

SECTION 600 – COMMERCIAL DISTRICTS

603. HIGHWAY/TOURIST COMMERCIAL DISTRICT (HC)

[Last amended 06/28/18; Ord. 906]

603.01 Purpose.

The purpose of the HC District is to provide limited small-scale highway and tourist commercial services for the traveling public in specially designated highway-service centers where access, traffic-turning movements and off-street parking can be provided in a safe, convenient, economic and attractive manner. The establishment of an HC District shall be based on present foreseeable demand for limited services to the traveling public. In areas adjacent to Highways 99W and 18, the size, spacing, layout and design of such centers shall ensure that the view from the highway and the rural atmosphere of the county are not impaired; and that the scale and service requirements of the facilities do not have an adverse impact on, unduly compete with, or place any unusual service demands on nearby urban centers.

603.02 Permitted Uses.

In the HC District, the following uses shall be permitted subject to the standards and limitations set forth in subsection 603.07 and pursuant to Section 1101 for site design review:

- A. Automobile service station;
- B. Drive-in restaurant, restaurant, or refreshment stand;
- C. Food store, maximum floor area of two thousand (2,000) square feet;
- D. Fruit or vegetable stand, commercial;
- E. Gift, souvenir or antique shop;
- F. Motel;
- G. Dwelling in conjunction with a permitted use. Site design review is not required for the dwelling; [Amended 7/9/98, Ord. 648]
- H. Accessory uses;
- I. Temporary structures as may be required during construction of an authorized permanent structure. Such temporary structure shall be removed upon final inspection of the permanent structure by the Building Inspector;
- J. Community or municipal water supply system;
- K. Community or municipal sewer system; and
- L. Signs, pursuant to the sign provisions set forth in Section 1006.

- M. Accessory dwelling unit within an urban growth boundary, subject to the standards in Section 1014. Site design review is not required for the accessory dwelling unit. [Added 06/28/18; Ord. 906]

The following use has been approved as a similar use in the HC district:

- RV sales

603.03 Conditional Uses.

In the HC District, pursuant to the Type B application procedure set forth in Section 1301, and subject to the conditional use review criteria listed in Section 1202, and subject to Section 1101 for site design review and any other applicable criteria established by this ordinance, the following uses may be allowed conditionally:

- A. Home occupation, subject to the standards and limitations set forth in Section 1004;
- B. Operations conducted for the exploration of oil, natural gas or geothermal resources, subject to the requirements of subsection 404.10;
- C. Utility facility, subject to Section 1101 for site design review.

603.04 Similar Uses.

Any use not specifically listed as a permitted or conditional use in this district that is similar in character, scale and performance to the permitted use specified in subsection 603.02 may be allowed as a similar use, subject to the provisions of Section 1206, and pursuant to the Type A application procedure set forth in Section 1301.

603.05 Prohibited Uses.

Uses of land and water not specifically mentioned in this section, and not allowed as a similar use, are prohibited in the HC District.

603.06 Nonconforming Uses.

Nonconforming uses found in the HC District are subject to the nonconforming use provisions of Section 1205 as well as any other applicable provision of this ordinance.

603.07 Standards and Limitations.

In the HC District, the following standards and limitations shall apply:

- A. Dwelling Density.

No more than one (1) dwelling shall be permitted on any parcel.
- B. Parcel Size and Dimension.
 - 1. Minimum Parcel Size. The minimum parcel size shall be 20,000 square feet for any use, except the minimum parcel size for a motel shall be one (1) acre and the minimum parcel size for a planned unit development shall be two (2) acres.

2. Depth-to-Width Ratio. The maximum depth-to-width ratio for any newly-created parcel shall be 3:1.

C. Setbacks.

1. Front Yard. The minimum front yard setback shall be thirty (30) feet, except that the minimum setback for all yards for signs shall be five (5) feet.
2. Side and Rear Yard. The minimum side and rear yard setbacks shall be ten (10) feet, except as follows:
 - (a) An accessory structure not more than fifteen (15) feet in height, at least sixty (60) feet from a road and at least ten (10) feet from any dwelling, may be located a minimum distance of three (3) feet from the property line in a side yard or rear yard.
 - (b) A swimming pool may be located in a required rear yard, provided it lies a minimum of five (5) feet from the rear property line.
3. Fences, walls and hedges may be permitted in any required yard or along the edge of any yard, subject to the clear-vision area requirements of subsection 603.07(F).

[Amended 7/9/98, Ord. 648]

D. Parcel Coverage.

The maximum parcel coverage shall be appropriate to the use, subject to Section 1101 for site design review.

E. Access.

Before a dwelling may be established on any parcel as provided in this section, the parcel shall have a legal, safe and passable means of access by abutting at least twenty (20) feet either directly upon a public road, or by a private easement which is at least thirty (30) feet in width for its entire length and which also abuts upon a public road for at least thirty (30) feet. Nothing in this section shall be construed to vary or waive the requirements for creation of new access contained in any land division ordinance legally adopted by Yamhill County.

F. Clear-Vision Areas.

A clear-vision area shall be maintained on the corner of any parcel at the intersection of any two of the following: County roads, public roads, private roads serving four or more parcels, and railroads. A clear-vision area shall contain no sight-obscuring structures or plantings exceeding thirty (30) inches in height within a triangle formed by the lot corner nearest the intersection, and the two points twenty (20) feet from this corner as measured along the parcel lines adjacent to the intersecting rights-of-way. Trees exceeding this height may be located such that their branches extend into this triangle, provided they are maintained to allow at least twelve (12) feet of visual clearance within the triangle below the lowest hanging branches.

G. Height.

1. The maximum building height for any dwelling shall be thirty-five (35) feet;
2. The maximum building height for all other structures shall be forty-five (45) feet; and

3. Appurtenances usually required to be placed above the roof level and not intended for human occupancy such as spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys and wind generators are not subject to the height limitations of this ordinance.

H. Off-street Parking.

Off-street Parking and loading requirements for any use in the HC District shall be as provided in Section 1007.