



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

08/19/2013

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: Clackamas County Plan Amendment
DLCD File Number 004-13

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, September 05, 2013

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Jennifer Hughes, Clackamas County
Jon Jinings, DLCD Community Services Specialist
Jennifer Donnelly, DLCD Regional Representative
Thomas Hogue, DLCD Economic Development Policy Analyst

<paa> YA



FORM **2**

DLCD

Notice of Adoption

In person electronic mailed

DATE STAMP

DEPT OF

AUG 16 2013

LAND CONSERVATION AND DEVELOPMENT
For Office Use Only

This Form 2 must be mailed to DLCD within **20-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **Clackamas County**

Local file number: **ZDO-243**

Date of Adoption: **8/8/2013**

Date Mailed: **8/15/2013**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 4/8/2013

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Year one of a five-year "audit" of the zoning ordinance. Amends Comp Plan and zoning ordinance provisions implementing all five of the County's industrial zones. Addresses permitted uses, dimensional and development standards. Implements latest requirements of Title 4 of Metro's Urban Growth Management Functional Plan (limits on schools, parks and places of assembly in RSIA's). Amends Plan Map IV-8 to add RSIA's. Amends definitions, sign setbacks and nonconforming use provisions for dwellings.

Does the Adoption differ from proposal? Yes, Please explain below:

Edits were made as the draft amendments were refined over the course of the public and decisionmaker review process; however, the scope of the amendments remained unchanged. Certain uses were moved from one category to another (e.g., primary to conditional).

Plan Map Changed from: _____ to: _____

Zone Map Changed from: _____ to: _____

Location: _____ Acres Involved: _____

Specify Density: Previous: _____ New: _____

Applicable statewide planning goals:

- | | | | | | | | | | | | | | | | | | | |
|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
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Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing? Yes No

DLCD File No. 004-13 (17984) [17579]

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Metro, Oregon Department of Transportation, Cities of Happy Valley and Milwaukie, Clackamas Fire District #1, Clackamas County Service District #1, North Clackamas Parks District

Local Contact: **Jennifer Hughes**

Phone: **(503) 742-4518** Extension:

Address: **150 Beaver Creek Rd**

Fax Number: **503-742-4550**

City: **Oregon City**

Zip: **97045-**

E-mail Address: **jenniferh@clackamas.us**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 20 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)

per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light **green paper if available**.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on **8½ -1/2x11 green paper only if available**. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail **plan.amendments@state.or.us**.



MIKE McCALLISTER
PLANNING AND ZONING DIRECTOR

DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT

DEVELOPMENT SERVICES BUILDING
150 BEAVERCREEK ROAD OREGON CITY, OR 97045

CERTIFICATE OF MAILING

I hereby certify that the enclosed Ordinance No. ZDO-243 was deposited in the mail on August 15, 2013 to the following parties:

DLCD
Attn: Plan Amendment Specialist
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

Tammy Stevens
P.O. Box 736
Beavercreek, OR 97004-0736

Signed: _____


Darcy Renhard, Administrative Assistant
Clackamas County Planning and Zoning Division
(503) 742-4545

NOTICE OF DECISION

Legislative Plan and ZDO Amendment

Clackamas County Board of County Commissioners

On August 8, 2013, the Board of County Commissioners adopted an ordinance amending the Comprehensive Plan and the Zoning and Development Ordinance:

File No. ZDO-243

Ordinance No. ZDO-243

The full text of this ordinance and amendment may be reviewed at the Clackamas County Planning and Zoning Division, 150 Beaver Creek Rd., Oregon City, OR, Monday through Friday between the hours of 8:00 AM and 3:00 PM.

This action may be appealed to the Land Use Board of Appeals pursuant to ORS 197.830 – 197.845 by filing a notice of intent to appeal within 21 days of the mailing of this notice, in the form and manner, and with the filing fee and deposit, prescribed by the rules of the Board.

ORDINANCE NO. ZDO-243

An Ordinance amending Chapters 4 and 8 of the Clackamas County Comprehensive Plan and Sections 201, 503, 601, 602, 604, 834, 1005, 1009, 1010, 1015, 1016, 1206 and 1704 of the Clackamas County Zoning and Development Ordinance and repealing Sections 603 and 606 of the Clackamas County Zoning and Development Ordinance

WHEREAS, the approved work program for the Planning and Zoning Division includes a five-year audit of the Clackamas County Zoning and Development Ordinance intended to update, streamline and clarify the County's land use regulations; and

WHEREAS, the first year of the Zoning and Development Ordinance audit focused on the County's industrial zoning districts, resulting in a proposal to amend permitted uses, dimensional standards, and development standards in all five of the County's industrial zones; and

WHEREAS, the first year of the Zoning and Development Ordinance audit also included consideration of amendments to repeal or update several obsolete definitions; clarify that perimeter landscaping requirements apply to loading areas; reduce the front yard setback standard for certain types of signs; and allow nonconforming dwellings to be replaced, expanded or remodeled without review of an application for alteration of a nonconforming use; and

WHEREAS, amendments to the Comprehensive Plan are necessary to ensure continued consistency between the Comprehensive Plan and the Zoning and Development Ordinance; and

WHEREAS, it is a policy of the Board of County Commissioners to provide excellent public service to citizens and the development community, streamline permitting processes, encourage sound land use and development and improve the Comprehensive Plan and Zoning and Development Ordinance as necessary; and

WHEREAS, the proposed amendments are consistent with the Statewide Planning Goals and Guidelines and the Metro Urban Growth Management Functional Plan; and

WHEREAS, after a duly-noticed public hearing, the Clackamas County Planning Commission recommended adoption of some of the amendments included in ZDO-243, and rejection of others, on May 20, 2013; and

WHEREAS, the Board of County Commissioners held public hearings on June 19, 2013, and July 24, 2013; now therefore;

The Board of Commissioners of Clackamas County ordains as follows:

Section 1: Chapters 4, including Map IV-8, and 8 of the Clackamas County Comprehensive Plan are hereby amended as shown in Exhibit A, hereto attached.

Section 2: Sections 201, 503, 601, 602, 604, 834, 1005, 1009, 1010, 1015, 1016, 1206 and 1704 of the Clackamas County Zoning and Development Ordinance are hereby amended and Sections 603 and 606 of the Clackamas County Zoning and Development Ordinance are hereby repealed as shown in Exhibit B, hereto attached.

