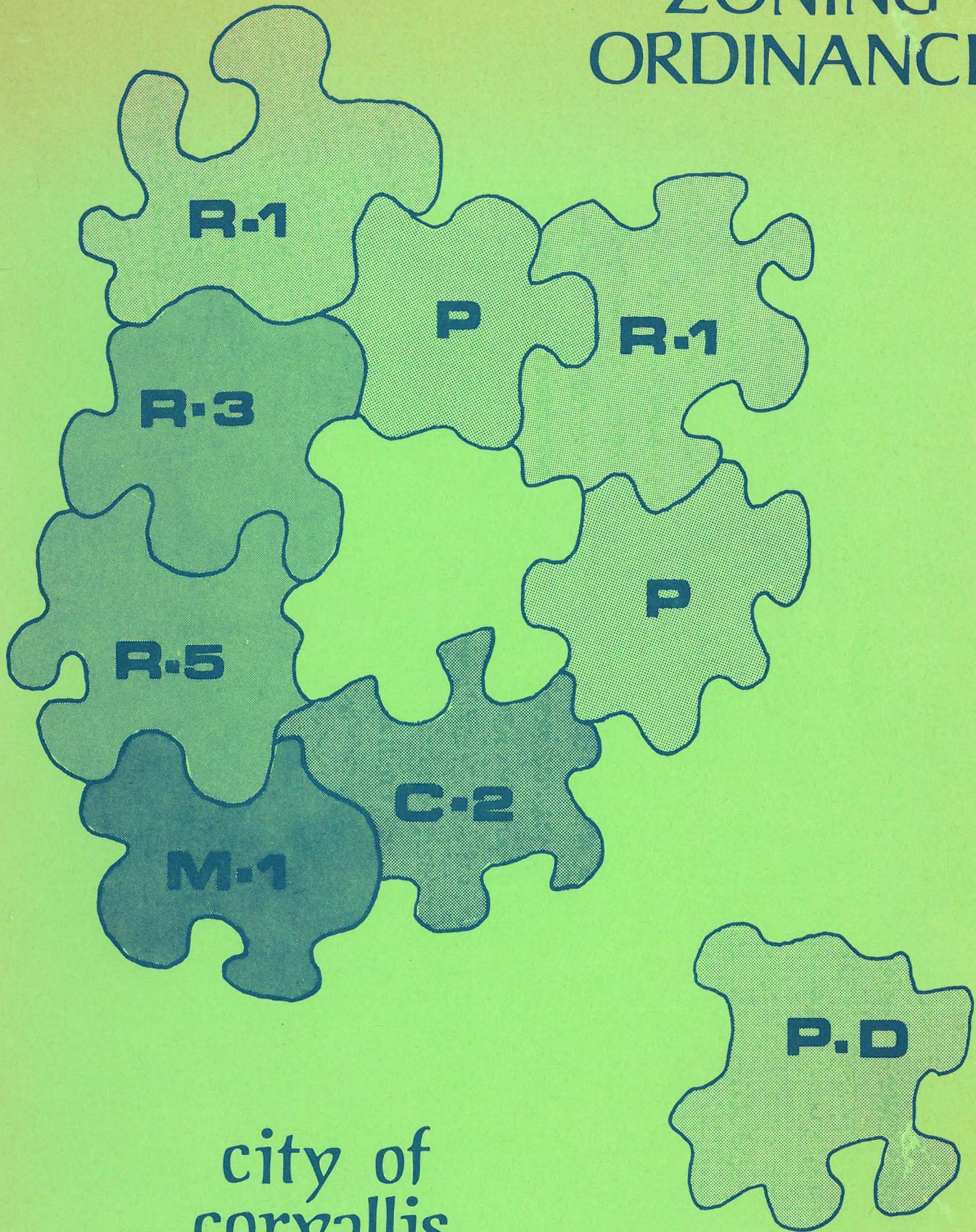


# ZONING ORDINANCE



city of  
corvallis,  
oregon

ZONING ORDINANCE  
CITY OF CORVALLIS, OREGON

Adopted April 1966  
Revised March 1975

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ORDINANCE NO. 66-36

AN ORDINANCE RELATING TO ZONING, REGULATING THE USE OF LAND AND STRUCTURES, CREATING NEW PROVISIONS, AMENDING ORDINANCE 53-11, AS AMENDED, AND DECLARING AN EMERGENCY.

The City of Corvallis, Oregon does ordain as follows:

That Ordinance 53-11, as amended, is amended to read as follows:

ARTICLE 1. INTRODUCTORY PROVISIONS

Section 1.01. Short Title

This ordinance shall be known as the Corvallis Zoning Ordinance.

Section 1.02. Objectives of the Zoning Ordinance

The Zoning Ordinance is adopted to protect and promote the public health, safety, convenience, and general welfare. More specifically, the Zoning Ordinance is adopted in order to achieve the following objectives:

1. To provide a precise guide for the physical development of the city.
2. To promote orderly growth of the city.
3. To encourage the most appropriate use of land.
4. To maintain a suitable balance between structures and open spaces on each site.
5. To promote a safe, effective traffic circulation system.
6. To facilitate fire and police protection.
7. To prevent undue concentrations of population.
8. To facilitate adequate provision of community facilities.
9. To preserve the natural beauty of the City's site.
10. To conserve and stabilize the value of property.

Section 1.03. Definitions

For the purposes of this ordinance, all words in the present tense shall include the future; all words in the singular number shall include the plural; and the word "shall" is mandatory and not directory. The following words and terms are construed and defined as follows:

1. Access - the way or means by which pedestrians and vehicles enter and leave property.
2. Accessory use or structure - a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.
3. Affected Area - property within the area of a proposed zone change and within three hundred feet (300') of such an area. Streets and governmentally-owned property shall be excluded in determining affected area.
4. Alley - a public way which affords only a secondary means of vehicular access to abutting property.
5. Automobile service station - a retail place of business engaged primarily in the sale of motor fuels, but also in supplying goods and services generally required in the operation and maintenance of automotive vehicles and the fulfilling of motorist needs. These may include sale of petroleum products; sale and servicing of tires, batteries, automotive accessories and replacement items; washing and lubrication services; the performance of minor automotive maintenance and repair; and the supplying of other incidental customer services and products. Major automotive repairs, painting and body and fender work, are excluded except where such uses are otherwise permitted.
6. Board - Board of Appeals
7. Building Official - City Manager
8. City - City of Corvallis, Oregon
9. Commission - Planning Commission
10. Council - City Council
11. Dormitory - A building or group of buildings containing rooms, other than dwelling units, for occupancy by 50 or more persons other than transients, catering

to men, women, or both, and which may include centralized facilities for the preparation or serving of meals.

12. Dwelling, duplex or two-family - a detached building containing two dwelling units.
13. Dwelling, multi-family - a building containing three or more dwelling units.
14. Dwelling, single family - a detached building containing one dwelling unit.
15. Dwelling unit - one or more rooms, bathroom and one kitchen only designed for occupancy by one family.
16. Family - One or more persons occupying a single house-keeping unit provided that unless all members are related by blood or marriage, no such family shall contain over five persons.
17. Height of structures - the vertical distance from the highest ground level adjacent to the structure to the highest point of the structure.
18. Home occupation - a lawful activity commonly carried on within a dwelling by members of the family occupying the dwelling with no employee or other person being engaged, provided that the residential character of the dwelling is maintained and the activity is conducted in such a manner as not to give an outward appearance nor manifest any characteristic of a business in the ordinary meaning of the term nor infringe upon the right of neighboring residents to enjoy the peaceful occupancy of their homes.
19. Lot - A parcel or tract of land which is occupied or may be occupied by a building or buildings together with the yards and other open spaces required by this ordinance, except that in the R-R, R-T, and C-1 districts, each area so zoned is a lot or site.
20. Lot, corner - a lot abutting on two intersecting streets other than an alley.
21. Lot, depth - the horizontal distance from the midpoint of the front lot line to the midpoint of the rear lot line.
22. Lot, front - on an interior lot, the side of a lot abutting the street. On a corner lot, the narrowest side shall be the front except where the narrowest side of a lot is a minimum of 75 feet there may be a choice of frontage.

23. Lot, interior - a lot other than a corner lot and having frontage on only one street.
24. Lot line - the property line bounding a lot.
25. Lot, width - the horizontal distance between the midpoints of the side lot lines.
26. Nonconforming structure or use - a lawful existing structure or use at the time this ordinance or any amendment thereto becomes effective and which does not conform to the requirements of the district in which it is located.
27. Person - includes firm, association, partnership, company, or corporation as well as an individual.
28. Parking space, off-street - an off-street parking space shall comprise not less than 180 square feet of parking stall plus necessary maneuvering space.
29. Public parking area - an off-street area used for the temporary parking of automobiles and available for public use or as an accommodation for clients or customers.
30. Retirement center - a building or group of buildings, containing separate dwelling units designed for and occupied principally (at least one occupant of each dwelling unit) by persons over the age of 60 years, excluding convalescent and nursing care as a function of the center.
31. Sign -  
See Corvallis Sign Ordinance - Section 4.01
32. Sign area -  
See Corvallis Sign Ordinance - Section 4.01
33. Street - the entire width between the right-of-way lines of every way for vehicular and pedestrian traffic and includes the terms "road," "lane," "place," "avenue," "alley," and other similar designations.
34. Structure - anything built or constructed which requires location on the ground or which is attached to something having a location on the ground.

35. Structural alterations - any change in the supporting members of a building such as bearing walls, columns, beams, girders or foundations.
36. Trailer park or mobile home park - a plot of ground upon which 3 or more trailer coaches occupied for dwelling or sleeping purposes are located.
37. Use - the purpose for which land or a structure is designed, arranged, or intended, or for which it is occupied or maintained.
38. Yard - an open space on a lot which is unobstructed from the ground upward except as otherwise provided in this ordinance.
39. Yard, exterior side - a yard extending from the front yard to the rear lot line on the street side of a corner lot.
40. Yard, front - a yard extending the full width of the lot, the uniform depth of which is the minimum distance from the front lot line to the main building.
41. Yard, rear - a yard extending the full width of the lot or in the case of a corner lot to the exterior side yard, the uniform depth of which is the minimum distance from the rear lot line to the main building.
42. Yard, side - a yard extending from the front yard to the rear yard along the side of the main building; the uniform width of such yard being the minimum distance from the side lot line to the main building.

Ordinance 53-11, as amended by  
Ordinance 73-1 (Section 1.03) January 1973

## ARTICLE 2. GENERAL PROVISIONS

### Section 2.01. Application of District Regulations

No site or structure shall be used, no structure shall be erected and no existing structure shall be moved, altered or enlarged except in conformity with the regulations for the district in which the site, structure, or use is located.

### Section 2.02. Establishment of Districts

The districts established by the zoning ordinance shall be as follows:

- R-1 One-family Residential District
- R-A One-family Residential & Agricultural District
- R-2 One-family Residential District
- R-3 Two-family Residential District
- R-4 Multiple-Family Residential District
- R-5 Multiple-Family Residential District
- R-R Residential Retirement District
- R-T Residential Trailer District
- C-1 Neighborhood Commercial District
- C-2 Limited Commercial District
- C-H Highway Commercial District
- C-B Central Business District
- M-1 Light Industrial District
- M-2 Heavy Industrial District
- P-D Planned Development
- P Public Use District

### Section 2.03. District Location

The boundaries for each district listed in this ordinance are the boundaries indicated for the district by the Corvallis Zoning Map of 1966, which is hereby adopted by reference.

