
  - (2) U.S. Postal Service (43);
  - (3) Water transportation of passengers (448);
  - (4) Services incidental to Water transportation (449);
  - (5) Communication (48);
  - (6) Arrangement of passenger transportation (472).
- (e) **Wholesale trade;** provided that all uses listed herein are combined with retail trade in the same lines of goods:
  - (1) Motor vehicle supplies and new parts (5013);
  - (2) Tires and tubes (5014);
  - (3) Sporting goods, toys, and hobby goods (504);
  - (4) Electrical goods (506);
  - (5) Hardware, plumbing, and heating equipment (507);
  - (6) Professional and Commercial equipment and supplies (504);
  - (7) Industrial supplies (5085);
  - (8) Service establishment equipment and supplies (5087);
  - (9) Jewelry, watches, diamonds and other precious stones (5094);
  - (10) Paper and paper products (511);
  - (11) Drugs, proprietaries, and sundries (512);
  - (12) Apparel, piece goods, and notions (513);

- (13) Confectionery (5145);
- (14) Fish and seafoods (5146);
- (15) Fresh fruits and vegetables (5148);
- (16) Groceries and related products, not elsewhere classified (5149);
- (17) Beer, wine, and distilled alcoholic beverages (518);
- (18) Miscellaneous nondurable goods (519).
- (f) **Retail trade:**
  - (1) Building materials, hardware, and garden supply (52) BUT EXCLUDING mobile home dealers (527);
  - (2) General merchandise stores (53);
  - (3) Grocery stores (541);
  - (4) Meat and fish (seafood) markets (5421) provided there is no live animals or slaughtering of live animals permitted on site;
  - (5) Fruit stores and vegetable markets (543);
  - (6) Candy, nut, and confectionery stores (544);
  - (7) Dairy products store (545) provided there is no processing and sales on premises only;
  - (8) Retail bakeries (546);
  - (9) Miscellaneous food stores (549);
  - (10) Automotive dealers and gasoline service stations (55);
  - (11) Apparel and accessories stores (56);
  - (12) Furniture, home furnishings, and equipment stores (57);
  - (13) Eating and drinking places (58);
  - (14) Miscellaneous retail (59) BUT EXCLUDING fuel dealers, not elsewhere classified (5989).
- (g) **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);
  - (7) Holding, and other investment offices (67).
- (h) **Services:**
  - (1) Hotels and motels (701) BUT EXCLUDING casino hotels;
  - (2) Bed and breakfast establishments;
  - (3) Camps and recreational vehicle parks (703);
  - (4) Personal services (72) BUT EXCLUDING funeral service and crematories (726);
  - (5) Business services (73) BUT EXCLUDING services to buildings (734), commercial, physical and biological research (8731), and testing laboratories (8734);
  - (6) Automotive repair services, and parking (75);
  - (7) Electrical repair shops (762);
  - (8) Watch, clock, and jewelry repair (763);
  - (9) Reupholstery and furniture repair (764);
  - (10) Repair shops and related services, not elsewhere classified (7699);

- (11) Motion picture theaters, except drive-in (7832);
- (12) Amusement and recreation services, except motion pictures (79) BUT EXCLUDING casinos and racing, including track operation (7948);
- (13) Health services (80) BUT EXCLUDING hospitals (806);
- (14) Legal services (81);
- (15) Educational services (82);
- (16) Social services, except homeless shelters serving more than five persons (83);
- (17) Museums and art galleries (841);
- (18) Membership organizations (86) BUT EXCLUDING religious organizations (866);
- (19) Engineering, Accounting, Research, Management, and Related Services (87);
- (20) Services not elsewhere classified (89).
- (i) **Public administration:**
  - (1) Executive offices (911);
  - (2) General government, not elsewhere classified (919);
  - (3) Fire protection (9224);
  - (4) Public Finance, taxation, and monetary policy (93);
  - (5) Administration of human resources programs (94);
  - (6) Administration of environmental quality and housing programs (95);
  - (7) Administration of economic programs (96);
  - (8) National security and international affairs (97).
- (j) **Other uses:**
  - (1) Accessory buildings and uses normal and incidental to the uses permitted in this district.
  - (2) Home occupations, not otherwise permitted in this chapter.
  - (3) Transit stop shelters.
  - (4) Parks.
  - (5) On-site response actions in accordance with applicable law to discharges of oil and releases of hazardous substances, pollutants, and contaminants.
- (k) **Dwellings, dwelling units, and temporary accommodations:**
  - (1) Single family dwellings, other than mobile homes; and
  - (2) Unlimited number of dwelling units and guest rooms in apartment houses, court apartments, duplexes, and condominiums; room and board facilities serving five or fewer persons. (Ord No. 6-84; Ord No. 146-84; Ord No. 117-86; Ord No. 13-90; Ord No. 25-93; Ord No. 116-94; Ord No. 57-2000)