Section 3: This ordinance shall be effective on September 9, 2013.

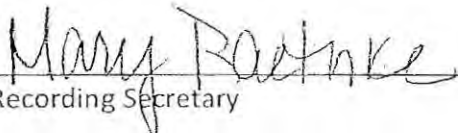
ADOPTED this 8th day of August, 2013

BOARD OF COUNTY COMMISSIONERS

Chair



Recording Secretary



Ordinance ZDO-243
Comprehensive Plan Amendments
Text added is underlined. Text deleted is ~~struck through~~.

Chapter 4

LAND USE

Staff Note: There are no changes proposed to the introductory or Urbanization sections of Chapter 4.

URBAN GROWTH CONCEPT

This section of the Land Use Chapter addresses the implementation of the Region 2040 Growth Concept as it applies to Clackamas County. It provides for design type areas that are consistent with the general locations shown on the Region 2040 Growth Concept Map.

Clackamas County, with approximately 67% of its population inside the Portland Metropolitan Urban Growth Boundary, is a partner in the region's efforts to efficiently utilize the land inside the boundary. This will minimize the need to expand the boundary and protect the land available for agricultural, forest and rural uses. The intent of the Urban Growth Concept is to focus increased development in appropriate locations, such as existing commercial centers and along transportation corridors with existing or planned high quality transit service. It also encourages increased employment densities in industrial and employment areas.

The provisions of the Urban Growth Concept apply in addition to other requirements identified in the Clackamas County Comprehensive Plan. The Urban Growth Concept is designed to provide guidance for Comprehensive Plan and Zoning Development Ordinance changes, as well as to identify specific development review requirements. All provisions except Green Corridors apply to lands inside the Portland Metropolitan Urban Growth Boundary. Green Corridors apply to rural, agricultural and forest areas. Future Urban Study Areas are areas in transition. When concept planning is completed for these areas, growth concept design types will be adopted as appropriate.

DEFINITIONS

Growth Concept Design Types

The locations of the following design types are identified on the Clackamas County Urban Growth Concept Map: (Map IV-8) or as described below:

Regional Center: An area that is the focus of compact development,

redevelopment, high quality transit service and multi-modal street networks. The intent of the Regional Center is to provide an area for the most intense development and highest densities of employment and housing.

Corridors: Areas located along streets which have existing or planned high quality transit service and feature a high quality pedestrian environment, convenient access to transit and increased residential and employment densities. The intent of the Corridor designation is to encourage increased densities by facilitating zone and plan changes in specific locations. In addition, it provides guidance for development review to implement a high quality pedestrian environment.

The streets where the Corridor design type designation is applied are: McLoughlin Blvd. (from Milwaukie to Gladstone), 82nd Avenue (within the Clackamas Regional Center Design Plan Area), Johnson Creek Boulevard (within the Clackamas Regional Center Design Plan Area), and Sunnyside Road (from 82nd Avenue to 139th Avenue).

Station Community: Areas centered around a light-rail or high capacity transit station that feature housing, offices and other employment, and a variety of shops and services that are easily accessible to pedestrians, bicyclists and transit users as well as vehicles. The intent of the Station Community designation is to encourage transit oriented development with a mix of high density housing and employment uses, a high quality pedestrian environment and other features designed to encourage high transit ridership.

Employment Areas: Employment centers mixing various types of employment and including some residential development as well. Areas providing for various types of employment and some residential development with limited large-scale commercial uses. These areas include limited retail commercial uses primarily to serve the needs of the people working or living in the immediate area. The intent is to define the appropriate locations for "big box retailers" to allow for more employment intensive uses.

Industrial Areas: Areas set aside primarily for industrial activities with limited supporting uses. Supporting uses, including some retail uses, may be allowed if limited to sizes and locations intended to serve the primary industrial uses. The intent is to prohibit "big box retailers" from these areas to allow for industrial uses.

Regionally Significant Industrial Areas: Areas near the region's most significant transportation facilities for the movement of freight and other areas most suitable for movement and storage of goods. These areas, like Industrial Areas, are set aside primarily for industrial activities. Supporting uses, including some retail uses, may be allowed if limited to sizes and locations intended to serve the primary industrial uses. Supporting uses are limited to an even greater degree than in Industrial Areas.

Neighborhoods: Primarily residential areas that are accessible to jobs and neighborhood businesses. This broad category includes areas set aside for homes, parks and open space, schools, public services, and neighborhood business uses. The intent is to facilitate the Region 2040 “Inner Neighborhood” design type.

Green Corridors: Areas outside the Urban Growth Boundary adjacent to major transportation routes to neighboring cities where the rural character of the landscape and agricultural economy shall be maintained. The intent is to preserve the view sheds and maintain the rural character between urban areas along the major transportation routes.

Future Urban Study Areas: Areas brought within the Urban Growth Boundary for which the required planning has not yet been completed. The intent is to identify the areas where Title 11 of the Urban Growth Management Functional Plan and Metro code specify that concept planning and other requirements must be completed before other Urban Growth Concept design types and urban plan designations can be applied. Future Urban Study Areas include areas identified on Map IV-8 and areas brought into the Portland Metropolitan UGB after the adoption of Map IV-8.

GOALS

- Provide for a compact urban form, integrating the built environment, transportation network, and open space, that:
 - Minimizes the amount of Urban Growth Boundary expansion required to accommodate expected population and employment growth in the next 20 years.
 - Efficiently uses public services including transportation, transit, parks, schools, sewer and water.
 - Distinguishes areas for intensive development from areas appropriate for less intensive development.
 - Preserves existing stable and distinct neighborhoods by focusing commercial and residential growth in mixed use centers and corridors.
 - Develops mixed use centers and corridors at a pedestrian scale and with design features and public facilities that support pedestrian, bicycle and transit trips.
- Maintain the rural character of the landscape between the Urban Growth Boundary and neighboring cities.

POLICIES

Regional Center

- 1.0 The Regional Center design type designation is applied to the Clackamas Regional Center, as identified on Map IV-8. The goals and policies applicable to the Clackamas Regional Center are located in Chapter 10: Clackamas Regional Center Area Design Plan.

