

Chapter 2.3 — Commercial Zones

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2.3.100 Purpose. Commercial zones are centers of business and civic life. This Chapter provides two commercial zones to accommodate the range of commercial land uses in the community. The Central Commercial (C-C) Zone is focused on the core commercial and historic district of the community. The General Commercial (C-G) Zone regulations apply to those commercial areas outside or adjacent to the central business area. Both zones are intended to:

- Promote efficient use of land and urban services;
- Create a mixture of land uses that encourages employment and housing options in close proximity to one another;
- Provide formal and informal community gathering places and opportunities for socialization (*i.e.*, along an active street front);
- Encourage pedestrian-oriented development in all commercial areas;
- Create a distinct storefront character in the Historic District;
- Provide connections to, and appropriate transitions between, residential areas and commercial areas;
- Discourage automobile-oriented and automobile-dependent uses in the Central Commercial Zone, and accommodation for those uses with appropriate design standards in the General Commercial Zone;
- Implement design standards / guidelines that maintain and enhance the City’s historic architecture.

2.3.110 Allowed Land Uses. Table 2.3.110 identifies the land uses that are allowed in the Commercial Zones. The specific land use categories are described and uses are defined in Chapters 1.3 and 1.4.

Background: The new code is designed to make it easier to mix compatible uses, and provide a greater variety of housing than is typically allowed under conventional zoning. Baker City strongly encourages 2nd story residential development in the historic downtown commercial core. Contact the Planning or Building Department for special building code assistance for downtown residential projects.

Statutes and Regulations: Sections 2.3.110 and 2.3.190 address parts of OAR 660-012-0045 and 0060 by recommending design standards and procedures for uses that are likely to have a negative impact on the transportation system.

Table 2.3.110 – Land Uses Allowed in Commercial Zones (C-C, C-G)

Uses	Status of Use in Zone	
Use Categories <i>Examples of uses are in Chapter 1.4; Definitions are in Chapter 1.3</i>	Central Commercial (C-C)	General Commercial (C-G)
RESIDENTIAL CATEGORIES		
Household Living		
Single-Family Detached or Duplex - If lawfully existing as of 2/13/04 (including replacement not exceeding footprint area) - Expansion (including the addition of an accessory structure) per Section 2.3.190(D) - New	P S N	P S N
Single-Family Attached (2 or more common-wall single-family dwellings), per Section 2.2.200(C)	CU + S	CU + S
Multi-family (3 or more dwellings on a lot), per Section 2.2.200(I)	CU + S	CU + S
Conversion of an existing street level commercial use to a new dwelling unit	CU + S	CU + S
New dwelling built in conjunction with a permitted commercial use (residential use above or below ground floor commercial only)	P	P
Bed and Breakfast Inn, per Section 2.2.200(D)	S	S
Hostels, per Section 2.2.200(D)	S	S
Group Living		
Group Care Home (5 or less individuals), per Section 2.2.200(E)	N	N
Group Care Facility (6 to 15 individuals), per Section 2.2.200(E)	S	S
Other Group Living [S is per 2.2.200(I)(1), (2) and (4)] - 5 or less individuals - 6 to 15 individuals - 16 or more individuals	N S S	N S S

Table 2.3.110 – Land Uses Allowed in Commercial Zones (C-C, C-G)		
Uses	Status of Use in Zone	
Use Categories <i>Examples of uses are in Chapter 1.4; Definitions are in Chapter 1.3</i>	Central Commercial (C-C)	General Commercial (C-G)
COMMERCIAL CATEGORIES		
Commercial Educational Services <i>(not a school; tutoring or similar services)</i>	P	P
Commercial Outdoor Recreation	CU	CU
Commercial Parking Facility <i>(when not an accessory use)</i>	CU	P
Drive-Up/Drive-In/Drive-Through <i>(drive-up windows, kiosks, similar uses/facilities)</i> , per Section 2.3.190(A)	Banks & Pharmacies - S Other - N	S
Major Event Entertainment	CU	CU
Mobile Vending Units, per standards in Section 4.9.300	S	S
Offices	P	P
Quick Vehicle Servicing or Vehicle Repair. [See also Drive-Up/Drive-In/Drive-Through Uses, per Section 2.3.190(A)]		
- fully enclosed (e.g., garage)	CU	S
- not enclosed	N	S
Retail Sales and Service (See also Drive-Up Uses)	P	P
Self-Service Storage, per Section 2.3.190(F)		
- Residential Caretakers Unit in conjunction with Self-Service Storage, per Section 2.3.190 (G)	N N	S CU + S
INDUSTRIAL CATEGORIES		
Industrial Service (See also Drive-Up Uses)		
- fully enclosed (e.g., office)	P	P
- not enclosed	N	CU
Manufacturing and Production		
- fully enclosed	CU	P
- not enclosed	N	CU
Warehouse and Freight Movement	N	CU
Waste-Related	N	N
Wholesale Sales		
- fully enclosed, less than 40,000 ft ² of floor area	CU	P
- fully enclosed, equal to or greater than 40,000 ft ² of floor area	N	P
- not enclosed	N	P
INSTITUTIONAL CATEGORIES		
Basic Utilities	P	P
Colleges	P	P

