

CHAPTER 3.21 MIXED USE TRANSITIONAL (MUT) ZONE

Section 3.21.10 - PURPOSE

This zone implements the Mixed Use Transitional (MUT) Comprehensive Plan designation. The MUT Comprehensive Plan designation should be applied to existing industrial areas that are identified, through an area refinement plan, as being desirable for transition over time to less intensive uses. The MUT Zone provides a mechanism to permit the introduction of new, less intensive uses while allowing general and intensive industrial uses to remain during an indefinite period of transition. It also addresses limitations on re-intensification of uses that have previously transitioned from general or intensive industrial uses to less intensive activities.

Key objectives of the MUT Zone include reducing conflicts between industrial and less intensive uses located nearby; providing an opportunity to develop a mix of non-industrial uses in the zone that are compatible with surrounding land uses; transitioning to new, less conflicting uses; and achieving the transition in a way that is fair and preserves value and flexibility for the industrial businesses located within the MUT Zone.

Section 3.21.20 - GENERAL PROVISIONS

3.21.20.01 - Establishment of the MUT Zone

The MUT Zone may be applied to properties with MUT designations on the Comprehensive Plan Map.

3.21.20.02 - Zone Size and Dimensions

The size of the MUT Zone shall be established through an area refinement plan. Public street rights-of-way shall not count toward the total area of the zone.

Section 3.21.30 - PERMITTED USES

Land use in the MUT Zone shall conform to the list of permitted use types in Table 3.21-1. 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 3.21-1
Permitted Use Types**

Use Types	Permit Procedure
a. Civic Use Types	
1. Administrative Services	P
2. Social Service Facilities	P
3. Community Recreation	P
4. Cultural Exhibits and Library Services	P
5. Lodges, Fraternal and Civic Assembly	P
6. Major Services and Utilities (except Transit Facilities)	CD
7. Minor Utilities subject to standards in Chapter 4.9	PC
8. Parking Services	P
9. Public Safety Services	P
10. Religious Assembly	P
11. Transit Facilities	P
12. Freestanding wireless telecommunication facilities up to 60 ft. in height, subject to the standards in Chapter 4.9.	P
13. Freestanding wireless telecommunication facilities that do not meet the setback or spacing requirements of sections 4.9.60.02.b and 4.9.60.02.c, subject to the standards in Chapter 4.9.	CD
14. Freestanding wireless telecommunication facilities 61- to 75-ft. in height, subject to the standards in Chapter 4.9.	PC
15. Freestanding telecommunication facilities greater than 75 ft. in height, subject to the standards in Chapter 4.9.	CD

**Table 3.21-1
Permitted Use Types**

Use Types	Permit Procedure
b. Commercial Use Types	
1. Agricultural Sales	P
2. Animal Sales and Services	
(a) Grooming	P
(b) Veterinary (small animals)	P
(c) Indoor Kennels (with sound attenuation)	P
3. Automotive and Equipment	
(a) Car Wash	CD
(b) Fleet Storage	CD
(c) Parking Services	CD
(d) Light Equipment Repairs	CD
(e) Heavy Equipment Repairs	CD
4. Building Maintenance Services	P
5. Business Equipment Sales and Services	P
6. Business Support Services	P
7. Communication Services	P
8. Construction Sales and Service	P
9. Convenience Sales and Personal Services	P
10. Day Care, Commercial Facility	P
11. Drive-Through Facilities	CD
12. Eating and Drinking Establishments - Sit Down (more than 30 seats)	CD
13. Eating and Drinking Establishments - Sit Down (30 seats or less)	P

**Table 3.21-1
Permitted Use Types**

Use Types	Permit Procedure
14. Financial, Insurance, and Real Estate Services	P
15. Food and Beverage Sales	P
16. Funeral and Internment Services	P
17. Laundry Services	P
18. Lodging Services	P
19. Medical Services	P
20. Parking Lot Kiosks	P
21. Participant Sports and Recreation	P
22. Personal Services - General	P
23. Professional and Administrative Services	P
24. 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 65 ft. in height, whichever is less	PC
25. Repair Services - Consumer	P
26. Research Services	P
27. Retail Sales	P
28. Spectator Sports and Entertainment - Limited	P
29. Spectator Sports and Entertainment - Other (Indoor Facilities Only)	CD
30. Technical Support Center	P
31. Telemarketing Center	P
32. University Related Services	P
33. Wholesaling, Storage and Distribution	P