Corridors

- 2.0 The “Corridor dDesign tType aArea” designation is applied to sites adjoining the Corridor streets shown on Map IV-8. Corridor dDesign tType aAreas may be either continuous or development nodes. The areas of application for the Corridor dDesign tType aAreas are specified in Chapter 10 for all of the Corridor sStreets.

The Policies that apply to all the Corridor dDesign tType aAreas include:

- 2.1 Provide for both employment and housing, including mixed use.
 - 2.2 Provide for a high level of bus usage, with land uses and transportation facilities to support bus use.
 - 2.3 Encourage and support pedestrian travel with supportive land uses, frequent street connections, and sidewalks and pedestrian-ways.
 - 2.4 Provide for vehicular traffic and auto-oriented uses, while expanding the share of trips via transit and other modes.
 - 2.5 Enhance connectivity between neighborhoods adjacent to the Corridor Design Type Area and the Corridor Street.
- 3.0 Specific policies for the SE 82nd Ave, SE Johnson Creek Boulevard and SE Sunnyside Road (from 82nd Ave to approximately SE 117th Ave.) ccorridors design type areas are located in Chapter 10: Clackamas Regional Center Area Design Plan.
 - 4.0 Specific policies for the Sunnyside Road (from approximately SE 117th Ave to SE 139th Avenue) Corridor dDesign tType aArea are located in Chapter 10: The Sunnyside Corridor Community Plan.
 - 5.0 Specific policies for the McLoughlin Boulevard Corridor dDesign tType aArea are located in Chapter 10: McLoughlin Corridor Design Plan.

Station Communities

- 6.0 The Station Community design type designation is applied to sites surrounding a light rail or other high capacity transit station as shown on Map IV-8. The areas of application for the Station Community design tType areas are specified in

Chapter 10. The Policies that apply to all the Station Community dDesign tType aAreas include:

- 6.1 Provide for transit oriented development with land uses that support a high level of transit usage, such as a mix of high density employment and housing uses.
 - 6.2 Provide a high quality pedestrian and bicycle environment with frequent street connections, walkways and bikeways.
 - 6.3 Enhance connectivity between neighborhoods adjacent to the Station Community.
- 7.0 Specific policies for the Fuller Road Station Community are located in Chapter 10: Clackamas Regional Center Area Design Plan.

Employment Areas

- 8.0 The Employment Area dDesign tType designation is applied as shown on Map IV-8. Policies that apply to the Employment dDesign tType aAreas include:
- 8.1 Employment dDesign tType aAreas shall be developed to provide for a mix of employment and residential uses, including:
 - a. Industry, office and service uses,
 - b. Residential development,
 - c. Low traffic generating, land consumptive commercial uses with low parking demand which have community or region-wide market,
 - d. Limited retail uses appropriate in type and size to serve the needs of businesses, employees, and residents of designed-primarily to serve the needs of people working or living in the immediate Employment dDesign tType aArea.
 - 8.2 The following are prohibited in an Employment design type area: a retail use with more than 60,000 square feet of gross leasable area in a single building; and retail uses with a total of more than 60,000 square feet of retail sales area on a single lot or parcel, or on contiguous lots or parcels, including those separated only by transportation right-of-way. These prohibitions do not apply:
 - a. To sites designated General Commercial on or before January 1, 2003; or

- b. When allowed by zoning if: the Zoning and Development Ordinance authorized those uses on January 1, 2003;
- 8.2 ~~Retail facilities larger than 60,000 square feet of gross leasable area per building or business may be allowed on sites designated for General Commercial uses in or before 1996, or when allowed by zoning and:~~
 - a. ~~t~~Transportation facilities adequate to serve the retail uses, consistent with Metro's functional plan for transportation, will be in place at the time the retail uses begins operation; and, the Comprehensive Plan provides for
 - b. ~~t~~Transportation facilities adequate to ~~serv~~meet the transportation need for other uses planned uses in for the immediate Employment d~~Design t~~Type a~~Area over the planning period~~ are also provided.
 - c. When allowed by zoning if the uses: generate no more than a 25-percent increase in site-generated vehicle trips above permitted non-industrial uses; and meet the Maximum Permitted Parking— Zone A requirements set forth in Table 3.08-3 of Title 4 of the Regional Transportation Functional Plan.

Industrial Areas

- 9.0 The Industrial Area ~~d~~Design t~~Type~~ designation is applied as shown on Map IV-8. Policies that apply to the Industrial Areas include:
 - 9.1 Limit the size of buildings for retail commercial uses, as well as retail and professional services that cater to daily customers, to 5,000 square feet of sales or service area in a single outlet, or multiple outlets that occupy more than 20,000 square feet of sales or service area in a single building or in multiple buildings that are part of the same development project. This limitation does not apply to training facilities, the primary purpose of which is to provide training to meet industrial needs.
 - 9.1 ~~Retail uses larger than 60,000 square feet of gross leasable area per building or business are prohibited.~~

Regionally Significant Industrial Areas

- 10.0 The Regionally Significant Industrial Areas Design Type designation is applied as shown on Map IV-8. Policies that apply to Regionally Significant Industrial Areas include:
 - 10.1 Limit the size of buildings for retail commercial uses, as well as retail and professional services that cater to daily customers, to 3,000 square feet of sales or service area in a single outlet, or multiple outlets that occupy more than 20,000 square feet of sales or service area in a single building or in multiple buildings that are part of the same development project.

This limitation does not apply to training facilities, the primary purpose of which is to provide training to meet industrial needs.

- 10.2 Prohibit the siting of schools, places of assembly larger than 20,000 square feet, or parks intended to serve people other than those working or residing in the Regionally Significant Industrial Area.

Neighborhoods

- 10.0 The Neighborhood ~~d~~Design ~~t~~Type designation is applied as shown on Map IV-8. Policies that apply to the Neighborhoods ~~Areas~~ include:

10.1. Development of areas planned for residential, commercial and industrial uses within Neighborhood ~~d~~Design ~~t~~Type ~~a~~Areas shall be guided by the urban land use policies of Chapter 4 outlined in the Land Use Chapter in the Comprehensive Plan.

10.2 Areas designated as Low Density Residential shall achieve the densities as outlined in the Low Density Residential policies of Chapter 4 policy section.