Table 2.3.110 – Land Uses Allowed in Commercial Zones (C-C, C-G)		
Uses	Status of Use in Zone	
Use Categories <i>Examples of uses are in Chapter 1.4; Definitions are in Chapter 1.3</i>	Central Commercial (C-C)	General Commercial (C-G)
Community Service	P	P
Daycare, adult or child day care; does not include Family Daycare (16 or fewer children) under ORS 657A.250	P	P
Detention Facilities and Correctional Institutions	N	CU
Medical Centers	P	P
Parks and Open Areas		
- pedestrian amenities	P	P
- parks and recreation facilities	P	P
- other open space	P	P
Religious Institutions and Houses of Worship	P	P
Schools		
- lawfully existing as of 2/13/04	P	P
- new	CU	CU
OTHER CATEGORIES		
Accessory Structures (with a permitted use)	P	P
Agriculture – Animals [See Section 2.2.200(L)]	S	S
Agriculture – Nurseries and similar horticulture [See Section 2.2.200(L)]	S	S
Mining	N	N
Radio Frequency Transmission Facilities	CU	CU
Temporary Uses, per Section 4.9.100	S	S
Transportation Facilities [operation, maintenance, preservation, and construction (in accordance with the City’s Transportation System Plan)]	P	P
Utility Corridors, except those existing prior to effective date of Development Code are allowed	CU	CU

Key:

- P = Permitted, subject to site/development review
S = Permitted with standards and subject to site/development review
CU = Conditional Use Permit required (Chapter 4.4)
N = Not permitted

2.3.120 Development Standards. The development standards in Table 2.3.120 apply to all new structures, buildings, and development, and major remodels, in Commercial Zones.

Table 2.3.120 – Development Standards for Commercial Zones		
Standard	Central Commercial (C-C)	General Commercial (C-G)
Minimum Lot Area* (square feet) <i>* Development must conform to all other development standards</i>	No Standard	No Standard
Minimum Lot Width (For flag lots, width measured at front building line) - Single-Family, attached - Multiple-Family - Non-Residential Uses	20 ft 50 ft 20 ft	20 ft 50 ft 20 ft
Minimum Lot Depth	x2 min. width	x2 min. width
Structure Height* <u>Level Site</u> (slope less than 15%) maximum height <u>Sloping Site</u> (15% or greater) maximum height <u>Height Bonus</u> for Residential Use in Upper Building Story, per Section 2.3.160 <u>Fences, Retaining/Garden Walls</u> - Max. Height – Front Yard - Max. Height – Interior Side - Max. Height – Rear Yard - Max. Height – Street Side or Reverse Frontage Lot (rear) <i>* Height may be exceeded with approval of a CUP, per Chapter 4.4</i> <i>* See also, Sections 3.1.200.N – Vision Clearance, and 3.2.500 – Fences and Walls</i>	50 ft level site + 5ft 10 ft 6 ft 8 ft 8 ft 6 ft or 8 ft with 5 ft landscape buffer	40 ft level site + 5ft 10 ft 6 ft 8 ft 8 ft 6 ft or 8 ft with 5 ft landscape buffer
Lot Coverage (footprint as percent of site area) Maximum Building Coverage	100% - 95%	93% -90%
Min. Landscape Area (percent of site area)* <i>* Does not apply to single-family dwellings</i>	0%-5% based on lot configuration and site plan review	10% on Campbell Street and in Freeway Overlay Zone; 7% other C-G areas

Table 2.3.120 – Development Standards for Commercial Zones		
Standard	Central Commercial (C-C)	General Commercial (C-G)
Minimum Setbacks (feet)*		
<u>Front, Street, Side, and Rear</u> property lines, except garage or carport	0 ft	0 ft
<u>Garage/Carport Entry</u> , setback from street	20 ft	20 ft
<u>Alley</u>	1 ft	1 ft
* <i>Separate or additional setback restrictions and fire protection measures may be required by the Building official</i>		

2.3.130 Setbacks

Background: Section 2.3.130 supplements the dimensional standards in Table 2.3.120.

Statutes and Regulations: Section 2.3.130 addresses parts of OAR 660-012-0045 by encouraging buildings oriented to the street with minimal or no front setbacks, allowing increased setbacks when plazas and other pedestrian amenities are provided, and requiring a build-to line in the main street/downtown district.

- A. Zero Setbacks – Purpose; Fire Code; and Clear Vision.** Zero setbacks are intended to encourage pedestrian-oriented development, while providing more flexibility in site design than what is possible with large setbacks. With buildings placed close to the street, a development can afford good access for emergency service providers in the case of a fire or other emergency. Where no minimum setback is required, all structures and buildings shall conform to the vision clearance standards in Chapter 3.1 and the applicable fire and building codes (e.g., for attached structures, fire walls, and related requirements). Separate or additional setback restrictions and fire protection measures may be required by the Building Official.
- B. Reverse Frontage Lots.** Reverse frontage lots are subject to the fence height and setback requirements in Section 2.3.120 and the landscape buffer requirements in Section 3.2.300.
- C. Flag Lots.** The front yard of a flag lot shall conform to one of the following two options:
 1. Parallel to the street from which access is taken; or
 2. Parallel to the flag pole from which access is taken.

The applicant for a building permit may choose either Option 1 or Option 2, except as otherwise prescribed by conditions of a partition or subdivision approval. *Note: The City may impose such conditions as provided under Section 4.3.115.*

2.3.140 Lot Coverage. Lot coverage and impervious surfaces are calculated as provided under Section 2.2.160. The maximum allowable lot coverage shall be as provided in Table 2.3.120.