### Section 2.04. Zoning Map

The zoning map adopted by Section 2.03. of this ordinance shall be dated with the effective date of the ordinance and a certified print of the adopted map shall be maintained without change in the office of the City Recorder as long as this ordinance remains in effect.

### Section 2.05. District Boundaries

Wherever any uncertainty exists as to the boundary of a district as shown on the zoning map, the following regulations shall control:

1. Where a boundary line is indicated as following a street or alley, it shall be construed as following the center line of such street or alley.
2. Where a boundary line follows or approximately coincides with a lot or property ownership line, it shall be construed as following such line.
3. Where a boundary line is not indicated as following or approximately coinciding with a street, alley, lot line or property ownership line, the boundary line shall be determined by the use of the scale designated on the zoning map.
4. Where a boundary line divides a lot in single ownership, then the boundary line shall be considered as the lot line for purposes of computing area and setback for uses which are permitted in the less restrictive district. For uses which are permitted in the more restrictive district, the ownership lines may be used in applying the area and setback regulations.

Ordinance 53-11, as amended

Subsection 2.02 of Section 2 as amended by Ordinance 68-80 - July 1968

Section 2 as amended by Section 2 of Ordinance 66-36 - April 1966

ARTICLE 3. R-1 ONE-FAMILY RESIDENTIAL DISTRICT

Section 3.01. Permitted Uses

1. One family dwellings.
2. Publicly-owned parks, playgrounds, playfields and neighborhood or community recreation centers.
3. Public schools, public libraries, churches, and non-profit colleges and universities in locations approved by the Building Official after a finding by him that the location and site plan conforms to the objectives of the zoning ordinance as set forth in Section 1.02. and the regulations of this section.
4. Non-profit corporations organized for the purpose of providing educational and recreational facilities and private clubs and lodges not including residential uses as part of their facilities. Locations and site plans for such corporations shall be approved by the Planning Commission, after notice and public hearing and a finding that the location and site plan conforms to the objectives of the zoning ordinance as set forth in Section 1.02. and the regulations of this section.
5. Necessary public utilities.
6. Home occupation as defined in Section 1.03.
7. Golf courses, not including midget golf courses or driving ranges.
8. Accessory uses and buildings customarily incidental to the above uses.
9. Signs as permitted in Section 19.02.

Section 3.02. Lot Area

The minimum lot area shall be 8000 square feet and the minimum average width shall be 65 feet.

Section 3.03. Setback Requirements

1. Front yards shall have a minimum depth of 25 feet.
2. Side yards shall have a minimum width of 8 feet. On a corner lot, the side yard for all buildings shall be a minimum of 20 feet on the side abutting a street.
3. Rear yards shall have a minimum depth of 25 feet.

Section 3.04. Height of Structures

No structure shall exceed 30 feet in height.

Section 3.05. Off-Street Parking Facilities

Off-street parking facilities shall be provided on the site of each use as prescribed in Section 18.01.

ARTICLE 4. R-A ONE-FAMILY RESIDENTIAL AND AGRICULTURAL DISTRICT

Section 4.01. Permitted Uses

1. Any use permitted in the R-1 district.
2. Cultivation of commercial crops or commercial farm and truck gardening, including plant, tree and shrub farms.
3. Farms or ranches for grazing, breeding, raising or training of domestic animals, poultry or fowl, except animals primarily kept, bred or raised for furbearing purposes.
4. Accessory uses and buildings customarily incidental to the above uses, but retail sales of products other than products produced on the lot, whether outdoors or in a building, shall not be construed to be accessory to a use provided in this section.

Section 4.02. Termination of Agricultural Uses

When part or all of an R-A district is rezoned to any other district, any use or uses permitted in subsections 2, 3, or 4 of Section 4.01. within the rezoned district or part of a district shall be discontinued within two years from the date of the zone change.

Section 4.03. Lot Area

The minimum lot area shall be 8000 square feet and the minimum average width shall be 65 feet.

Section 4.04. Setback Requirements

1. Front yards shall have a minimum depth of 25 feet.
2. Side yards shall have a minimum width of 8 feet. On a corner lot, the side yard for all buildings shall be a minimum of 20 feet on the side abutting a street.
3. Rear yards shall have a minimum depth of 25 feet.

Section 4.05. Height of Structures

No structure shall exceed 30 feet in height.

Section 4.06. Off-Street Parking Facilities

Off-street parking facilities shall be provided on the site of each use as prescribed in Section 18.01.

Ordinance 53-11 as amended

Section 4 as amended by Ordinances 66-36 and 66-85

ARTICLE 5. R-2 ONE-FAMILY RESIDENTIAL DISTRICT

Section 5.01. Permitted Uses

Any use permitted in the R-1 district.

Section 5.02. Lot Area

The minimum lot area shall be 6,500 square feet and the minimum average width shall be 65 feet.

Section 5.03. Setback Requirements

1. Front yards shall have a minimum depth of 10 feet.
2. Side yards shall have a minimum width of five feet on one side of the building and eight feet on the opposite side.
3. Rear yards shall have a minimum depth of 10 feet.
4. Combined rear and front yards not less than 40 feet.
5. Parking space of 19 feet long in front of garage or carport.
6. Vision clearance area in corner lots of 20 feet.

Section 5.04. Height of Structures

No structure shall exceed 30 feet in height.

Section 5.05. Off-street Parking Facilities

Off-street parking facilities shall be provided on the site of each use as prescribed in Section 18.01.

Section 5.06. Special Provisions

1. Alternate area provisions. Lots may have an area of as small as 5,000 square feet; however, any lot of less than 6,500 square feet, the following minimum requirements must be met. Above provisions apply except as specifically modified.
  - A. Outdoor living area is an outdoor space designed for use by occupants of the house directly related to the interior space by doors and windows, constructed for outside living activities with a patio area, landscaping, and screen fences for privacy. It may be in the rear, side, or front of the house with the shortest dimension of the outdoor living area not less than 15 feet and containing an area of not less than 500 square feet and a hard-surfaced patio of not less than 150 square feet.

B. Driveways and front walks of permanent durable surface constructed according to city standards.

Section 5.07. Construction in Side Yard

In the R-2 district the developer may elect to construct a residence with the elimination of one side yard. A site plan is required and the developer must submit to the building official plans or agreements for the abutting lot next to the yard to be eliminated. Assurance shall be provided that the rights of neighboring lots will not be restricted by the use of the side yard.

Section 5.08. Site Plans

Site plans shall be required for issuance of a building permit on all lots less than 6,500 square feet. Site plans are to be drawn to scale, showing lot dimensions, house dimensions, setbacks, outdoor living areas, site screens of fencing with height noted, patio area with a type of surface, location and type of surfacing for driveway and walks, system of drainage, sewer location, and water meter location. Site plans are to be reviewed and approved by the building official.

Section 5.09 Vision Clearance

Vision clearance shall mean a triangular area at the street corner of the corner lot or the alley-street intersection of a lot, the space being defined by a line across the corner, the ends of which are on the street lines or alley lines, an equal and specified distance from the corner and containing no planting, walls, structures or temporary or permanent obstruction from two and one-half feet in height above the curb level to 10 feet above the curb level.

Vision clearance dimension specified in Section 5.03-5.06 is the distance from the corner of the lot establishing the location of the diagonal line across the corner.

Ordinance 53-11 as amended

Section 5 as amended by Ordinances 66-36 and 71-100

ARTICLE 6. R-3 TWO-FAMILY RESIDENTIAL DISTRICT

Section 6.01. Permitted Uses

1. Any use permitted in the R-1 district.
2. Two-family dwellings.

Section 6.02. Lot Area

The minimum lot area shall be 5000 square feet and the minimum average width shall be 50 feet.

Section 6.03. Setback Requirements

1. Front yards shall have a minimum depth of 15 feet.
2. Side yards shall have a minimum width of 5 feet on one side of the building and 8 feet on the opposite side. On a corner lot, the side yard for all buildings shall be a minimum of 15 feet on the side abutting a street.
3. Rear yards shall have a minimum depth of 25 feet.

Section 6.04. Height of Structures

No structure shall exceed 30 feet in height.

Section 6.05. Off-Street Parking Facilities

Off-street parking facilities shall be provided on the site of each use as prescribed in Section 18.01.

Ordinance 53-11 as amended  
Section 6 as amended by Ordinance 66-36

**MULTI-FAMILY**

**RESIDENTIAL DISTRICTS**

ARTICLE 7. R-L LOW DENSITY MULTIPLE FAMILY RESIDENTIAL DISTRICT

Section 7.01. Purpose

The purpose of this district is to provide areas for multiple family housing in various outlying locations within the City.

Section 7.02. Permitted Uses

1. Any use permitted in the R-3 District.
2. Multiple Family dwellings.
3. Day nurseries.
4. Fraternities, sororities, dormitories, boarding and lodging houses and organized living groups.
5. Nursing and convalescent homes.
6. Those hospitals and medical and dental clinics (including prescription service for the exclusive use of the patients of such clinics) in existence at the time of passage of this amendment. These existing uses shall be construed to mean the following and no other:
  - a. Good Samaritan Hospital - 2750 N.W. Harrison Boulevard
  - b. Corvallis Clinic - 530 N.W. 27th Street.
  - c. Medical and Dental Building - 1320 N.W. Harrison Blvd.
  - d. Professional Office Building - 845 N.W. Monroe Avenue
  - e. Holcomb's Clinic - 1505-1535 N.W. Harrison Boulevard
7. Public parking as permitted in Article 18, as amended.
8. Accessory uses and buildings customarily incidental to the above uses.
9. Signs as permitted in Article 19, as amended.

Section 7.03. Lot Area

The minimum lot area shall be 10,000 square feet and a minimum average width of seventy-five (75) feet.

Section 7.04. Minimum Site Area per Dwelling Unit

The minimum site area per dwelling unit related to the number of bedrooms in each dwelling unit shall be as prescribed in the following table:

Studio or Efficiency	875 square feet
1 bedroom	1166 square feet
2 bedroom	1750 square feet
3 bedroom	2625 square feet
4 bedroom	2915 square feet

In calculating the total number of dwelling units that may be constructed upon a given site and to permit full utilization of the site, the density requirements specified may be rounded, but shall not exceed the equivalent of a 10% increase in the parcel area.

Section 7.05. Lot Coverage

The lot coverage occupied by buildings and area used for parking and circulation of the automobile shall not exceed seventy-five (75) percent of the total site area.

Section 7.06. Setback Requirements

The front yard, exterior side yard, side yard and rear yard shall have a minimum depth of ten (10) feet; except portions of the yards may be reduced to five (5) feet provided that:

1. The five (5) foot setback is applied to fifty (50) percent or less of the building face related to yard space; and,
2. An average ten (10) foot setback shall be provided along the building face; and,
3. The corner vision clearance area shall be maintained as provided in Section 18.05.7.

Section 7.07. Height of Structures

Buildings shall not exceed forty-five (45) feet above grade nor exceed three stories in height.

Section 7.08. Off-Street Parking Facilities

Off-street parking facilities shall be provided on the site of each use as prescribed in Article 18, as amended.

Section 7.09. Open Area, Landscaping and Screening

A minimum of 25 percent of the gross lot area shall be developed as permanent open area. Provisions of Article 20A Open Area, Landscaping and Screening Provisions, establishes requirements for this section.

