

Article 5.050  
**CBC Central Business Commercial District**

**§ 10.5.050.010. Purpose.**

This district implements the CBC - Central Business Commercial zone district as part of the Commercial Comprehensive Plan designation and is intended to provide an area for commercial uses, along with civic and certain residential uses, and to provide all basic services and amenities required to keep the downtown area the vital pedestrian-oriented center of the community.

**§ 10.5.050.020. Sub-Districts.**

For the purposes of development and redevelopment, the CBC - Central Business Commercial zone district is divided up into 3 specific sub-districts. In addition to the design standards for all development, each of the 3 sub-districts has special characteristics which require different development and design standards and review procedures. The 3 sub-districts are defined as follows:

- A. Sub-district CBC-1. CBC-1 shall be the area of the Central Business Commercial zone district which falls within the designated national Commercial Historic District and Trevitt's Addition Historic District.
- B. Sub-district CBC-2. CBC-2 shall be the area of the Central Business Commercial zone district bordered on the north by First Street, on the east by Jefferson Street, on the south by Fourth Street, and on the west by Liberty Street.
- C. Sub-district CBC-3. CBC-3 shall be the area of the Central Business Commercial zone district excluding sub-districts CBC-1 and CBC-2 above.

**§ 10.5.050.030. Permitted Uses.**

A. Primary Uses.

- 1. Agricultural sales, including feed and seed and equipment but excluding heavy equipment.
- 2. Animal sales and services (pet stores, grooming, kennels, veterinary).
- 3. Automobile and equipment repair (excluding heavy equipment), sales and services, rental agencies on site only except during community events. Except for replacement of minor parts, all auto repair work shall be conducted inside a building.
- 4. Child care center, as defined in Chapter 10.2 - Definitions.
- 5. Food services (including restaurants, cafeterias, bakeries, catering, and take-out operations).
- 6. Hotels and motels.
- 7. Laundromats and dry cleaners (commercial operations only).

8. Liquor stores, public house, taverns, lounges and bars.
9. Lodges, fraternal and civic assembly.
10. Markets and grocery stores.
11. Medical and Dental Offices, Clinics, and Laboratories, and Medical Marijuana Dispensaries. An application for a medical marijuana dispensary shall also comply with the following criteria:
  - a. The dispensary facility must be located more than 500 feet from any R-L, R-H, or R-M Residential District, measured in a straight line from the closest edge of the property line on which the dispensary facility is located to the closest edge of the property in the R-L, R-H, or R-M Residential District.
  - b. The medical marijuana dispensary must be located more than 1,000 feet from all of the following facilities, measured in a straight line from the closest edge of the property line on which the dispensary facility is located to the closest edge of the property on which the other facility is located:
    - i. A public or private elementary, secondary or career school attended primarily by minors.
    - ii. A public library.
    - iii. A public park or recreational facility, which has facilities such as a playground, swimming pool, baseball field, football field, soccer field, tennis court, basketball court, or volleyball court.
  - c. The dispensary facility must be located in a building and may not be located in an intermodal cargo container, motor vehicle, recreational vehicle or residential trailer. Outdoor storage of merchandise, raw materials, or other material associated with the dispensary facility is prohibited.
  - d. The dispensary facility shall not have a drive-up use.
  - e. The dispensary facility shall provide for secure disposal of marijuana remnants or byproducts; such remnants or by-products shall not be placed in the dispensary facility's exterior refuse containers.
  - f. The dispensary facility shall be registered with the Oregon Health Authority under the State of Oregon's medical marijuana facility registration system under ORS 475.300 to 475.346, as now constituted, and meet the requirements of OAR Chapter 333 Division 8 Medical Marijuana Facilities.
  - g. The hours of operation for the dispensary facility shall be no earlier than 10:00 a.m. and no later than 6:00 p.m.
12. Mortuaries and funeral homes.
13. Personal care services such as barber shops and salons.

