

TITLE 10  
CHAPTER 30

**NORTH COMMERCIAL DISTRICT**

SECTION

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**10-30-1: PURPOSE:** The North Commercial District is intended to provide opportunities for commercial uses of a larger scale within planned commercial developments. Uses are intended to serve the traveling public and the needs of residents for major retail shopping opportunities. This district, while recognizing pre-existing development on existing parcels, encourages consolidation of parcels to promote planned commercial developments and discourages uses that require substantial outdoor display or storage.

**10-30-2: PERMITTED BUILDINGS AND USES:**

The following buildings and uses shall be permitted subject to the procedures and conditions set forth in Chapters 1 and 6 (Design Review) of this Title:

Animal clinics or grooming facilities (not abutting a residential district)	Hardware and garden supply stores
Appliance sales and service	Health clubs and studios
Art sales	Hobby shops
Artist studios	Home furnishings
Automobile parts and supply stores	Home electronics such as televisions, stereos and computers
Bakeries, retail	Hotels and motels
Banks	Interior decorator studios
Barber and beauty shops	Jewelry stores
Bicycle shops	Laboratories, medical and dental
Book store, new books only	Laundromat, self service only
Camera store	Leather goods store
Cafes and coffee shops	Locksmith shop
Catering services	Meat and fish market
Clothing, apparel shops	Movie theaters
Confectionery stores	Museums
Data processing center	Music stores
Day nurseries	Novelty shops
Delicatessen stores	Office supplies and equipment stores
Department stores	Optometry and optical sales and service
Drapery stores	Paint and wallpaper stores
Dress and millenary shops	Parking areas, public and private
Drugstores	Parking garages, public and private
Dry cleaners	Personal services
Electrical and electronic supplies and service	Pet shops
Fabric store	Pharmacies
Floor covering and carpet stores	Photography studios and photo processing
Florist shops	Planned unit development – commercial
Furniture stores	Planned unit development – mixed use.
General merchandise store	Printing and copy shops
Gift shop	Professional offices
Grocery and produce stores and supermarkets	Radio and television broadcasting studios

Reducing salons  
 Residential unit(s), provided that the building contains a non-residential use of uses permitted conditionally on the ground floor, and that the unit(s) shall not occupy the front twenty five feet (25') of the ground floor of the building or site facing the street; if access to the swelling is from the principal commercial street, it shall be a separate entrance and not more than ten feet (10') wide.  
 Restaurants, sit down and fast food with no drive-thru window  
 Sewing machine sales and service  
 Shoe sales and repair  
 Sporting goods stores

Stationary stores  
 Tobacco shops  
 Tailor shops  
 Theaters  
 Toy stores  
 Travel agencies  
 Variety stores  
 Video stores  
 Video rental shops  
 Accessory buildings and uses normal and incidental to the buildings and uses permitted in this Chapter  
 Other uses as determined to be similar to those listed in this Section and which conform with the intent and purpose of this Chapter.

**10-30-3: BUILDINGS AND USES PERMITTED CONDITIONALLY**

The Planning Commission, subject to the procedures and conditions set forth in Chapters 1, 4 and 6 of this Title, may grant a conditional use permit for the following:

Any use permitted by this Chapter that includes ancillary outdoor display or storage  
 Automobile fuel or service stations  
 Automobile sales, new car dealerships with ancillary used car sales only  
 Amusement or recreation establishments including bowling alleys, game arcades, pool halls, activity centers and amusement parks  
 Antique and secondhand shops  
 Bars, taverns, cocktail lounges and night clubs  
 Car washes  
 Medical Marijuana Dispensaries  
 Marijuana Retailers  
 Marijuana testing facilities licensed by the Oregon Liquor Control Commission or accredited by Oregon Health Authority  
 Public and quasi-public buildings and facilities  
 Restaurants with drive-thru window (includes drive-ups and drive-ins)

**10-30-4: PROHIBITED USES**

Single unit detached housing

**10-30-5: DEVELOPMENT STANDARDS:**

- A. Building Setback from Highway and Other Arterials (measured from right-of-way line): Minimum of 25', the front 15' of which shall be landscaped
- B. Setback from Side Streets: Minimum of 15', the front 10' of which shall be landscaped.
- C. Setback from Abutting Property: No setback is required except where property abuts a residential district, in which case, the following setback provisions shall apply:
  - 1. When the abutting district is zoned Low Density Residential, Medium Density Residential or Mobile / Manufactured Home Residential, a 35' building setback shall be provided. Non-vertical elements such as parking or circulation may be located within the 35' setback.
  - 2. When the abutting district is zoned High Density Residential, a 35' building setback shall be provided. Non-vertical elements such as parking or circulation facilities may be located within the 35' setback.

