

ARTICLE 4. COMMERCIAL ZONES

This Article describes the purpose, land use and locational standards for Commercial zones. However, in designated Opportunity Areas, the purpose, land use and dimensional standards found of this Article may be modified by a Master Development Plan (MDP) approved by the City pursuant to the Opportunity Area Subdistrict in Article 7. Nothing in this Article applies to the uses of marijuana, see Article XVI. MARIJUANA for Marijuana uses. (Section 4 as amended by Ordinance No. 3947, passed November 5, 2019.)

4.01 C-MU Central Mixed Use

4.01.1 **Description and Purpose.** To provide for land areas and uses that preserve and enhance the City's core area and historic structures, within which will occur the greatest concentration of retail, business, government and residential activity.

4.01.2 **Permitted Uses.** The following uses and their accessory uses are permitted outright, within the Central Parking District / Historic District, provided the gross floor area of any proposed building is less than 15,000 square feet:

- A. Breweries and wineries, with a production of less than 50,000 gallons per year, provided a restaurant or tasting room is open to the public on a regular basis
- B. Manned Communication Facilities wholly within a structure that are not antenna-supporting related and Wireless Communication Facilities installed on rooftops of buildings exhibiting 3 stories or more. Rooftop wireless installation must not exceed 15 feet.
- C. Distilleries with a production volume of less than 12,000 gallons per year, provided a component is open to the public on a regular basis
- D. Eating and Drinking Establishments, Food Stores
- E. General Business and Personal Services, except Pesticide / Pest Control Services
- F. General Retail
- G. Governmental, public or semi-public use or structure
- H. Health, Educational and Social Services
- I. Hotels, Boarding and Rooming Houses, except Camp/Trailer/Manufacture Dwelling Parks
- J. Leather work and fabrication of an artisanal nature, excluding tanning and finishing
- K. Membership Organizations (business, religious, professional, labor, civic, etc.)
- L. Museums & Art Galleries
- M. Parking Area and garage, public or private except stand-alone (not in conjunction with an existing, active business)
- N. Printing and Publishing
- O. Residential uses and residential facilities subject to applicable City development standards. There is no maximum density, provided that:
 - (1) one parking space per unit is provided within 250 feet of a public building entrance; and
 - (2) for new construction, 10% of the site is reserved for accessible and usable open space.
- P. Transportation uses consistent with the adopted Transportation System Plan and OAR 600-012-0045, and not otherwise identified as conditional uses, pursuant to 4.01.2 (R)
- Q. Vendors, subject to rules regulating Vendors



4.01.3 **Conditional Uses.** Any permitted use within the Central Parking District / Historic District with a gross floor area of more than 15,000 square feet and the following uses and their accessory uses are conditionally permitted when authorized in accordance with the provisions of Article XI:

