

## **Chapter 16.28 Retail Commercial Zone C-1**

### **16.28.010 Uses Permitted Outright**

### **16.28.020 Conditional Uses Permitted**

### **16.28.030 Standards**

#### **16.28.010 Uses Permitted Outright**

In a C-1 zone, the following uses and their accessory uses are permitted outright, subject to the applicable provisions of Chapters 16.72, 16.76, 16.80 and 16.96 of this title:

- A. A use permitted outright in the R-3 zone;
- B. Retail store or shop, such as food store, drug store, apparel store, hardware store, furniture store or similar establishment;
- C. Repair shop for the type of goods offered for sale in retail trade establishments permitted in a C-1 zone, provided all repair and storage shall occur entirely within an enclosed building;
- D. Personal or business service establishments such as barber or beauty shop, tailor shop, laundry or dry-cleaning establishment, or similar establishment;
- E. Clinic;
- F. Club, lodge or fraternal organization;
- G. Financial institution;
- H. Hotel, motel or resort;
  - I. Indoor commercial amusement or recreation establishment such as bowling alley, theater or pool hall;
- J. Mortuary;
- K. Newspaper office, print shop;
- L. Office;
- M. Private museum, art gallery or similar facility;
- N. Signs, advertising;
- O. Restaurant, bar or tavern;
- P. Laundromat;
- Q. Retail sale of sporting goods or bait;
- R. Gift shop; and
- S. Automobile service station including minor repair, providing it is conducted entirely within an enclosed building.
- T. The manufacture, fabrication and/or assembly of those goods offered for sale on the premises that are permitted for sale in the C-1 zone, provided all manufacturing, fabricating, assembling, and storage not to exceed 80% of the total floor area of the establishment and provided further that is shall occur within an enclosed building and provided that the use does not create a public nuisance or an unreasonable hazard to health or property because of excessive noise, smoke, odor or dust, or because it constitutes a fire, explosion or other physical hazard.(Ord. 762 § 1, 2016)

### **16.28.020 Conditional Uses Permitted**

In a C-1 zone, the following uses and their accessory uses may be conditionally permitted, subject to the applicable provisions of Chapters 16.72, 16.76, 16.80, 16.84 and 16.96 of this title:

- A. A use permitted as a conditional use in the R-2 zone;
- B. Recreation vehicle park;
- C. Outdoor commercial amusement or recreation establishment such as miniature golf course or drive-in theater, but not including uses such as race track or automobile speedway;
- D. A use permitted in the C-1 zone with drive-in service facilities such as an automobile service station or a drive-in restaurant;
- E. Boat or marine equipment sales, service, storage, rental or repair;
- F. Cabinet or similar woodworking shop;
- G. Lumber or building materials sales or storage;
- H. Plumbing, heating, electrical, or paint contractors storage, repair or sales shop;
  - I. Upholstery shop;
- J. Mini-warehouse;
- K. Processing and packaging of non-explosive chemical materials and non- environmentally hazardous materials;
- L. Car wash;
- M. Auto detail shop; and
- N. Convalescent home.  
(Ord. 685 § 1, 2002; Ord. 676, 2001)

### **16.28.030 Standards**

In addition to standards required in Chapters 16.72, 16.76, 16.80, 16.84 and 16.96 of this title, in any C-1 zone, the following standards shall apply:

- A. Residential uses shall be subject to lot size, dimension, coverage, yard and building height standards of the R-4 zone, except that residential uses located above commercial businesses are not subject to these requirements.
- B. All yards abutting a residential zone shall be a minimum of ten (10) feet.
- C. No structure shall be located closer than sixty (60) feet from the centerline of any arterial, nor thirty (30) feet from the centerline of any collector street.
- D. No building in the C-1 zone shall exceed a height of thirty-five (35) feet.
- E. Outdoor storage shall be screened with either a sight-obscuring fence or a buffer strip of vegetation.
- F. Landscaping and Underground Utilities Required.
  - 1. Applicability. At the time a building is erected, enlarged, or the use is changed to the point of requiring additional approval from the City, landscaping shall be provided in the C-1, C-

2, and D-D zones. Where landscaping is required, the property owner or applicant shall submit a landscaping plan at the time of application for development.