Section 7.10. Separation Between Buildings, Parking Areas, Walks, and Drives

To provide privacy, light, air and access to the dwellings within the development, the following minimum standards shall apply:

1. Buildings with windowed walls facing buildings with windowed walls...25 foot separation.
2. Buildings with windowed walls facing buildings with a blank wall...15 foot separation.
3. Buildings with opposing blank walls...10 foot separation.
4. Building separation shall also apply to building projections such as balconies, bay windows, and room projections.
5. Buildings with courtyards to maintain separation of opposing walls as listed in 1, 2, and 3 above for walls in separate buildings.
6. Where buildings exceed a horizontal dimension of 60 feet or exceed 30 feet in height, the minimum wall separation shall be increased. The rate of increased wall separation shall

be one foot for each 15 feet of building length over 60 feet and 2 feet for each 10 feet of building height over 30 feet.

7. Driveways, parking lots and common or public walkways shall maintain the following separation for dwelling units within 8 feet of the ground level.
  - a. Driveways and parking lots shall be separated from windowed walls by at least 8 feet; walkways shall be separated by at least 5 feet.
  - b. Driveways and parking lots shall be separated from living room windows by at least 10 feet; walkways shall be separated by at least 7 feet.
  - c. Driveways and uncovered parking spaces shall be separated from doorways by at least 5 feet.

Section 7.11. Exterior Elevations

The exterior elevations of buildings shall incorporate design features such as off-sets, balconies, projections or similar elements to preclude large expanses of uninterrupted building surfaces. In the event of a question of interpretation or application, the Building Official may refer the proposal to the Planning Commission.

Section 7.12. Consideration for Special Exceptions

Special exceptions may be considered by the Planning Commission as provided in Article 21A only for the following: Sections 7.05, 7.06, 7.08, 7.09, and 7.10.

Ordinance 53-11, as amended - Section 7 as amended by 66-36, 66-70m 70-43 and 74-81

ARTICLE 7A. R-M MULTIPLE FAMILY RESIDENTIAL MEDIUM DENSITY DISTRICT

Section 7A.01 Purpose

The purpose of this District is to provide areas for multiple family housing within easy walking distance of the university and to establish standards for a diversity of housing types to meet the needs of this area of the City.

Section 7A.02 Permitted Uses

1. Any use permitted in the R-L District
2. Public parking as permitted in Article 18, as amended.
3. Accessory uses and buildings customarily incidental to the above uses.
4. Signs as permitted in Article 19, as amended.

Section 7A.03 Lot Area

1. The minimum lot area shall be 10,000 square feet and a minimum average width of seventy-five (75) feet.

Section 7A.04 Minimum Site Area per Dwelling Unit

The minimum site area per dwelling unit related to the number of bedrooms in each dwelling unit shall be as prescribed in the following table:

Studio or Efficiency	750 square feet
1 Bedroom	1000 square feet
2 Bedroom	1500 square feet
3 Bedroom	2250 square feet
4 Bedroom	2500 square feet

In calculating the total number of dwelling units that may be constructed upon a given site and to permit full utilization of the site, the density requirements specified may be rounded, but shall not exceed the equivalent of a 10% increase in the parcel area.

Section 7A.05 Lot Coverage

The lot coverage occupied by buildings and area used for parking and circulation of the automobile shall not exceed seventy-five (75) percent of the total site area.

Section 7A.06 Setback Requirements

The front yard, exterior side yard, side yard and rear yard shall have a minimum depth of ten (10) feet; except portions of the yards may be reduced to five (5) feet provided that:

1. The five (5) foot setback is applied to fifty (50) percent or less of the building face related to yard space; and,

2. An average ten (10) foot setback shall be provided along the building face; and,
3. The projections shall not be located at the corner vision clearance area (see Section 18.05.7).

Section 7A.07 Height of Structures

Buildings shall not exceed forty-five (45) feet above grade nor exceed three (3) stories in height.

Section 7A.08 Off-Street Parking Facilities

Off-street parking facilities shall be provided on the site of each use as prescribed in Article 18, as amended.

Section 7A.09 Open Area, Landscaping and Screening

A minimum of 25 percent of the gross lot area shall be developed as permanent open area. Provisions of Article 20A Open Area, Landscaping and Screening Provisions, establishes requirements for this section.

Section 7A.10 Separation Between Buildings, Parking Areas, Walks and Drives

To provide privacy, light, air and access to the dwellings within the development, the following minimum standards shall apply:

1. Buildings with windowed walls facing buildings with windowed walls...25 foot separation.
2. Buildings with windowed walls facing building with a blank wall...15 foot separation.
3. Buildings with opposing blank walls...10 foot separation.
4. Building separation shall also apply to building projections such as balconies, bay windows, and room projections.
5. Buildings with courtyards to maintain separation of opposing walls as listed in 1, 2, and 3 above for walls in separate buildings.
6. Where buildings exceed a horizontal dimension of 60 feet or exceed 30 feet in height, the minimum wall separation shall be increased. The rate of increased wall separation shall be one foot for each 15 feet of building length over 60 feet and 2 feet for each 10 feet of building height over 30 feet.
7. Driveways, parking lots and common or public walkways shall maintain the following separation for dwelling units within 8 feet of the ground level.
  - a. Driveways and parking lots shall be separated from windowed wall by at least 8 feet; walkways shall be separated by at least 5 feet.
  - b. Driveways and parking lots shall be separated from living room windows by at least 10 feet; walkways shall be separated by at least 7 feet.
  - c. Driveways and uncovered parking spaces shall be separated from doorways by at least 5 feet.

Section 7A.11 Exterior Elevations

The exterior elevations of buildings shall incorporate design features such as off-sets, balconies, projections or similar elements to preclude large expanses of uninterrupted building surfaces. In the event of a question of interpretation or application, the Building Official may refer the proposal to the Planning Commission.

Section 7A.12 Consideration for Special Exceptions

Special exceptions may be considered by the Planning Commission as provided in Article 21A only for the following: Sections 7A.05, 7A.06, 7A.08, 7A.09 and 7A.10.

Ordinance 53-11, as amended: Section 7A as provided by Ordinance 74-81

ARTICLE 8. R-H HIGH DENSITY MULTIPLE FAMILY RESIDENTIAL DISTRICT

Section 8.01 Purpose

The purpose of this District is to provide areas for higher density multiple family housing and other closely related uses, primarily related to the downtown business area and establishing standards appropriate for this District.

Section 8.02 Permitted Uses

1. Any use permitted in the R-L District.
2. Offices for accountants, architects, chiropractors, dentists, doctors, engineers, lawyers, optometrists and osteopaths.
3. Hospitals, sanitariums, nursing homes and medical and dental clinics and professional centers for the above-listed professions, including prescription service for the exclusive use of the patients of such clinics or professional centers.
4. Private clubs and lodges.
5. Public parking as permitted in Article 18 as amended.
6. Accessory uses and buildings customarily incidental to the above uses.
7. Signs as permitted in Article 19 as amended.
8. Offices of commercial or promotional associations, not including sales or advertising of goods and services.

Section 8.03 Lot Area

1. The minimum lot area shall be 10,000 square feet and a minimum average width of seventy-five (75) feet.

Section 8.04 Minimum Site Area per Dwelling Unit

The minimum site area per dwelling unit related to the number of bedrooms in each dwelling unit shall be as prescribed in the following table:

	<u>Less than 3 stories</u>	<u>3 or more stories</u>
Studio or Efficiency	625 sq. ft.	365 sq. ft.
1 Bedroom	835 sq. ft.	485 sq. ft.
2 Bedroom	1250 sq. ft.	725 sq. ft.
3 Bedroom	1870 sq. ft.	1090 sq. ft.
4 Bedroom	2080 sq. ft.	1210 sq. ft.

In calculating the total number of dwelling units that may be constructed upon a given site and to permit full utilization of the site, the density requirements specified may be rounded, but shall not exceed the equivalent of a 10 percent increase in the parcel area.

Section 8.05 Lot Coverage

The lot coverage occupied by buildings and area used for parking and circulation of the automobile shall not exceed seventy-five (75) percent of the total site area.

Section 8.06 Setback Requirements

The front yard, exterior side yard, side yard, and rear yard shall have a minimum depth of ten (10) feet; except portions of the yards may be reduced to five (5) feet provided that:

1. The five (5) foot setback is applied to fifty (50) percent or less of the building face related to a yard space; and,
2. An average ten (10) foot setback shall be provided along the building face, and,
3. The projections shall not be located at the corner vision clearance area. (see Section 18.05.7)
4. Where buildings exceed a horizontal dimension of 60 feet or exceed 3 stories, the above yard requirements shall be increased at a rate of 1 foot for each 15 feet of building length over 60 feet and 2 feet for each story over 3 stories.

Section 8.07 Height of Structures

1. Buildings shall not exceed seventy-five (75) feet above grade nor exceed six(6) stories in height.
2. Where the R-H District is adjacent to an R-1, R-2, R-3 District the height of structures shall be limited as provided in the R-M District, Section 7A.07.

Section 8.08 Off-Street Parking Facilities

Off-street parking facilities shall be provided on the site of each use as prescribed in Article 18 as amended.

Section 8.09 Open Area, Landscaping and Screening

A minimum of 25 percent of the gross lot area shall be developed as permanent open area. Provisions of Article 20A Open Area, Landscaping and Screening Provisions, establishes requirements for this section.

Section 8.10 Separation Between Buildings, Parking Areas, Walks and Drives

To provide privacy, light, air and access to the dwellings within the development, the following minimum standards shall apply:

1. Buildings with windowed walls facing buildings with windowed walls...25 foot separation.
2. Buildings with windowed walls facing buildings with blank wall...15 foot separation.
3. Buildings with opposing blank walls...10 foot separation.
4. Building separation shall also apply to building projections such as balconies, bay windows and room projections.
5. Buildings with courtyards to maintain separation of opposing walls as listed in 1, 2, and 3 above for walls in separate buildings.
6. Where buildings exceed a horizontal dimension of 60 feet or exceed 30 feet in height, the minimum wall separation shall be increased. The rate of increased wall separation shall be

one foot for each 15 feet of building length over 60 feet and 2 feet for each 10 feet of building over 30 feet.

7. Driveways, parking lots and common or public walkways shall maintain the following separation for dwelling units within 8 feet of the ground level.
  - a. Driveways and parking lots shall be separated from windowed walls by at least 8 feet; walkways shall be separated by at least 5 feet.
  - b. Driveways and parking lots shall be separated from living room windows by at least 10 feet; walkways shall be separated by at least 7 feet.
  - c. Driveways and uncovered parking spaces shall be separated from doorways by at least 5 feet.

#### Section 8.11 Exterior Elevations

The exterior elevations of buildings shall incorporate design features such as off-sets, balconies, projections or similar elements to preclude large expanses of uninterrupted building surfaces. In the event of a question of interpretation or application, the Building Official may refer the proposal to the Planning Commission.

#### Section 8.12 Consideration for Special Exceptions

Special exceptions may be considered by the Planning Commission as provided in Article 21A only for the following: Sections 8.05, 8.06, 8.08, 8.09 and 8.10.