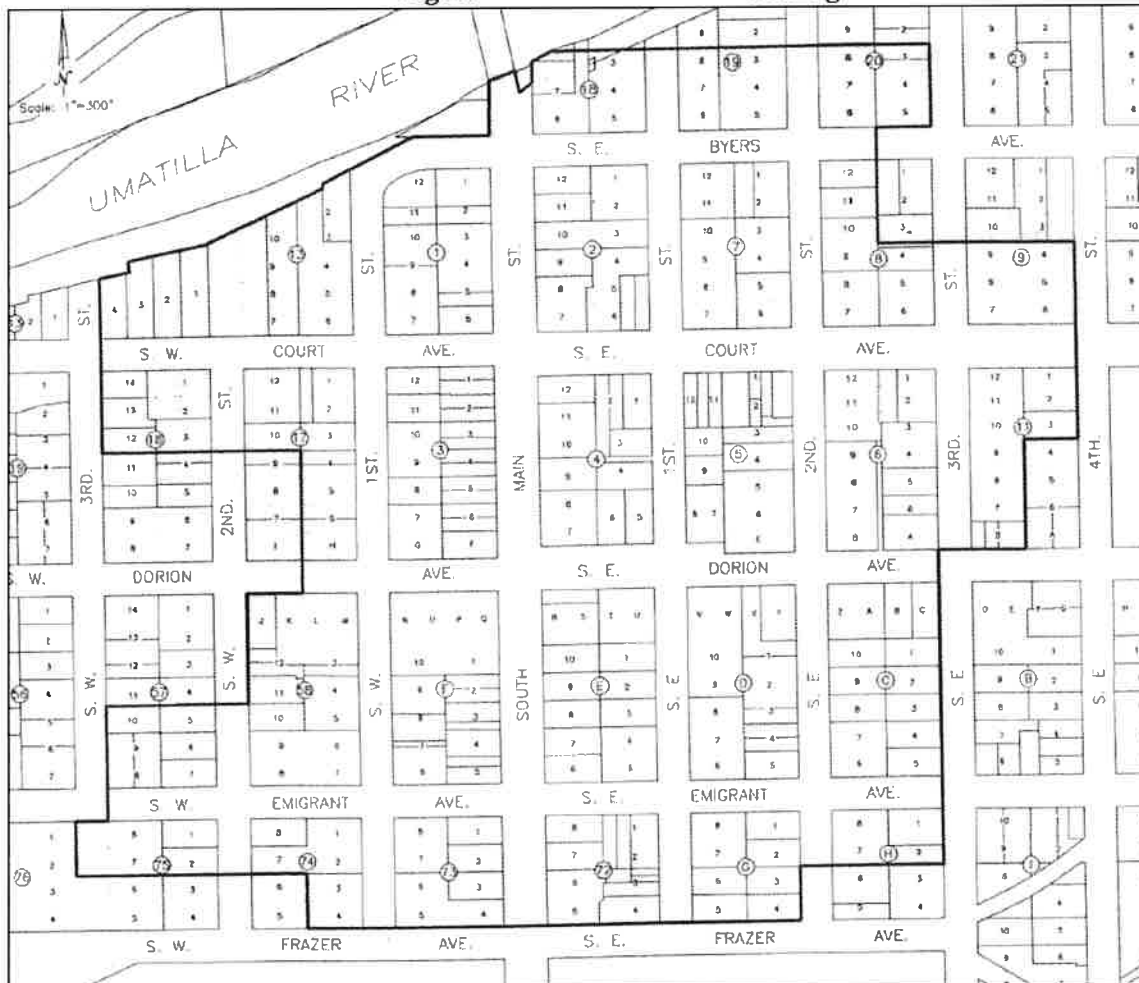
- A. Breweries and wineries, with a production of less than 50,000 gallons per year, provided a restaurant or tasting room is open to the public on a regular basis
- B. Manned Communication Facilities wholly within a structure that are not antenna-supporting related and Wireless Communication Facilities installed on rooftops of buildings exhibiting 3 stories or more, where the rooftops wireless installation exceeds 15 feet.
- C. Distilleries with a production volume of less than 12,000 gallons per year, provided a component is open to the public on a regular basis
- D. Eating and Drinking Establishments, Food Stores
- E. General Business and Personal Services, except Pesticide / Pest Control Services
- F. General Retail

- G. Governmental, public or semi-public use or structure
- H. Health, Educational and Social Services
- I. Hotels, Boarding and Rooming Houses, except Camp/Trailer/Manufactured Dwelling Parks
- J. Leather work and fabrication of an artisanal nature, excluding tanning and finishing
- K. Membership Organizations (business, religious, professional, labor, civic, etc.)
- L. Museums and Art Galleries
- M. Parking Area and garage, public or private except stand-alone (not in conjunction with an existing, active business)
- N. Printing and Publishing
- O. Residential uses and residential facilities subject to applicable City development standards. There is no maximum density, provided that:
 - (1) one parking space per unit is provided within 250 feet of a public building entrance; and
 - (2) for new construction, 10% of the site is reserved for accessible and usable open space.

4.01.4 Conditional Uses within the Central Parking District / Historic District, regardless of gross floor area.

- A. Animal Clinics, Kennels and Hospitals within fully enclosed facilities
- B. Automobile and vehicle dealers, repairs, services, and service stations
- C. Commercial Amusement and Recreation
- D. Light manufacturing and fabrication of goods that are marketed and sold on-site
- E. Parking Area and garage, public or private not in conjunction with an existing, active business
- F. Pesticide Services / Pest Control Services
- G. Recycling Drop-Off Depots
- H. Transit Facilities (Bus, taxi, charter, etc.)
- I. Vendor Plazas, subject to rules regulating Vendors