14. Printing and publishing.
15. Professional and administrative offices and services.
16. Public and private parking lots and structures, see also the provisions of Chapter 10.7 - Parking Standards.
17. Public parks and open space (excluding spectator and participant sports facilities, which shall be processed as community facilities sites per the provisions Section 10.5.050.040: Conditional Uses below).
18. Recreation facilities (commercial - indoor), including health and athletic clubs, bowling alleys, theaters (more than two screens are a multi-plex cinema and are processed as a conditional use), and game rooms.
19. Residential uses as follows:
  - a. Sub-districts 1 and 3:
    - i. All existing dwellings built prior to the adoption of this Title.
    - ii. Duplex and single-family attached.
    - iii. Attached town houses (zero lot line, 3 to 8 unit clusters).
    - iv. Multifamily dwelling.
  - b. Sub-district 2: All dwellings, as defined by this Title, so long as the ground floor is a permitted commercial use.
20. Residential care facility, as defined in Chapter 10.2 - Definitions, and subject to the limitations on residential uses specified in subsection (A)(19).
21. Residential care home, as defined in Chapter 10.2 - Definitions, and subject to the limitations on residential uses specified in subsection (A)(19).
22. Retail uses.
23. Wireless communication facilities, subject to the provisions of Article 6.140: Wireless Communication Equipment.
24. Recreational Marijuana Facilities. An application for a retail marijuana facility shall also comply with the following criteria:
  - a. The retail facility must be located more than 500 feet from any RL, RH, or RM Residential District, measured in a straight line from the closest edge of the property line on which the retail facility is located to the closest edge of the property in the RL, RH, or RM Residential District.
  - b. The retail facility must be located more than 1,000 feet from all of the following facilities, measured in a straight line from the closest edge of the property on which the other facility is located:

- i. A public elementary or secondary school for which attendance is compulsory under ORS 339.020, or a private or parochial elementary or secondary school, teaching children as described in ORS 339.030(1)(a).
  - ii. A public library.
  - iii. A public park.
  - iv. A recreational facility, which has facilities such as a playground, swimming pool, baseball field, football field, soccer field, tennis court, basketball court, or volleyball court.
  - v. Any other recreational marijuana retailer registered with the Oregon Liquor Control Commission.
- c. The retail facility must be located in a building and may not be located in an intermodal cargo container, motor vehicle, recreational vehicle or residential trailer. Outdoor storage of merchandise, raw materials, or other material associated with the retail facility is prohibited.
  - d. The retail facility shall not have a drive-up use.
  - e. The retail facility shall provide for secure disposal of marijuana remnants or by-products; such remnants or by-products shall not be placed in the retail facility's exterior refuse containers.
  - f. The retail facility's license or authority must be in good standing with the Oregon Health Authority or Oregon Liquor Control Commission, and the retail facility must comply with all applicable laws and regulations administered by the respective State agency, including, without limitation, those rules that relate to labeling, packaging, testing, security, waste management, food handling, and training.
  - g. The hours of operation for the retail facility shall be no earlier than 10:00 a.m. and no later than 8:00 p.m.
  - h. The retail facility must use an air filtration and ventilation system which, to the greatest extent feasible, contains all marijuana-related odors within the facility rather than allowing such odors to escape outside. Sufficient measures and means of preventing odors, debris, fluids and other substances from exiting the facility must be in effect at all times.
  - i. No one under the age of 21 shall be permitted to be present in the building space occupied by a marijuana retailer, except as allowed by State law.
  - j. Marijuana and tobacco products shall not be smoked, ingested, or otherwise consumed in the building space occupied by a marijuana retailer. In addition, marijuana retailing shall not be co-located on the same lot of record or within the same building with any marijuana social club or marijuana smoking club.
  - k. A licensed retail facility may register with the Oregon Liquor Control Commission

(OLCC) to engage in the same retail license activity for specified medical marijuana purposes, as allowed by the OLCC.

