

CHAPTER 3.20 MIXED USE GENERAL COMMERCIAL (MUGC) ZONE

Section 3.20.10 - PURPOSE

The Mixed Use General Commercial (MUGC) Zone implements the Mixed Use Commercial Comprehensive Plan designation in areas located outside the Mixed Use Neighborhood Center Zone and Mixed Use Community Shopping Zone. It is intended to provide areas for those commercial and related services and businesses that generally require extensive outside storage, are not retail or office uses, or have characteristics with less pedestrian orientation than other commercial zones. Site and building design in the MUGC Zone is intended to comply with pedestrian- and human-scale policies of the Comprehensive Plan, while recognizing and providing for uses that may conflict with pedestrian access and the character of the other commercial zones.

Section 3.20.20 - GENERAL PROVISIONS

3.20.20.01 - Establishment of the MUGC Zone

Zone changes to establish new MUGC zones may be applied only to properties designated Mixed Use Commercial (MUC) or Intensive Development Sector (IDS) on the Comprehensive Plan Map as of December 31, 2000, or as established through a subsequent or concurrent Comprehensive Plan Map amendment. The MUGC Zone also may be applied through a legislative process in accordance with Chapter 2.0 - Public Hearings. The following locational and dimensional criteria shall apply to any new MUGC Zone.

a. Locational Criteria

The following locational criteria shall be applied to zone changes, in conjunction with Chapter 2.2 - Zone Changes.

1. The MUGC Zone shall have at least 50 ft. of frontage along a collector or arterial street, as designated in the Corvallis Transportation Plan;
2. New MUGC zones are discouraged from abutting land designated Low Density Residential on the Comprehensive Plan Map.

b. Zone Size and Dimensions

1. The minimum contiguous area for a new MUGC Zone is 5 acres. Additionally, when multiple lots or parcels are included, portions of individual lots or parcels at least 1 acre in size may be included, provided the size of the remainder of each lot or parcel is developable under its zone designation. Public street rights-of-way shall not count toward the total area of a zone.

c. Variations

Variations from development and design standards (i.e., the standards in this chapter and in other chapters addressing parking, landscaping, public improvements, and pedestrian oriented design standards) may be achieved through the Planned Development and Lot Development Option processes outlined in chapters 2.5 and 2.12 of the Code.

Section 3.20.30 - PERMITTED USES

Land use in the MUGC Zone shall conform to the list of permitted use types in Table 3.20-1. Ministerial development involving use types permitted outright are identified with a "P." General development involving use types subject to Plan Compatibility Review (Chapter 2.13) are identified with a "PC." Special Development involving use types subject to Conditional Development Review (Chapter 2.3) and Planned Development Review (Chapter 2.5) are identified with a "CD" and a "PD," respectively. Uses identified with an "N" are not permitted.

| Table 3.20 - 1 Permitted Use Types | |
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| Use Types | Permit Procedure |
| <p>a. Prior Established Uses ¹</p> <p>1. Uses existing prior to December 31, 2000, and in compliance with the Code on that date</p> <p>2. Uses permitted by the Code at the time of approval of a Conceptual or Detailed Development Plan overlying the subject property</p> | <p>P</p> <p>P</p> |
| <p>b. Civic Use Types</p> <p>1. Essential Services, subject to Chapter 4.9 standards</p> <p>2. Lodge, Fraternal, and Civic Assembly</p> <p>3. Minor Utilities, subject to Chapter 4.9 standards</p> <p>4. Major Services and Utilities (e.g., transit and similar facilities)</p> | <p>P</p> <p>PC</p> <p>P</p> <p>P</p> |

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Uses that were in existence and permitted in zoning prior to December 31, 2000, and are now in the MUGC Zone, shall not be classified as nonconforming uses unless they have been discontinued for a period of at least 18 months, in which case, the requirements of section 1.4.30.03 shall apply. Expansions and enlargements shall comply with all other applicable Code requirements. Redevelopment and reconstruction of buildings in existence and permitted in zoning prior to December 31, 2000, are allowed pursuant to the requirements of section 1.4.30.

**Table 3.20 - 1
Permitted Use Types**

| Use Types | Permit Procedure |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|
| d. Accessory Uses (contained within enclosed building) | |
| 1. Day Care, Commercial Facility | P |
| 2. Essential Services | P |
| 3. Food and Beverage Retail Sales | P |
| 4. Professional and Administrative Services | P |
| 5. Required off-street parking in accordance with Chapter 4.1 | P |
| 6. One residence per development site developed simultaneously with or following development of primary and accessory uses permitted outright. | P |
| 7. Other development customarily incidental to the primary use in accordance with Chapter 4.3 | P |
| 8. Projections such as chimneys, spires, domes, and towers not used for human occupancy and exceeding 75 ft. in height, in accordance with Chapter 4.9. If adjacent to an RS-3.5, RS-5, RS-6, RS-9 or RS-9(U) zone, the threshold is 20 ft. above the height of the structure or 55 ft. in height, whichever is less. | PC |

Section 3.20.40 - DEVELOPMENT STANDARDS

3.20.40.01 - Use and Building Size Limitations

The maximum building footprint within the MUGC Zone is 55,000 sq. ft., which does not include outside storage associated with a use. There are no minimum or maximum square foot limitations for uses in the MUGC Zone.