Figure 4.1 Central Area Parking District



Uses Outside Central Parking District / Historic District

- 4.01.5 **Permitted Uses.** The following uses and their accessory uses are permitted outright **outside of the Central Parking District / Historic District**, provided the gross floor area of any proposed building is less than 25,000 square feet:
- A. Animal Clinics, Kennels and Hospitals
 - B. Automobile and vehicle dealers, repairs, services, and service stations
 - C. Breweries and wineries, with a production of less than 50,000 gallons per year, provided a restaurant or tasting room is open to the public on a regular basis
 - D. Commercial Amusement and Recreation
 - E. Manned Communication Facilities wholly within a structure that are not antenna-supporting related and Wireless Communication Facilities installed on rooftops of buildings exhibiting 3 stories or more. Rooftop wireless installation must not exceed 15 feet.
 - F. Distilleries with a production volume of less than 12,000 gallons per year, provided a component is open to the public on a regular basis
 - G. Eating and Drinking Establishments, Food Stores
 - H. General Business and Personal Services
 - I. General Retail
 - J. Government, public or semi-public use or structure
 - K. Health, Educational and Social Services
 - L. Hotels, Boarding and Rooming Houses, except Camp/Trailer/Manufactured Dwelling Parks
 - M. Leather work and fabrication of an artisanal nature, excluding tanning and finishing
 - N. Light manufacturing and fabrication of goods that are marketed and sold on-site
 - O. Membership Organizations (business, religious professional, labor, civic, etc.)
 - P. Museums & Art Galleries
 - Q. Parking Area and garage, public or private except stand-alone (not in conjunction with an existing, active business)
 - R. Printing and Publishing
 - S. Residential uses and residential facilities subject to applicable City development standards. There is no maximum density, provided that:
 - (1) one parking space per unit is provided within 250 feet of a public building entrance; and
 - (2) for new construction, 10% of the site is reserved for accessible and usable open space
 - T. Transportation uses consistent with the adopted Transportation system Plan and OAR 660-012-0045, and not otherwise identified as conditional uses, pursuant to 4.01.5 (Q)
 - U. Vendors, subject to rules regulating Vendors
- 4.01.6 **Conditional Uses.** The following uses and their accessory uses are conditionally permitted with a gross floor area of more than 25,000 square feet when authorized in accordance with the provisions of Article XI:
- A. Animal Clinics, Kennels and Hospitals
 - B. Automobile and vehicle dealers, repairs, services, and service stations
 - C. Breweries and wineries, with a production of less than 50,000 gallons per year, provided a restaurant or tasting room is open to the public on a regular basis
 - D. Commercial Amusement and Recreation
 - E. Manned Communication Facilities wholly within a structure that are not antenna-supporting related and Wireless Communication Facilities installed on rooftops of buildings exhibiting 3 stories or more. Rooftop wireless installation that exceeds 15 feet.
 - F. Distilleries with a production volume of less than 12,000 gallons per year, provided a component is open to the public on a regular basis
 - G. Eating and Drinking Establishments, Food Stores
 - H. General Business and Personal Services, including Pest Control Services
 - I. General Retail
 - J. Government, public or semi-public use or structure
 - K. Health, Educational and Social Services
 - L. Hotels, Boarding and Rooming Houses, except Camp/Trailer/Manufactured Dwelling Parks
 - M. Leather work and fabrication of an artisanal nature, excluding tanning and finishing
 - N. Light manufacturing and fabrication of goods that are marketed and sold on-site
 - O. Membership Organizations (business, religious professional, labor, civic, etc.)
 - P. Mini-Storage / Self-Storage Facilities (see 4.01.8 for requirements)
 - Q. Museums & Art Galleries
 - R. Parking Area and garage, public or private (with or without an existing, active business)
 - S. Printing and Publishing

- T. Residential uses and residential facilities subject to applicable City development standards. There is no maximum density, provided that:
 - (1) one parking space per unit is provided within 250 feet of a public building entrance; and
 - (2) for new construction, 10% of the site is reserved for accessible and usable open space

4.01.7 **Outside the Central Parking District: Conditional Uses.** The following uses and their accessory uses are permitted conditionally outside of the Central Parking District / Historic District when authorized in accordance with the provisions of Article XI:

