

Chapter 68

Urban Commercial Zone (C)

68.005 Purpose. The Urban Commercial Zone shall establish standards for commercial activity inside urban growth boundaries within Benton County. [Ord 26, Ord 90-0069, Ord 2007-0222]

68.010 Application. The Urban Commercial Zone shall apply to areas designated Commercial on the adopted Comprehensive Plan Map located inside urban growth boundaries. [Ord 26, Ord 90-0069, Ord 2007-0222]

68.105 Permitted Uses. The following uses are allowed in the Urban Commercial Zone:

- (1) Professional office, clinics and personal service outlet.
- (2) Restaurant, tavern, motel, hotel, and membership clubs.
- (3) Service station.
- (4) Sale of goods.
- (5) Vehicle parking lot.
- (6) One dwelling required for the employer or employee for management or safeguarding of the commercial use.
- (7) Residential home.
- (8) One manufactured dwelling in conjunction with an existing dwelling as a temporary use for the term of a hardship suffered by the existing resident or a relative of the resident.
- (9) Day care for fewer than thirteen children.
- (10) Farm use or forest use.
- (11) Accessory use or structure. [Ord 26, Ord 90-0069]

68.205 Conditional Uses. The following uses may be allowed in the Urban Commercial Zone by conditional use permit approved by the Planning Official:

- (1) Public or private school.
- (2) One dwelling.
- (3) Radio or communication tower and accessory facilities.

[Ord 26, Ord 90-0069, Ord 2007-0222]

68.305 Minimum Parcel or Lot Size. The minimum parcel or lot size in the Urban Commercial Zone shall be determined by the type of facilities available. The minimum parcel or lot size shall be:

- (1) Two (2) acres when both an individual water supply system and sewage disposal system are used.
- (2) One (1) acre when either a community water supply system or a community sewage disposal system is used.

(3) Ten thousand (10,000) square feet when both a community sewage disposal system and community water system are used.

(4) Five (5) acres when the parcel or lot is located within the Corvallis Urban Growth Boundary. [Ord 26, Ord 90-0069, Ord 96-0118, Ord 2007-0222]

68.405 Site Development Plan. When a building addition, new construction, or placement of a structure is proposed in the Urban Commercial Zone, the applicant shall submit a site development plan prior to the issuance of building permits. A site development plan shall contain an appropriate level of detail showing existing and proposed locations of buildings, access, parking, loading, landscaping, drainage, water supply, sewage disposal, public utilities, and exterior lighting. The plan shall demonstrate compliance with siting standards provided in BCC 68.410 and other provisions of this code. [Ord 90-0069, Ord 2007-0222]

68.410 Siting Standards. All structures allowed in the Urban Commercial Zone shall be sited in compliance with BCC Chapter 99 and the following additional standards:

(1) Either every site shall be adequately served by water, sewage disposal, and improved roads, or final approval of the site development plan shall be contingent on assurances for the provision of the necessary facilities.

(2) The setback to a road right-of-way shall be at least twenty-five (25) feet. Such area shall be utilized exclusively for landscaping, fences, walls and driveways.

(3) A side or rear setback shall be at least twenty-five (25) feet. The side or rear setback may be reduced to ten (10) feet if adjoining land is zoned for commercial or industrial use.

(4) No setback is required for a structure of 120 square feet or less. A side or rear setback for an accessory structure may be reduced to three (3) feet if the structure:

- (a) Is detached from other buildings by five (5) feet or more;
- (b) Does not exceed a height of twenty (20) feet; and
- (c) Does not exceed an area of 500 square feet.

(5) Architectural features shall not project more than two (2) feet into a required setback.

(6) A structure which is not related to a water dependent use shall be placed at least fifty (50) feet from the ordinary high water line of any river or major stream. In the case of a creek or minor stream, a structure which is not a water dependent use shall be placed at least twenty-five (25) feet from the ordinary high water line.

(7) A vision clearance area shall be maintained at the intersection of two rights-of-way, or a right-of-way and a driveway. The vision clearance area shall extend thirty (30) feet from the intersection of the right-of-way lines or a right-of-way line and a driveway. No structure, vegetation or embankment shall be permitted in a vision clearance area in excess of two (2) feet in height above the center of the road or driveway.

(8) Off-street parking areas and setbacks adjacent to residential zoned areas shall be adequately landscaped and screened to create a visual buffer.

(9) A structure shall not exceed forty (40) feet in height. Structures such as chimneys, spires, domes, elevator shaft housings, towers, aeriels, flagpoles, agricultural buildings, and other similar objects not used for human occupancy are not subject to the building height limitations of this code.

(10) Off-street parking and loading shall be consistent with BCC 91.605 to 91.660.

(11) Access shall be designed to cause minimum interference with traffic movements on abutting streets. Where necessary, additional rights-of-way shall be dedicated to maintain adequate traffic circulation. Setbacks shall be reviewed when requiring a dedication of additional right-of-way.

(12) The arrangement of buildings, parking areas, signs, and other facilities shall be designed and oriented to minimize noise and glare effects on adjacent properties.

(13) Artificial lighting, including illuminated signs and lights for parking areas, shall be arranged and constructed to avoid direct glare or unreasonable interference with the use and enjoyment of adjacent properties. [Ord 26, Ord 90-0069, Ord 92-0092, Ord 2007-0222]