

**CHAPTER 613
BROADWAY/HIGH STREET RETAIL OVERLAY ZONE**

- 613.001. Purpose
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613.001. Purpose. The purpose of the Broadway/High Street Retail Overlay Zone is to identify allowed uses and to establish development standards that promote a pedestrian-oriented mixed-use residential and commercial district with an emphasis on retail. (Ord No. 31-13)

613.005. Definitions. Unless the context otherwise specifically requires, as used in this Chapter, the following mean:

- (a) Side street: Any public street that intersects Broadway/High Street. (Ord No. 31-13)

613.010. Broadway/High Main Street Retail Overlay Zone Boundary. The boundaries of the Broadway/High Street Retail Overlay Zone are shown in Figure 613-7. (Ord No. 31-13, Ord No. 17-16)

613.015. Uses. Except as otherwise provided in this section, any use that is a permitted, special, conditional, or prohibited use in the underlying zone is a permitted, special, conditional, or prohibited use in the Broadway/High Street Retail Overlay Zone.

- (a) **Additional Permitted Uses.** The uses set forth in Table 613-1 are additional permitted (P) uses in the Broadway/High Street Retail Overlay Zone.

**TABLE 613-1
ADDITIONAL PERMITTED USES**

Table 613-1: Additional Permitted Uses		
Use	Status	Limitations & Qualifications
Household Living		
Multiple Family	P	
Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service		
Commercial Parking	P	Only the following Commercial Parking activities are allowed as additional permitted uses: <ul style="list-style-type: none"> ▪ Parking structures.

- (b) **Additional Conditional Uses.** The uses set forth in Table 613-2, when allowed in the underlying zone, shall be additional conditional (C) uses in the Broadway/High Street Retail Overlay Zone.

Table 613-2: Additional Conditional Uses

Use	Status	Limitations & Qualifications
Retail Sales and Service		

Table 613-2: Additional Conditional Uses

Use	Status	Limitations & Qualifications
Postal Services and Retail Financial Services	C	Only the following Postal Services and Retail Financial Services activities are additional conditional uses: <ul style="list-style-type: none"> ▪ Banks and credit unions developed with a drive-through.

(c) Additional Prohibited Uses. In addition to the prohibited uses in the underlying zone, any permitted, special, or conditional use, other than banks and credit unions, within the Broadway/High Street Retail Overlay Zone shall be a prohibited use within the overlay zone if developed with the following:

- (1) Drive-through.
(Ord No. 31-13; Ord 4-16)

613.020. Development Standards. Development within the Broadway/High Street Retail Overlay Zone must comply with the development standards applicable in underlying zone and the development standards set forth in this section. The development standards in this section are in addition to, and not in lieu of, all other applicable development standards in the underlying zone. Where the development standards in this section conflict with the development standards applicable in the underlying zone, the development standards in this section shall be the applicable development standard.

(a) Height. Buildings and accessory structures within the Broadway/High Street Retail Overlay Zone shall conform to the height standards set forth in Table 613-3.

**TABLE 613-3
HEIGHT**

Table 613-3: Height		
Requirements	Standards	Limitations & Qualifications
HEIGHT		
Buildings		
All Uses	Max. 50 ft.	
Accessory Structures		
Accessory to All Uses	Max. 50 ft.	

(b) Reductions to Required Off-Street Parking. Within the Broadway/High Street Retail Overlay Zone, the minimum number of off-street parking spaces required under SRC Chapter 806 shall be automatically reduced by 10 percent. Further reductions to the minimum number of required off-street parking spaces may be satisfied through one or more of the following alternative means, provided, however, the total number of off-street parking spaces reduced through such alternative means shall not exceed 20 percent:

- (1) **Transit Stop.** A transit stop or stops approved by the Salem-Keizer Transit District may be used to satisfy 5 percent of the minimum number of required off-street parking spaces for building sites located within 400 feet of the transit stop or stops.
- (2) **Covered Bicycle Parking.** Covered bicycle parking, provided at a ratio of 1 bicycle space for each 10 vehicle parking spaces, may be used to satisfy 5 percent of the minimum number of required off-street parking spaces.
- (3) **Pedestrian Improvements.** Pedestrian improvements, provided in an amount equal to or greater than 1 percent of the estimated construction cost of the proposed building(s), may be used to satisfy 10 percent of the minimum number of required off-street parking

spaces. Construction cost estimates shall be prepared by a licensed architect, landscape architect, or other qualified professional and shall be subject to review and approval by the Planning Administrator.