ARTICLE 9. R-R RESIDENTIAL RETIREMENT DISTRICT

Section 9.01. Permitted Uses

1. Retirement centers
2. Signs as permitted in Section 19.02..

Section 9.02. Site Development Plan

Each application for a building permit shall be accompanied by a development plan containing a plot plan, site details as related to topography, public utilities, parking, streets, and landscaping, beginning and completion dates and any other reasonably related information. The development plan shall comply with the following minimum standards:

1. Each site shall be adequately served by public facilities such as water supply, sewers, sidewalks and improved streets.
2. Each site shall have a minimum frontage of 150 feet, a minimum depth of 200 feet, and an area of not less than 60,000 square feet.
3. There shall be not more than one dwelling unit for each 1650 square feet of site area.
4. Setbacks shall be provided as required in the R-3 district.
5. No structure shall exceed 35 feet in height.
6. There shall be provided a minimum of 200 square feet of outdoor recreation area per dwelling unit exclusive of walks, driveways, and parking areas. No more than half of the required recreation area may be provided in private balconies and patios.
7. There shall be a minimum of one off-street parking space provided for each dwelling unit.

The Building Official may approve, disapprove, or modify and approve the application and attach any reasonable conditions to a development plan. Once approved, the plan submitted shall become the official plan. No building permit shall be issued except for construction conforming to the official plan and the plan shall be observed and fulfilled in the development of the site. All features required shall be installed and retained indefinitely or until approval has been received from the Building Official for modification.

Section 9.03. Commencement of Development

If construction of the principal building pursuant to a valid building permit is not diligently prosecuted within not more than 2 years from the effective date of any ordinance designating an area R-R, then the area shall automatically revert to the zone district in effect prior to designation, or if not previously zoned, to R-1. At any time prior to such reversion, the Planning Commission by motion may grant an extension which shall expire no later than 3 years after the effective date of the ordinance designating the area R-R.

Ordinance 53-11 as amended  
Section 9 as amended by Ordinance 66-36

ARTICLE 10. R-T RESIDENTIAL TRAILER DISTRICT

Section 10.01. Permitted Uses

1. Trailer parks.
2. Accessory uses and buildings customarily incidental to trailer parks, including utility and storage buildings, recreation areas, an office and a dwelling for the manager.
3. Signs as permitted in Section 19.02..

Section 10.02. Site Development Plan

Each application for a building permit shall be accompanied by a development plan containing a plot plan, site details as related to topography, public utilities, parking, streets, and landscaping, beginning and completion dates and any other reasonably related information. The development plan shall comply with the following minimum standards:

1. Each site shall be adequately served by public facilities such as water supply, sewers, sidewalks and improved streets. Each trailer unit shall be provided with a water, sewer and electrical connection. The electrical connection shall provide for 110 and 220 volt service.
2. Each trailer park shall have a minimum frontage of 100 feet, a minimum depth of 150 feet, and an area of not less than 2 acres.
3. There shall be not more than one trailer unit for each 3000 square feet of site area.
4. Setbacks shall be provided as follows:
  - a. Front and rear yards shall have a minimum depth of 25 feet.
  - b. Side yards shall have a minimum depth of 10 feet. On a corner lot the side yard shall be 25 feet on the side abutting the street.
5. No structure shall exceed 25 feet in height.
6. A minimum of 100 square feet of outdoor recreation area, suitably improved for recreational use, shall be provided for each trailer unit exclusive of required yards. Each recreation area shall have a minimum size of 2500 square feet and a minimum width of 25 feet.

7. There shall be a minimum of 5 parking spaces for every 4 trailer units or fraction thereof.
8. Accessways or driveways shall be lighted in accordance with current city practice for street lighting on residential streets.
9. Primary access shall be from major streets and shall be designed to cause minimum interference with traffic movement. Where necessary, additional right-of-way shall be dedicated to maintain adequate traffic circulation.
10. Access driveways connecting trailer units to a public street shall have a width of not less than 36 feet, of which not less than 20 feet shall be paved. Driveways shall be designed to provide for all maneuvering and parking of trailers without encroaching on a public street.
11. A sight-obscuring evergreen hedge, fence or wall not less than 5 feet nor more than 6 feet in height shall surround each R-T district, except that within the required front yard the fence shall be not less than  $2\frac{1}{2}$  feet nor more than 3 feet in height.

The Building Official may approve, disapprove, or modify and approve the application and attach any reasonable conditions to a development plan. Once approved, the plan submitted shall become the official plan. No building permit shall be issued except for construction conforming to the official plan and the plan shall be observed and fulfilled in the development of the site. All features required shall be installed and retained indefinitely or until approval has been received from the Building Official for modification.

Section 10.03. Commencement of Development

If construction of the principal building pursuant to a valid building permit is not diligently prosecuted within not more than 2 years from the effective date of any ordinance designating an area R-T, then the area shall automatically revert to the zone district in effect prior to designation, or if not previously zoned, to R-1. At any time prior to such reversion, the Planning Commission by motion may grant an extension which shall expire no later than 3 years after the effective date of the ordinance designating the area as R-T.

ARTICLE 11. C-1 NEIGHBORHOOD COMMERCIAL DISTRICT

Section 11.01. Permitted Uses

1. Retail stores, offices and service establishments as follows:
  - Art and photo supply stores
  - Bakery goods stores
  - Banks or financial institutions
  - Barber shops and beauty shops
  - Book and stationary stores
  - Candy stores
  - Christmas tree sales lots
  - Cigar and pipe stores
  - Cleaning and laundry agencies, including self-service laundry and dry-cleaning establishments
  - Clothing stores
  - Drug stores
  - Florists
  - Food stores, delicatessens and supermarkets
  - Gift shops
  - Hardware stores
  - Hobby and toy shops
  - Jewelry and gift shops
  - Music stores
  - Nurseries and garden supply stores, provided that all equipment, supplies and merchandise other than plants shall be kept with a completely enclosed building and that fertilizer of any type shall be stored and sold in packaged form only.
  - Post offices
  - Offices for accountants, architects, chiropractors, dentists, doctors, engineers, lawyers, optometrists, and osteopaths
  - Radio-television repair shops
  - Shoe stores and/or shoe repair shops
  - Variety stores
2. Accessory uses and buildings customarily incidental to the above retail stores, shops and businesses, and permitting only such incidental processing, assembling or treatment of products as is necessary to prepare retail goods sold only on the premises.
3. Automobile service stations in locations where they do not create a public nuisance or an unreasonable hazard to health or property because of traffic congestion or aesthetic incompatibility with other uses in the vicinity.
4. Signs as permitted in Section 19.03..

Section 11.02. Site Development Plan

Each application for a building permit shall be accompanied by a development plan containing a plot plan, site details as related to topography, public utilities, parking, streets, and landscaping, beginning and completion dates and any other reasonably related information. The development plan shall comply with the following minimum standards:

1. Each site shall be adequately served by public facilities such as water supply, sewers, sidewalks and improved streets.
2. The minimum site area shall be 3 acres.
3. Setbacks shall be provided as follows:
  - a. Front and side yards shall have a minimum depth of 90 feet with the 25 feet adjacent to the lot line utilized exclusively for landscaping, fences, walls, and access and egress drives. Buildings shall be prohibited within the entire yard depth, except that automotive service stations shall have the following setbacks:
    - Structures other than pump islands or canopies, 60 feet.
    - Canopies, attached or detached and pump islands, 30 feet.
  - b. Rear yards shall have a minimum depth of 25 feet utilized exclusively for landscaping, fences, walls, and access and egress drives.
4. No structure shall exceed 25 feet in height.
5. There shall be at least 3 square feet of parking area provided on the site for each one square foot of total building floor area.
6. Access shall be designed to cause minimum interference with traffic movement on abutting streets. Where necessary, additional right-of-way shall be dedicated to maintain adequate traffic circulation.
7. The entire site, including off-street parking areas, shall be adequately landscaped and effectively screened where visible from residential areas. Required yards shall be maintained in grass, trees, and shrubbery.
8. The arrangement of buildings, parking areas, signs, and other facilities shall be designed and oriented to minimize noise and glare relative to adjacent property.
9. Artificial lighting, including illuminated signs and parking area lights, shall be so arranged and constructed as not to produce direct glare on adjacent property or otherwise interfere with the use and enjoyment of adjacent property.

10. There shall be no outdoor storage or display of merchandise except as provided in Section 11.01. (nurseries and garden supply stores.)

11. Non-conforming structures shall be removed from the site.

The Building Official may approve, disapprove, or modify and approve the application and attach any reasonable conditions to a development plan. Once approved, the plan submitted shall become the official plan. No building permit shall be issued except for construction conforming to the official plan and the plan shall be observed and fulfilled in the development of the site. All features required shall be installed and retained indefinitely or until approval has been received from the Building Official for modification.

Section 11.03. Commencement of Development

If construction of the principal building pursuant to a valid building permit is not diligently prosecuted within not more than 2 years from the effective date of any ordinance designating an area C-1, then the area shall automatically revert to the zone district in effect prior to designation, or, if not previously zoned, to R-1. At any time prior to such reversion, the Planning Commission by motion may grant an extension which shall expire no later than 3 years after the effective date of the ordinance designating the area C-1.

Ordinance 53-11 as amended

Section 11, 11.01. as amended by Ordinance 68-11

ARTICLE 12. C-2 LIMITED COMMERCIAL DISTRICT

Section 12.01. Permitted Uses

1. Any use permitted in the C-1 district.
2. Retail stores, offices and service establishments as follows:
  - Interior decorating shops
  - Offices and office buildings
  - Optician and optometrist shops
  - Paint and wallpaper stores
  - Restaurants, not including drive-in restaurants
  - Sporting goods stores
3. Signs as permitted in Section 19.04.

Section 12.02. Site Development Plan

Each application for a building permit shall be accompanied by a development plan containing a plot plan, site details as related to topography, public utilities, parking, streets, and landscaping, beginning and completion dates and any other reasonably related information. The development plan shall comply with the following minimum standards:

1. The minimum site area shall be 5000 square feet.
2. No structure shall exceed 25 feet in height.
3. Setbacks shall be provided as follows:
  - a. front yard - 15 feet
  - b. side yards - none required except for 5 feet when adjacent to an R district and 10 feet when adjacent to a street right-of-way.
  - c. rear yard - none required.
4. Off-street parking facilities shall be provided as prescribed in Article 18.

The Building Official may approve, disapprove, or modify and approve the application and attach any reasonable conditions to a development plan. Once approved, the plan submitted shall become the official plan. No building permit shall be issued except for construction conforming to the official plan and the plan shall be observed and fulfilled in the development of the site. All features required shall be installed and retained indefinitely or until approval has been received from the Building Official for modification.

ARTICLE 13. C-H HIGHWAY COMMERCIAL DISTRICT

Section 13.01. Permitted Uses

1. Retail, business, wholesale or service establishments which do not create a public nuisance or an unreasonable hazard to health or property because of noise, smoke, odor, dust, vibration, gas, traffic congestion, or because of aesthetic incompatibility with other uses in the vicinity.
2. Public parking facilities.
3. Signs as permitted in Section 19.05.

Section 13.02. Lot Area

The minimum lot area shall be 15,000 square feet and each lot shall have a minimum average width of 100 feet and a minimum depth of 150 feet.

Section 13.03 Setback Requirements

1. Front yards and exterior side yards on major thoroughfares and collector streets as defined in the Comprehensive Plan of the City of Corvallis adopted by the City Council in 1966, shall have a minimum depth of 60 feet of which the 5 feet nearest the street shall be utilized exclusively for landscaping, approved fences and walls, and ingress and egress drives to the parking areas. The remaining 55 feet of the yard depth may be used for landscaping, parking and loading space, pump islands, permitted signs, and permitted outdoor storage.
2. Front yards and exterior side yards on minor streets, as defined in the Comprehensive Plan of the City of Corvallis adopted by the City Council in 1966, shall have a minimum depth of 40 feet of which the 5 feet nearest the street shall be utilized exclusively for landscaping, approved fences and walls, and access and egress drives to the parking areas.
3. Side yards shall have a minimum depth of 10 feet.
4. Rear yards shall have a minimum depth of 15 feet.