**Table 3.21-1
Permitted Use Types**

Use Types	Permit Procedure
<p>c. Industrial Use Types</p> <ol style="list-style-type: none"> 1. Limited Manufacturing - less than 20 employees per acre and not requiring a State or Federal air quality discharge permit, except for parking 2. General Industrial (subject to limitations in section 3.27.40 of Chapter 3.27) 3. Intensive Industrial (limited to properties zoned Intensive Industrial at the time of change to MUT, and subject to limitations in 3.27.40 of Chapter 3.27) 4. Limited Manufacturing - 20 or more employees per shift and/or requiring a State or Federal air quality discharge permit, except for parking. 5. Technological Production <ol style="list-style-type: none"> (a) < 20 employees per shift (b) 20 or more employees per shift 	<p align="center">P</p> <p align="center">CD</p> <p align="center">CD</p> <p align="center">CD</p> <p align="center">P</p> <p align="center">CD</p>
<p>d. Changes in operations of existing General and Intensive Industrial uses under the following conditions:</p> <ol style="list-style-type: none"> 1. A change in operation or increase in production that creates the need to secure approval from an environmental permitting agency to increase air, water, or noise emissions, unless such emission levels were approved by the City through a previous land use process; or 2. Specific limits or conditions related to operations, and/or physical expansion, established by a previous land use approval are exceeded. 	<p align="center">CD</p> <p align="center">CD</p>
<p>e. Re-establishment of a more Intensive Industrial Use:</p> <ol style="list-style-type: none"> 1. When a general or intensive industrial use is replaced with a less intensive use, Conditional Development approval shall be required to re-establish a general or intensive industrial use at that location. 	<p align="center">CD</p>

**Table 3.21-1
Permitted Use Types**

Use Types	Permit Procedure
2. Sites proposed for re-establishment of a general or intensive industrial use shall be subject to current development standards for that use (e.g., landscaping, setbacks, screening). Deviations from such standards shall require approval of a Lot Development Option or Planned Development in addition to Conditional Development approval.	CD
f. Residential Use and Building Types 1. Residential Use Types - Family, Group Residential, Group Residential/Group Care, Residential Care Facilities 2. Residential Building Types - Single Detached (existing prior to adoption of this Code), Single Attached (zero lot line-2 units), Duplexes (existing prior to the adoption of this Code), Attached (Townhouse), Multi-Dwelling (includes freestanding buildings and dwelling units in commercial or industrial buildings), Accessory Dwelling	CD CD
g. Accessory Uses 1. Essential Services 2. Day Care, Family 3. Home Business, when conducted in conjunction with a permitted residential use. 4. Required off-street parking in accordance with Chapter 4.1 5. Other development customarily incidental to the primary use in accordance with Chapter 4.3 6. Colocated/attached wireless telecommunication facilities on multi-family (3 or more stories) residential structures that do not increase the height of the existing structures by more than 17 ft. for whip antennas, including mounting, or by 10 ft. for all other antennas, subject to the standards in Chapter 4.9.	P P P P P P

Table 3.21-1 Permitted Use Types	
Use Types	Permit Procedure
7. Colocated/attached wireless telecommunication facilities on nonresidential structures that do not increase the height of the existing structures by more than 17 ft. for whip antennas, including mounting, or by 10 ft. for all other antennas, subject to the standards in Chapter 4.9.	P

Section 3.21.40 - DEVELOPMENT STANDARDS FOR GENERAL AND INTENSIVE INDUSTRIAL USES

- a. All General Industrial Uses shall conform to the development standards of the General Industrial Zone.
- b. All Intensive Industrial Uses shall conform to the development standards of the Intensive Industrial Zone.

Section 3.21.50 - 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) for General and Intensive Industrial may be achieved through the Planned Development and Lot Development Option processes outlined in chapters 2.5 and 2.12 of the Code.

Section 3.21.60 - DEVELOPMENT STANDARDS FOR CIVIC, COMMERCIAL, LIMITED MANUFACTURING, AND RESIDENTIAL USE TYPES

The following provisions identify development standards within the MUT Zone for all development of a civic, commercial, limited manufacturing, or residential use type. 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.