(A) Pedestrian improvements include plazas, sidewalk extensions on development sites (e.g., sidewalk extensions with outdoor cafe space), street furnishings (e.g., benches, public art, pedestrian-scale lighting, water fountains, trash receptacles, transit shelters, or shade structures), wayfinding signs, or similar amenities, as approved by the Planning Administrator.

(B) Where a plaza adjoins a building entrance, pedestrian improvements include the incorporation of weather protection over that plaza in the form of a canopy, awning, pergola, or similar feature. (Ord No. 31-13; Ord 4-16)

613.030. Design Review Guidelines and Design Review Standards.

(a) Building Location, Orientation, and Design.

(1) Building Location.

(A) Design Review Guidelines.

(i) Building setbacks from the street shall be minimized (see Figure 613-1).

Buildings constructed contiguous to the right-of-way of Broadway/High Streets are preferred.

(ii) Buildings shall be located to minimize impacts to adjacent residential uses.

(B) Design Review Standards.

(i) **Setbacks Abutting Broadway/High Street.** Buildings shall have the following setbacks from Broadway/High Street:

(aa) Contiguous to the street right-of-way; or

(bb) Maximum 10 feet from the street right-of-way, for 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.

(cc) Portions of buildings greater than 25 feet in height may be setback up to 10 additional feet from the street right-of-way.

(ii) **Setbacks Abutting Street other than Broadway/High Street.** Buildings shall have the following setbacks abutting a street other than Broadway/High Street:

(aa) Minimum: 0 feet.

(bb) Maximum: 12 feet, for buildings or portions of buildings not more than 25 feet in height.

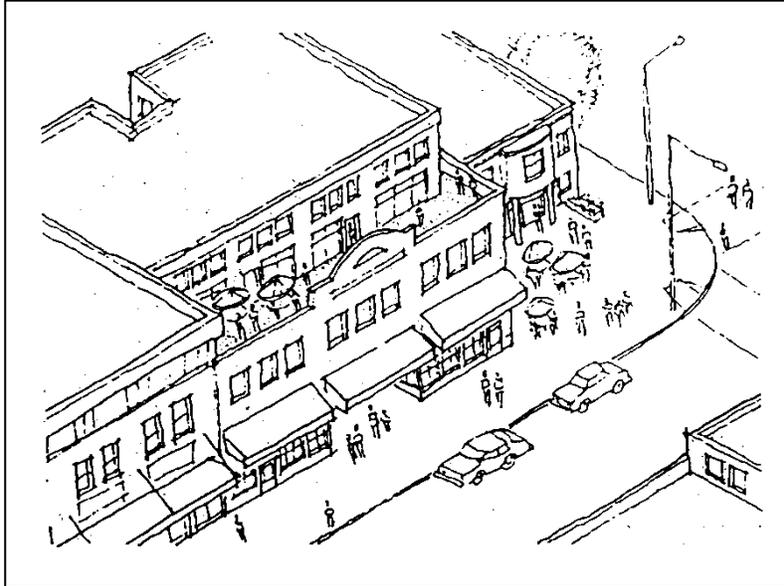
(cc) Maximum: 25 feet, for portions of buildings greater than 25 feet in height.

(iii) **Interior Side Setback.** Buildings shall be constructed contiguous to interior side lot lines.

(iv) **Interior Rear Setback.** Buildings shall have a minimum interior rear setback of 1 foot for each 1 foot of building height. Such setback need not exceed 20 feet in depth.

FIGURE 613-1

BUILDING SETBACKS MINIMIZED FROM STREET



(2) Building Orientation and Design.

(A) Design Review Guidelines.