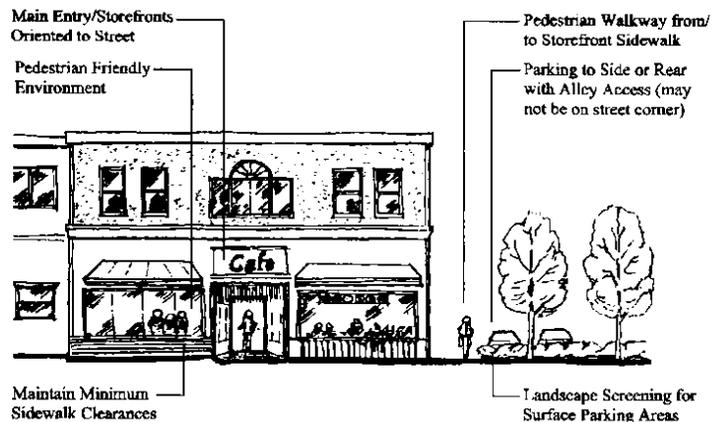
2.3.150 Building Orientation and Commercial Block Layout

Background: Section 2.3.150 is to be used in conjunction with Table 2.3.120 (Development Standards), 2.3.180 (Pedestrian Amenities) and Section 3.4.300 (Transportation Standards).

Statutes and Regulations: Section 2.3.150 addresses parts of OAR 660-012-0045 by requiring the formation of short, walkable blocks, allowing access ways in lieu of street connections, encouraging minimal or no front setbacks, allowing increased setbacks when plazas and other pedestrian amenities are provided, and requiring buildings and their entrances orientation to a street (parking placed behind or to the sides of buildings).

- A. **Purpose.** Section 2.3.150 orients buildings close to streets to promote pedestrian-oriented development where walking is encouraged, and to discourage automobile-oriented development. Placing residences and other buildings close to the street also encourages crime prevention, natural surveillance or security, and safety by having more “eyes-on-the-street.”
- B. **Applicability.** Section 2.3.150 applies to projects that are subject to Site Design Review or Land Division Review, including those reviewed as part of a Master Planned Development.
- C. **Building orientation standards.** Developments subject to this Section shall have their buildings oriented to a street, as generally shown in Figure 2.3.150.C(1). This standard is met when all of the following criteria are met:

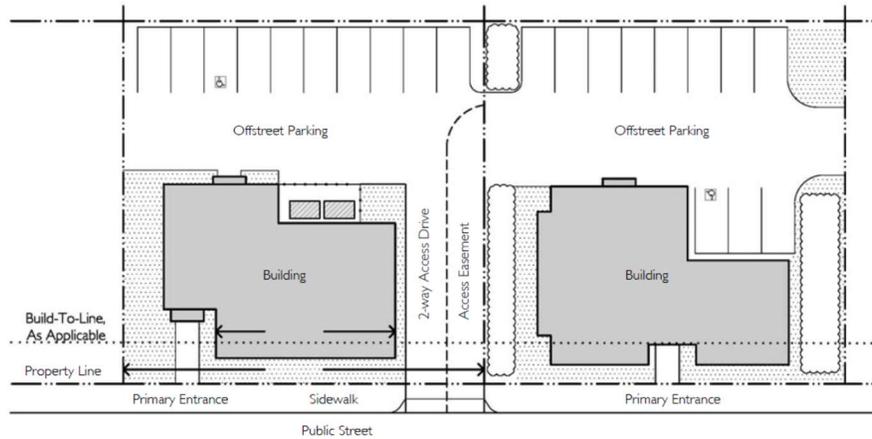
Figure 2.3.150.C(1) – Building Orientation



1. Compliance with the setback standards in Section 2.3.120, where applicable.
2. Except as provided in subsections 2.3.150.C(4) and (5), below, all buildings shall have at least one primary building entrance (i.e., dwelling entrance, a tenant entrance, lobby entrance, or breezeway/courtyard entrance) facing an adjoining street (i.e., within 45 degrees of the street property line), or if the building entrance is turned more than 45 degrees from the street (i.e., front door is on a side elevation), the primary entrance shall not be more than 30 feet from a street sidewalk, except to provide pedestrian amenities; a walkway shall connect the primary entrance to the sidewalk in this case.
3. In the C-C Zone, off-street parking, driveways, and other vehicle areas shall not be placed

between buildings and the street(s) to which they are oriented; except as provided under subsection 2.3.150.C(4). Off-street parking in the C-C Zone shall be oriented internally to the site and divided by landscape areas into bays of not more than 24 parking spaces per bay, as generally shown in Figure 2.3.150.C(2).