3.20.40.02 - Lot Area

No minimum or maximum lot area standards are established in the MUGC Zone. Lot area shall be adequate to fulfill applicable Code requirements and standards of this district.

3.20.40.03 - Setbacks

- a. **Front and Exterior Side Yard** - 10 ft. minimum and 25 ft. maximum setback. Buildings interior to a development site are exempt from this requirement provided other building(s) on the site meet the requirement. In no case shall parking facilities or circulation facilities (e.g., driveways, queues) be allowed between the building front and the street.
- b. **Interior Side Yard** - 10 ft. minimum setback.
- c. **Rear Yard** - 10 ft. minimum setback.

3.20.40.04 - Building Orientation

- a. All new buildings shall comply with section 3.20.40.10 - Pedestrian Oriented Design Standards, below.
- b. **Transit-Oriented Development** - In addition to the requirements of "a" above, when a building is located within 100 ft. of an existing or planned transit stop or route, the building and at least one of its entrances shall be oriented to the transit stop or route. This criterion is met by facing the entrance toward the bus stop or route and providing a direct pedestrian connection between the bus stop or route and the entrance, in conformance with section 4.10.70.02 of Chapter 4.10 - Pedestrian Oriented Design Standards.

3.20.40.05 - Gateway Standards

Standards in section 4.2.70 of Chapter 4.2 - Landscaping, Buffering, Screening, Natural Resource Protection, and Lighting shall apply to development along a "Gateway Street," as designated by the Comprehensive Plan.

3.20.40.06 - General Landscaping Standards

All developments shall conform to the landscaping requirements of Chapter 4.2 - Landscaping, Buffering, Screening, Natural Resource Protection, and Lighting. In addition, the following standards shall apply to developments in the MUGC Zone:

- a. **Landscaping between MUGC Zone and Other Zones** - Landscaping and screening is required between MUGC zones and other zones, and shall consist of an effective combination of ground cover, shrubbery and trees, and fences and/or walls. Further, when a site abuts a residential or mixed use zone, landscaping shall be at least 6 ft. in height and at least 80 percent opaque as viewed from any point along the lot boundary within 18 months following establishment of a primary use type. Exceptions to this standard shall be provided for pedestrian accessways.

- b. **Storage and Refuse Areas** - Storage and refuse areas shall be screened in accordance with Chapter 4.2 so that materials stored in those areas are not visible from streets, accessways, and adjacent properties.

3.20.40.07 - Structure Height

No structure shall exceed 45 ft. in height.

3.20.40.08 - Performance Standards

Each use, activity, or operation in this zone shall comply with applicable local, state, and federal standards, and shall not create a nuisance because of odor, noise, vibration, dust, smoke, or gas.

3.20.40.09 - Off-Street Parking Facilities

Off-street parking shall be provided in accordance with Chapter 4.1 - Parking, Loading, and Access Requirements.

3.20.40.10 - Pedestrian Oriented Design Standards

- a. Independent or cumulative expansions of a commercial, industrial, or civic structure in existence and in compliance with the Code on December 31, 2000, or constructed after December 31, 2000 pursuant to a valid Conceptual or Detailed Development Plan approved on or before December 31, 2000, shall not be required to comply with this section provided that:
 - 1. The expansion adds floor area of 500 sq. ft. or less; or
 - 2. The expansion adds floor area of 3,000 sq. ft. or less and is equivalent to 20 percent or less of the existing structure's gross floor area.
- b. Independent or cumulative expansions of a commercial, industrial, or civic structure in existence and in compliance with the Code on December 31, 2000, or constructed after December 31, 2000 pursuant to a valid Conceptual or Detailed Development Plan approved on or before December 31, 2000, shall comply with the pedestrian requirements of Chapter 4.10 - Pedestrian Oriented Design Standards, sections 4.10.70.02 through 4.10.70.05, with allowances for choices among some standards as identified in section 4.10.70.01, provided that:
 - 1. The expansion adds floor area of more than 3,000 sq. ft.; or
 - 2. The expansion adds floor area of more than 500 sq. ft. and is equivalent to more than 20 percent of the existing structure's gross floor area.

Exception - Special window and weather protection requirements identified in "c," below, shall apply to this section.

- c. New development in the MUGC Zone on any site undeveloped prior to January 1, 2001, shall conform with section 4.10.70 of Chapter 4.10 - Pedestrian Oriented Design Standards as follows:
1. Section 4.10.70.02, "a" through "c"
 2. Section 4.10.70.03, "a" and "b"
 3. Section 4.10.70.04, "a" through "c" and "e"
 4. Section 4.10.70.05, "a.1" (except weather protection is required only at street-oriented entrances); "b.1" through "b.3," and "b.5" through "b.6" (except a minimum of 20 percent of the length and 10 percent of the ground-floor wall area of any street-facing facade shall contain windows and/or glass doors); and "b.7(d)" through "b.7(e)."

Section 3.20.50 - COMPLIANCE WITH THIS CODE

All development shall comply with applicable design standards and other provisions of the Code including, but not limited to, chapters 4.0, 4.1, 4.2, 4.6, 4.7, and 4.9. The block standards established in section 4.0.60 of Chapter 4.0 - Improvements Required with Development shall apply to development on undeveloped sites and are encouraged to the maximum extent practicable on redevelopment of developed sites.