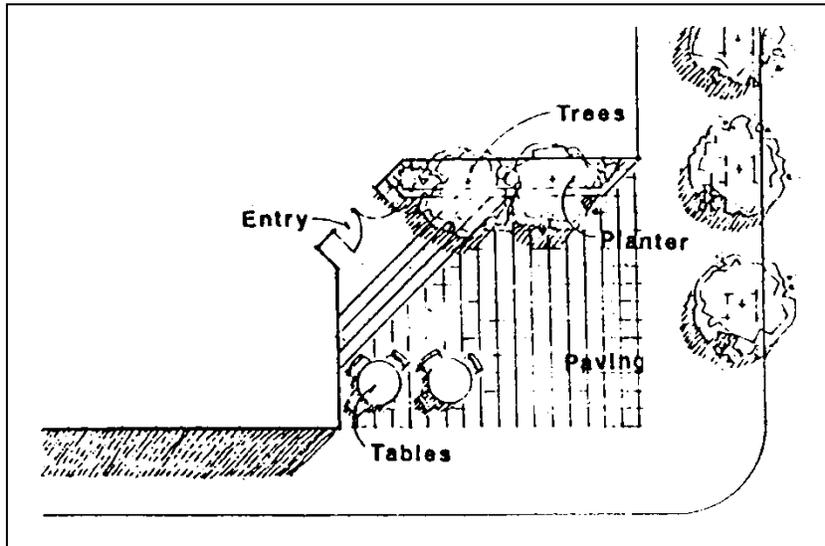
- (i) Buildings shall create safe, pleasant, and active pedestrian environments.
- (ii) Ground floor building facades facing Broadway/High Street shall include transparent windows to ensure that the ground floor promotes a sense of interaction between activities in the building and activities in the public realm.
- (iii) Upper floors of buildings facing Broadway/High Street should incorporate decks and balconies.
- (iv) Weather protection, in the form of awnings or canopies appropriate to the design of the building, shall be provided along ground floor building facades adjacent to a street in order to create a comfortable and inviting pedestrian environment.
- (v) An urban streetscape shall be provided along Broadway/High Street by locating new buildings close to the street and close to one another, and by providing, wherever practical, buildings with multiple stories in order to create a sense of enclosure along sidewalks and a variety of street level facades.

(B) Design Review Standards.

- (i) A primary building entrance shall be provided for each building facade facing Broadway/High Street. If a building has frontage on Broadway/High Street and another street, a single primary building entrance may be provided at the corner of the building where the streets intersect (see Figure 613-2).
- (ii) Ground floor building facades facing Broadway/High Street shall include transparent windows on a minimum of 65 percent of the ground floor facade. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum Visible Transmittance (VT) of 37 percent.
 - (aa) **Alternative Standard for Existing Buildings.** Notwithstanding subsection (a)(2)(B)(ii) of this section, where a building existing on November 23, 1998, does not include transparent windows on at least 65 percent of the ground floor facade facing Broadway/High Street, the percentage of transparent windows existing on the ground floor facade shall not be reduced. Additional windows meeting the transparency requirements of subsection

- (a)(2)(B)(ii) may be added without meeting the minimum ground floor facade window percentage of 65 percent.
- (iii) Building offsets and articulation shall be provided for building frontages greater than 100 feet in length in order to create pedestrian scale.
- (iv) Weather protection, in the form of awnings or canopies, shall be provided along a minimum of 50 percent of the length of the ground floor building facade adjacent to a street. Awnings or canopies shall have a minimum clearance height above the sidewalk of 8 feet, and may encroach into the street right-of-way as provided in SRC 76.160.
- (aa) **Alternative Standard for Existing Buildings.** Notwithstanding subsection (a)(2)(B)(iv) of this section, where a building existing on November 23, 1998, does not include weather protection, in the form of awnings or canopies, along a minimum of 50 percent of the length of the ground floor facade adjacent to a street, the percentage of weather protection along the ground floor facade shall not be reduced. Additional weather protection meeting the sidewalk clearance requirements in subsection (a)(2)(B)(iv) of this section may be added without meeting the minimum weather protection standard of 50 percent.
- (v) New buildings on lots abutting Broadway/High Street shall be a minimum of 25 feet in height and shall provide space for commercial uses on the ground floor and office and/or residential uses above.

**FIGURE 613-2
BUILDING CORNER ENTRY**



- (b) **Open Space.**
 - (1) **Private Open Space.**
 - (A) **Design Review Guidelines.**
 - (i) Private open space shall be provided for each dwelling unit that provides a pleasant and private place for the enjoyment of the occupants.
 - (B) **Design Review Standards.**
 - (i) A minimum of 48 square feet of private open space shall be provided for each dwelling unit. The private open space shall have no dimension less than 6 feet and shall be directly accessible from the dwelling unit through a doorway.
- (c) **Site Access.**

(1) Vehicle Access.

(A) Design Review Guidelines.

(i) Vehicle access and driveway approaches onto Broadway/High Street shall be minimized. Joint use driveways providing access to Broadway/High Street are preferred (see Figure 613-3).