Figure 2.3.150.C(2) – Building Orientation with Internal Parking

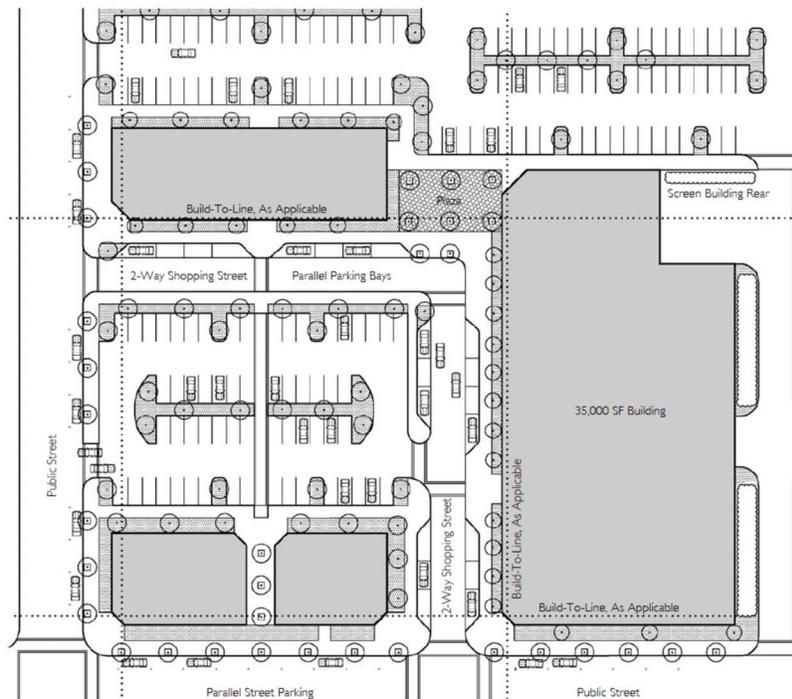
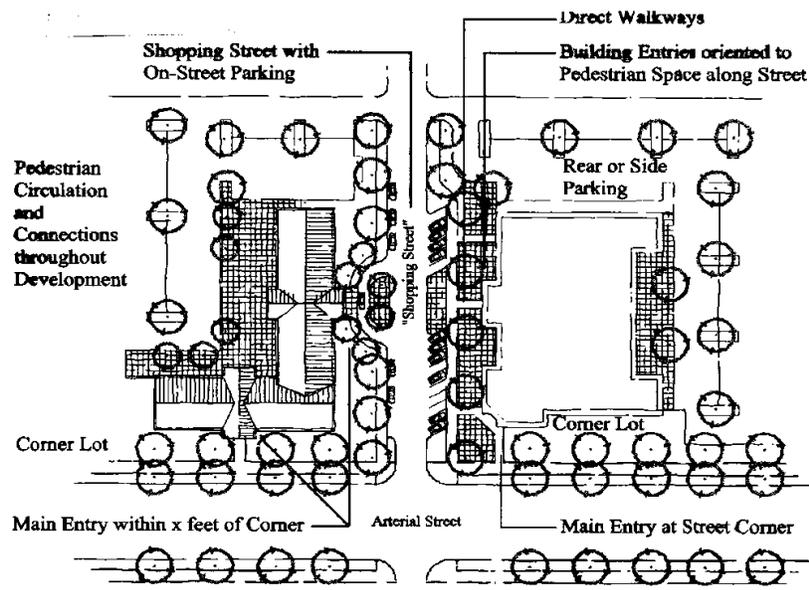


4. In the C-G Zone, the building orientation standard may be met with vehicle areas allowed between the street right-of-way and a building's primary entrance when the approval body finds that the following criteria are met:
 - a. Placing vehicle areas between the street right-of-way and building's primary entrance will not adversely affect pedestrian safety and convenience, based on the distance from the street sidewalk to the building entrance, projected vehicle traffic volumes, and available pedestrian walkways;
 - b. The proposed vehicle areas are limited to one drive aisle with adjoining bays of not more than eight (8) consecutive parking spaces per bay (including ADA accessible spaces) on the side(s) of the drive aisle. The intent is to create a drive aisle that is street-like, and break up parking into small bays with landscaping;
 - c. The building's primary entrance is connected to an adjoining street by a pedestrian walkway that meets the standards for pedestrian walkways under Section 3.1.300; and
 - d. Appropriate sight distances can be maintained for vehicular safety when exiting the internal streets.
5. Where a development contains multiple buildings and there is insufficient street frontage to which buildings can be oriented, a primary entrance may be oriented to common green, plaza, or courtyard. When oriented in this way, the primary entrance(s) and green, plaza, or courtyard shall be connected to the street by a pedestrian walkway meeting the standards in Section 3.1.300.

D. **Block Layout Standard.** Developments containing 80,000ft² or more gross building floor area shall meet all of the following standards:

1. The site shall be configured into blocks that have frontage onto streets, interior parking courts (as generally shown in Figure 2.3.150.C(2), above), or shopping streets (as generally shown in Figure 2.3.150.C(3), below). All parking courts and shopping streets shall contain on-street parking (parallel or angled parking), street- or court-facing building entrances and entrances at or near (i.e., within 40 feet of) block corners, sidewalks, street trees, and pedestrian lighting;