2. Landscaping Plan Required. All landscape plans shall show the following:
  - a. The location and height of existing and proposed fences, buffering or screening materials;
  - b. The location of existing and proposed terraces, retaining walls, decks, patios, and shelters;
  - c. The location, size, and species of the existing and proposed plant materials;
  - d. Existing and proposed building and pavement outlines;
  - e. Anticipated planting and maintenance schedule.
3. Landscape Area Standards. The minimum percentage of required landscaping equals:
  - a. D-D Downtown District Zone: 0 percent of the site.
  - b. C-1 Retail Commercial Zone: 10 percent of the site.
  - c. C-2 General Commercial Zone: 10 percent of the site.
4. Landscape Materials. Permitted landscape materials include trees, shrubs, ground cover plants, non-plant ground covers (bark dust, chips, aggregate, etc.), and outdoor hardscape features (patios, decks, plazas, etc.).
  - a. Existing Vegetation. Existing non-invasive vegetation may be used in meeting landscape requirements.
  - b. Plant Selection. A combination of deciduous and evergreen trees, shrubs, and ground covers may be used for all planted areas, the selection of which shall be based on climate, exposure, water availability, and drainage conditions. When new vegetation is planted, soils shall be amended, as necessary, to allow for healthy plant growth. New vegetation shall be of sufficient size when planted to have an immediate visual enhancement of the property.
  - c. "Non-native Invasive" Plants currently listed as non-native invasive plants by the Oregon State University (OSU) Extension Service for Lincoln County, shall be removed during site development. The planting of invasive species is prohibited.
  - d. Storm Water Treatment Facilities (e.g., detention/retention ponds and swales) shall be landscaped with water-tolerant, native plants.
5. Landscape Guidelines and Design Standards. All yards, parking lots, and required street planter strips shall be landscaped to provide, as applicable, erosion control, visual interest, buffering, privacy, open space and pathway identification, and wind buffering, based on the following criteria:
  - a. Yard Setback Landscaping. Landscaping in yards shall:
    - (1) Provide visual screening and privacy within side and rear yards; while leaving front yards and building entrances mostly visible for security purposes;
    - (2) Retain natural vegetation;
    - (3) Pedestrian facilities shall be provided

- (A) within adjacent right-of-way along the property frontage that abuts a street,
  - (B) between primary building entrances and pedestrian facilities within adjacent right-of-way or other designated pedestrian facilities. Define pedestrian pathways and open space areas with landscape materials.
- b. Parking areas. A minimum of 10 percent of the total surface area of all parking areas, as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped. Such landscaping shall conform to the criteria in Section 5.a above. "Evenly distributed" means that the trees and other plants are distributed around the parking lot perimeter and between parking bays.
- c. Buffering and Screening Required. Buffering and screening are required under the following conditions:
  - (1) Parking/Maneuvering Area Adjacent to Streets and Drives. Where a parking or maneuvering area is adjacent and parallel to a street or driveway, an evergreen hedge; decorative wall (masonry or similar quality material) with openings; arcade, trellis, or similar partially opaque structure 3-4 feet in height shall be established between street and driveway.
  - (2) Screening of Mechanical Equipment, Outdoor Storage, Service and Delivery Areas, and Other Screening When Required. All mechanical equipment, outdoor storage and manufacturing, service and delivery areas, and outdoor garbage containers shall be screened from view from all public streets and adjacent residential districts. When these or other areas are required to be screened, such screening shall be provided by:
    - (A) a decorative wall (i.e., masonry or similar quality material),
    - (B) evergreen hedge,
    - (C) opaque fence, or
    - (D) a similar feature that provides an opaque barrier.

Walls, fences and hedges shall comply with the vision clearance requirements in accordance with Section 16.72.010 and 16.72.040(B) for standards specific to fences and walls.

- 6. Planting Schedule and Maintenance. Planting shall occur within one year following substantial completion of building construction. Plants shall be maintained in a healthy and groomed condition. Planting shall be maintained so as to not create a hazard to the public or to persons or property on or near the property. If the plantings fail to survive, the property owners shall replace them with an equivalent specimen. All man-made features required by this Code shall be maintained in good condition, or otherwise replaced by the owner.
- 7. Underground Utilities. All new utility lines including, but not limited to, those required for electric, communication, lighting, and cable television services and related facilities shall be placed underground, except for surface mounted transformers, surface mounted connection boxes and meter cabinets which may be placed above ground, temporary utility service facilities during construction, and high capacity electric lines operating at 50,000 volts or above.

- G. Distance from side and rear property line. In areas where a side or rear yard is not required and a new structure is to be erected it shall be set back at least three (3) feet from the property line.
- H. Drainage: A plan shall be submitted showing width, depth, and direction of flow of all drainage on and from the property. In addition, the location, size and type of conduit used in drainage channels and driveway accesses shall be clearly delineated. Water from roof drains and other nonimpervious surfaces shall not be concentrated and directed so as to cause damage to other properties. Pipes draining water from roof drains and other nonimpervious surfaces shall not be allowed to connect to any sanitary sewer facilities.