

SECTION 3.602 “RC-TV-C” TYGH VALLEY COMMERCIAL ZONE

- A. Purpose: The purpose of the “RC-TV-C” Tygh Valley Commercial zone is to provide areas for localized shopping facilities. It is intended to preserve and enhance a wide range of retail sales and service establishments serving both the long and short term needs of Tygh Valley and its surrounding area.

Buildings and structures hereafter erected, structurally altered, enlarged or moved and land hereafter used in the “RC-TV-C” Tygh Valley Commercial zone shall comply with the following regulations.

- B. Uses Permitted Without Review: The following uses are permitted on lands designated "TV-C" Tygh Valley Commercial zone without review.

1. Utility Facilities (Minor).

- C. Uses Permitted Subject to Ministerial/Type I Review: The following small scale low impact uses are permitted on a legal parcel on lands designated “TV-C” Tygh Valley Commercial zone subject to subsection F - Property Development Standards, Chapter 10 - Fire Safety Standards as well as any other listed, referenced or applicable standards. Permitted Uses: In the “RC-TV-C” zone, the following uses and activities and their accessory uses are permitted subject to the applicable provisions and exceptions set forth by this Ordinance:

1. Any new commercial service, or retail use, listed in Section D C of this zone, that will be located entirely within an existing, lawfully erected building or structure demonstrating compliance with off-street parking, off-street loading and bicycle parking requirements in Chapter 20 - Site Plan Review.
2. Buildings and structures accessory to a lawfully established use. This also includes buildings less than 200 square feet in area, buildings less than 10 feet in height, and decks including those less than 30” from the ground. If the building(s) is accessory to a commercial use the combined footprint of all commercial buildings and all accessory buildings shall not exceed 4,000 sq. ft.
3. Additions to, and replacement of, a lawfully established building or structure.
4. Non-commercial/stand alone power generating facilities and Meteorological Towers Subject to Chapter 19 - Standards for Energy Facilities - Section 19.020. Small scale commercial power generating facilities may be allowed under this provision if allowed by Section 19.030.

- D. Uses Permitted Subject to Standards/Type II Review Site Plan Review: The following small scale low impact commercial uses or any combination of these uses and their accessory uses may be permitted on a legal parcel on lands designated In the “TV-C”

Tygh Valley Commercial Zone are permitted in a building or buildings not exceeding a cumulative floor area of 4,000 sq. ft. when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in subject to subsection F - Property Development Standards, Chapter 10 - Fire Safety Standards, Chapter 20 - Site Plan Review, as well as any other listed, referenced or applicable standards, and this Chapter:

1. Non-commercial/stand alone power generating facilities and Meteorological Towers subject to Chapter 19 - Standards for Energy Facilities - Section 19.020. Small scale commercial power generating facilities may be allowed under this provision if allowed by Section 19.030.
2. Partitions, Property Line Adjustments and Subdivisions subject to Chapter 21 - Land Divisions.

Any combination of the following uses in a building or buildings not exceeding a cumulative floor area of 4,000 sq. ft.:

3. Retail or service business.
4. Eating or drinking establishment.
5. Offices.
6. Veterinary clinic and kennel entirely within an enclosed building.
7. Studio.
8. Public garage, including usual automobile repairs and servicing enclosed within the building that, when within fifty (50) feet of an "A" or "R" zone, there shall be no openings in the building walls facing the boundaries of an "A" or "R" zone other than stationary windows, except where such building walls abut streets or alleys.
9. Residential use in the same building as an allowed use.

- E. Uses Permitted Subject to Conditionally Use Review/Type II or Type III: The following small scale low impact commercial uses or any combination of these uses and their accessory uses may be permitted on a legal parcel on lands designated in the "TV-C" Tygh Valley Commercial Zone are permitted in a building or buildings not exceeding a cumulative floor area of 4,000 sq. ft. when authorized by the Approving Authority upon satisfactory demonstration of compliance with the standards of this Ordinance as required in subject to subsection F - Property Development Standards, Chapter 5 - Conditional Use Review, Chapter 10 - Fire Safety Standards, Chapter 20 - Site Plan Review only if the request includes off-street parking, off-

street loading or bicycle parking, as well as any other listed, referenced or applicable standards.

1. Wind energy conversion system subject to the provisions of Chapter 19 (Standards for Energy Facilities). Non-commercial/stand alone power generating facilities and Meteorological Towers Subject to Chapter 19 - Standards for Energy Facilities - Section 19.020. Small scale commercial power generating facilities may be allowed under this provision if allowed by Section 19.030.

2. Electrical Transmission Facilities & Natural Gas or Petroleum Product Pipelines subject to Chapter 19 – Standards for Energy Facilities - Section 19.030.

3. Related or Supporting Facilities to a Commercial Power Generating Facility subject to Chapter 19 - Standards for Energy Facilities - Section 19.030.