Figure 2.3.150.C(3) – Shopping Street Examples



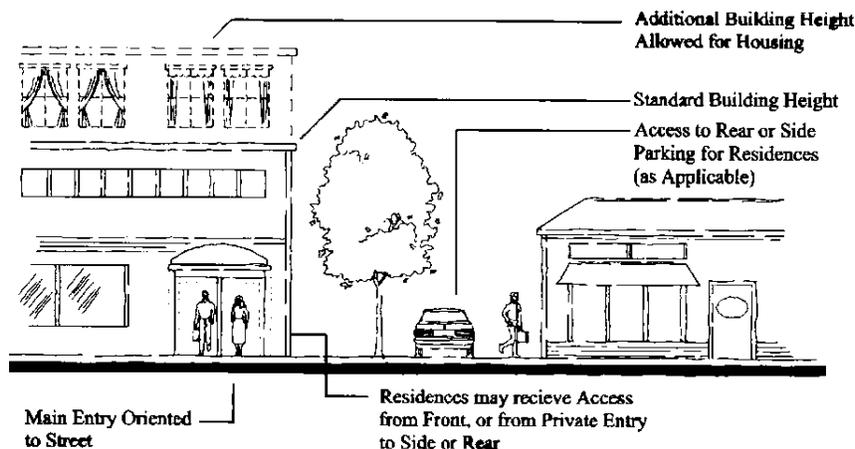
2. Blocks shall not exceed 400 feet in length, and shall have a perimeter not exceeding 1,400 feet;
3. Pedestrian pathways shall connect the street right-of-way to building entrances and the interior parking courts between buildings, as necessary to ensure reasonably safe, direct, and convenient access to building entrances and off-street parking;

2.3.160 Building and Structure Height; Bonus for Mixed-Use

Background: Section 2.3.160 is to be used in conjunction with Table 2.3.120 - Development Standards, 2.3.150 - Building Orientation, Section 2.3.170 - Architectural Design and Section 3.4.300 - Transportation Standards. Section 2.3.160 encourages compact, pedestrian-oriented development in the downtown/main street district by allowing building height bonuses for mixed-use projects.

- A. **Method of Measurement.** Building and structure heights shall conform to the standards in Table 2.3.120; height is measured in conformance with Section 2.2.170.
- B. **Height Bonus for Housing.** The building height in the C-C and C-G Zones may be increased by 10 feet when housing is provided above ground floor commercial use(s), as generally shown in Figure 2.3.160.B. Where a second egress is required for fire safety, residences may have their entrances/egress oriented to any yard; such entrances need not be oriented to the street yard.

Figure 2.3.160.B - Building Height Bonus for Housing



2.3.170 Architectural Design Standards

Background: Section 2.3.170 is to be used in conjunction with Table 2.3.120 (Development Standards), 2.3.150 (Building Orientation), Section 2.3.180 (Pedestrian Amenities) and Section 3.4.300 (Transportation Standards). This section provides minimum design standards for commercial and mixed-use buildings. The standards are intended to promote compatibility with adjacent buildings, break up large building elevations, and promote human scale design. This section also addresses some of the Transportation Planning Rule site design requirements under OAR 660-012-0045 by requiring prominent building entrances that face streets.

- A. Purpose and Applicability.** Section 2.3.170 is intended to provide detailed, human-scale design that is characteristic of Baker City, while affording flexibility to use a variety of architectural building styles. All new buildings and major remodels shall meet the standards of subsections 2.3.170.B-D., which are applied through Site Design Review. The applicant demonstrates that the standards are met by complying with the criteria under each standard.
- B. Pedestrian-Orientation.** The design of all buildings on a site shall support a safe and attractive pedestrian environment. This standard is met when the approval body finds that all of the criteria in 1-6, below, are met. Alternatively, for an application being processed as a Type III procedure, the approval body may approve a different design upon finding that the design contains an equally good or superior way of achieving the above standard.
1. The building orientation standards under Section 2.3.150 are met; and
 2. Primary building entrances shall open directly to the outside and, if not abutting a street, shall have walkways connecting them to the street sidewalk; every building shall have at least one primary entrance that does not require passage through a parking lot or garage to gain access; and
 3. Corner buildings (i.e., buildings within 20 feet of a corner as defined by the intersecting curbs) shall have corner entrances, or shall provide at least one entrance within 20 feet of the street corner or corner plaza; and
 4. Ground floor windows or window displays shall be provided along at least 30 percent of the building's (ground floor) street-facing elevation(s); windows and display boxes shall be integral to the building design and not mounted to an exterior wall; and
 5. Primary building entrance(s) are designed with weather protection, such as awnings, canopies, overhangs, or similar features; and
 6. Drive-up and drive-through facilities, when allowed, shall conform to Section 2.3.190.A; the provisions of which shall not be modified without a variance (Chapter 5.1).

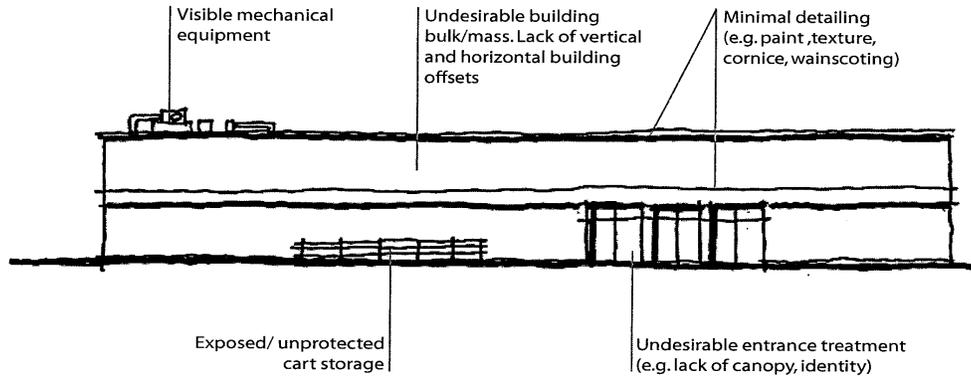
C. Design Standards.