Future Urban Study Areas

- 11.0 The Future Urban Study Area ~~d~~Design ~~t~~Type designation is applied as shown on Map IV-8. The goals and policies applicable to Future Urban Study Areas are located in the Urbanization section of Chapter 4: ~~Land Use~~.

Green Corridors

- 12.0 The goals and policies for Green Corridors shall be defined through a separate study as outlined in the Intergovernmental Agreements on Green Corridor and Rural Reserve and Population Coordination, signed by Clackamas County, City of Sandy, City of Canby, ODOT and Metro.

Staff Note: There are no changes proposed to the Residential and Commercial sections of Chapter 4.

INDUSTRIAL

This section of the Land Use Chapter addresses the location of industrial land and the physical development of industrial districts. Other aspects of industry such as industrial growth, diversity and employment are addressed in Chapter 8, the Economics Chapter.

The Campus Industrial designation shall be limited to areas currently designated as Campus Industrial.

Business Park, Light Industrial and General Industrial areas are designated to accommodate manufacturing, processing, storage, wholesale distribution, and research facilities, as well as other compatible industrial and commercial uses. Business Park areas are designated to accommodate and encourage high technology and other clean, light industry, research facilities, and offices satisfying high aesthetic standards. Primary These uses in Business Park areas generate minimal large truck traffic and noise, and no outdoor processing, storage, or display. Primary uses in Light Industrial areas generate minimal outdoor storage and no outdoor processing or display. General Industrial areas are intended to allow outdoor processing, storage, and display, with design and operational criteria to mitigate impacts on adjacent uses. Design and In all industrial areas, development standards, including site planning, building type, truck and traffic circulation, and landscaping, buffering, and screening shall be satisfied to ensure compatibility with, and an attractive appearance from, adjacent land uses.

Light Industrial areas are designated for clean industries which are generally compatible with commercial activities. Light industry usually generates minimal truck traffic, noise, or pollution. Sites are often grouped into industrial parks with common circulation, open space, and design standards.

General Industrial areas are designated for manufacturing, assembling, fabrication and processing, bulk handling, storage, warehousing and trucking. Many general industrial uses are incompatible with residential and commercial uses.

GOALS

- Provide, via existing Campus Industrial land, attractive areas for mixed uses including clean, employment intensive industrial and office uses integrated with housing.
- Provide areas for general industry that meet the locational requirements of prospective industries and protect designated industrial areas from encroachment of incompatible uses.
- Protect Industrial areas from the transportation impacts of residential and commercial development.
- Protect areas adjacent to industrial areas from potential blighting effects of noise,

dust, odor or high truck traffic volumes.

- Conserve the supply of industrial land.

POLICIES

Campus Industrial

- 1.0 The Campus Industrial designation, and corresponding Campus Industrial zoning district, shall be limited to areas currently designated Campus Industrial.
- 2.0 Determine permitted uses by zoning. Zoning of Campus Industrial areas shall be consistent with this Plan and the stated purpose of compatible zoning districts. ~~Timing of zoning district application shall be in accord with the orderly development of the County.~~ The zone should allow light industrial uses which do not produce substantial noise, smoke, dust, noxious odors or truck traffic. Offices, high density residential uses, and commercial retail and service uses for employees and residents shall be allowed.
- 3.0 Require a unified site design for all properties within the Campus Industrial district. Clearly identify entrances and exits within the area and integrate internal circulation within the area.
- 4.0 Require in all Campus Industrial development a minimum of 25 percent of the total developed area to be landscaped and integrated with the open space system. Landscaping may be shared between developments within the Campus Industrial district.
- 5.0 Provide for pedestrian/bicycle circulation within the Campus Industrial area as well as access to transit corridors and, where applicable, to nearby medium or high density residential areas.
- 6.0 Require curbs, drainage controls, underground utilities and street lighting.
- 7.0 Require all Campus Industrial developments to be subject to the design review process.

Business Park

- 8.0 Areas may be designated Business Park when all of the following criteria are met:
 - 8.1a. Areas with good access to an existing or planned four-lane major arterial, expressway, or better road.
 - 8.2b. Areas adjacent to a street of at least a collector status.

8.3c. Areas with significant natural or man-made amenities, as long as other criteria apply.

9.0 The Business Park zoning district implements this designation.

10.0 ~~Require landscaping and strictly limit outdoor processing, outdoor storage and outdoor display, to enhance the appearance on site and from off site. Require that Business Park developments have a minimum of 25% of the developed site area landscaped. Landscaping, as well as other design features, shall be used to promote attractive views from public roads and adjacent properties.~~

11.0 Require all Business Park uses to be subject to performance and development standards intended to maintain high aesthetics in the area.

12.0 Require curbs, sidewalks, drainage controls, underground utilities and street lighting.

Light Industrial

13.0 The following areas may be designated Light Industrial when either the first or all of the other criteria are met:

13.1a. Areas having an historical commitment to industrial uses.

13.2b. Areas with excellent access to the regional transportation network.

13.3c. Areas with access to a street of at least a minor arterial classification.

13.4d. Areas with sites large enough for several industries to cooperatively design an industrial park.

14.0 The Light Industrial zoning district implements this designation.

15.0 Determine permitted uses through zoning. Zoning of Light Industrial areas shall be consistent with this Plan and the stated purpose of compatible zoning districts. Timing of zoning district application shall be in accord with the orderly development of the County.

16.0 Limit Discourage land uses other than industrial or industrially related uses.

17.0 Clearly identify entrances and exits to facilitate efficient traffic movement. The internal circulation system should have broad lanes and turnarounds large enough to accommodate truck traffic. Access streets should include curbs and gutters.

18.0 ~~Require in all light industrial development and redevelopment a minimum of 20~~

~~percent of the total gross area to be in landscaping.~~

- 18.0 Require landscaping and limit outdoor processing, outdoor storage and outdoor display to enhance the appearance on site and from off site.
- 19.0 Provide for pedestrian and bicycle access to adjacent transit corridors and, where applicable, to nearby residential areas. Require sidewalks when appropriate.
- 20.0 Require storm drainage control measures as an integral part of all industrial area development to compensate for large roofs and paved parking areas within industrial areas.
- 21.0 Require underground utilities and street lighting.
- 22.0 Require all Light Industrial developments to be subject to the design review process.
- 23.0 Encourage coordinated utility and traffic improvements in industrial land divisions.