Section 13.04. Height of Structures

No structure shall exceed 35 feet in height.

Section 13.05. Off-Street Parking Facilities

Off-street parking facilities shall be provided as prescribed in Article 18.

ARTICLE 14. C-B CENTRAL BUSINESS DISTRICT

Section 14.01. Permitted Uses

1. Multi-family dwellings.
2. Fraternal, charitable and religious uses.
3. Retail, business, wholesale or service establishments which do not create a public nuisance or an unreasonable hazard to health or property because of noise, smoke, odor, dust, vibration, gas, traffic congestion, or because of aesthetic incompatibility with other uses in the vicinity.
4. Public parking facilities.
5. Signs as permitted in Section 19.06.

Section 14.02. Lot Area and Setback Requirements

1. There is no minimum lot area or setback required for a business or commercial building.
2. The lot area requirements for buildings hereafter built and used entirely for multi-family dwelling purposes shall be the same as required in the R-5 district.

Section 14.03. Height of Structures

No structure shall exceed 75 feet in height.

Section 14.04. Off-Street Parking Facilities

Off-street parking facilities shall be provided as prescribed in Article 18 except that the following shall be exempt from the requirements of Article 18.

1. Sites and structures located in a municipal parking assessment district.
2. Use of a building or structure in the C-B district when such building or structure is damaged by fire, flood, explosion, or other calamity or act of God or the Public Enemy, the reconstruction of which is commenced within one year following such damage. As used in this section, reconstruction means the construction or repair of a building or structure of the same or substantially the same dimensions and square footage of floor space.

Ordinance 53-11 as amended

Section 14 as amended by Ordinance 66-36; 66-85

ARTICLE 15. M-1 LIGHT INDUSTRIAL DISTRICT

Section 15.01. Permitted Uses

1. Any use permitted in the R-H, C-H, and C-B districts.
2. Any of the following uses provided that such use or operation does not create a nuisance because of odor, noise, dust, smoke or gas:

Compounding, packaging, or storage of cosmetics, drugs, perfumes, pharmaceuticals, soap, or toiletries, excluding all processes involving refining or rendering of fats and oils.

Electric power generator, transformer station or sub-station,

Freight terminal,

Government buildings, including armories, maintenance, repair or storage facilities.

Laboratory for experiment, research or testing.

Manufacture or storage of ice.

Manufacture, repair or storage of articles from the following listed previously prepared materials: bone, cellophane, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather, paper, plastic, precious or semi-precious stone or metal, shell, textiles, wax, wire, wood, or yarn.

Manufacture, repair, or storage of ceramic products, musical instruments, novelties, rubber or metal stamps, toys, optical goods, scientific or precision instruments, medical, dental, electric or electronic supplies or equipment, business machines, watches or timing devices, luggage, photographic equipment, pleasure boats, furniture or signs.

Processing, packaging or storage of foods or beverages, excluding those involving distillation, fermentation, rendering of fats or oils, or slaughtering.

Repair, rental, sales, servicing or storage of machinery, implements, equipment, trailers or motor vehicles.

Storage or sales of building supplies or equipment.

Veterinary hospital or kennel.

Warehouse or wholesale distribution and sales facility.

Welding, sheetmetal or machine shop.

3. Trailer parks developed to the standards prescribed in Section 10.02. Standards in subsection 10.02.2 excepted.
4. Accessory uses and buildings customarily incidental to the above uses.
5. Public parking facilities.
6. Signs as permitted in Section 19.06..

Section 15.02. Lot Area and Setback Requirements

1. Except as provided in Section 21.02., no yards are required in an M-1 district.
2. The lot area and setback requirements for buildings hereafter built and used entirely for multi-family dwelling purposes shall be the same as required in the R-5 district.

Section 15.03. Height of Structures

No structure shall exceed 75 feet in height.

Section 15.04. Off-Street Parking Facilities

Off-street parking facilities shall be provided as prescribed in Article 18.

Ordinance 53-11 as amended  
Section 15 as amended by Ordinance 66-36

ARTICLE 16. M-2 HEAVY INDUSTRIAL DISTRICT

Section 16.01. Permitted Uses

1. Any use permitted in the M-1 district, but excluding dwelling units.
2. Signs as permitted in Section 19.06.
3. Any other use not specifically excluded herein and which does not create a nuisance or has not been declared a nuisance by statute or any court of competent jurisdiction.

Section 16.02. Lot Area and Setback Requirements

Except as provided in Section 21.02., no yards are required in an M-2 district.

Section 16.03. Height of Structures

No structure shall exceed 75 feet in height.

Section 16.04. Off-Street Parking Facilities

Off-street parking facilities shall be provided as prescribed in Article 18.

Ordinance 53-11 as amended  
Section 16 as amended by Ordinance 66-36

## ARTICLE 16A. PD PLANNED DEVELOPMENT

### Section 16A.01 Purpose

The purpose of planned development is to provide a greater flexibility in development of land than may be possible under a strict interpretation of the provisions of Articles 3 through 15 of this ordinance. It is intended to encourage variety in the development pattern of the community and the use of a creative approach to land development. It is further intended to achieve economics in land development, maintenance, street systems, and utility networks while providing building groupings for privacy, usable and attractive open spaces, safe circulation, and the general well-being of the inhabitants.

### Section 16A.02 Permitted Uses

1. An approved planned development may include any uses permitted in any district excepting those permitted only in an M-2 district.
2. General land use by area (single-family, multi-family commercial, industrial, etc.) shall be designated on the preliminary development plan.

### Section 16A.03 Procedure for Approval of a Preliminary Development Plan.

1. An applicant shall submit a preliminary development plan to the commission for study and such plan shall include the following:
  - a. A basic plan for the development of the total area within the proposed planned development.
  - b. The location and size of all land use areas (single family, multi-family, commercial, industrial, etc.) within the planned development.
  - c. The location of all collector or major thoroughfare streets.
  - d. A narrative description in general terms of the size and type of building, grading modifications, water supply, drainage, and sewage collection and disposal.
  - e. Such other basic site development information as is appropriate. Specific development detail is not required and any detail shown shall be considered as illustrative only and subject to amendment at the time of the submission of the final development plan.
2. The Commission may approve, disapprove, or modify and approve and attach any reasonable conditions it finds are necessary

to carry out the purposes of this ordinance.

3. If, in the opinion of the commission, the foregoing provisions are satisfied, the proposal shall be processed in accordance with the procedure for consideration and amendment as required in Section 24.
4. Once approved, the preliminary development plan shall be determinative of the location of the collector and major thoroughfare streets and of the type of use to be permitted in the final development plan or sub-areas of the final development plan.
5. An approved PD Planned Development shall be identified on the zoning map in addition to the existing zoning.

Section 16A.04 Procedure for Approval of a Final Development Plan

1. The final development plan may be submitted for any reasonably sized portion of the area previously zoned as PD Planned Development. The final development plan shall be submitted to the building official for approval and shall contain the following information:
  - a. Proposed land uses, building locations, and housing unit densities.
  - b. Proposed circulation pattern indicating the status of street ownership.
  - c. Proposed open space locations and uses.
  - d. Proposed grading and drainage pattern.
  - e. Proposed method of water supply and sewage disposal.
2. The final development plan shall comply with the following minimum standards:
  - a. The final development plan must substantially conform to the land use and arterial street pattern as approved in the preliminary development plan.
  - b. All buildings and structures within the PD Planned Development shall have lot areas, and front, side, and rear yards which are reasonable in size and area. There shall be enough open space areas provided for each improvement to maintain a suitable balance between structures and open spaces on each site. Standards governing area, density, yards, off-street parking, and other requirements shall be similar to those requirements for the district that most nearly controls the type of use being proposed within the final development plan.

- c. Adequate services normally rendered by the city to its citizens must be available to the proposed development at the time of approval of the final development plan, may require the developer to provide special or oversize sewer lines, water lines, streets, or other service facilities to serve the planned development.
  - d. Access shall be designed to cause minimum interference with traffic movement on abutting streets.
  - e. The plan shall provide for adequate landscaping and effective screening for off-street parking areas and for areas where nonresidential use or high density residential use could be detrimental to residential areas. Required yards shall be maintained in grass, trees, and shrubbery.
  - f. The arrangement of buildings, parking areas, signs and other facilities shall be designed and oriented to minimize noise and glare relative to adjoining property.
  - g. Artificial lighting, including illuminated signs and parking area lights, shall be so arranged and constructed not to produce direct glare on adjacent property or otherwise interfere with the use and enjoyment of adjacent property.
3. In considering the final development plan, the building official shall make a determination as to the following:
- a. The area around the development can be developed in substantial harmony with the proposed plan.
  - b. The plan can be completed within a reasonable period of time.
  - c. The streets are adequate to serve the anticipated traffic.
  - d. Proposed utility and drainage facilities are adequate for the population densities and type of development proposed.
  - e. The final development plan complies with the requirements and standards of Section 16A.04 (2)
4. The building official may approve, disapprove, or modify and approve the final development plan and may attach any reasonable conditions to a plan. No building shall be erected in a planned development district except within an area contained in an approved final development plan and no construction shall be undertaken in that area except in compliance with the provisions of said plan. All features required in the final development plan shall be installed and retained indefinitely or until approval has been received from the building official for modification.

Section 16A.05 Procedure for Modification of a Preliminary Development Plan.

1. A minor change in the preliminary development plan may be approved by the building official. A minor change in the preliminary development plan may be approved by the building official. A minor change is any change which is not within the description of a major change as provided in the following subparts 2 and 3 of this section.
2. A major change in a preliminary development plan which includes a change from a more restricted use to a less restricted use or a change in the location, width or size of a collector or major thoroughfare street, or in the location or specifications for utilities which is likely to materially affect future street or utility plans of the City of Corvallis may be approved only by the commission after public hearing and the city council after public hearing.
3. A major change in a preliminary development plan which includes any change in the character of the development or any increase in the intensity of the land use or in the location or amount of land devoted to specific land uses or any change in the location, width, or size of a collector or major thoroughfare street, or that substantially changes the location or specification for utilities, but which will not materially affect future street or utility plans of the City of Corvallis may be approved by the Commission after public hearing.
4. In considering any request for a change in a preliminary development plan, the building official, commission, and city council shall apply the same standards as are provided in this article for the approval of preliminary development plans. The building official, commission, and city council may approve, reject, modify or attach special conditions to a request for modification of a preliminary development plan. The building official in his reasonable discretion shall determine whether each request for modification of a preliminary development plan requests a minor or major change within the meaning of subparts 1, 2 or 3 of this section and shall determine or refer each request appropriately.

Section 16A.06 Appeal

In the event that a dispute arises between the building official and the developer as to any provisions of the final development plan, either party may appeal to the planning commission. The commission shall assume the responsibility for approving, amending, or modifying the final development plan.

Section 16A.07 Expiration

If substantial construction of a planned development has not taken place within three years from the effective date of a PD Planned Development designation, the planning commission shall review the planned development at a public hearing to determine if its continua-

tion, in whole or in part, is in the public interest. If found not to be, the commission may recommend to the council that the area revert to the zone district in effect prior to its PD Planned Development designation.

