

**CHAPTER 615
BROADWAY/HIGH STREET TRANSITION OVERLAY ZONE**

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615.001. Purpose. The purpose of the Broadway/High Street Transition Overlay Zone is to identify allowed uses and to establish development standards that buffer existing residential from the commercial corridor along Broadway/High Street by providing a transition from lower density development to the east of the overlay zone and higher density development to the west of the overlay zone. (Ord No. 31-13)

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

- (a) Project: A single development built in a single phase. A project may involve a single building or multiple buildings.
- (b) Side street: Any public street that intersects Broadway/High Street. (Ord No. 31-13)

615.010. Broadway/High Street Transition Overlay Zone Boundary. The boundaries of the Broadway/High Street Transition Overlay Zone are shown in Figure 615-4. (Ord No. 31-13)

615.015. 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 Transition Overlay Zone.

- (a) **Additional Permitted Uses.** The uses set forth in Table 615-1 are additional permitted (P) uses in the Broadway/High Street Transition Overlay Zone.

**TABLE 615-1
ADDITIONAL PERMITTED USES**

Table 615-1: 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) **Uses Permitted Only within a Mixed-Use Project with Twenty-Five or More Dwelling Units.** Notwithstanding the permitted, special, conditional, or prohibited uses in the underlying zone, the uses set forth in Table 615-2 are permitted (P) within the Broadway/High Street Transition Overlay Zone only if located within a mixed use project with 25 or more dwelling units.

**TABLE 615-2
USES PERMITTED ONLY WITHIN A MIXED-USE PROJECT WITH TWENTY-FIVE OR
MORE DWELLING UNITS**

Table 615-2: Uses Permitted Only within a Mixed-Use Project with Twenty-Five or More Dwelling Units		
Use	Status	Limitations & Qualifications
Lodging		
Short-Term Commercial Lodging	P	Short-Term Commercial Lodging is permitted, subject to SRC 615.015(b)(1).
Long-Term Commercial Lodging	P	Long-Term Commercial Lodging is permitted, subject to SRC 615.015(b)(1).
Retail Sales and Service		
Eating and Drinking Establishments	P	Eating and Drinking Establishments are permitted, subject to SRC 615.015(b)(1).
Retail Sales	P	Retail Sales are permitted, subject to SRC 615.015(b)(1).
Personal Services	P	Personal Services are permitted, subject to SRC 615.015(b)(1).
Postal and Retail Financial Services	P	Postal and Retail Financial Services are permitted, subject to SRC 615.015(b)(1).
Business and Professional Services		
Office	P	Office is permitted, subject to SRC 615.015(b)(1).
Audio/Visual Media Production	P	Audio/Visual Media Production is permitted, subject to SRC 615.015(b)(1).
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial Entertainment – Indoor	P	Commercial Entertainment – Indoor is permitted, subject to SRC 615.015(b)(1).
Recreational and Cultural Community Services	P	Recreational and Cultural Community Services are permitted, subject to SRC 615.015(b)(1).
Health Services		
Outpatient Medical Services and Laboratories	P	Outpatient Medical Services and Laboratories are permitted, subject to SRC 615.015(b)(1).

(1) Limitations on Uses Permitted Only within a Mixed-Use Project with Twenty-Five or More Dwelling Units. Uses permitted only within a mixed-use project with 25 or more dwelling units set forth in Table 615-2 shall conform to the following additional limitations:

(A) A mix of residential and non-residential uses shall be provided.

(B) The use shall not include:

(i) Rendering, processing, or cleaning of animals, fish, seafood, fowl, poultry, fruits, vegetables, or dairy products, except for consumption on the premises.

(ii) Packaging of products for retail sale, except for purchases made by a retail customer at the time of purchase.

(iii) Outdoor display or storage of merchandise or materials.

(c) Uses Permitted Only within a Parking Structure. Notwithstanding the permitted, special, conditional, or prohibited uses in the underlying zone, the uses set forth in Table 615-3 are permitted (P) within the Broadway/High Street Transition Overlay Zone only if located within a parking structure.