General Industrial

24.0 The following areas may be designated General Industrial when either the first or all of the following criteria are met:

24.1a. Areas having an historical commitment to industrial uses.

24.2b. Areas with availability of rail service, access to navigable water, known mineral deposits or freeway access.

24.3c. Areas where buffering land uses or physical features provide protection for lower intensity land uses, particularly Low Density Residential areas.

24.4d. Areas having access to a street of at least a major arterial classification. Sites within the broader district may be accessed by roads of a lower classification. Designation shall not result in significant traffic increase on streets of less than a collector status serving residential areas.

24.5e. Areas with sites large enough to accommodate expansion of individual establishments or serve several establishments within one district.

25.0 The General Industrial zoning district implements this designation.

265.0 Determine permitted uses through zoning. Zoning of General Industrial areas shall be consistent with this Plan and the stated purpose of compatible zoning

districts. Timing of zoning district application shall be in accord with the orderly development of the County.

| 276.0 Limit Discourage land uses other than industrial or industrially related uses.

| 287.0 Clearly identify entrances and exits to facilitate efficient traffic movement. The internal circulation system should have broad lanes and turnarounds large enough to accommodate truck traffic. Access streets should include curbs and gutters.

| 298.0 Require landscaping to enhance the appearance on site and from off site in all General Industrial development and redevelopment a minimum of 15 percent of the total gross area for landscaping.

| 3029.0 Provide for pedestrian and bicycle access to adjacent transit corridors and, where applicable, to nearby residential areas.

| 310.0 Require storm drainage control measures to be an integral part of the site design and improvements if site development includes large roof and paved parking areas.

| 321.0 Require sidewalks, when appropriate.

| 332.0 Require curbs, underground utilities and street lighting.

| 343.0 Require all General Industrial developments to be subject to the design review process.

Staff Note: No changes are proposed to the Open Space and Floodplains section of Chapter 4.

UNINCORPORATED COMMUNITIES

Unincorporated Communities, as defined in Chapter 660, Division 22 of the Oregon Administrative Rules, are settlements located outside urban growth boundaries in which concentrated residential development is combined with limited commercial, industrial, or public uses. Unincorporated Communities may have limited public facilities and services.

There are four types of Unincorporated Communities:

- Rural Community: an Unincorporated Community consisting primarily of residential uses but also including a minimum of two commercial, industrial, or public land uses. Redland, Beaver Creek, Colton, Boring, Wildwood/Timberline, and Zigzag Village are Rural Communities.
- Rural Service Center: an Unincorporated Community consisting primarily of commercial and industrial uses providing goods and services to the surrounding rural area or persons traveling through. Mulino and Rhododendron are Rural Service Centers.
- Resort Community: an Unincorporated Community that was established primarily for, and continues to be used primarily for, recreation or resort purposes. A Resort Community includes residential and commercial uses as well as overnight lodging. Wemme/Welches is a Resort Community.
- Urban Unincorporated Community: an Unincorporated Community that includes at least 150 permanent dwelling units and a mixture of other land uses, including three or more commercial, industrial, or public land uses. An Urban Unincorporated Community includes areas served by community water and sewer. Government Camp is an Urban Unincorporated Community.

GOALS

- Provide for commercial and industrial development necessary to serve surrounding Agriculture, Forest, and Rural areas.
- Provide residential areas supportive of the commercial and industrial uses.
- Recognize and protect communities and their historic character.
- Provide a balance of residential, commercial, and industrial uses conducive to a healthy economy for the community.

- Provide employment opportunities for residents of the Unincorporated Community and surrounding non-urban areas.

POLICIES

1.0 The following areas may be designated Unincorporated Communities:

1.1a. Land which has been acknowledged as a Statewide Planning Goal 3 or 4 exception area and historically considered to be part of the community provided the land only includes existing, contiguous concentrations of:

- commercial, industrial, or public uses; and/or
- dwelling units and associated residential lots at a greater density than exception lands outside Unincorporated Communities;

1.2b. Lands planned and zoned for farm or forest use provided such land:

- is contiguous to Statewide Planning Goal 3 or 4 exception lands included in the community boundary;
- was occupied as of October 28, 1994 by one or more of the following uses: church, cemetery, school, park, playground, community center, fire station, museum, golf course, or utility facility;
- includes only that portion of the lot or parcel that is occupied by the use(s) above; and
- remains planned and zoned for farm or forest use.

2.0 Prohibit the expansion of Unincorporated Communities into areas of natural hazards.

3.0 Guide management of land use patterns in Unincorporated Communities by policies in this Plan and by those in community plans which are prepared as part of the County's continuing planning program as described in Chapter 11.

4.0 Require development to be contingent upon the ability to provide public services (e.g., school, water, fire, telephone).

5.0 Develop roads in a manner and to a level compatible with Unincorporated Communities.

6.0 Residential uses should be allocated in a manner and to a level which supports the commercial and industrial uses and provides housing opportunities to meet

needs while maintaining compatibility with adjacent land use designations.

7.07.0 Limit industrial uses to:

- a. 7.1 Uses authorized under Statewide Planning Goals 3 and 4;
- b. 7.2 Expansion of a use ~~an~~ existing on December 5, 1994 use;
- c. 7.3 Small-scale, low- impact industrial uses; as defined in Chapter 660, ~~Division 22 of the Oregon Administrative Rules (OAR) 660-022-0030(11);~~
- d. 7.4 Uses that require proximity to a rural resource, as defined in OAR 660-004-0022(3)(a);
- e. 7.5 New uses that will not exceed the capacity of water and sewer service available to the site on December 5, 1994, or, if such services are not available to the site, the capacity of the site itself to provide water and absorb sewage;
- f. 7.6 New uses more intensive than those allowed under Policies 7.1 through 7.5 listed above, provided an analysis set forth in this Plan demonstrates, and land use regulations ensure:
 - a. That such uses are necessary to provide employment that does not exceed the total projected work force within the community and the surrounding rural area;
 - b. That such uses would not rely upon a work force employed by uses within urban growth boundaries; and
 - c. That the determination of the work force of the community and surrounding rural area considers the total industrial and commercial employment in the community and is coordinated with employment projections for nearby urban growth boundaries.
- g. 7.7 Industrial uses, including accessory uses subordinate to industrial development, sited on an abandoned or diminished industrial mill site, as defined in the Clackamas County Zoning and Development Ordinance, provided the uses will be located only on the portion of the mill site that is zoned for industrial uses.