3.21.60.01 - Minimum Lot Area and Setback Requirements

- a. A setback of not less than 25 ft. shall be provided along each MUT Zone boundary line abutting any residential (RS) zone. Off-street parking and loading shall be permitted in this area except within 15 ft. of the zone boundary line, which shall not be used for any permitted use, activity, or structure (other than fences, walls, driveways, or walks). Driveways, parking, and loading areas adjacent to residential zones shall be landscaped and

screened in accordance with Chapter 4.2 - Landscaping, Buffering, Screening, Natural Resource Protection, and Lighting.

- b. Residential structures shall be developed in accordance with Chapter 3.8 - High Density (RS-20) Zone and the design guidelines in this chapter.
- c. For maximum permitted setbacks, refer to section 3.21.70.02.

3.21.60.02 - Structure Height

Structure height shall not exceed 45 ft. unless a site is developed as a Planned or Conditional Development and in a manner compatible with any adjacent residential property(ies), in which case the structure height may be increased up to 75 ft. (See section 3.21.70.09 - Neighborhood Compatibility).

3.21.60.03 - Green Area Standards

A minimum of 20 percent of the total site area shall be retained as green area. Green area may include landscape areas, natural areas, and/or pedestrian amenities (section 3.21.70.07), except that a minimum of 15 percent of the required green area shall be landscaping or preserved vegetation. The site design and building design standards of this chapter shall also be met. Structures, parking, and driveways of interior parking areas are not considered green area.

3.21.60.04 - Off-Street Parking

Off-street parking shall be provided in accordance with Chapter 4.1 - Parking, Loading, and Access Requirements. Required parking shall be provided on the same site as the use or upon abutting property. Contiguity can be achieved across street rights-of-way except on arterial and collector streets where there is not a controlled intersection within 100 ft. of the subject property. Chapter 4.1 allows adjustments to minimum parking standards where transit service and bicycle parking are available. Additional flexibility for required vehicle parking may be granted in the MUT Zone in conformance with the following standards:

- a. Shared parking agreements may be used to provide additional reductions in required parking, provided the applicant demonstrates an adequate supply of parking for each use. Identification of surplus parking during peak periods or surplus capacity provided due to off-peak use are methods of demonstrating this adequacy.
- b. Additional flexibility to vehicle parking provisions may be granted through the Lot Development Option (when the site is less than 3 acres) or Planned Development procedures, Chapters 2.12 and 2.5, respectively. This flexibility is provided to encourage development patterns that reduce reliance on the automobile by taking advantage of alternate modes of travel.

Section 3.21.70 - DESIGN GUIDELINES AND STANDARDS FOR CIVIC, COMMERCIAL, LIMITED MANUFACTURING, AND RESIDENTIAL USE TYPES

3.21.70.01 - Coordinated Development

New development shall be designed in a manner that does not preclude development of adjacent property(ies) and that ensures the logical and efficient extension of public facilities and services, including but not limited to sanitary sewer, water, storm drainage, and street and pedestrian facility connections.

3.21.70.02 - Building Orientation and Maximum Setbacks

- a. All new buildings in the MUT Zone shall be oriented to existing or proposed public streets or to private streets as approved by the City. Building orientation is demonstrated by placing buildings and their public entrances close to streets so that pedestrians have a direct and convenient route from the street sidewalk to building entrances.
- b. At least one major public entrance should be oriented to each street that the building abuts. Corner entrances may be used to provide entrance orientation to two streets, provided that the length of the building adjacent to the street does not exceed 50 ft.
- c. Building setbacks from streets or plazas shall not exceed 20 ft. except when necessary to preserve healthy, mature tree(s), to provide pedestrian amenities in conformance with section 3.21.70.07, or to accommodate handicapped access requirements. A further exception to these setback requirements may be considered when the site is fronted by more than two streets.

3.21.70.03 - Corner Building Entrances

For all new buildings or when redevelopment opportunities allow, the design of corner lot buildings should reinforce public intersections as public spaces. Corner building entrances with weather protection or other architectural features may be required to ensure that this guideline is met. The maximum allowable building setback in section 3.21.70.02 may be increased when the building design incorporates seating, plazas, and other public amenities, as defined by section 3.21.70.07.