**TABLE 615-3
USES PERMITTED ONLY WITHIN A PARKING STRUCTURE**

Table 615-3: Uses Permitted Only in a Parking Structure		
Use	Status	Limitations & Qualifications
Lodging		
Short-Term Commercial Lodging	P	
Long-Term Commercial Lodging	P	
Retail Sales and Service		
Eating and Drinking Establishments	P	
Retail Sales	P	
Personal Services	P	
Postal and Retail Financial Services	P	
Business and Professional Services		
Office	P	
Audio/Visual Media Production	P	
Recreation, Entertainment, and Cultural Services and Facilities		
Commercial Entertainment – Indoor	P	
Recreational and Cultural Community Services	P	
Health Services		
Outpatient Medical Services and Laboratories	P	

(d) Additional Prohibited Uses. In addition to the prohibited uses in the underlying zone, any permitted, special, or conditional use within the Broadway/High Street Transition Overlay Zone shall be a prohibited use within the overlay zone if developed with the following:

- (1) Drive-through. (Ord No. 31-13)

615.020. Development Standards. Development with the Broadway/High Street Transition 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 Transition Overlay Zone shall conform to the height standards set forth in Table 615-4.

**TABLE 615-4
HEIGHT**

Table 615-4: Height		
Requirements	Standards	Limitations & Qualifications
HEIGHT		
Buildings		
All Uses	Max. 50 ft.	
Accessory Structures		
Accessory to All Uses	Max. 50 ft.	

(b) Additional Development Standards for Uses Permitted Only in a Mixed-Use Project with Twenty-Five or More Dwelling Units. Uses permitted only in a mixed-use project with 25 or more dwelling units set forth in Table 615-2 shall conform to the following additional development standards:

- (1) A minimum of 50 percent of the floor area of each building within a mixed-use project shall include dwelling units; except that Eating and Drinking Establishments may be housed in a separate building if the floor area of all non-residential uses within the mixed-use project, including the Eating and Drinking Establishments, total no more than 50 percent of the total floor area of the mixed-use project.
- (2) All non-residential uses, except for Office uses, shall be limited to the ground floor of a building or buildings within a mixed-use project. Office uses may be located on upper floors. (Ord No. 31-13)

(c) 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.

615.025. Design Review. Design review under SRC Chapter 225 is required for development within the Broadway/High Street Transition Overlay Zone as follows:

- (a) Except as otherwise provided in this section, design review according to the design review guidelines or the design review standards set forth in SRC 615.030 is required for all

development within the Broadway/High Street Transition Overlay Zone.

(b) Multiple family development, other than multiple family development within a mixed-use building, shall only be subject to design review according to the multiple family design review guidelines or the multiple family design review standards set forth in SRC Chapter 702.

(c) Multiple family development within a mixed-use building shall only be subject to design review according to the design review guidelines or the design review standards set forth in SRC 615.030. (Ord No. 31-13)

615.030. 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 615-1).

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

(B) Design Review Standards.

(i) **Setbacks Abutting Street.** Buildings shall have the following setbacks abutting a street:

(aa) Minimum: 0 feet.

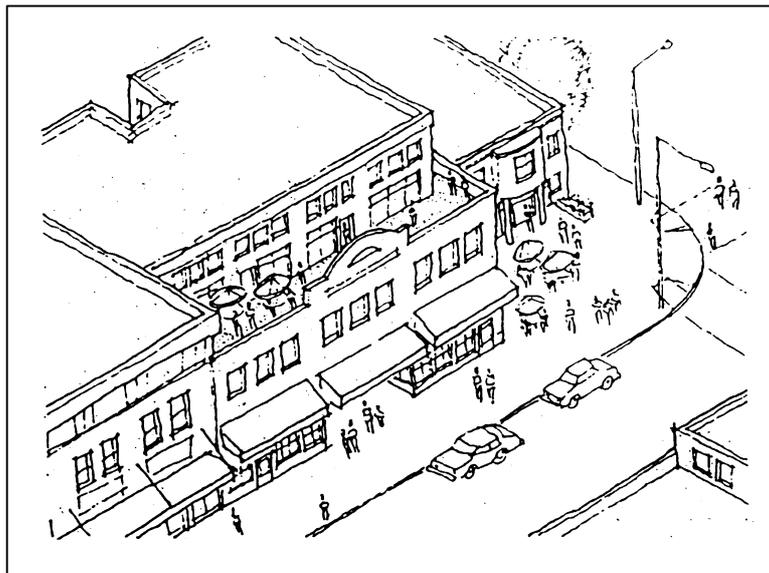
(bb) Maximum: 12 feet, for buildings or portions of buildings not more than 25 feet in height.