- A. Animal clinics, kennels and hospitals utilizing outdoor areas for surgery, holding and/or boarding
- B. Breweries and wineries, with a production of more than 50,000 gallons per year, provided a restaurant or tasting room is open to the public on a regular basis
- C. Building Materials, retail
- D. City Park
- E. Distilleries with a production volume of more than 12,000 gallons per year, provided a component is open to the public on a regular basis
- F. Dwelling, caretaker or manager only, provided such dwelling is:
 - a. a Manufactured Dwelling with a foundation similar to that used in Manufactured Dwelling Parks;
 - b. is removed upon cessation of the specific business for which it was intended; and
 - c. is not located on land immediately adjacent to a historic landmark, or a historic structure or within any district designated by the Pendleton Comprehensive Plan as a historic district.
- G. General building and special trade contractors
- H. Hospitals
- I. Parking area and garage, public or private; with or without and existing, active business
- J. Transit Facilities (Bus, taxi, charter, etc.)
- K. Recycling Drop-Off Depots
- L. Transportation Services, warehousing and storage
- M. Vendor Plaza, subject to regulations regarding Vendors
- N. Within the Central Mixed Use Plan Designation, expansion of existing, lawfully established light industrial uses on the same or adjacent property
- O. Zoos

4.01.8 **Mini-Storage / Self-Storage Requirements.** Mini Storage/Self-Storage use has characteristics in common with both commercial uses and industrial uses. In order to appropriately site mini storage/self-storage uses in commercial zones, standards are necessary to maintain the desired character and function of the Central Mixed Use zone. In general, Mini Storage/Self-Storage uses are similar to other commercial uses in that they provide a service to residential and business uses. The character of their development is often more similar to industrial buildings and their low activity level does not add to the vitality of a commercial area.

4.01.8.1 **Other Uses.** Other uses on the site such as the rental of trucks or moving equipment must meet the same requirements of mini storage/self-storage.

4.01.8.2 **Mini-Storage / Self-Storage Design Guidelines**

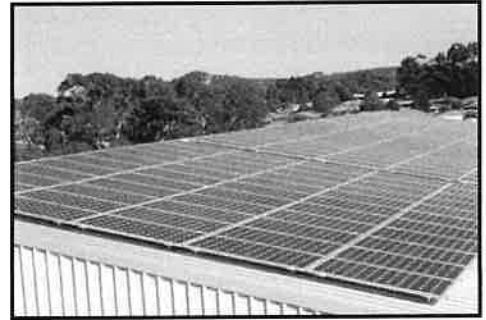
- A. Building and Roof Design. The building and roof are designed to be compatible with surrounding development, especially nearby residential uses. Considerations include design elements that break up long, monotonous building or roof lines and elements that are compatible with the desired character of the zone.
- B. Building Materials. The materials used for buildings, roofs, fences and other structures are compatible with the desired character of the neighborhood and are visually pleasing, especially near residential uses.
- C. Street Facades. The design and layout of the street side of the site provides a varied and interesting façade. Considerations include the use of setbacks, building placement, roof design, variation in building walls, fencing, other structural elements, and landscaping.
- D. Mini-Storage/Self-Storage Facilities and the Offices in conjunction with the units, on the same or adjoining lot, must:
 - 1. For those units visible from the frontage, access and/or abutting a residential use, have a façade that is:
 - a. Faux Stone Face
 - b. Stone Face
 - c. Brick Veneer
 - d. Brick
 - e. Hardiplank
 - f. Glass Unit Masonry