1. The following development features are encouraged and strongly preferred, and result in a decrease of total landscape area requirements by 5%:
 - a. Developments which use alternative pavements, such as stenciled concrete and porous pavement; and
 - b. Multistory retail development and mixed-use multistory developments.
2. Entrances to development sites should be minimized and placed in such a way as to maximize safety, maximize efficient traffic circulation, and minimize the impact on any adjacent residential neighborhood.

D. Human Scale. The design of all buildings shall be to a human-scale. This standard is met when the approval body finds that all of the criteria in 1-8, below, are met. Alternatively, for an application being processed as a Type III procedure, the approval body may approve a different design upon finding that the design contains an equally good or superior way of achieving the above standard. Figure 2.3.170.D contrasts examples of building elevations that are consistent/inconsistent with human scale criteria.

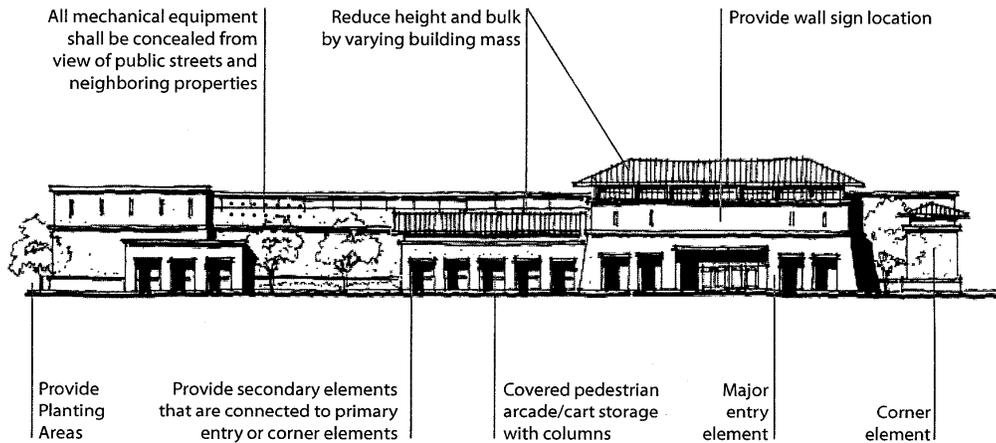
1. Regularly spaced and similarly-shaped windows are provided on all building stories;
2. Ground floor retail spaces have tall ceilings (i.e., 12 feet or higher) with display windows on the ground-floor;
3. Display windows are trimmed, recessed, or otherwise defined by wainscoting, sills, water tables, or similar architectural features;
4. On multi-story buildings, ground floors are defined and separated from upper stories by architectural features (e.g., cornices, trim, awnings, canopies, arbors, trellises, overhangs, or other features) that visually identifies the transition from ground floor to upper story;
5. The tops of flat roofs are treated with detailing (i.e., cornice, pediment, flashing, trim, or other detailing);
6. Pitched roofs have eaves, brackets, gables with decorative vents or other similar detailing;
7. Historic design and compatibility requirements, where applicable, are met; and
8. Where buildings with greater than 20,000 ft² of enclosed ground-floor space are proposed, they shall provide articulated facades on all street-facing elevations. This criterion is met when an elevation contains at least one of the following features for every 40 feet of building (horizontal length): windows; primary entrances; weather protection (awnings, canopies, arbors, trellises),

building offsets; projections; changes in elevation or horizontal direction; sheltering roofs; terraces; a distinct pattern of divisions in surface materials; ornamentation; screening trees; small-scale lighting (e.g., wall-mounted lighting, or up-lighting); and/or similar features as generally shown in Figure 2.3.170.D. Note: Figure 2.3.170.D should not be interpreted as a required architectural style.



Large Commercial Massing - Unacceptable

Figure 2.3.170.D – Examples of Large Commercial Design Elements



Large Commercial Massing - Acceptable

2.3.180 Pedestrian Amenities

Background: Section 2.3.180 is to be used in conjunction with Table 2.3.120 - Development Standards, 2.3.150 - Building Orientation, and Section 2.3.170 - Architectural Standards and Section 3.4.300 - Transportation Standards. This section also supports implementation of the Transportation Planning Rule site design requirements under OAR 660-012-0045 by supporting attractive and comfortable streets for pedestrians.

A. Purpose and Applicability. Section 2.3.180 provides standards for pedestrian amenities when pedestrian amenities are required as part of new developments and major remodels in the Central-Commercial and Commercial-General Zones, and when pedestrian amenities are provided to meet the requirements of other code sections. Pedestrian amenities serve as informal gathering places for socializing, resting, and enjoyment along street frontages and contribute to a walkable zone.