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

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

(iii) **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 615-1
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) Upper floors of buildings facing Broadway/High Street should incorporate decks and balconies.

(iii) 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.

(B) Design Review Standards.

(i) Building offsets and articulation shall be provided for building frontages greater than 100 feet in length in order to create pedestrian scale.

(ii) 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)(ii) 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)(ii) of this

section may be added without meeting the minimum weather protection standard of 50 percent.

(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) 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.

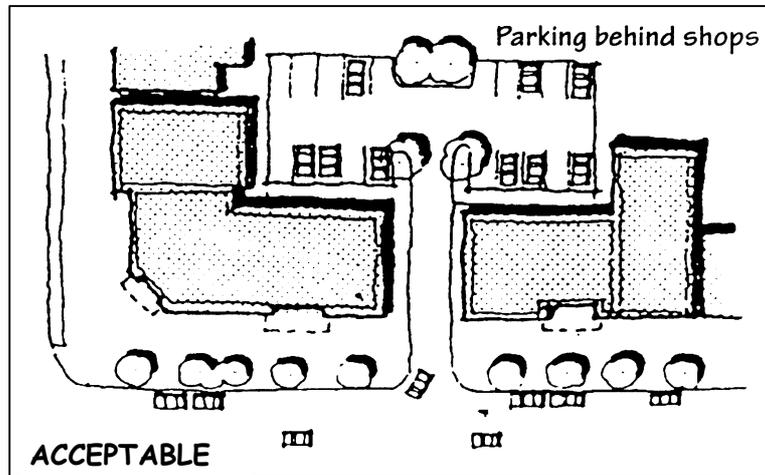
(ii) The amount of land needed to accommodate off-street parking shall be minimized through shared and structured parking where such parking is physically possible.

(B) Design Review Standards.

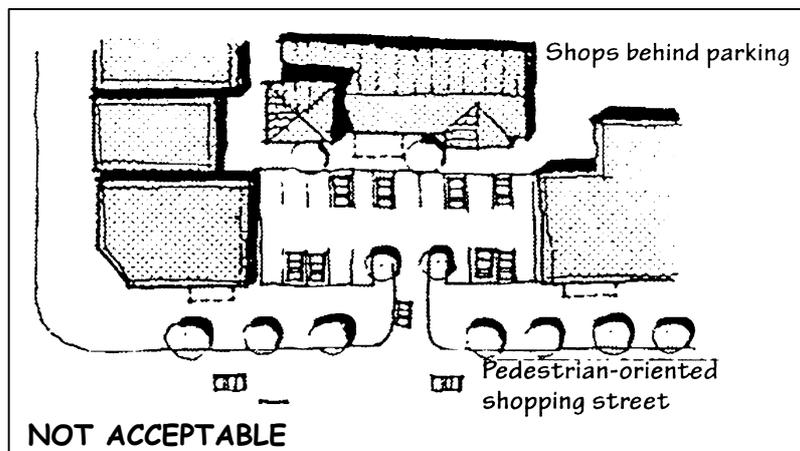
(i) Off-street surface parking areas and vehicle maneuvering areas shall be located behind or beside buildings and structures. Off-street surface parking areas and vehicle maneuvering areas shall not be located between a building or structure and a street (see Figure 615-2 and Figure 615-3).

FIGURE 615-2:

PARKING CONSISTENT WITH PEDESTRIAN-ORIENTED MIXED-USE RESIDENTIAL AND COMMERCIAL DISTRICT



**FIGURE 615-3:
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. (Ord No. 31-13)

**FIGURE 615-4
BROADWAY/HIGH STREET TRANSITION OVERLAY ZONE**