**154.030. SPECIAL USES.** (a) The following uses, when restricted, developed and conducted as required in SRC chapter 119, are permitted in the CB district:

- (1) Keeping of a miniature swine;
- (2) Antennas attached to existing or approved structures;
- (3) Freestanding support structures 35 feet or less in height and equipment enclosures;
- (4) Mobile food unit;
- (5) Religious organizations (866);
- (6) Ambulance Station;
- (7) 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. 92-86; Ord No. 67-93; Ord No. 116-94; Ord No. 82-96; Ord No. 78-2001; Ord No. 43-06)

**154.035 ADMINISTRATIVE CONDITIONAL USES.** (a) The following uses, with administrative conditional use approval as provided in SRC chapter 116, are permitted in CB district:

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

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

- (a) Helicopter landing area, with or without passenger and freight terminal facilities.
- (b) Farm labor and management services (076);
- (c) Crude petroleum and natural gas extraction (131);
- (d) Jewelry, silverware, and plated ware (391);
- (e) Costume jewelry, costume novelties, buttons, and miscellaneous notions, except precious metal (396);
- (f) Electric services (491);
- (g) Gas production and distribution (492);
- (h) Water supply (494);
- (i) Metals and minerals, except petroleum (505) subject to the retail sales requirement of SRC 154.020(e);
- (j) Durable goods, not elsewhere classified (5099) subject to the retail sales requirement of SRC 154.020(e).
- (k) Recycling depots.
- (l) Solid waste transfer stations.
- (m) Homeless shelters and room and board facilities serving 6 to 75 persons; and relocation of larger than 75-person facilities in existence as of September 1, 1993, from one CB zone site to another site within the CB zone, providing there is no increase in bed capacity.
- (n) Off-site response actions in accordance with applicable law to discharges of oil and releases of hazardous substances, pollutants, and contaminants.
- (o) Freestanding support structures greater than 70 feet in height and equipment enclosures. (Ord No. 13-90; Ord No. 59-93; Ord No. 116-94; Ord No. 82-96)

**154.050. PROHIBITED USES.** Within any CB district, no building, structure, or land shall be used, erected, structurally altered, or enlarged for any use not permitted under SRC 154.020 to 154.040, except as provided in SRC 113.090(c). Otherwise permitted uses in the downtown Historic Core District may not be conducted as drive-through uses, defined as a business activities involving the buying and selling of goods or the provision of services to a motorist customer or the customer's motor vehicle and typically involving queuing lanes, service windows, service islands, and service bays. (Ord No. 91-98)

**154.055. CB ZONE DISTRICTS.** For the purposes of placing special use provisions on the use and development of land on January 1, 1999, the following districts within the CB zone are established and described as follows:

"(a) The Front Street District, to wit: Beginning at the point of intersection of the center line of Ferry Street and the center line of Front Street; thence northerly along said center line of Front Street to the point of intersection with the south line of Center Street NE; thence easterly along the south line of Center Street to the intersection with the center line of the alley between Front Street and Commercial Street; thence southerly along the alley to a point 82.75 feet more or less north of the north line of State Street if measured perpendicular thereto; thence westerly 173.25 feet more or less along a line parallel to the point of intersection with the east line of Front Street; thence southerly along the east line of Front Street to a point 149 feet more or less south of the south line of State Street if measured perpendicular thereto; thence easterly 173.25 feet more or less along a line parallel to State Street to the point of intersection with the center line of the alley between Front Street and Commercial Street; thence southerly along said center line of the alley to the point of intersection with the center line of Ferry Street; thence westerly along said center line of Ferry Street to the point of intersection with the center line of Front Street; thence southerly along said center line of Front Street also being the point of beginning.

(b) The Historic Core District, to wit: Beginning at the point of intersection of the center line of Ferry Street and the center line of the alley between High and Church Streets; thence westerly along said center line of Ferry Street to the point of intersection of the center line of the extended alley between Front and Commercial Streets; thence northerly 143.55 feet more or less to a point; thence west along a line parallel to Ferry Street to the point of intersection with the east line of Front Street; thence north along the east line of Front Street to a point 82.75 feet north of the north line of State Street if measured perpendicular thereto; thence east along a line parallel to State Street to the point of intersection with the center line of the alley between Front Street and Commercial Street; thence north along the center line of the alley to a point 166.21 feet north of the north line of Court Street if measured perpendicular thereto; thence easterly 264 feet along a line parallel to Court Street to a point along the east line of Commercial Street; thence north 24.33 feet along the east line of Commercial Street to a point; thence east 174.37 feet to a point along the center line of the alley between Commercial and Liberty Streets; thence north 10.8 feet more or less along the alley center line to a point 124.25 feet south of the south line of Chemeketa Street if measured perpendicular thereto; thence east 174.37 feet more or less to a point along the west line of Liberty Street to a point; thence south 41.42 feet to a point along the west line of Liberty Street; thence east 273.37 feet more or less to a point along the center line of the alley between Liberty and High Street; thence north 26.17 feet more or less to a point; thence east 174.37 feet more or less to a point along the west line of High Street; thence south along the west line of High Street to the point of intersection with south line of State Street; thence east along the south line of State Street to the point of intersection with the center line of the extended alley between High and Church Street; thence south along the center line of said extended alley to the point of intersection with the center line of Ferry Street NE; thence west along said center line of Ferry Street to the point of beginning.