25. Other uses determined by the Director to be similar to the above uses.

**B. Accessory Uses Permitted Outright.**

1. Accessory dwellings, per the provisions of Article 6.030: Accessory Development. Must be accessory to an allowed single-family residential use outside Sub-district CBC-2.
2. Accessory uses, buildings and structures, not otherwise prohibited and customarily incidental to the primary use, per the provisions of Article 6.030: Accessory Development.
3. Bed and breakfast and vacation rentals, subject to the provisions of Article 6.040: Bed and Breakfast and Vacation Rentals. Must be accessory to a permitted single-family residential use outside Sub-district CBC-2.
4. Bus shelters, bike racks, street furniture, drinking fountains, and other pedestrian and transit amenities.
5. Family day care, as defined in Chapter 10.2 - Definitions. Must be accessory to a permitted single-family residential use outside Sub-district CBC-2.
6. Home business, subject to the provisions of Article 6.020: Home Businesses. Must be accessory to a permitted residential use.

(Ord. 19-1373; Ord. 21-1384; Ord. 23-1400)

**§ 10.5.050.040. Conditional Uses.**

Conditional uses that have outdoor storage will screen the storage area to reduce as much as possible views from other properties. The following conditional uses are allowed subject to review and approval, per the appropriate provisions of either Article 3.050: Conditional Use Permits or Article 3.060: Administrative Conditional Use Permits:

- A. Automotive service stations, body shops, and auto painting, on site only.
- B. Automatic teller machines.
- C. Conference, visitor, and convention centers.
- D. Community facilities, subject to the provisions of Article 5.100: Community Facilities Overlay District.
- E. Contractor shops, offices, and storage areas.
- F. Hospitals, convalescent centers, sanitariums, and similar institutions.
- G. Light manufacture, assembly, and packaging (generates no nuisance conditions by commercial standards, conducted entirely within the building).

- H. Machine shops.
- I. Micro-breweries and wineries.
- J. Planned development, subject to the provisions of Article 9.050: Planned Development.
- K. Public and private transportation depots and terminals (passengers only).
- L. Wireless communication facilities, subject to the provisions of Article 6.140: Wireless Communication Equipment.
- M. Other uses determined by the Commission to be similar to the above uses.
- N. Adult Business. An application for an adult business shall also comply with the following criteria:
  - 1. The adult business must be located more than 1,000 feet from all of the following facilities, measured in a straight line from the closest edge of the property line on which the business is located to the closest edge of the property on which the facility is located:
    - a. A public school.
    - b. A public library.
    - c. A public park or recreational facility, which has facilities such as a playground, swimming pool, baseball field, football field, soccer field, tennis court, basketball court, or volleyball court.

**§ 10.5.050.050. Prohibited Uses.**

The production, processing, and wholesaling of recreational marijuana are prohibited uses in all CBC - Central Business Commercial districts.

**§ 10.5.050.060. Development Standards.**

CBC Central Business Commercial	Standard		
	Sub-district 1 Historic Districts	Sub-district 2 Downtown Core	Sub-district 3 Downtown Fringe
Setbacks			
Front Yard and Corner Side Yard	0 ft. maximum, 10 ft. maximum where overlaps Sub-district 3 <sup>1</sup>	0 ft. maximum <sup>2</sup>	10 ft. maximum <sup>3</sup>
Side and Rear Yards	No minimum/maximum, except 15 ft. where shares lot line with residentially zoned property, unless there is a vertical grade change between adjacent zone districts greater than 20 feet		
Lot Size, Width, Depth	No minimum/one full City block maximum provided any public rights-of-way are maintained		
Building Height	55 ft. maximum, except 75 ft. maximum with a conditional use permit		
Building Orientation	New buildings and major remodels of existing buildings increasing floor area by more than 30% shall be oriented primarily toward a street or designated accessway rather than a parking area		