3.21.70.04 - Weather Protection

- a. Where new industrial development is constructed adjacent to street sidewalks or pedestrian plazas, a 6-ft.-wide, weather-protected area (e.g., awnings or canopies) shall be provided over the primary entrance.

- b. Where new commercial or residential development is constructed adjacent to street sidewalks or pedestrian plazas, a 6-ft.-wide, weather-protected area (e.g., awnings or canopies) shall be provided along all portion of building(s) adjacent to the sidewalks and/or plazas.
- c. For existing development, weather protection, as identified in “a” and “b” above, shall be provided when there are alterations, repairs, or additions to existing structures. However, an exception to this weather protection standard may be requested where the applicant can demonstrate, to the satisfaction of the Director, that the cost of improvements to the existing structure is less than four times the cost of providing an awning. In addition, where weather protection is at least 4 ft. in width, an exception to this standard may be authorized.

3.21.70.05 - Landscaping and Screening

Landscaping and screening shall be required, in accordance with Chapter 4.2 - Landscaping, Buffering, Screening, Natural Resource Protection, and Lighting. The following additional standards apply to the MUT Zone:

- a. Street trees shall be required, consistent with Chapter 4.2. Species should be compatible with the design features identified in section 3.21.70.07, and shall provide continuity with nearby landscaping. A reduction to the number of required street trees may be granted when a development preserves healthy, mature tree(s) adjacent to the sidewalk.
- b. Screening of parking areas, drives, mechanical equipment, and solid waste receptacles shall be installed prior to building occupancy. Screening options include landscape plants, planters, ornamental walls, trellises, fences, or other features consistent with Chapter 4.2.
- c. Irrigation systems shall be installed to support landscaping.

3.21.70.06 - Street Connectivity and Internal Circulation

- a. For new structures and substantial improvements to existing development, an applicant may be required to provide street or driveway stubs and reciprocal access easements to promote connectivity, dispersal of traffic, and efficient circulation between uses and properties.
- b. The maximum block perimeter shall be 1,800 ft., but in no case shall there be a distance of more than 400 ft. without a pedestrian way. Alternatives to this standard may be considered through the Planned Development process.
- c. Traffic lanes shall be internal to the site and shall not be located between buildings and sidewalks, except where drop-off facilities are provided (e.g., handicapped access). Such facilities shall be designed to meet Americans

with Disabilities Act (ADA) requirements and provide for direct pedestrian circulation.

3.21.70.07 - Pedestrian Amenities

- a. For all new structures and substantial improvements in the MUT Zone, with the exception of existing residential dwellings and general and intensive industrial uses, the applicant shall provide pedestrian amenities. The number of pedestrian amenities provided shall comply with the following sliding scale.

Size of Structure or Substantial Improvement	Number of Amenities
< 25,000 sq. ft.	1
25,000 - 50,000 sq. ft.	2
> 50,000 sq. ft.	3

- b. Acceptable pedestrian amenities include:

1. Sidewalks with ornamental treatments (e.g., brick pavers) or sidewalks 50 percent wider than required by the Code
2. Benches and public outdoor seating
3. Sidewalk planters
4. Public art (e.g., sculpture, fountain, clock, mural, etc.) with a value equal to or greater than 1 percent of construction value of the new or expanded structure(s)
5. Pocket parks (minimum usable area of 300 sq. ft.)
6. Plazas (minimum usable area of 300 sq. ft.)
7. Street trees of a caliper 50 percent wider than otherwise required by the Code (may include preservation of healthy mature trees adjacent to the street sidewalk)
8. Other improvements approved through the Lot Development Option (Chapter 2.12), or Planned Development process (Chapter 2.5)
9. Additional weather protection in excess of requirements of section 3.21.70.04

- c. Pedestrian amenities shall comply with the following standards and guidelines:

1. Amenities should be visible and accessible to the general public from an improved street. Access to pocket parks, plazas, and sidewalks must be provided via a public right-of-way or a public access easement.
2. The size or capacity of pedestrian amenities should be roughly proportional to their expected use, including use by employees, customers, residents, and other visitors. The minimum area standards for pocket parks and plazas may be increased based on this guideline.
3. Amenities eligible for credit toward green area standards, and adjustment to the maximum 20-ft. setback standard, include plazas, pocket parks, seating areas, street furniture, and other areas that provide usable pedestrian space.
4. Amenities should be consistent with the character and scale of the MUT area. For example, similarity in awning height, bench style, planter materials, street trees, and pavers is recommended to foster continuity in the design of pedestrian areas. Materials should be suitable for outdoor use, easily maintained, and have a reasonably long life cycle (e.g., 10 years before replacement).
5. When provided at or near a bus stop, amenities should conform to standards of the Corvallis Transit System.