- D. Landscaping and Visual Buffers shall comply with Section 10-34 of this Title.
1. Except where the entire area between a street and building is landscaped, a minimum 3' high landscaped berm, hedge, natural vegetation, or heavy landscape planting shall be provided along the street frontage.
  2. A minimum of 15 percent of the developed site shall be landscaped, unless a preservation credit is achieved in accordance with FCC 10-34-2-4.
  3. When the abutting district is zoned Low Density Residential, Medium Density Residential or Mobile/Manufactured Home Residential District, an 8' solid fence shall be constructed for the entire length of the abutting residential district, excepting that Department of State Lands Removal/Fill permit conditions will be honored in location of fence or wall within or abutting a delineated wetland.
- E. Parking: Shall be in accordance with Chapter 3 of this Title.
- F. Signs: Shall be in accordance with Title 4 Chapter 7 of this Code. (Ord. 4, 2011)
- G. Lot dimensions: Minimum lot width shall be 100 feet for new subdivisions. Minimum lot depth shall be 100 feet for new subdivisions.
- H. Lot Area: Minimum lot size shall be 20,000 square feet for new subdivisions.
- I. Height Limitations: The maximum building or structural height shall be 40', except that the maximum height for structures immediately abutting any Low Density Residential District, Medium Density Residential District or Mobile/Manufactured Home Residential District shall be 35'. Residential dwellings and their associated structures refer to Section 10-10-5 of this Title for building height and structural standards.
- J. Vision Clearance: The requirements of Section 10-35-2-14 of this Title must be met.
- K. Screening:
1. Areas approved for outdoor storage shall be screened by a combination of landscaping and a solid fence or wall a minimum of 6' in height. Chain link with slats is not acceptable.
  2. Any trash or waste receptacle stored outside of an enclosed building shall be located within a trash enclosure constructed of a minimum 5' high solid wood fence or block wall with a solid wood or metal gate. Chain link with slats is not acceptable.
- L. Access: shall comply with Section 10-35 of this Title, except as modified by the following specific standard:
1. Driveway access from Highway 101 shall be limited to street intersections only, unless the property does not abut a side street or the property has at least 500 feet of highway frontage. In any case, shared driveway access between adjacent lots shall be required whenever practicable.
- M. Public Facilities: Refer to Section 10-36 of this Title for requirements.
- N. Open Space is required for residential developments of 4 or more units as follows:
1. An area on the site measuring a minimum of 100 square feet per dwelling unit shall be designated and permanently reserved as common open space.

2. In meeting the open space standard, the multiple unit development shall contain one or more of the following: outdoor recreation area, protection of sensitive lands (e.g., trees or bank vegetation preserved), play fields, outdoor playgrounds, outdoor sports courts, swimming pools, walking fitness courses, pedestrian amenities, or similar open space amenities for residents.
  3. To receive credit under this section, a common open space area shall have an average length that is not less than twenty feet (20').
  4. Any common areas shall be owned as common property and maintained by a homeowners associations or other legal entity. A copy of any applicable covenants, restrictions and conditions shall be recorded and provided to the city prior to building permit approval.
- O. Lighting: Refer to Section 10-37 if this Title for requirements.
- P. Residential Development: Residential development must meet the provisions listed in FCC 10-10-7 or 9 for the associated use.

### **10-30-6: DESIGN CRITERIA FOR NONRESIDENTIAL STRUCTURES**

- A. Applicability: The criteria in this section do not apply to residential or mixed-use buildings with a residential component. See FCC 10-10 for applicable residential design criteria.
- B. Facades: Building facades shall be articulated to avoid long, unbroken surfaces. This may be accomplished by varying the setback of the building façade, adding tower elements to the building, providing bay windows or covered walkways, or providing other vertical or horizontal structural treatments to the building façade.
- C. Roofs: Hipped or gabled roofs are recommended. Flat roofs are permitted only if the roof line is either broken up with vertical treatments such as tower elements or decorative parapets and cornice treatments are provided. Mansard roofs are not permitted. HVAC equipment and other roof-mounted equipment shall be adequately screened or hidden from view from adjacent streets and property, with the exception of solar photovoltaic and solar thermal energy systems as allowed by HB3516.
- D. Materials: Exterior materials on buildings shall be masonry, horizontal wood siding or shingles, stucco or similar material. Sheet metal and cinder block are discouraged as primary exterior wall material. T1-11 may be used in conjunction with horizontal siding if approved by the Design Review Board.
- E. Colors: Predominant roof and building colors shall be consistent with the City's desired coastal village atmosphere. Compatible colors consist of earth tones and soft pastels. Incompatible roof and body colors include any colors used where the intent is to attract attention instead of complementing and accentuating the building design.

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Ordinance No. 11, Series 2003, effective August 7, 2003

Section 10-30-5, J - Amended by Ord. 26, 2008

Section 10-30-5 Amended by Ord. No. 9, 2009

Section 10-30-5-N – Amended by Ord. No. 2, Series 2011 – effective March 11, 2011

Section 10-30-5-F – Amended by Ord. No. 4, Series 2011 – effective April 22, 2011

Sections 10-30-2, 10-30-3, and 10-30-6 amended by Ord. No. 3, 2013 – effective 7-31-13

Section 10-30-5-O added by Ord. No. 12, Series 2014 – effective 12-31-14

Section 10-30-3 amended by Ord. No. 1, Series 2015 – effective 3-17-15

Section 10-30-3 amended by Ord. No. 12, Series 2015 – effective 1-1-16

Sections 10-30-2, 10-30-3, and 10-30-5 amended by Ord. No. 11, Series 2016 – effective 11-16-16

Sections 10-30-2, 10-30-5-N & P, and 10-30-6 amended by Ord. No. 7, Series 2019 – effective 12-18-19

Sections 10-30-5-C(1), (2), D(3), and I amended by Ord. 9, Series 2020 – effective 9-16-20

Section 10-30-5-N & P amended by Ord. No. 6, Series 2023 – effective 8-17-23