8.0 Limit commercial uses to:

- a. Uses authorized under Statewide Planning Goals 3 and 4;

- b. Small-scale, low-impact uses as defined in Chapter 660, Division 22 of the Oregon Administrative Rules;
 - c. Uses intended to serve the community and surrounding rural area or the travel needs of people passing through the area.
- 9.0 Encourage commercial and industrial uses to locate in Unincorporated communities to provide employment opportunities to residents of the communities and the surrounding non-urban area.
- 10.0 Require design review for commercial and industrial development.
- 11.0 Public facilities in Unincorporated Communities should be expanded or developed only when consistent with maintaining the rural character of the community.
- 12.0 Increased water service to an area shall not be used in and of itself to justify reduced lot sizes.
- 13.0 Sewerage systems shall be contained within urban growth boundaries or Unincorporated Community boundaries, and shall not be allowed to expand to land outside of such boundaries, except as provided by the Oregon Revised Statutes for abandoned or diminished mill sites.
- 14.0 Provide bikeways/pedestrian pathways for roads that have a collector or higher classification.

Unincorporated Community Residential

- 15.0 Apply a plan designation of Unincorporated Community Residential to residential areas in Unincorporated Communities, except as modified by Chapter 10.
- 15.0 Implement the Unincorporated Community Residential plan designation through application of the Rural Area Residential 1-Acre (RA-1) zoning district.

Staff Note: No changes are proposed to the remainder of Chapter 4.

Chapter 8

ECONOMICS

If any community is to thrive and prosper, jobs must be available to provide income for its residents. The type, quality, wage rates, and variety of jobs available in the community determine to a large extent the life-style and well-being of the residents.

The economy of Clackamas County is not separable from that of surrounding urban areas, nor is it uniform throughout. The northwest urban portion of the County clearly is part of the highly diversified urban economy of the Portland metropolitan area, with similar industries, and many retail and service business to serve the large urban population. The rural parts of the County and the cities lying outside the northwest urban area have traditionally been timber or agriculture based economies; however, residents are increasingly commuting to jobs in the Portland urban area.

ISSUES

1. Providing jobs for existing and expected population
2. Job locations, numbers and types
3. Balancing community livability and environmental quality with economic development
4. Protecting existing firms
5. Industrial and commercial growth
6. Types and locations of commercial and industrial development
7. Quality of industrial and commercial areas
8. Relationship of industrial land uses and environmentally sensitive areas
9. Relationships of commercial/industrial sites to housing and transportation
10. Future of natural resource based industries
11. Relationship of increased employment and accelerated immigration
12. Home occupations
13. Adapting to the information/global/service economy.

SUMMARY OF FINDINGS AND CONCLUSIONS

1. The County contained approximately 86,500 nonagricultural jobs in 1987. An increase of up to 48,100 new jobs is expected by the year 2010.
2. Clackamas County's economy was traditionally dominated by natural resource-oriented industry, but has become increasingly diversified, especially in the urban area.
3. Half of County residents commute out of the County to work.
4. Timber-related employment declined substantially in the 1980s, and is expected to remain relatively low because of increasing productivity and the limited timber supply.
5. Decline in natural resource-related employment could be offset somewhat by improved management in some classes of timber lands, fully processing timber materials now considered waste, and increased secondary processing of wood products. Improved food processing facilities and other support services for agriculture might increase agricultural and related employment.
6. Most of the County's industrial areas are along the Milwaukie Expressway, Highway 212 east of I-205, and in Wilsonville. These areas have good rail and freeway access, public services and some large parcels. These areas are filling up rapidly, with few large or easy to develop parcels remaining.
7. Improved access to the Clackamas industrial area is needed if development potential is to be realized. Implementation of the Clackamas Industrial Area Urban Renewal Plan projects will substantially improve transportation and other public facility needs in the area.
8. Much of the vacant industrial land in the Milwaukie Expressway-Clackamas industrial area is in small parcels. Conversion of Camp Withycombe in the Clackamas area from a National Guard Camp to industrial use offers the best opportunity to obtain needed acreage of prime industrial land in a large parcel.
9. Most of the County's commercial land is in centers focused on I-205 or I-5 interchanges, in "strips" along McLoughlin Boulevard, 82nd Avenue, and other major arterials, or in the downtowns of cities. Downtowns of cities in the northwest urban area tend to be small, providing a limited range of goods and services.
10. Clackamas Town Center, a regional shopping center, has had a major

impact on the commercial areas of the northwest urban portion of the County.

11. Most industrial and commercial areas of the County are primarily accessed by private automobile.
12. Nationwide, small firms provide a significant amount of new employment opportunities. New technology development also frequently occurs in small, new firms.
13. Clackamas County has taken a very active role in attracting economic development during the 1980s, including working with a very active Economic Development Commission and its subcommittees, developing one of the first strategic Economic Development Plans in the state, developing two Urban Renewal Plans for prime industrial and commercial development areas, working with Task Forces to develop special area plans, working on the Governor's Regional Strategy Program as well as with several other state programs for Economic Development, and actively marketing the County and its cities.

GOAL

- Establish a broad-based, stable and growing economy to provide employment opportunities to meet the needs of the County's residents.

POLICIES

Existing Industry and Business

- 1.0 Encourage retention and expansion of existing industry and business.
 - 1.1 Protect established industrial and commercial areas from encroachment by incompatible land uses.
 - 1.2 Encourage maintenance of sufficient vacant lands to provide room for the future expansion or relocation of the County's industry and business.
 - 1.3 Facilitate the efficient operation of existing firms in the urban area by giving high priority to equality in public services including law enforcement, water service and fire protection, storm drainage, sewer, transit, pedestrian and bike access, road maintenance, and traffic access and circulation.

- 1.4 Develop and implement strategies to revitalize and/or maintain established commercial areas considering such things as parking needs, pedestrian/auto conflicts, traffic circulation, historic character, compatibility of activities, potential for new development, compatibility of new development, transit service, pedestrian and bike access, and merchant participation.
- 1.5 Encourage natural resource-oriented industries by:
 - a. Encouraging timberland owners to use sound timber management practices and promote a sustained harvest.
 - b. Identifying and recruiting firms doing secondary wood processing using wood products now underutilized or considered waste, i.e., hardwoods, slash materials, etc.
 - c. Encouraging food processing industries and other support services for agriculture in the rural areas.
- 1.6 Consider impacts on established commercial areas prior to approving Plan changes for major new commercial areas. High priority should be given to retaining the viability of affected downtowns.