3.21.70.08 - General Building Design Standards

Special attention to building design is required in the MUT Zone because of the intermixing of a wide variety of land uses. The following standards are intended to be specific and quantifiable, while allowing for flexibility in design. Additional flexibility is provided through the Planned Development and Lot Development Option review processes. This section provides both required and optional design elements.

a. Minimum Requirements

New structures and substantial improvements should be designed to provide architectural relief and interest, with emphasis at building entrances and along sidewalks, to promote and enhance a comfortable pedestrian scale and orientation. Blank walls shall be avoided when practicable by complying with the following minimum requirements:

1. Ground-floor windows shall be provided for civic and commercial use types. The main front elevation(s) of buildings shall provide at least 60 percent windows or transparency at the pedestrian level. On corner lots, this provision applies to both street-facing elevations. The

transparency is measured in lineal fashion (e.g., a 100-ft.-wide building facade shall have a total of at least 60 linear ft. of windows).

2. Ground-floor windows shall be provided for limited industrial use types. The main front elevation(s) of buildings shall provide at least 30 percent windows or transparency at the pedestrian level. On corner lots, this provision applies to two elevations. The transparency is measured in linear fashion (e.g., a 100-ft.-wide building facade shall have a total of at least 30 linear ft. of windows).
3. Ground-floor entrances shall include an offset (recesses, extensions, or other breaks in elevation) of at least 8 ft. in depth and of sufficient width to allow the entrance location to be easily discerned.
4. To break up vast expanses of single element building elevations, building design shall include a combination of architectural elements and features, including offsets, windows, entry treatments, wood siding, brick, stucco, synthetic stucco (e.g., EIFS), textured concrete block, or textured concrete.
5. Differentiation between ground-level spaces and upper stories shall be provided. For example, bays or balconies for upper levels, and awnings, canopies, or other similar treatments for lower levels can provide differentiation. Variation in building materials, trim, paint, ornamentation, windows, or other features such as the use of public art may also be used. Recognizing that other design solutions may be appropriate, a developer may propose alternatives for review and approval by the Director.
6. Privacy in residential developments, through effective window placement, sound-proofing, landscape screening, and/or orientation of outdoor living areas (e.g., balconies, porches, patios, etc.) shall be provided. Opposing windows at close distances should be offset horizontally or employ appropriate materials (e.g., frost-glazed, tinted, etc.) to protect privacy.
7. Access shall be designed to minimize interference with traffic circulation. Where necessary, additional rights-of-way shall be dedicated to maintain adequate circulation.

3.21.70.09 - Neighborhood Compatibility

a. Minimum Standards Adjacent to a Residential Zone

1. New building roof elevation(s) shall gradually step down so that the height of the proposed structure does not exceed the height(s) of adjacent residential structures(s) by more than one story. This

provision applies to that portion of the structure closest (20-ft. minimum) to the adjacent residential structures.

2. New development adjacent to residential zones shall incorporate architectural characteristics compatible with residential development. Each new structure shall contain at least two of the following elements:
 - (a) Roofs with a minimum 4:12 pitch;
 - (b) Flat roofs with a cornice, or other decorative treatment;
 - (c) At the discretion of the Director, horizontal wood lap siding, brick, stone, or other material consistent with residential character;
 - (d) Vertical breaks in roof elevation; and/or
 - (e) Additional offsets in building elevation
3. The site design shall preserve healthy, mature trees on the site to the maximum extent practicable. Trees likely to create a hazard for the development or adjacent properties may be removed, consistent with Chapter 4.2 - Landscaping, Buffering, Screening, Natural Resource Protection, and Lighting.
4. Artificial lighting shall be arranged and constructed not to produce direct glare on adjacent residential properties.