CBC Central Business Commercial	Standard		
	Sub-district 1 Historic Districts	Sub-district 2 Downtown Core	Sub-district 3 Downtown Fringe
Pedestrian Access	All building entrances shall have a clear pedestrian connection to the street/sidewalk in accordance with Section 10.5.050.070(C): Pedestrian Walkways		
Off-Street Parking (Bicycles and Vehicles)	See Chapter 10.7 - Parking Standards		
Landscaping	See Article 6.010: Landscaping Standards		
Accessory Uses, Buildings and Structures	See Article 6.030: Accessory Development		
Access Management	See Article 6.050: Access Management		

- 1 Applicant may request up to 15-foot exception where outdoor seating for food service is proposed, subject to separate quasi-judicial approval of both the Historic Landmarks Commission and the Planning Commission.
- 2 Applicant may request up to 15-foot exception where outdoor seating for food service is proposed, subject to quasi-judicial approval of the Planning Commission.
- 3 Applicant may request up to 5-foot exception where outdoor seating for food service is proposed, subject to quasi-judicial approval of the Planning Commission.

**§ 10.5.050.070. Design Standards—All Development.**

- A. Exterior Elevations. Exterior elevations of buildings (except allowed one- and two-family dwellings) shall incorporate architectural design features such offsets, balconies, projections, base/wall/cornice design, windows, entries, bays, seating, wall articulation, traditional storefront elements, or similar elements to preclude large expanses of uninterrupted building surfaces.
  1. Horizontal. At least 3 architectural design features shall be incorporated along the horizontal face (side to side) of the structure.
  2. Vertical. At least 2 architectural design features shall be incorporated along the vertical face (top to bottom) of the structure.
- B. Entries.
  1. Commercial and Residential. Primary entries shall face a public street or designated access drives and shall be accessed from a public sidewalk in accordance with the provisions of subsection C below. Secondary entries may face parking lots or loading areas. Doors shall not swing into public rights-of-way.
  2. Residential Only.
    - a. Within Sub-district CBC-2, upper story residential uses shall have shared or individual entries on the first level only. No outside stairways serving upper story dwellings are allowed.
    - b. Outside Sub-district CBC-2, upper story residential uses are encouraged to have shared or individual entries on the first level only. Stairways to upper floors shall be adequately lighted, protected from wind, rain, sun and snow, and not openly

visible from the street.

- C. Pedestrian Walkways. Each developed site shall include paved pedestrian walkway(s) designed to connect buildings and other accessible site facilities clearly and directly to adjacent public street/sidewalk(s). Walkways shall meet City standards for sidewalk construction, and be the shortest practical distance between the main entry(ies) and the public right-of-way. If adjacent to parking where vehicles overhang the walkway, then the walkway shall be to the City standard plus 2 ½ feet in width for each side vehicles overhang. Walkways shall be distinguished from internal driveways and accessways using at-grade distinctive paving materials or other appropriate surfaces which contrast visually with adjoining surfaces. [Note: Walkways, including driveway and accessway crossings, must also meet the requirements of the Oregon Americans With Disabilities Act, the State of Oregon Structural Specialties Code, and the Oregon Revised Statutes.]

(Ord. 19-1373)