New Industry and Business

- 2.0 Encourage new industrial and commercial development which is consistent with environmental quality and community livability, and the needs of County residents.
- 2.1 Provide sufficient industrial land of the types identified in the Industrial section of Chapter 4, Land Use ~~four general types:~~
 - a. ~~General industrial designations for intensive industrial uses, with sites for a broad range of industry and warehousing.~~
 - b. ~~Light Industrial designations for a narrower range of industry and warehousing while allowing office uses outright, and providing stronger noise and aesthetic controls within the development.~~
 - c. ~~Campus Industrial designations to provide for a mix of clean, light manufacturing, offices, and high density residential uses in campus-style complexes, where design shall be compatible with adjacent areas. New developments shall be consistent with a design plan to assure an integrated development of the~~

- ~~area. (See Land Use Chapter, Campus Industrial policies.)~~
- d. ~~Business Park designations to provide for offices and light industrial uses which project a high image.~~
- 2.2 Provide sufficient commercial land of four different types (see Land Use Chapter, Commercial development policies):
- a. General Commercial for a broad mix of commercial uses including outdoor storage and display.
 - b. Retail Commercial for a range of uses including retail, office, services, and multifamily which project a high-quality image.
 - c. Office Commercial designations to provide for a mix of offices, clean, light manufacturing, and high density residential uses in campus-style complexes, which have less impact on surrounding properties, and project a positive image.
 - d. Community Commercial for local shopping and services, including large grocery stores and other frequently patronized community services.
- 2.3 Allow in residential designations Neighborhood Commercial uses, through zoning, which provide goods or services to the surrounding neighborhood, and which do not attract traffic from other areas. Criteria for sites are listed in the Land Use Chapter, Residential policies.
- 2.4 Give high priority to provision of sewer, water and road services to growing industrial areas.
- 2.5 Encourage the location of business and industry in areas that minimize the journey to work and/or facilitate mass transit usage for the journey to work.
- 2.6 Encourage Tri-Met to provide better transit service. Specifically, improve service to commercial centers, small city downtowns, and the Clackamas industrial area.
- 2.7 Provide for a broad range of types and sizes of industrial and commercial development to provide a broad cross section of employment opportunities for residents.
- 2.8 Encourage the retention of vacant industrial and commercial lands in large parcels until committed for development, at which time overall

development plans should be prepared for the site.

- 2.9 Support the conversion and development of Camp Withycombe as it is designated in the Comprehensive Plan.
- 2.10 Allow business park uses in general commercial areas, subject to conditional standards, addressing:
 - a. Existing buildings
 - b. Compatibility with surrounding commercial areas
 - c. Minimum external storage, smoke or noise
 - d. Continuity of pedestrian flow within and between surrounding uses
- 2.11 Facilitate home occupations within the constraints of neighborhood quality, subject to standards, including:
 - a. Visual compatibility with neighborhood and appropriate buffering
 - b. No unsightly or distracting storage, smoke, dust, noise, etc.
 - c. No excessive increase in traffic, especially truck traffic
 - d. No excessive parking of vehicles on the property
- 2.12 Require design review approval for all industrial and commercial development, addressing:
 - a. Compatibility with surrounding areas, including buffering, scale and materials of buildings, and scale and type of plants
 - b. Visual impact of landscaping and lot coverage
 - c. Energy efficiency in site planning and building design
 - d. Storm drainage retention and control
 - e. Access including internal truck and auto circulation in commercial developments
 - f. Outdoor storage and location of parking and loading

- g. Identification and directional signing
 - h. Noise abatement
 - i. Pedestrian, bike and carpool facilities
 - j. Support of transit usage
 - k. Site security
- 2.13 Gradually modify strip commercial areas into more functional and attractive development with consolidated access to the street where possible. Exempt clearly highway-oriented uses (such as gasoline stations).
- 2.14 Encourage design and circulation plans to be prepared for major industrial and commercial areas in the County, primarily aimed at providing a cohesive, integrated overall development pattern.

Coordination

- 3.0 Develop a working partnership with the cities, private sector and various agencies and organizations to meet the economic needs of Clackamas County.
- 3.1 Encourage the County Economic Development Commission (EDC) to take a leading role in directing and coordinating economic development activities in the County.
- 3.2 Cooperate with the Metropolitan Service District, Portland Development Commission, Port of Portland and Oregon Economic Development Division in economic development planning and implementation efforts.
- 3.3 Cooperate with the private sector to achieve economic development in the County.
- 3.4 Coordinate with local jurisdictions to obtain compatible policies, ordinances and land-use designations for economic development.

Target Industries

- 4.0 Encourage the development of the following target industries in Clackamas County planning areas:
- a. Metals and Machinery Manufacturing
 - b. Instruments and Electrical Equipment Manufacturing
 - c. Wholesale Trade, Distribution Centers, Warehousing
 - d. Business Centers
 - e. Destination Retail
 - f. Class "A" Offices
 - g. Destination Restaurants
 - h. Hotels/Motels/Conference Facilities
 - i. Tourism/Destination Attractions and accommodations
 - j. Agriculture/Horticulture and Specialty Crops

Ordinance ZDO-243

Zoning and Development Ordinance Amendments

Text added is underlined. Text deleted is ~~struck through~~.

202 DEFINITIONS

ACCESSORY BUILDING OR USE: A subordinate building or use, the ~~function~~use of which is clearly incidental to that of the main building or use on the same lot.

ACCESSWAY: A public right-of-way, a portion of which is hard surfaced, for use by pedestrians and bicyclists providing a direct route where public roads require significant out of direction travel.

ACCESS DRIVE: A private way, with a travel surface generally no more than 12 feet in width, created by deed or easement to provide vehicular ingress to, or egress from not more than two lots or parcels.

ACTIVE RECREATIONAL AREA: An area such as a park, sports field, or golf course, where turf provides a playing surface that is dedicated to active play.

ADJOINING: Contiguous or abutting exclusive of street width. It shall include the terms adjacent, abutting or contiguous.