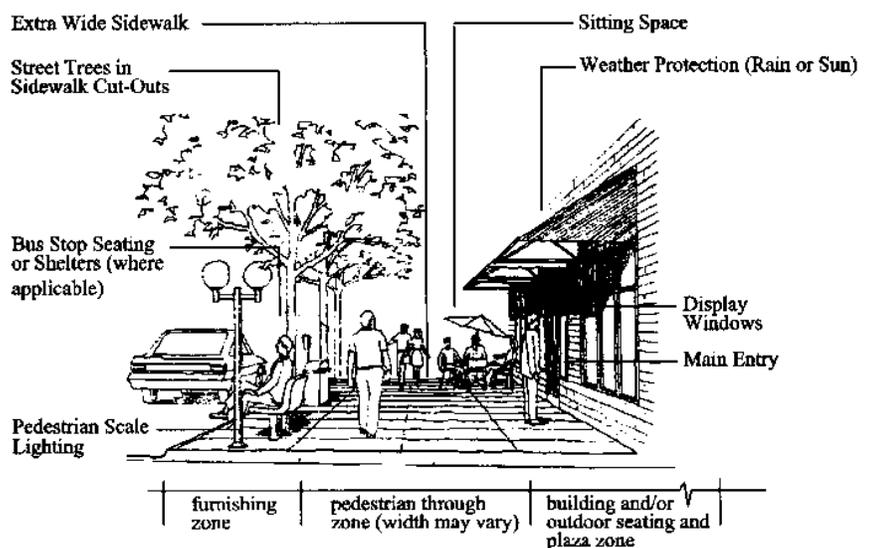
B. Standards. New developments and major remodels in the Central-Commercial and Commercial-General Zones and other developments subject to the provisions of this section shall provide one or more of the “pedestrian amenities” listed below, and as generally illustrated in Figure 2.3.180.B. Pedestrian amenities may be provided within a street furnishing zone, building frontage zone, or plaza, or within the pedestrian through zone, as shown in Figure 2.3.180.B. Use of the public right-of-way requires approval by the roadway authority. Within the furnishing zone, a 2’ setback clearance for car doors shall be maintained.

1. A plaza, courtyard, square or extra-wide sidewalk next to the building entrance (minimum width of 6 feet);
2. Sitting space (i.e., dining area, benches, garden wall or ledges between the building entrance and sidewalk) with a minimum of 16 inches in height and 30 inches in width;

3. Building canopy, awning, pergola, or similar weather protection (minimum projection of 4 feet over a sidewalk or other pedestrian space). The vertical clearance from the sidewalk to the lowest stationary structural support shall be 8 feet minimum. Non-rigid awning valance heights shall be at least 7 feet above the sidewalk;

4. Public art that incorporates seating (e.g., fountain sculpture);

Figure 2.3.180.B – Examples of Pedestrian Amenities



5. Bus waiting shelter with schedule information and seating, per the standards of the transit service provider.

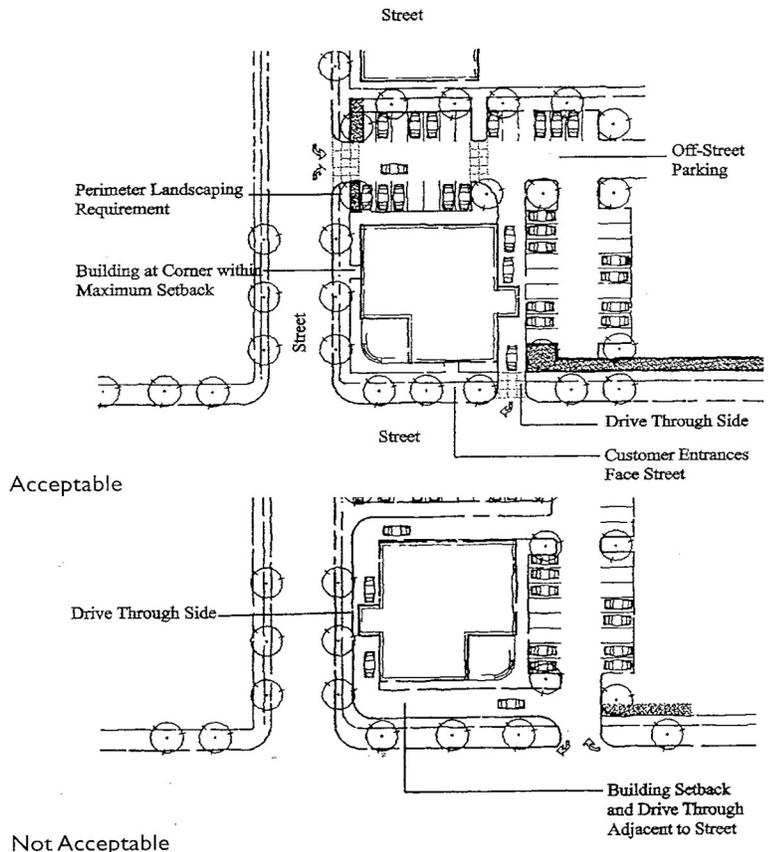
2.3.190 Special Use Standards. This section supplements the standards contained in Sections 2.3.110 through 2.3.180. It provides standards for the following land uses to control the scale and compatibility of those uses:

- A. Drive-up/Drive-In/Drive-Through Uses and Facilities
- B. Adult Entertainment Establishments and Adult Stores
- C. Large Format Retail Stores located in one structure in excess of 80,000 ft²
- D. Expansion of Single-Family Detached Structures, if lawfully existing as of 2/13/04 (including the addition of accessory structures), in Commercial and Industrial Zones
- E. Home Occupations
- F. Self-Service Storage
- G. Residential Caretaker’s Unit in Conjunction with Self-Service Storage

A. Drive-Up/Drive-In/Drive-Through Uses and Facilities. When drive-up or drive-through uses and facilities are allowed, they shall conform to all of the following standards, which are intended to calm traffic, and protect pedestrian comfort and safety.