Ordinance 53-11

Section 16A added by Ordinance No. 78-80, passed July 15, 1968 and amended by Ordinance No. 71-85, passed November 1, 1971.

ARTICLE 17. P PUBLIC USE DISTRICT

Section 17.01. Permitted Uses

Any building or use is permitted provided that it is governmentally owned (federal, state, county or municipal) and in public use.

Section 17.02. Transfer of Ownership

1. Whenever a public use district, or a part of any such district, is transferred to private ownership for different use, such transferred area shall revert to the zone district in effect prior to the effective date of this ordinance, or, if not previously zoned, to R-1.
2. Whenever any privately owned land is acquired by a governmental body for public use, the land so acquired shall automatically be and become P Public Use and the Zoning District Map is amended accordingly.

Ordinance 53-11 as amended  
Section 17 as amended by Ordinance 66-36

## Article 18. OFF-STREET PARKING AND LOADING REQUIREMENTS

### Section 18.01. General Provisions

1. Except as provided in Section 14.04. of this Ordinance, Off-Street parking and loading facilities shall be provided prior to the occupancy of any structure hereafter built, enlarged or increased in capacity.
2. The provision of required off-street parking and loading facilities is a continuing obligation of the property owner. Building or other permits will be issued only after receipt of site plans drawn to a suitable scale showing the location of permanent parking and loading facilities.
3. Requirements for a building or use not specifically listed in this article shall be determined by the Building Official based upon the requirements of similar uses.
4. When a building is enlarged, when a new building is constructed, or when the use of an existing building is changed, off-street parking and loading spaces shall be provided according to the standards set forth in Sec. 18.04. of this Ordinance. When the increased intensity requires less than two new spaces, no additional parking facilities shall be required. However, the effects of changes, additions, or enlargements shall be cumulative so that when the net effect of several changes generates a need for more than two spaces, they shall be provided. The requirement to provide additional spaces shall not be made retroactive on the existing use or activity.

### Section 18.02. Additional Regulations - Parking

1. In any residential district, all motor vehicles incapable of movement under their own power except in an emergency, shall be stored in a completely screened space, garage, or carport.
2. When several uses occupy a single structure or lot, the total required parking shall be the sum of the requirements of the individual uses.
3. When a building or use is planned or constructed in such a manner that a choice of parking requirements could be made, the use which requires the greater number of parking spaces shall govern.
4. Required parking spaces shall be available for parking of vehicles of residents, customers, patrons and employees only, and shall not be used for storage of vehicles or materials or for the parking of vehicles used in conducting the business or use and shall not be used for sale, repair or servicing of any vehicle.

Section 18.03. Additional Regulations - Loading

1. No off-street loading facilities shall be required where buildings abut a public alley in such a manner that loading operations can be conducted from said alley in accordance with applicable traffic and parking ordinances.

Section 18.04. Schedule of Off-Street Parking Requirements

Structures hereafter built, enlarged, increased in capacity or changed in use shall provide off-street parking as follows:

1. ONE-FAMILY DWELLINGS - Two spaces for each dwelling unit, one of which may be located in a driveway occupying a front or exterior side yard.
2. TWO-FAMILY DWELLINGS AND MULTIPLE FAMILY DWELLINGS -

Studio or Efficiency Units	.75 space ea. unit
1 Bedroom Units	1.00 space ea. unit
2 Bedroom Units	1.50 space ea. unit
3 Bedroom Units	2.25 space ea. unit
4 Bedroom Units	2.50 space ea. unit

3. FRATERNITIES, SORORITIES, DORMITORIES, COOPERATIVES, LODGING AND BOARDING HOUSES - one space for every 500 square feet of gross floor area.
4. HOTELS - one space for every two guest rooms or suites.
5. MOTELS - one space for each guest room or suite.
6. RETAIL STORES, SERVICE OR REPAIR SHOPS, BANKS AND OFFICES - one space for each 400 square feet of gross floor area.
7. SERVICE OR REPAIR SHOPS AND RETAIL STORES THAT HANDLE BULKY MERCHANDISE such as furniture, household appliances, or motor vehicles - one space for each 800 square feet of gross floor area.
8. PLACES OF PUBLIC ASSEMBLY INCLUDING CHURCHES, STADIUMS, ARENAS, CLUBS, LODGES, AUDITORIUMS, MEETING ROOMS AND UNDERTAKING ESTABLISHMENTS - one space for each four fixed seats (eighteen lineal inches of bench shall be considered one seat) and one space for each fifty (50) square feet of public assembly area where there are no fixed seats.
9. PRESCHOOL NURSERY OR KINDERGARTEN - two spaces for each teacher.
10. ELEMENTARY SCHOOL - two spaces for each classroom.
11. JUNIOR HIGH SCHOOL - three spaces for each classroom.
12. SENIOR HIGH SCHOOL, COLLEGE OR COMMERCIAL SCHOOL - six spaces for each classroom.
13. HOSPITAL, CONVALESCENT HOSPITAL, NURSING HOME, SANITARIUM OR REST HOME - one space for each 1000 square feet of gross floor area.
14. BOWLING ALLEY - six spaces for each alley.
15. MEDICAL AND DENTAL CLINICS - one space for each 300 square feet of gross floor area.
16. RESTAURANTS, BARS, AND SIMILAR ESTABLISHMENTS - one space for each four (4) fixed seats or stools and one (1) space for each fifty (50) square feet of dining or drinking area where there are no fixed seats.

17. INDUSTRIAL ESTABLISHMENTS - ONE SPACE FOR EACH 1000 square feet of gross floor area or one space for each employee on the largest shift, whichever is greater.
18. TRAILER COURTS - five (5) parking spaces for every (4) trailer units or fraction thereof.
19. WHOLESALE ESTABLISHMENTS, WAREHOUSES, AIR, RAIL OR TRUCKING FREIGHT TERMINALS - one space for each 5000 square feet of gross floor area.

Section 18.05 Standards for Off-Street Parking Facilities

1. Required parking for residential uses shall be provided on the same site as the building. Required parking for all other uses shall be provided on the same site as the building or upon abutting property which is contiguous by at least ten feet. Street right-of-way shall be excepted when determining contiguity.
2. Areas used for parking and maneuvering of vehicles shall have durable, dustless, all-weather surfaces paved in accordance with the standards specified by the Building Official in accordance with contemporary engineering practices and excepting for R-1, R-2 and R-3 uses, shall be drained as to avoid flow of water across sidewalks.
3. Artificial lighting which may be provided shall not create a glare or other public nuisance.
4. Access aisles and parking stalls shall be of sufficient width and length to provide for all turning and maneuvering in accordance with the standard specifications established by the Building Official.
5. Developments required to provide more than three parking spaces shall not have backing or maneuvering movements occur within a public street other than an alley.
6. Service drives shall be designed and constructed to facilitate the safe and efficient flow of traffic. The number of service drives shall be the minimum that will allow the property to accommodate the anticipated traffic. Service drives shall be clearly and permanently marked by curbs, planting islands, fences or other devices placed adjacent to the driveway.
7. No planting, fences or other visual obstructions more than 30 inches tall nor tree limbs maintained lower than 8 feet from the ground shall be permitted within the area formed by the intersection of the driveway line, the street right-of-way line and a straight line joining said lines through points 20 feet from their intersection.

8. Parking spaces along the outer boundaries of a parking area shall be contained by a curb or bumper raise so placed to prevent a parked vehicle from extending over an adjacent property line, street or sidewalk.
9. Each vehicle stall shall be designated by plainly marked lines. Traffic movements shall be indicated or directional arrows marked on the pavement.

Section 18.06. Parking Requirements in Residential District

No required parking shall be permitted in front yard or exterior side yard setbacks in R-1, R-2, R-3 or R-T Districts except as provided in Sections 18.04 (1) and 18.08. In the R-L, R-M, and R-H Districts, required parking shall be permitted to extend into the front and exterior side yard to within five (5) feet of the property line.

Section 18.07. Standards for Off-Street Loading Facilities

For every use or premise mentioned in Section 18.04 in connection with every building or part thereof hereafter erected and having a gross floor area of 10,000 square feet or more, at least one off-street loading space shall be provided. One additional space shall be provided for each additional twenty thousand square feet or major fraction thereof.

Off-street loading facilities shall conform with the following standards:

1. Each loading berth shall be not less than 35 feet in length and 10 feet in width and shall have a minimum height clearance of 14 feet.
2. Sufficient space for turning and maneuvering of vehicles shall be provided on the site in accordance with the standard specifications established by the Building Official.
3. Entrances and exits shall be provided at locations approved in accordance with applicable ordinances and statutes.
4. The loading area, access to drives and aisles shall be paved in accordance with the standards specified by the Building Official in accordance with contemporary engineering practices so as to provide a durable, dust-less surface and shall be graded and drained to remove surface water.
5. Sight obscuring screening of the facility shall be provided where off-street loading facilities abut or are across the street from a residential district.

Section 18.08. Public Parking Area

1. All open parking areas in the C-1, C-2, C-H, C-B, M-1 or M-2 districts containing more than four parking spaces shall be effectively screened on each side which abuts a residential district by a wall, fence or densely planted, sight obscuring hedge not less than four nor more than six feet high.
2. Setback requirements provided for R-4, R-5, C-H, C-B, C-2, M-1 or M-2 districts do not apply to that portion of any such public parking area which is in excess of the minimum requirements of Section 18.05.
3. Public parking required under Section 18.04. and incident to a use permitted in an R-5 district shall be permitted in an adjacent R-4 district.
4. The public parking areas in existence on December 21, 1964 on any of the following premises shall be permitted to continue as conforming uses;
  - a. Lots 11 and 12, Hoffman's Additions.
  - b. Beginning at the intersection of the south line Polk Street and the east of North 9 Street, thence southerly along the east line of North 9 Street 60.0 feet; thence easterly and parallel to Polk Street 100.00 feet; thence northerly and parallel to North 9 Street 50.0 feet to the south line of Polk Street; thence westerly along the south line of Polk Street to the point of beginning.
  - c. Beginning at the intersection of the south line of Lincoln Street and west line of King's Blvd; thence southerly along the west line of King's Blvd. 75.0 feet; thence westerly and parallel to Lincoln Street 250.0 feet; thence northerly and parallel to Lincoln Street; thence easterly along the south line of Lincoln Street to the point of beginning.

5. Public parking in R-4 and R-5 district shall be subject to the following conditions in addition to those or parts 1, 2 and 3 of this section:
  - a. Each public automobile parking area shall be enclosed by a sightly and sturdy wall, fence, solid evergreen hedge or evergreen vine-covered fence of not less than 36 inches nor more than 48 inches in height, except that within the 10 feet adjacent to each vehicle exit from such area the height of such fence, wall or hedge shall taper from a height of 2 feet immediately adjacent to siad exit to the height otherwise specified herein. Adequate sight clearance must be provided on corner lots.

Section 18.09. Existing Uses

No existing use of land or structure shall become a non-conforming use solely because of the lack of off-street parking and loading facilities at the time of adoption of this article.

Section 18.10. Supplementary Provisions

1. A studio or efficiency unit over 400 square feet in area shall provide parking as required for one-bedroom apartments.
2. Apartment units having a bedroom in excess of 160 square feet shall provide added parking of 0.5 parking space for each over-sized bedroom.
3. When the sum of the required parking spaces is a fraction of a space,  $\frac{1}{2}$  of a space or less may be disregarded; greater than  $\frac{1}{2}$  of a space, a full space shall be required.

Ordinance 53-11 as amended by Ordinances 66-36, 68-109, 70-59, 70-118, 73-56, 74-81 and 75-37.