**§ 10.5.050.080. Design Standards—Sub-Districts.**

- A. Sub-District CBC-1 (Commercial Historic District and Trevitts Addition Historic District). All proposed development and redevelopment in this Sub-district shall first require review and approval of the Historic Landmarks Commission in accordance with the procedures of Chapter 11.12 - Historic Resources.
- B. Sub-District CBC-2 (Downtown Core). All development and redevelopment in the CBC-2 Sub-district shall comply with the following:
1. Building Exteriors. Building exteriors may be finished with brick (excluding concrete brick), rock, stucco, plaster, cut stone such as marble or granite, and similar materials. Wood, metal and vinyl exteriors are prohibited.
  2. Roofs. Buildings shall have flat (as opposed to sloped) roof lines. Roof lines may include parapets.
  3. Minimum Building Height. Buildings shall be at least 16 feet minimum height with a façade having the architectural appearance of a 2-story structure.
- C. Sub-District CBC-3 (Downtown Fringe). All development and redevelopment in the CBC-3 Subdistrict shall choose one of the following:
1. May be designed in accordance with the requirements of subsection B above.
  2. May be designed so that building exteriors, roof lines, and front entries are compatible with the surrounding development in terms of setback, height, bulk, mass, and building materials.

**§ 10.5.050.090. Exceptions to Standards.**

- A. Pedestrian Access. The following permitted and conditional uses may be exempted from the requirements for pedestrian access of this Title (but may still be required to meet federal and state requirements) as follows:



1. Automobile sales lots, however the sales lots must still provide pedestrian walkway(s) to the sales lot from the sidewalk.
2. Commercial card-lock fueling stations, where there are no mini-markets on site.
3. Service stations where there are no mini-markets on site.
4. Storage facilities and warehouses.
5. Wireless communication facilities.
6. Other uses which the Director determines to have no public pedestrian access needs.

B. Parking.

1. Commercial communication equipment uses and other uses which the Director determines have no employees on site and are not open to the public, may be exempted from off-street parking requirements.
2. Existing lots that cannot meet dimensional standards for parking spaces can restrict the entire lot for employee only valet type parking, which do not have to meet the dimensional requirements. Employee parking only restricted lots must provide signage stating the restrictions and prohibiting parking for the general public. These lots must meet the landscaping standards in Section 10.7.030.040(B) or obtain approval for alternate landscaping plans as authorized in Section 10.7.030.040(D).
3. With the approval of the Director, up to 50% of the required parking spaces can be reserved for employee parking. These spaces must have signage specifying this restriction. Parking reserved for employees does not have to meet dimensional requirements and may be valet type parking so long as the parking does not obstruct fire lanes or emergency access or interfere with the use or development of adjoining properties. Employee parking may use an alley for maneuvering. Employee parking spaces do not count towards the 7-space threshold that requires landscaping as contained in Section 10.7.030.040(B). Employee parking areas are not exempt from landscaping requirements but may qualify for the alternative landscaping provisions found in Section 10.7.030.040(D).

C. Setbacks. The following setback exceptions may apply to allowed residential uses:

1. Setback Averaging. The front yard setback and the garage/carport entrance setback may be reduced to the average of the respective setbacks of the abutting lots.
2. Setbacks for Steeply Sloping Lots. The following exceptions apply to lots which slope up or down from the street with an average slope of 20% or greater:
  - a. The front setback for the garage wall and/or garage/carport entrance may be reduced to 5 feet; however, the height limitations of paragraph (D)(3) below shall apply.
3. Garage and Carport Setbacks on Alleys. Rear yard setbacks for garage/carports and accessory dwelling units on alleys may be waived per the following:

- a. Garage/carports opening onto alleys with established 20-foot rights-of-way may be set back zero feet from the right-of-way.
- b. Garage/carports opening onto alleys with less than a 20-foot right-of-way shall be set back to a minimum building line located 10 feet from the center of the alley right-of-way.

D. Height Limits for Steeply Sloping Lots.

1. Downhill Slope from Street. On lots that slope downhill from the street with an average slope of 20% or greater, the height limit is the higher of 23 feet above the average grade of the street or the designated height limit. In addition, the alternative height and setback standards of paragraph 3 below may be applied.
2. Uphill Slope from Street. On lots that slope uphill from the street with an average slope of 20% or greater, the alternative height and setback standards of paragraph 3 below may be applied.
3. Height Limit in Reduced Setback Area. The height limit in the area of the reduced setback is lowered one foot for every foot of reduced setback.

(Ord. 21-1384)