- g. Tinted Smooth Finish Masonry Mud
 - h. A combination of the above
 - i. A combination of the above with the addition of staggered height parapet walls
2. **Or** an End Wall constructed with same façade components as listed above. End wall must be of a length that blocks from view the units along the frontage, access and/or abutting a residential use.
 3. All units of same size shall be painted the same color, a color that is compatible with the façade of the office; and/or all units shall be painted the same color, a color that is compatible with the façade of the office.
 4. Any new units added must be painted the same color as the existing same-size units, a color that is compatible with the façade of the office.
 5. If the units are installed as separate cargo containers, a solid, continuous shell shall be constructed around all the units or set of units and this shell shall be painted one color, a color that is compatible with the façade of the office. This does not eliminate the use of accent colors for architectural components designed to be a contrast but compatible color to the main body of the structure.
- E. Landscaping. The landscaping on the site provides appropriate transition from public to private spaces, separates and buffers the buildings from other uses especially abutting residential uses, and provides visual relief from stark, linear building walls.
1. A minimum of 40sqft of landscaping per required parking space, which may include a combination of hardscape, lawn, shrubbery and trees, shall be planted around the office
 2. A minimum of live vegetation equivalent to 4 feet by the length of End Wall, or those units visible from the frontage, access, and/or abutting a residential use, around the End Wall or those units visible from the frontage, access and/or abutting a residential use.
 3. The planting of street trees adjacent to the public right-of-way shall be equivalent to one (1) tree per 50 linear feet. The street tree and any vegetation shall not create a vision hazard with adjacent traffic nor the traffic both entering and exiting the mini-storage area.
 4. All landscaping shall be maintained in a neat and orderly manner.
 5. All live vegetation shall remain alive for as long as this use occupies the site.
- F. Fencing. Any proposed fencing is designed to be compatible with the desired character of the neighborhood and is especially sensitive to abutting residential uses. Use of rolled razor wire or sight-obscuring material is not permitted.
1. Fencing shall not exceed the height permitted within Commercial zones.
 2. Fencing material shall allow visibility within the facility to afford police opportunity to observe inside the facility.
 3. Fencing may require a building permit, dependent upon the height and/or material used.
 4. Fencing must respect the Vision Clearance area; no fencing is allowed within this area.
- G. Security. The perimeter of the site is designed to provide adequate security for both the site and abutting sites. Considerations include fence and wall materials and placement, type and placement of landscaping including thorny plant material and desired visibility or privacy.
- H. Travel Lanes. Any travel lanes within the site shall be designed in a manner compatible with commercial uses in commercial zones.
1. All travel lanes shall be paved to a minimum standard adequate for private roads.
 2. (Reserved)
- I. Signage. Signage shall be compatible with the surrounding neighborhood, with sensitivity to abutting residential uses.
1. All signage shall comply with signs allowed within Sign District "A", with no sign height exceeding 20 feet.
 2. All lighted signage shall be subdued or turned off during the hours of darkness if a residential use is within 200 feet of the mini storage/self-storage facility.



- J. **Lighting.** Lighting shall be designed to provide adequate security to the site without interference to the surrounding neighborhood.
2. Lighting must project into the yard of the facility with shielding to prevent light cascading into the surrounding property. No lighting shall interrupt the living activities of an abutting residential use.
 3. **Solar.** The majority of mini-storage / self-storage facilities are constructed with flat or semi-flat roofing, single-story structures. These structures offer a large roof free of appurtenances that make the installation of solar paneling difficult. To encourage the use of such benefit, solar panel installation is encouraged.



(Section 4.01 as added by Ordinance No. 3885, passed February 7, 2017, and Ordinance No. 3902, passed November 1, 2016, Ordinance No. 3938, passed May 21, 2019, and Ordinance No. 3947, passed November 5, 2019.)

4.02 C-2 Tourist Commercial

4.02.1 **Description and Purpose.** To provide areas suitable for motels, restaurants, service stations, and other similar uses for the accommodation of tourists and travelers.



4.02.2 **Permitted Uses.** The following uses and their accessory uses are permitted outright, provided the gross floor area of any proposed building is less than 25,000 square feet:

- A. Dwelling, for caretaker or manager only;
- B. Eating and Drinking Establishments
- C. Hotels, Motels, Camping and Trailer Parks, other lodging
- D. Service Station; Auto Repair, Services, and Garages
- E. Information Center.
- F. Transportation uses consistent with the adopted Transportation System Plan and OAR 660-012-0045, and not otherwise identified as conditional uses, pursuant to 4.02.3

4.02.3 **Conditional Uses.** Any permitted use with a gross floor area of more than 25,000 square feet and the following uses and their accessory uses are permitted when authorized in accordance with the provisions of Article 11:

- A. Transit Facilities
- B. Transportation & Utility Services
- C. Health Care Services
- D. The following uses:
 - (1) park-and-ride/rideshare facilities
 - (2) transit centers
 - (3) transportation warehousing

(Section 4.02 as amended by Ordinance No. 3890, passed July 5, 2016, and Ordinance No. 3902, passed November 1, 2016, and Ordinance No. 3947, passed November 5, 2019.)

4.03 C-3 Service Commercial

4.03.1 **Description and Purpose.** To provide areas for retail and service uses, and housing opportunities which are accessible to the entire community.

4.03.2 **Permitted Uses.** The following uses and their accessory uses are permitted outright, provided the gross floor area of any proposed building is less than 25,000 square feet:

- A. Auto Repair, Services, Garages and fueling
- B. General Business and Personal Services
- C. Commercial Amusement and Recreation
- D. General building and trade contractors
- E. Dwelling, multi-family, or residential facility, subject to City development standards. The maximum density shall be 80 dwelling units per net buildable acre provided that: (1) One parking space per unit is provided