ARTICLE 19. SIGNS

Provisions regulating signs are contained in Article 19 published separately and titled "Sign Ordinance".

## ARTICLE 20. SUPPLEMENTARY PROVISIONS

### Section 20.01. Access

Every lot shall abut a street, other than an alley, for at least 25 feet.

### Section 20.02. Accessory Uses

1. Accessory uses shall comply with all requirements for the principal use except where specifically modified by this ordinance.
2. Fences shall not exceed 3 feet in height in a required front yard or an exterior side yard.
3. In a residential zone a side and/or rear yard may be reduced to one foot for an accessory structure and its projections erected more than 60 feet from streets other than an alley.
4. In a residential zone the rear yard of a corner lot may be reduced to 8 feet for an accessory structure and its projections erected more than 25 feet from streets other than an alley.
5. An accessory structure in a rear and/or side yard shall not exceed a height of 14 feet nor occupy more than 35 per cent of a required rear yard.

### Section 20.03. Maintenance of Minimum Ordinance Requirements

No lot area, yard, other open space, or off-street parking area existing on or after the effective date of this ordinance shall be reduced below the minimums required for it by this ordinance.

### Section 20.04. Dual Use of Required Open Space

No lot area, yard, other open space, or off-street parking area which is required by this ordinance for one use shall be construed as a required lot area, yard, other open space or off-street parking area for another use.

### Section 20.05. Through Lots

Through lots having frontage on parallel or approximately parallel streets shall provide the required front yard on each street.

### Section 20.06. Authorization of Similar Uses

The Building Official may permit in a particular district a use not listed in this ordinance, provided the use is substantially similar to and consistent with specified permitted uses and regulations of the district.

Section 20.07 Computing Yard Dimensions and Building Separation

Yard dimension and building separation measurements shall be the least dimension between the property lines or between the building walls.

Section 20.08 Determination of Bedrooms

For the purposes of density and parking requirements, the following criteria shall apply to the determination of bedrooms:

1. When a room such as a den, study, sewing or similar room is provided in conjunction with a single, bachelor or one-bedroom unit, such room shall be considered an additional bedroom.
2. When a room such as a den, study, sewing or similar room is provided in conjunction in a unit with two or more bedrooms, such room shall be considered an additional bedroom if provided with a wardrobe, closet or similar facility and if such room is constructed in such a manner that less than 50% of one wall is not open to an adjoining room.
3. The Building Official may determine the number of bedrooms in the event of questions of interpretation or application of this section.

Ordinance 53-11 as amended: Section 20 as amended by Ordinances 66-36, 66-82 and 74-81

ARTICLE 20A. OPEN AREA, LANDSCAPING AND SCREENING PROVISIONS

Section 20A.01 General Provisions

1. These provisions for improved open area, landscaping and screening are a continuing obligation of the property owner that they be maintained for the use, enjoyment and privacy of tenants.
2. Site plans indicating these site improvements shall be included with the plans submitted to the Building Department for approval. Issuance of a building permit includes these required improvements which shall be completed before issuance of a certificate of occupancy.
3. Existing trees, plant material and special site features shall be preserved within a project site to the fullest extent possible.

Section 20A.02 Minimum Open Area - All permitted uses in the Multiple Family Districts.

A minimum open area of .25 square feet shall be provided for each square foot of residential gross floor area. These provisions shall apply to all new projects and to an addition or remodeling of existing structures that creates new dwelling units. The open area shall be allocated as follows:

1. Private open space designed for the exclusive use of individual dwelling units such as patio areas and balconies of at least sixty (60) square feet with a minimum dimension of six (6) feet may be included as part of the required open space and be given credit for two (2) square feet of open area for each one (1) square foot so provided, not to exceed 200 square feet of total open space credit for any one dwelling unit.
2. The required open space shall be designed and arranged to offer the maximum benefits to the occupants of the development as well as provide visual appeal and building separation.
3. Balconies. Balconies that are required for entrances or exits shall not be considered as open space except where such exits or entrances are for the sole use of the unit.
4. Roofed Structures. Allocated open space shall not include roofed or enclosed structure; except for open unenclosed private patios or balconies.
5. Driveways and Parking. Said open space shall not include vehicular circulation areas, such as driveways, driveway easements, or open parking areas.

Section 20A.03 Landscaping and Screening - All permitted uses in the Multiple Family Districts

The minimum open area of all multiple family dwelling sites shall be landscaped and permanently maintained. Landscaping shall primarily consist of ground cover, ferns, trees, shrubs or other living plants and with sufficient permanent irrigation installation to properly maintain all vegetation. Decorative design elements such as foundations, pools, benches, sculptures, planters and similar elements may be placed within the area.

1. Parking areas:

- a. Parking lots shall be screened from abutting land uses by a combination of fences, walls, or landscaping adequate to provide privacy and separation for the abutting land use.
- b. Parking lots shall have landscaped islands at the ends of parking rows to facilitate movement of traffic and to break large areas of parking surface.
- c. A minimum of three (3) percent of the space given to vehicular circulation such as driveways, driveway easements, or open parking areas shall be in landscaping which shall be evenly distributed throughout and long rows of parking spaces shall be interrupted by a landscape break. The minimum dimension of the landscape shall be three (3) feet and the landscaping shall be protected from vehicular damage by some form of wheel guard.

2. Front and Exterior Side Yards:

- a. Where parking areas project into the front or exterior side yards, the remaining yard shall be landscaped to provide partial screening of the parking area. Plantings, fences, berms, etc. not to exceed 30 inches in height and tree limbs to have a clearance of 8 feet above grade.
- b. Landscaping in the front and exterior side yards shall include trees at a rate not less than one tree for each 50 feet of lot frontage.

3. Service Facilities:

Garbage collection areas, and service facilities such as gas meters and air conditioning facilities located outside the building shall be appropriately screened and landscaped.

ARTICLE 21. GENERAL EXCEPTIONS

Section 21.01. General Exception to Lot Size Requirements

If the aggregate of contiguous lots held in a single ownership as recorded in the office of the County Clerk at the time of the passage of this ordinance has an area or dimension which does not meet the lot size requirements of the district in which the property is located, the holdings may be occupied by a use permitted in the district subject to the other requirements of the district, provided that, if there is an area deficiency, residential use shall be limited to a single-family dwelling or to the number of dwelling units consistent with the density requirements of the district.

Section 21.02. General Exceptions to Yard Requirements

1. In recognition of the special land use problems that exist where an industrial district abuts a residential district, the following special yard requirements shall apply within M-1 and M-2 industrial zones:
  - a. The minimum side yard in an M-1 or M-2 district abutting an R district shall be 5 feet.
  - b. The minimum rear yard in an M-1 or M-2 district abutting an R district shall be 15 feet.
2. The minimum front yard setback on lots abutting the streets listed below shall be as specified:

<u>Location</u>	<u>Minimum Setback Required</u>
Highland Way (east side from Grant to Circle Drive)	20 feet
Ninth Street (east side from Grant to Conifer Street)	60 feet
Monroe Street (C-2 district between 14 and 26 Streets)	None
Conifer Avenue (C-2 district between Lancaster Street and Highway 99W)	60 feet

Section 21.03. General Exception to Building Height Limitations

Projections such as chimneys, spires, domes, elevator shaft housings, towers, aerials, flagpoles, and other similar objects not used for human occupancy are not subject to the building height limitations of this ordinance.

Section 21.04. Projections from Buildings

Architectural features such as cornices, eaves, canopies, sunshades, gutters, chimneys, fireplaces, and flues shall not project more than three feet (3') into a required yard; except that a minimum thirty inch (30") setback shall be maintained from any property line. However, no architectural features shall be located within the required setback area on intersections of public rights-of-way so described in Article 18.05.7. Architectural features shall not include any portion of a structure built for the support, conveyance, occupancy, shelter or enclosure of persons, chattels, or property of any kind.

Ordinance 53-11, as amended:  
Ordinance 73-57 (21.04) approved July 23, 1973  
Section 21 as amended by Ordinance 66-36

## ARTICLE 21A. SPECIAL EXCEPTIONS

### Section 21A.01 Purpose

Because of the impossibility of foreseeing and providing for all circumstances and conditions which may effect the provisions of Ordinance 53-11, as amended, the special exception is created thus making it possible to adjust the provisions of Ordinance 53-11, as amended, to special and unusual cases without defeating the general purposes and spirit of said ordinance.

### Section 21A.02 Conditions Governing Applications

To hear and decide only such special exceptions as the Planning Commission is specifically authorized to pass on by the terms of this ordinance; to decide such questions as are involved in determining whether special exceptions with such conditions and safeguards as are appropriate under this ordinance, or to deny special exceptions when not in harmony with the purpose and intent of this ordinance.

### Section 21A.03 Procedure

A special exception shall not be granted by the Planning Commission unless and until:

1. A written application for a special exception is submitted to the Planning Office indicating the section of this ordinance under which the special exception is sought, fully stating the grounds on which it is requested and including all facts relied upon to show that applicable provisions of Ordinance 53-11, as amended, should not be strictly interpreted and enforced relative to the property thirty (30) days in advance of the Planning Commission meeting or less at the discretion of the Planning Director.
2. The applicant has provided plans, profiles, specifications or other pertinent matter as might be requested or sufficient to adequately substantiate and justify the request and which establishes the following:
  - a. That there are exceptional or extraordinary circumstances or conditions applicable to the land, buildings, or premises involved, or to the intended use of same, that do not apply generally to the property or class of uses in the same district.
  - b. That the granting of such special exceptions will not be materially detrimental to the public health safety, and welfare or injurious to the conforming land, property or improvements in the neighborhood of the property for which such special exception is sought.

3. Public notice shall be given at least ten (10) days in advance of public hearing. The owner of the property for which special exception is sought or his agent shall be notified by mail. Notice of such hearings shall be posted on the property for which special exception is sought and at the City Hall at least ten (10) days prior to the public hearing.
4. The public hearing shall be held. Any party may appear in person, by agent or attorney.
5. The Planning Commission shall make a finding that it is empowered under the section of this ordinance described in the application to grant the special exception and will not adversely affect the public interest.
6. A special exceptions application shall not be considered when the granting of such would have the effect of changing the permitted land use or increasing the permitted density.

Section 21A.04 Criteria for Granting a Special Exception

Before any special exception shall issue, the Commission shall make written findings certifying compliance with the specific rules governing individual special exceptions and that satisfactory provision and arrangement has been made concerning the following, where applicable:

1. Ingress and egress to property and proposed structure thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow, and control, and access in case of fire or catastrophe;
2. Off-street parking and loading areas where required with particular attention to the items in (1) above and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district;
3. Refuse and service areas with particular reference to the items in (1) and (2) above;
4. Utilities, with reference to locations, availability, and compatibility;
5. Screening and buffering with reference to type, dimensions and character;
6. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect and compatibility and harmony with properties in the district.

7. Required yards and other open space;
8. General compatibility with adjacent properties and other property in the district;

Section 21A.05 Terms, Conditions, Time Limit, Guarantees

The Commission may prescribe the terms and conditions upon which a special exception may be granted and set a time limit for the duration of such special exception and may require guarantees in such form as it may deem proper under the circumstances to ensure that the purposes for which said exception is granted will be fulfilled and that the conditions of the exception will be met. No Commission action governing disposition of special exception shall become effective prior to the lapse of the ten (10) day appeal period.