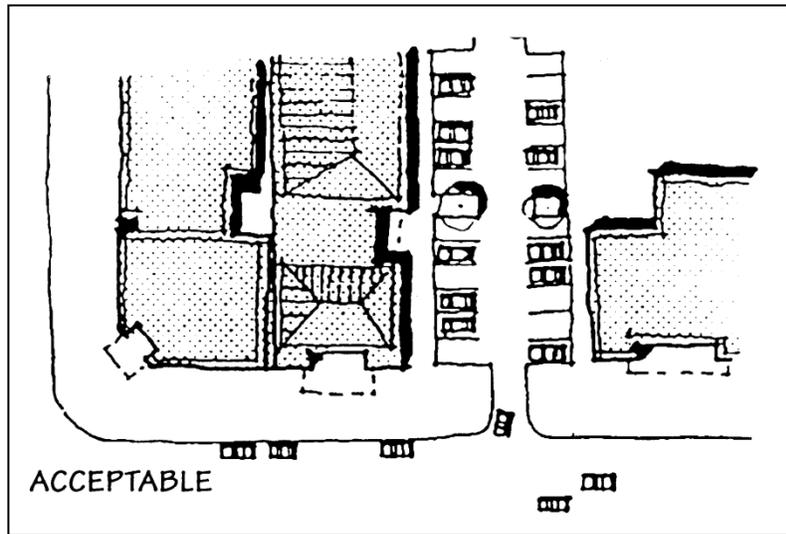
(ii) Where feasible, provide vehicle access to buildings on lots abutting Broadway/High Street from an alley or side street (see Figure 613-4).

(B) Design Review Standards.

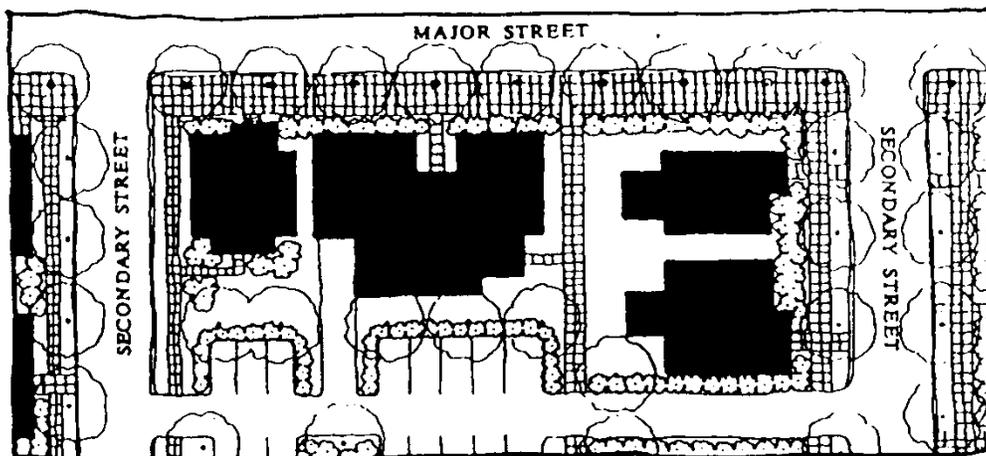
(i) Vehicle access to off-street parking and loading areas shall be provided from an alley or side street (see Figure 613-4).

(ii) No new driveway approaches shall be permitted onto Broadway/High Street.

**FIGURE 613-3
VEHICLE ACCESS MINIMIZED THROUGH JOINT USE DRIVEWAYS**



**FIGURE 613-4:
VEHICLE ACCESS PROVIDED FROM ALLEY OR SIDE STREET**
(d) Off-Street Parking and Loading.



(1) Off-Street Parking.

(A) Design Review Guidelines.

(i) Off-street surface parking areas shall have a scale, orientation, and location that support a pedestrian-oriented mixed-use residential and commercial district.

(ii) The amount of land needed to accommodate off-street parking shall be minimized through shared and structured parking where such parking is physically possible.

(B) Design Review Standards.

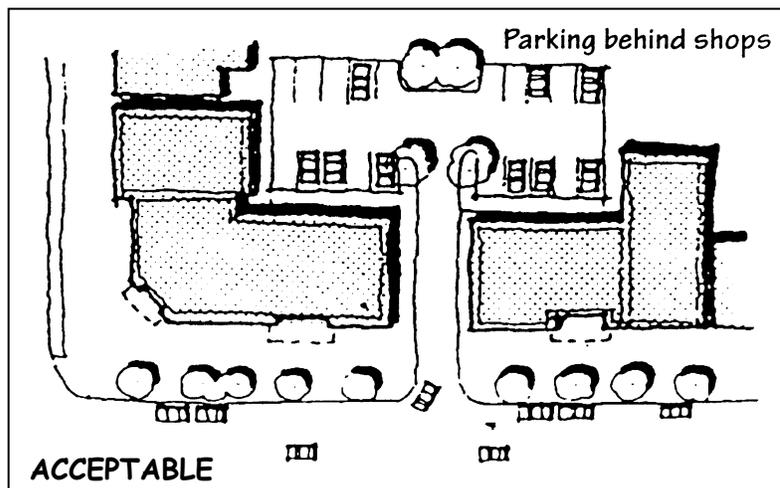
(i) Off-street surface parking areas and vehicle maneuvering areas shall be located behind or beside buildings and structures. Off-street surface parking areas and vehicle maneuvering areas shall not be located between a building or structure and a street (see Figure 613-5 and Figure 613-6).