1. The drive-up/drive-through facility shall orient to, and receive access from, a driveway, or interior parking area, and not a street [Figure 2.3.190.A(1)];
2. None of the drive-up, drive-in or drive-through facilities (e.g., driveway queuing areas, windows, teller machines, service windows, kiosks, drop-boxes, or similar facilities) are located within 20 feet of a street and shall not be oriented to a street corner. (Walk-up only teller machines and kiosks may be oriented to a street or placed adjacent to a street corner);
3. Drive-up/in queuing areas shall be designed so that vehicles do not obstruct a driveway, fire access lane, walkway, or public right-of-way.

Figure 2.3.190.A(1) – Drive-Up and Drive-Through Facilities



- B. Adult Entertainment Establishments and Adult Stores.** When adult entertainment establishments and adult stores are allowed, they shall conform to all of the following standards, which are intended to protect the public safety, welfare, and morals.
1. An adult store or adult entertainment establishment shall be located at least 500 feet from any Religious Assembly; Educational facility, Primary/Secondary; Public Parks and Recreational Areas; Public Recreation Assembly; Day Care Center; Public Assembly; Cultural Services; Homes for Adults, Life Care Facility; or Residential Zone.
 2. Any Adult Entertainment Establishment or Adult Store must be at least 1,000 feet from any other Adult Entertainment Establishment or Adult Store.
 3. No Adult Store or adult entertainment establishment shall display adult media, depictions or specified sexual activities or specified anatomical areas, sexually oriented goods or depictions or sexually oriented goods, in its window, in a manner visible (by normal unaided vision) from the street, highway, public sidewalk, or the property of others. Window areas shall remain transparent and shall not be made opaque.
- C. Retail Sales and Service developments located in one structure in excess of 80,000 ft²** (see definition in Chapter 1.3). When retail sales are located in one structure in excess of 80,000 ft², or which exceed 80,000 ft² in contiguous lots, they shall conform to all of the following standards and considerations in addition to the standards contained in Sections 2.3.110 through 2.3.180 when considered under both Conditional Use and Site Plan Review;
1. Working with a consultant selected and paid for by the applicant, the applicant may be required to provide the following detailed analyses in addition to the other requirements of the Baker City Development Code:
 - a. Estimated costs of public services and improvements attributable to the project;
 - b. Impact on commercial and residential property values in the City with an emphasis on the immediate area around the project; and
 - c. A traffic analysis study.
- D. Expansion of Single-Family Detached Structures, if lawfully existing as of 2/13/04 (including the addition of accessory structures), in Commercial and Industrial Zones.** The expansion of a single-family detached structure, if lawfully existing as of 2/13/04, including the addition of an accessory structure, may be permitted subject to, but not exclusive of, the following criteria and considerations:
1. Any expansion shall be incidental in nature to the primary structure.
 2. Any expansion of a single-family dwelling shall comply with the nearest residential zone setback

standards under Chapter 2.2.

3. Any addition to an existing primary structure shall not exceed 20 percent of the primary structure's building footprint.
 - a. Expansion of an existing primary structure is permitted to occur only one time during the life of the structure.
 - b. Upon approval, it shall be required that, at applicant's expense, descriptive language be recorded with the Baker County Clerk's Office reflecting the one-time expansion limitation on the existing single family detached structure.
 4. Any accessory structure that may be permitted must comply with the requirements related to such structures under Section 2.2.200.B.
- E. Home Occupation** – Home Occupations are permitted in pre-existing non-conforming residences in the Commercial Zone subject to criteria and standards in Section 2.2.200.F and Section 4.9.200.
- F. Self-Service Storage** – The following front/street setbacks apply to all self-service storage units in the General-Commercial (C-G) Zone, except self-service storage facilities that were in existence prior to October 9, 2020:
1. Local street: ±25 feet
 2. Arterial or collector street: ±150 feet
- G. Residential Caretaker's Unit in Conjunction with Self-Service Storage.** One residential caretaker unit may be permitted in conjunction with a self-service storage facility, subject to the following conditions. A caretaker shall be defined as a person employed to look after a building.
- a. A Conditional Use Permit must be obtained from the Planning Commission.
 - b. The self-service storage facility shall remain the primary use, and the residential caretaker unit shall be incidental and subordinate to the primary use.
 - c. The primary self-service storage use shall be an active on-going business, occupied during working hours with employee activity, and shall have a storage building footprint of no less than 5,000 ft². If the primary self-service storage use ceases to exist, the caretaker unit shall be removed. If the primary self-service storage use is closed for more than 24 months, the caretaker unit shall not be occupied.
 1. An existing, ongoing business will have been operated from the subject property, open for business to the general public, and have substantially all of the equipment and supplies necessary for operating a business. If requested by the City, the property owner shall provide

proof of an existing, ongoing business by demonstrating the components of this section are true and by producing proof of income from the business.

- d. The caretakers unit shall be served with public water and sanitary sewerage disposal, in conformance with city engineering requirements. It may be a stick-built house, a single-wide manufactured home newer than 1990, or a dwelling incorporated into an existing, permitted building. The unit shall be no larger than 1,000 ft². It must be located within 150 ft. of, and in sight of, the primary self-service storage use.
- e. Caretaker units shall be required to meet applicable fire safety and building code requirements, in addition to the applicable setback standards of this chapter.