Section 21A.06 Any building or structure set up, erected, built, moved or maintained contrary to the provisions of this article and/or any use of property contrary to the provisions of this article and/or any conditions attached to the granting of any special exception pursuant to this article which are not adhered to are declared to be unlawful and a public nuisance and the duly constituted authorities of Corvallis shall upon order of the City Council immediately commence action or actions, proceeding or proceedings for the abatement, removal and enjoyment thereof in the manner provided by law and to take such other steps and shall apply to such court or courts as may have jurisdiction to grant such relief as will abate and remove such building, structure or use and restrain and enjoin any person, firm or corporation from setting up, erecting, building, moving or maintaining any such building or structure or using any property contrary to the provisions of this article.

Failure to abide by and faithfully comply with any and all conditions that may be attached to the granting of any special exception pursuant to the provisions of this article shall constitute grounds for the revocation of said special exception by the City Council. All remedies provided for in Article 27 and herein shall be cumulative and not exclusive.

Section 21A.07 Expiration

The special exception shall be for a specific development considered and if a building permit has not been issued within one (1) year from the effective date of the special exception, unless otherwise provided for by the Planning Commission, the special exception shall expire.

The general welfare of the public will be promoted if this ordinance takes effect immediately, Therefore, an emergency is declared and this ordinance shall take effect immediately upon its passage by the Council and its approval by the Mayor. Passed by Council, approved by the Mayor and effective 9-16-74.

## ARTICLE 22. NONCONFORMING USES

### Section 22.01. Continuation of a Nonconforming Use or Structure

Subject to the provisions of Section 22.01. through 22.05., a nonconforming structure or use may be continued and maintained in reasonable repair, but may not be altered or extended, except that a structure conforming with respect to use but nonconforming with respect to height, setback or lot coverage may be altered or extended if the alteration or extension does not deviate further from the standards of this ordinance.

### Section 22.02. Discontinuance of a Nonconforming Use

1. If a nonconforming use involving a structure is discontinued for a period of one year, further use of the property shall conform to this ordinance.
2. If a nonconforming use not involving a structure is discontinued for a period of six months, further use of the property shall conform to this ordinance.

### Section 22.03. Change of Nonconforming Use

If a nonconforming use is replaced by another use, the new use shall conform to this ordinance.

### Section 22.04. Destruction of Nonconforming Use

If a nonconforming structure or a structure containing a nonconforming use is destroyed by any cause to an extent exceeding 60 per cent of its fair market value as indicated by the records of the county assessor, the future structure or use on the site shall conform to this ordinance.

### Section 22.05. Street Dedication

No use of land, building or other improvement maintained upon a lot at the time of conveyance to, or appropriation by, the City of Corvallis of a portion of such lot for street purposes shall be or become nonconforming by reasons of such conveyance or appropriation.

Ordinance 53-11 as amended

Section 22 as amended by Ordinance 66-36

## ARTICLE 23. APPEALS

### Section 23.01 Variances.

Authorization to grant or deny variances. The Hearings Board established by Ordinance 74-91 may authorize variances from the requirements of this ordinance where it can be shown that, owing to special and unusual circumstances related to a specific piece of property, strict application of this ordinance would cause an undue or unnecessary hardship; except that no variance shall be granted to allow the use of property for a purpose not authorized within the district in which the property is located. In granting a variance, the Board may attach conditions which it finds necessary to protect the best interests of the surrounding property or neighborhood and otherwise achieve the purposes of this ordinance.

### Section 23.02 Circumstances for Granting a Variance.

A variance may be granted only in the event that all of the following circumstances exist:

1. Exceptional or extraordinary circumstances apply to the property which do not apply generally to other properties in the same district or vicinity and result from lot size or shape legally existing prior to the date of this ordinance, topography, or other circumstances over which the applicant has no control.
2. The variance is necessary for the preservation of a property right of the applicant substantially the same as owners of other property in the same district or vicinity possess.
3. The variance would not be materially detrimental to the purposes of this ordinance or to other property in the zone or vicinity in which the property is located, or otherwise conflict with the objectives of any City plan or policy.
4. The variance requested is the minimum variance which would alleviate the hardship.

### Section 23.03 Application for a Variance.

A property owner or his authorized agent may initiate a request for a variance by filing an application with the Planning Department using forms prescribed by the Hearings Board. The application shall be accompanied by a site plan drawn to scale showing the conditions to be varied and the dimensions and arrangement of the proposed development. The Board may request other drawings or material essential to an understanding of the variance request. The application shall be accompanied by a fee in the amount provided in the fees ordinance.

Section 23.04 Public Hearing on a Variance.

The Board shall fix a reasonable time for the hearing of the appeal and shall give notice thereof by serving a copy of such notice upon the appellant by mail, and by publishing a copy of the same in a newspaper of general circulation in the City of Corvallis. Such service and publication shall be made not less than ten days prior to the date fixed for the hearing of such appeal.

Section 23.05 Decision of the Hearings Board.

Within five days after a decision has been rendered with reference to a request for a variance, the Planning Director shall provide the applicant with notice of the decision of the Board. No decision of the Board shall become effective until after an elapsed period of ten days from the date written determination is made, during which time the applicant or any other person aggrieved may appeal therefrom to the City Council.

Section 23 as amended by Ordinances No. 66-36, 71-98 and 75-01

## ARTICLE 24. AMENDMENT

### Section 24.01. Initiation of Amendment

Whenever public necessity and the general welfare require, the City Council may amend the text of this Ordinance or the zoning map. All petitions for or recommendations of amendments for this Ordinance shall first be referred to the Planning Commission. An amendment to this Ordinance may be initiated by:

1. A motion of the City Council or the Planning Commission;
2. A petition by any person who owns property within the City of Corvallis or his authorized agent to the Planning Commission. For a zoning map change, the petition must include real property owned by the petitioner within the area proposed for a zone change.

### Section 24.02 Filing of Petitions

Petitions shall be presented to the Zoning Administrator on forms and accompanied by information prescribed by the Planning Commission. No petition shall be accepted unless it is complete and is verified as to the correctness of information given by the signature of the applicant attesting thereto. Petitions filed by property owners or their designated agents shall be subject to and accompanied by a filing and investigating fee, the appropriate fee for the action requested to be determined from the adopted fees schedule as approved by the City Council.

### Section 24.03 Public Hearing by Planning Commission

Before the Planning Commission acts upon a zoning text or map amendment it shall hold a public hearing upon the proposal. (Hearing dates shall be as established by the Planning Commission.) Hearing notice shall be given by at least one (1) public notice in a newspaper of general circulation in the City of Corvallis, published at least ten (10) days before the time of such hearing. The notice shall include the time and place of the hearing the zoning action to be considered and the procedure for persons wishing to favor or object to the proposal. Notice of a zoning map change shall include a map of the area to be considered.

### Section 24.04 Public Hearing by City Council

Upon Commission approval of a proposed amendment to this Ordinance, it shall forward its findings and recommendations to the City Council for public hearing and action thereon.

Section 24.05 Appeal of Planning Commission Disapproval

Upon Commission disapproval of a petition, the petitioner shall be so notified and may, within thirty (30) days of such Commission action, appeal to the Council. The appeal shall be in writing and shall be filed with the City Recorder's office. The appeal shall state specifically wherein it is claimed there was error or abuse of discretion by the Commission or wherein its decision is not supported by the evidence in the record.

Upon receipt of such appeal, the Council shall set a public hearing to consider the appeal. The appellant shall be notified, by written notice, not less than (5) days prior to the hearing of the time and place of the hearing. The findings and recommendations of the Planning Commission shall be forwarded to the City Council.

In considering an appeal, the Council shall determine whether the proposal conforms to the applicable criteria and standards of the amendment, or require such changes therein or impose such reasonable conditions of approval as are in its judgement necessary to insure conformity to the criteria and standards of the zoning ordinance.

Section 24.06 Zoning of Annexed Areas

1. Except as provided in the following paragraph, all territories which may hereafter be annexed to the City shall automatically be classified as R-1. The Hearings Board shall make a study of the annexed area to determine in which zoning district it should be classified in order to carry out the objectives of the Zoning Ordinance prescribed in Section 1.02. If the Hearings Board finds that a change of zone is required, it shall initiate the change as prescribed in Section 24.01. The owner of annexed property or his authorized agent may file an application for a zone change as prescribed in Section 24.02.

2. Prior to the commencement of annexation proceedings by the Council, the Hearings Board may, with or without public hearing, recommend to the Council a proposed zone or zones for the area to be annexed. The Council shall give public notice of and hold a public hearing on the annexation. After said hearings, the Council shall, by ordinance, establish the zone or zones for the annexed area, which zone or zones shall be effective upon completion of the annexation and shall be permanent until changed or amended.

Ordinance 53-11 as amended by Ordinance 72-88 and 74-87

ARTICLE 25. ADMINISTRATIVE PROVISIONS

Section 25.01. Administration

The Building Official shall have the power and duty to enforce the provisions of this ordinance. An appeal from a ruling by the Building Official regarding a requirement of this ordinance may be made only to the Board of Appeals.

Section 25.02. Building Permit

Each application for a building permit shall be accompanied by plans, drawn to scale, showing the actual shape and dimensions of the lot to be built upon, the sizes and locations of buildings and other structures on the lot, existing and proposed, the existing and intended use of each building, structure or part thereof, the number of families to be accommodated thereon, and such other information as is needed to determine conformance with this ordinance.

Ordinance 66-36, April 18, 1966

ARTICLE 26. MISCELLANEOUS PROVISIONS

Section 26.01. Interpretation

Where the conditions imposed by any provision of this ordinance are less restrictive than comparable conditions imposed by any other provisions of this ordinance or of any other ordinance, the provisions which are more restrictive shall govern.

Section 26.02. Severability

The provisions of this ordinance are severable. If any sentence, section, clause, or phrase of this ordinance is adjudged by a court of competent jurisdiction to be invalid, the decision shall not affect the validity of the remaining portions of this ordinance.

Ordinance 66-36, April 18, 1966

## ARTICLE 27. REMEDIES

### Section 27.01. Penalty

Any person violating a provision of this ordinance shall, upon conviction, be punished by imprisonment for not more than 30 days or by a fine of not more than \$100.00, or both. A violation of this ordinance shall be considered a separate offense for each day that the violation continues.

### Section 27.02. Alternative Remedy

In event a building or other structure is, or is proposed to be, located, constructed, maintained, repaired, altered, or used, or land is, or is proposed to be, used in violation of this ordinance, the building or land thus in violation shall constitute a nuisance, and the City may, as an alternative to other remedies that are legally available for enforcing this ordinance, institute injunction, mandamus, abatement, or other appropriate proceedings to prevent, enjoin temporarily or permanently, abate, or remove the unlawful location, construction, maintenance, repair, alteration, or use.

Ordinance 66-36, April 18, 1966

ARTICLE 28. ENACTMENT

Section 28.01. Emergency Clause

Inasmuch as substantial amounts of construction will be affected hereby and inasmuch as the provisions of this ordinance are necessary for the immediate preservation of the peace, safety, good order, and public welfare, of the citizens and inhabitants of the City of Corvallis, Oregon an emergency is hereby declared to exist and this ordinance shall be in full force and effect immediately upon its passage by the Council and Approval by the Mayor of the City of Corvallis, Oregon.

PASSED by the Council April 18, 1966.

APPROVED by the Mayor April 18, 1966.

/s/ Glenn W. Holcomb  
Acting Mayor

ATTEST:

/s/ George Simerville  
City Recorder