(iii) Off-street parking areas shall not occupy more than 50 percent of the street frontage of a lot, except that:

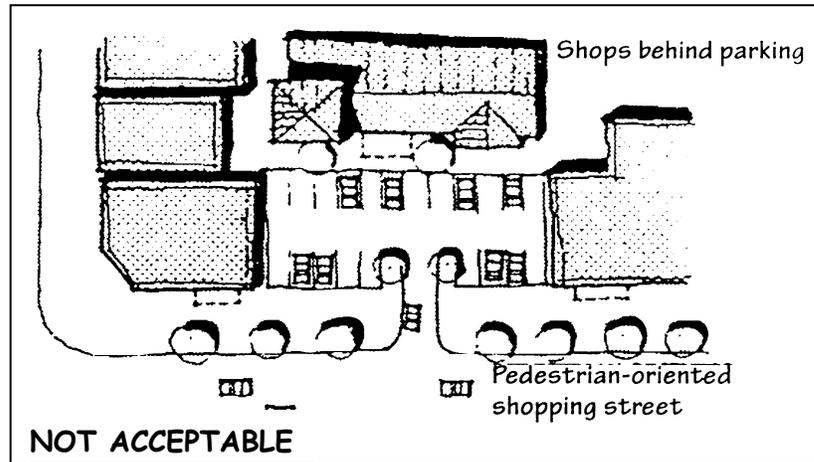
(aa) Where a lot has frontage on Broadway/High Street and a side street, an off-street surfacing parking area may occupy more than 50 percent of the side street frontage.

(bb) On lots abutting Broadway/High Street, multi-level parking structures may occupy more than 50 percent of the Broadway/High Street frontage, provided the parking structures include space for ground floor commercial uses along their entire Broadway/High Street frontage.

**FIGURE 613-5
PARKING CONSISTENT WITH PEDESTRIAN-ORIENTED MIXED-USE RESIDENTIAL AND
COMMERCIAL DISTRICT**



**FIGURE 613-6
PARKING NOT CONSISTENT WITH PEDESTRIAN-ORIENTED MIXED-USE RESIDENTIAL
AND COMMERCIAL DISTRICT**



(2) Off-Street Loading.

(A) Design Review Guidelines.

(i) Off-street loading areas shall be located so as to minimize their visibility from the street.

(B) Design Review Standards.

(i) Off-street loading areas shall be located behind or beside buildings and structures. Off-street loading areas shall not be located between a building or structure and a street.

(e) Drive-Through.

(1) Drive-Through Location, Access, and Design.

(A) Design Review Guidelines.

(i) A drive-through shall have a scale, orientation, and design supportive of a pedestrian-oriented mixed-use residential and commercial district.

(ii) A drive-through service area or service window shall be located and designed to minimize its visibility from Broadway/High Street.

(iii) Any queuing lane shall be located and designed to minimize its visibility from the street.

(iv) Vehicular access to a drive-through may enter from the street when the drive-through exits onto an alley. A drive-through may exit onto the street when vehicular access to the drive-through enters from an alley.

(v) Any queuing lane shall be located and designed to minimize conflicts with pedestrians and to ensure safe pedestrian access to and throughout the site.

(B) Design Review Standards.

(i) A drive-through service area or service window shall be located behind the building or structure. For purposes of this standard, "located behind the building or structure" means located on the side of the building or structure that is opposite the side of the building or structure facing Broadway/High Street.

(ii) Not more than one drive-through, which includes only one queuing lane and one service area, shall be provided per development site.

(iii) A queuing lane shall not be located between a building or structure and a street.

(iv) Vehicular access to and from a drive-through shall be taken from an alley.

(v) Where pedestrians must cross a queuing lane, a minimum 5-foot-wide

pedestrian connection shall be provided across the queuing lane. The pedestrian connection shall be defined by visual contrast or tactile finish texture. (Ord No. 31-13; Ord 4-16)

**FIGURE 613-7:
BROADWAY/HIGH STREET RETAIL OVERLAY ZONE**