4. Utility facilities (Major) necessary for public service, except landfill.

Water supply or treatment facility. (Replaced by Utility Facility (Major))

5. Church.

6. Public or semi public buildings.

7. Public or private school.

8. Medical center.

Any combination of the following uses in a building or buildings not exceeding a cumulative floor area of 4,000 sq. ft:

9. Motel with a maximum of 35 units, only if served by a community sewer system as defined in OAR 660-22-101(2).

10. Automobile service stations.

11. Recreational Vehicle Park with an office and accessory structures not exceeding 4,000 square feet of floor space.

12. Place of public assemble, stadium, auditorium, recreation building or natatorium.

13. Commercial amusement establishments when enclosed in a building (stadium, theatre, bowling alley, theatre).

14. Child care center.

15. Parks, athletic fields, playgrounds or community centers owned by a governmental agency or non-profit community organization.

F. Property Development Standards

1. Property Size - The minimum property size for commercial development shall be determined based on the amount of area required for proper sanitation, off-street parking, loading, maintenance of setbacks and compatibility with adjacent uses. If no use is proposed the minimum lot size shall be 2 acres.

2. Setbacks

- a. Front Yard - No structure other than a fence or sign shall be located closer than twenty-five (25) feet from the right-of-way of a public road except where forty percent (40%) of the frontage is developed with buildings having front yards with a variation of ten (10) feet in depth shall establish the front yard depth of the entire frontage.

- b. Side Yard - Where the side of a lot or parcel in a "C-2" zone abuts the side of an "R" zone, there shall be a side yard of not less than seven (7) feet.

In all cases, on a corner lot or parcel, there shall be a side yard setback of ten (10) feet from exterior side property lines for corner building sites. In other cases, a side yard for commercial buildings shall not be required.

- c. Rear Yard - No structure other than a fence shall be located closer than twenty (20) feet from the rear yard property lines.

- d. Water Setbacks - All structures or similar permanent fixtures shall be set back from the high water line or mark along all water bodies a minimum distance of fifty (50) feet when measured horizontally at a right angle.

- e. Agricultural setbacks - Any new structure requiring a building permit on a lot or parcel adjacent to EFU-zoned land which is currently used for or is suitable for agriculture use shall be set back a minimum of 100 feet from the common property line.

3. Vision Clearance - Vision clearance on corner properties shall be a minimum of thirty (30) feet.

4. Height - Maximum height for all structures shall be thirty-five (35) feet with the exception of lights for athletic fields which shall be the minimum height necessary for the intended purpose.

5. Floodplain - Any development including but not limited to buildings, structures or excavation, proposed within a FEMA designated flood zone, or sited in an area where the Planning Director cannot deem the development reasonably safe from flooding shall be subject to Section 3.740 - Flood Hazard Overlay **(EPD 1)**.
6. Signs - Except as is necessary for traffic safety, the following sign regulations shall apply to all uses:
 - a. Signs shall pertain only to goods and services sold on the premises.
 - b. No sign shall project above the building.
 - c. Signs are permitted in a ratio of one square foot of sign area to each linear foot of store frontage with the exception of athletic field scoreboards which shall be the minimum size necessary for the intended purpose.
 - d. Signs shall not be placed upon walls or surfaces abutting an "A" or an "R" zone.
 - e. Separate directional signs not to exceed an area of sixteen (16) square feet are permitted on property of an Automobile Service Station or public parking area, but must not project beyond the property line of such establishment.
 - f. Flashing, digital, electronic, and LED (light emitting diode) signs shall be prohibited except as is necessary for athletic scoreboards.
 - g. Signs capable of movement shall be prohibited
 - h. Signs advertising the sale or rental of the premise and temporary in nature are permitted provided the sign is erected no closer than ten (10) feet from the right-of-way of public road.
7. Parking - Off street parking shall be provided in accordance with Chapter 20 - **Site Plan Review**.
8. Design standards - Ground floor windows. The following criteria for ground floor windows are encouraged for all new commercial buildings.
 - a. The window should equal at least 50 percent of the length and 25 percent of the height of the ground level wall area. Ground level wall area includes all exterior walls up to 9 feet above the finished grade. The window criteria apply to the ground level of exterior building walls that abut sidewalks or roads.
 - b. Windows should allow views into either working areas, lobbies, pedestrian entrances, or displays.

9. Lighting - Outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties, roadways, and waterways. The exterior of shielding and hooding materials shall be composed of non-reflective opaque materials. Athletic field lighting shall follow normal good practices.
10. Outdoor Storage - outdoor storage must be enclosed by a sight obscuring fence, wall or landscaping; all of which shall be maintained.
11. Access
 - a. No access will be allowed off of US Highway 197.
 - b. Spacing- Parcels/lots fronting Highway 197 shall have their access off ORE Highway 216 or Wamic Market Road at least 500 feet from the junction of Highway 197.
 - c. All accesses fronting ORE Highway 216 shall have a minimum spacing of 500 feet.
 - d. Any commercial use generating in excess of 200 trips per day shall be required to prepare a traffic impact study demonstrating that traffic generated can be accommodated within Oregon Department of Transportation Standards or necessary improvements, identified by the traffic study, to the affected highway will be made prior to commencement of the commercial operation.