

## Chapter 17.44

### GENERAL COMMERCIAL (C-2) ZONE

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Ordinance History: No. 1639, 1645

#### 17.44.010 Purpose.

The purpose of the C-2 zone is to provide sufficient and appropriate space for the general shopping, business and commercial needs of the city and surrounding areas, and to encourage the development of such space in a pleasant and desirable manner. These areas are intended to encourage the continuing quality of business retail services and to protect these uses from uses which would break up such continuity.

#### 17.44.020 Permitted uses.

In the C-2 zone, the following uses are permitted outright provided that the use promotes the purpose of the zone, and all other requirements of this title are met:

- A. Commercial Retail Sales and Services;
- B. Offices, unless defined differently elsewhere;
- C. Community service, including governmental, emergency service, or non-profit offices;
- D. Manufacturing, processing, repairing or storage auxiliary to or incidental to a commercial permitted use, but not occupying more than fifty (50) percent of the floor space of the establishment;
- E. Mortuary or funeral home;
- F. Automobile repair and sales and service;
- G. Sales, service or repair of machinery, trailers, mobile home, farm equipment, marine equipment;
- H. Hotel or motel;
- I. Recreation facilities, including concert halls, theaters, and convention centers;

- J. Clinic or office, outpatient only;
- K. Public utilities, including service structures.

17.44.30 Conditional uses.

In the C-2 zone, the following uses and their accessory uses may be allowed in accordance with Chapter 16.12 and the provisions of this title:

- A. Drive-up uses, in accordance with Section 16.12;
- B. Museums, tourist information centers;
- C. Public park and recreational facility;
- D. Food or dairy products processing;
- E. Single-family dwelling, including mobile or manufactured dwelling;
- F. Duplex dwelling;
- G. Multiple-family dwelling;
- H. Recreational vehicle park, overnight trailer parking;
- I. Public utilities
- J. Residential care home or facility;
- K. Churches;
- L. Any fuel dispensing of fuel storage facilities;
- M. Medical / Recreational Marijuana Facilities, subject to the following requirements:
  - 1. Must acquire a conditional use permit and provide proof of State licensing. Permit must have a description of location, nature of the operation, accounting and inventory control system used, and names and addresses of individuals with financial interest in the dispensary.
  - 2. Must meet all City land-use, building, and fire laws.
  - 3. May not produce any extracts, oils, resins, or other derivatives on-site. Marijuana and marijuana-infused products cannot be used on-site.
  - 4. Must utilize air filtration and ventilation systems to confine objectionable odors.
  - 5. Anyone convicted of the manufacture or delivery of a controlled substance once or more in the previous 5 years or twice in a lifetime cannot be an operator or employee or have a financial interest in the dispensary.
  - 6. Minimum parking space requirements will be one space per six hundred (600) square feet of floor area plus one space per two employees.
  - 7. Hours of Operation any eight hours between the hours of 8 A.M. and 8 P.M.
  - 8. No display promoting or showing any product that can be seen by the public or adjacent public right of way.
  - 9. Adhering to all requirements of Bandon Code.
  - 10. The business must be located in a permanent building and may not locate in a trailer, cargo container or motor vehicle.

11. Outdoor marijuana production, cultivation, and storage of merchandise, raw materials, or other material associated with the business are prohibited.
12. As with any state law governing the location of medical/recreational marijuana facilities in regard to school property no recreational or medical marijuana facility may be located within 1500 linear feet of any boundary line of the following described property:
 

28-14-30AB, Tax Lot(s):	2300
28-14-30AC, Tax Lot(s):	11800
28-15-25DA, Tax Lot(s):	5800 and 6000
28-15-25DB, Tax Lot(s):	93000
28-15-25DC, Tax Lot(s):	9100
28-15-25DD, Tax Lot(s):	300, 600, 1500, 3200, 3300, 4001, 4100, 4600, 4801, and 6300.
13. In addition, no medical/recreational marijuana facility may be located within 1500 linear feet of any boundary line of 28-14-30CA, Tax Lot(s) 6500, which currently operates as a Head Start facility.

17.44.040 Limitations on uses.

In the C-2 zone, the following conditions and limitations shall apply:

- A. The dedication of additional street width may be required when an officially adopted street plan or the nature of the proposed development indicates the need for additional width.
- B. The use shall not be objectionable because of odor, dust, smoke, fumes, noise, glare or the effects of vehicular traffic.
- C. Limitations on use may be waived as a conditional use, subject to the provisions of Chapter 16.12.

17.44.050 Signs.

See Chapter 17.90 Signs

17.44.060 Lot size.

In the C-2 zone, lot size shall have no requirements.

17.44.070 Yards.

Except as provided in Section 17.104.060, in the C-2 zone minimum yards shall be as follows:

- A. In the event of a common property line, a side yard abutting a residential zone shall be at least fifteen (15) feet plus one foot for each two feet by which the height of the building exceeds twenty-eight (28) feet.
- B. The rear yard shall meet the same requirements as a side yard.

17.44.080 Height of building.

In the C-2 zone, no building shall exceed a height of forty-five (45) feet.

17.44.090 Lot coverage.

In the C-2 zone, buildings shall not occupy more than seventy-five (75) percent of the developed lot or lots.

17.44.100 Outside sales area.

In the C-2 zone, any outside sales area shall be drained and paved or surfaced with crushed rock.

17.44.110 Exceptions to height limitations.

- A. Chimneys, provided that they do not extend more than five feet above the highest point of the proposed structure.
- B. Private, non-commercial antennas or HAM radio antennas and towers up to seventy (70) feet in height, provided that no commercial communications equipment is located on or near such antennas. Such antennas exceeding seventy (70) feet may be allowed as a Conditional Use.