(c) The General Retail/Office Core District, to wit: Beginning at the point of intersection of the center line of Center Street and the center line of Front Street; thence north along the center line of Front Street to the point of intersection with the center line of Commercial Street; thence north along the center line of Commercial Street to the point of intersection with the south bank of Mill

Creek; thence east along the south bank of Mill Creek to the point of intersection with the extended center line of the alley between Liberty and Broadway Streets; thence south along said alley center line to the point of intersection with the center line of Union Street; thence east along the center line of Union Street to the point of intersection with the center line of the alley between Church Street and Cottage Street; thence south along said center line of the alley to the point of intersection with the north line of Court Street; thence westerly along said north line of Court Street to the point of intersection with the east line of High Street; thence southerly along said east line of High street to the point of intersection with the north line of State Street; thence easterly along said north line of State Street to the point of intersection with the center line of Church Street; thence southerly along said center line of Church Street to the point of intersection with the alley between State and Ferry Street; thence easterly along said alley center line to the point of intersection with the center line of the alley between Church Street and Cottage Street; thence southerly 35 feet more or less to a point; thence easterly 273.37 feet more or less to the point of intersection with the east line of Cottage Street; thence northerly 37.5 feet more or less along the east line of Cottage Street to a point; thence easterly the point of intersection with the center line of the alley between Cottage and Winter Street; thence southerly along said alley center line to the point of intersection with the center line of Trade Street; thence westerly to the point of intersection with the center line of Front Street; thence northerly along said center line of Front Street to the point of intersection with the center line of Ferry Street; thence easterly to the point of intersection with the center line of the alley between High Street and Church Street; thence northerly to the intersection with south line of State Street; thence westerly to the point of intersection with the west line of High Street; thence northerly along said west line of High Street to a point 191.83 feet more or less north of the north line of State street if measured perpendicular thereto; thence west 174.62 feet more or less along a line parallel to Court Street to a point along the center line of the alley between Liberty and High Street; thence south 26.17 feet more or less along the alley center line to a point; thence west 273.62 feet more or less to a point along the west line of Liberty Street; thence north 41.42 feet more or less along the west line of Liberty Street to a point; thence west 174.37 feet more or less to a point along the center line of the alley between Commercial and Liberty Street; thence south 10.8 feet more or less to a point 141.33 feet more or less south of the south line of Chemeketa Street if measured perpendicular thereto; thence west 273.37 feet more or less to a point along the west line of Commercial Street; thence south 24.33 feet more or less to a point; thence west 173.5 feet more or less to a point along the center line of the alley between Front and Commercial Street; thence north along said alley center line to the south line of Center Street; thence west to the point of beginning." (Ord No. 91-98)

## **DEVELOPMENT STANDARDS**

**154.060. SIDE AND REAR YARDS.** There are no side or rear yard requirements in the CB district, except that any space between a building or structure other than a fence and an interior side or rear lot line shall be not less than five feet in depth, exclusive of any alley area.

**154.070. YARDS ADJACENT TO STREETS; BUILDING PLACEMENT.**  
Notwithstanding the provisions of SRC 154.060, the yard adjacent to the architecturally designed front of a building or structure must be as specified in the City of Salem Development

Design Handbook. In the absence of such specification, the front of the building or structure must be placed either contiguous with the public street right-of-way or 10 feet from the public street right-of-way. (Ord No. 91-98)

**154.080. BUILDING HEIGHT.** Within the Historic Core District and Front Street District, construction, alteration or enlargement of buildings and structures shall be consistent with the height limitations contained in the City of Salem Development Design Handbook. (Ord No. 91-98)

**154.090 DESIGN APPROVAL.** In all districts defined in SRC 154.055, the construction or alteration of the exterior facade of any building or structure shall be consistent with the standards or guidelines contained in the City of Salem Development Design Handbook. This section shall not apply to relocatable structures not attached to a permanent foundation. (Ord No. 91-98)

154.100. through 154.890. Reserved for Expansion.

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

Home Occupations	SRC Chapter 124
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