

**CHAPTER 16.08
HIGHWAY COMMERCIAL - HC ZONE**

Section	Title	Page
16.08.000	Purpose	1
16.08.010	Uses	1
16.08.020	Conditional Uses	2
16.08.030	Prohibited Uses	2
16.08.100	Development Standards	2
16.08.110	Height	2
16.08.120	Lot Area and Dimensions	2
16.08.130	Front Yards and Yards Adjacent to Streets	2
16.08.140	Interior Side and Rear Yards	2
16.08.200	Landscaping	3
16.08.250	Special Requirements Within 100 Feet of Residentially Designated Zones	3
16.08.300	Informational Reference to Additional Standards	3

* Terms defined in Chapter 49

16.08.000 PURPOSE. The purpose of the HC (highway commercial) zone is to provide areas suitable for services dependent on a location near a highway intersection or interchange and primarily serving residents of urban areas or the traveling public. The HC (highway commercial) zone is appropriate on lands designated Commercial or similar designation in the applicable city comprehensive plan and near an intersection with a State highway or a freeway interchange where permitted uses will not create significant adverse impacts on local streets or residential zones.

16.08.010 USES. The following uses, when developed under the applicable development standards in this title, are permitted in the HC zone:

- A. One dwelling unit* or lodging room* in conjunction with a commercial use.
- B. Transit and highway passenger transportation. SIC 41.
- C. Trucking, except local. SIC 4213.
- D. Terminal facilities for motor freight transportation. SIC 4231.
- E. United States Postal Service. SIC 43.
- F. Radio, telephone communications. SIC 4812.
- G. Eating and drinking places. SIC 58 except mobile food vendors located within the Woodburn Urban Growth Boundary and the Salem/Keizer Urban Growth Boundary.
- H. Novelty, souvenir shops. SIC 5947.
- I. Automatic merchandising, machine operators. SIC 5962.
- J. Hotels and motels. SIC 7011.
- K. Utility trailer and recreational vehicle* rental. SIC 7519.
- L. The following uses subject to the special standards in Chapter 26:
 - 1. Automotive dealers. SIC 55, except SIC 553, 554 (see MCC 16.26.580).
 - 2. Gasoline service station. SIC 554 (see MCC 16.26.520).
 - 3. Recreational vehicle parks.* SIC 7033 (see MCC 16.26.400).
 - 4. Religious organization*. (see MCC 16.26.600).
 - 5. Automotive parking. SIC 7521 (see MCC 16.26.580)
 - 6. Automotive repair shops, except top, body, and upholstery repair and paint shops. SIC 7532 (see MCC 16.26.580).
 - 7. Automotive services, except repair. SIC 754 (see MCC 16.26.580).
 - 8. Mobile food vendors* (see MCC 16.26.570).

- M. Food stores (SIC 54) in conjunction with a gasoline service station.
- N. Signs subject to Chapter 16.31 MCC
- O. Uses permitted in Chapter 16.25 MCC.

16.08.020 CONDITIONAL USES. The following uses may be permitted subject to obtaining a conditional use permit.

- A. Mobile home dealers. SIC 527.
- B. Food stores. SIC 54.

16.08.030 PROHIBITED USES. Within an HC zone no building, structure, vehicle or land shall be used, erected, structurally altered, or enlarged for any use not permitted under MCC 16.08.010 to 16.08.020.

16.08.010 DEVELOPMENT STANDARDS. The standards and regulations in this chapter and the additional standards and regulations referenced in Chapters 16.24 and 16.26 through 16.34 MCC apply to all lots, structures and uses unless indicated otherwise. No structure or use shall be approved until all requirements in this chapter have been satisfied.

The provisions of this chapter are complementary and supplementary to other provisions of this title. In the event of a conflict between a provision of this chapter and a more restrictive provision of this title applicable to a particular lot, structure or use, the more restrictive provision shall apply.

16.08.110 HEIGHT. Within an HC zone buildings and structures erected, altered, or enlarged shall not exceed 50 feet in height; provided the portion of any non-residential structure within 20 feet of a side or rear lot line that abuts on a lot in a residential zone shall not project above a plane 12 feet high at the abutting lot line and increasing one foot for each foot of distance from the lot line.

16.08.120 LOT AREA AND DIMENSIONS. Within an HC zone there are no minimum lot area or dimension requirements.

16.08.130 FRONT YARDS AND YARDS ABUTTING STREETS. Within an HC zone:

- A. Along the full extent of each lot line abutting a street or roadway, there shall be a required yard five feet in depth.
- B. Yards for accessory structures except fences shall be the same as for primary buildings.

16.08.140 INTERIOR SIDE AND REAR YARDS. Within an HC zone the following yards shall be provided:

- A. Contiguous to a side or rear lot line abutting a lot in any residential zone there shall be a required side or rear yard three feet in depth along the full extent of the side or rear lot line. Such yard shall be contained by a sight-obscuring fence, wall or hedge.
- B. Except as provided in subsection (A) of this section, no interior rear or side yards are required; but any space between a building and another structure, other than a fence, shall be not less than three feet in depth exclusive of any alley area.
- C. Setbacks for accessory buildings and structures except fences shall be the same as for primary buildings.

16.08.200 LANDSCAPING. Within an HC zone:

- A. Landscaping shall be provided in any yard adjacent to a residential zone and in any required front or side yard.
- B. A landscaped area at least three feet wide shall be provided between any parking or loading spaces or driveway, and a lot in a residential zone or a street.
- C. All outdoor areas used in conjunction with the development or use that are not landscaped shall be paved and drainage provided in accordance with Marion County department of public works standards.
- D. All required landscape areas shall be landscaped as provided in Chapter 16.29 MCC.

16.08.250 SPECIAL REQUIREMENTS WITHIN 100 FEET OF RESIDENTIALLY DESIGNATED ZONES. Any non-residential development proposed within 100 feet of a residentially designated zone in the applicable city comprehensive plan, UD or UT zone shall meet the following requirements:

- A. Outdoor storage facilities shall be screened by a sight obscuring fence, wall or hedge from view of the public road and from adjacent residential property.
- B. Exterior lighting shall be designed to illuminate the site and be directed away from public streets and residential properties.
- C. Roof equipment shall be screened from view of nearby residential property.
- D. Special setbacks and height standards in MCC 16.08.110 and 16.08.140.

16.08.300 INFORMATIONAL REFERENCE TO ADDITIONAL STANDARDS. Additional use and development standards may be found in the following chapters:

Floodplain Overlay Zone	Chapter 16.19 MCC
Greenway Overlay Zone	Chapter 16.20 MCC
Airport Overlay Zone	Chapter 16.21 MCC
Geologically Hazardous Overlay Zone	Chapter 16.24 MCC
Planned Developments	Chapter 16.26 MCC
Mobile Home Parks	Chapter 16.26 MCC
General Development Standards and Regulations	Chapter 16.27 MCC
Development Standards for Secondary, Accessory and Temporary Structures	Chapter 16.28 MCC
Landscaping	Chapter 16.29 MCC
Off-Street Parking and Loading	Chapter 16.30 MCC
Subdivision and Partition Requirements	Chapter 16.33 MCC