ADULT BUSINESS: A range of commercial activities characterized by live, closed circuit, or reproduced material which has an emphasis on nudity and/or specified sexual activity. Such businesses generally limit their patrons to persons at least 18 years of age. Adult businesses include the following types of establishments: adult bookstores, adult theaters, adult arcades, adult cabarets, and adult paraphernalia shops, as defined below, and other establishments which feature any combination of activity or merchandise described below which collectively account for 25 percent, or more, of the establishment's activity or merchandise. These definitions shall not be construed to allow uses or activities which are unlawful under State criminal laws.

"Adult bookstore" is an establishment having as 25 percent or more of its merchandise for sale, rent, or viewing on the premises, such items as books, magazines, other publications, films, video tapes or video discs which are distinguished by their emphasis on specified sexual activities, as defined in this ordinance.

"Adult theater" is an establishment used for more than 25 percent of showtime for presenting material (either live, closed circuit, or prerecorded) for observation by patrons therein which has as a dominant theme an emphasis on nudity and/or specified sexual activities, as defined in this ordinance.

"Adult arcade" is an establishment offering viewing booths or rooms for one or

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

more persons in which 25 percent, or more, of the material presented (either live, closed circuit, or reproduced) is characterized by an emphasis on nudity and/or specified sexual activities, as defined in this ordinance.

"Adult cabaret" is an establishment having as its primary attraction live exhibitions (either for direct viewing, closed circuit viewing, or viewing through a transparent partition) for patrons, either individually, or in groups, where the exhibition material presented is characterized by an emphasis on nudity and/or specified sexual activities, as defined in this ordinance.

"Adult paraphernalia shop" is an establishment having as 25 percent or more of its merchandise objects which stimulate human genitalia and/or objects designed to be used to substitute for or be used with human genitalia while engaged in specified sexual activities, as defined in this ordinance.

~~AGRICULTURAL AIRSTRIP: An area designated by the user solely for the purpose of providing for temporary or occasional landings and takeoffs by aircraft engaged in aerial application of chemicals, fertilizers, or other substances to agricultural or forest lands.~~

AIRPORT, PERSONAL-USE: An airstrip restricted, except for aircraft emergencies, to use by the owner and, on an infrequent and occasional basis, by his invited guests, and to commercial activities in connection with agricultural operations only.

AIRPORT, PRIVATE USE: An airport restricted, except for aircraft emergencies, to use by the owner and his invited guests. The determination as to whether an airport is private or public-use is made by the Oregon Department of Aviation.

AIRPORT, PUBLIC-USE: An airport that is open to use by the flying public, with or without a request to use the airport.

ALLEY: Any public space or thoroughfare less than 16 feet but not less than 10 feet in width which has been dedicated or deeded to the public primarily for vehicular service access to the back or side of properties otherwise abutting on a street.

ALTERATION, CULTURAL RESOURCE: Any exterior change or modification, through public or private action, of any cultural resource or of any property located within an historic district including, but not limited to, exterior changes to or modification of structure, architectural details or visual characteristics such as paint color and surface texture, grading, surface paving, new structures, cutting or removal of trees and other natural features, disturbance of archaeological sites or areas, and the placement or removal of any exterior objects such as signs, plaques, light fixtures, street furniture, walls, fences, steps, plantings and landscape accessories affecting the exterior visual qualities of the property.

ANTIQUES: Goods that, by virtue of their age or unusual quality, are generally considered to be of historical and/or artistic interest, ordinarily such items are in good state of preservation or are restorable to their original conditions.

ARCHITECTURAL FEATURES: Features include, but are not limited to cornices, canopies, sunshades, gutters, chimneys, fireplaces, flues and eaves. Architectural features shall not include any portion of a structure built for the support, occupancy, shelter or enclosure of persons or property of any kind.

ARCHITECTURAL FEATURES, CULTURAL RESOURCE: The architectural elements embodying style, design, general arrangement and components of all of the outer surfaces of an improvement, including, but not limited to, the kind, color, texture of the building materials and type and style of all windows, doors, lights, signs and other fixtures appurtenant to such improvements.

AUTOMATIC IRRIGATION CONTROLLER: An automatic timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers schedule irrigation events using either evapotranspiration (weather-based) or soil moisture data.

BABYSITTER: A person who goes into the home of a child to give care during the temporary absence of the parent or legal guardian or custodian.

BASEMENT: A portion of a building which has less than one-half of its height measured from finished floor to finished ceiling above the average elevation of the adjoining ground, but not an "underground structure" as defined in this ordinance.

BEACON: Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same site as the light source; also, any light with one or more beams that rotate or move.

BED AND BREAKFAST ESTABLISHMENT: A use carried on in a structure designed for a single-family dwelling, except as provided under Section 832, which provides rooms for rent on a daily basis to the public and which includes a breakfast meal as part of the cost of the room. Bed and breakfast establishments do not include other similar uses, such as motels, health or limited care facilities, boarding houses, group quarters, hostels, or rescue missions. All bed and breakfast establishments require tourist facility licensing by the appropriate agency. Bed and breakfast residences and inns, as defined below, must also satisfy the State Health Division requirements. Three levels of bed and breakfast establishments are as follows:

"Bed and Breakfast Homestay" provides overnight accommodations plus breakfast in an owner-occupied dwelling that provides one or two guest rooms for occasional bed and breakfast guests, not exceeding five guests at one time. Primary use of the dwelling remains as a dwelling, not as a lodging establishment. All reservations are made in advance. Income derived from bed and breakfast activity does not generally represent a primary source of income. Bed and breakfast homestays are major home occupations, subject to Section 822.

"Bed and Breakfast Residence" provides overnight accommodations plus breakfast and occasional family-style meals for guests, in an operator- or owner-occupied dwelling that provides up to five rooms on an occasional or regular basis. Income derived from the bed and breakfast activity may represent a primary source of income. Bed and breakfast residences are subject to Section 832, and all requirements of the underlying district.

"Bed and Breakfast Inn" provides accommodations plus breakfast on a daily or weekly basis in an operator- or owner-occupied dwelling that is primarily used for this purpose. This use is operated as a commercial enterprise, encourages direct bookings from the public, and is intended to provide a major source of income to the proprietors. This level includes inns that operate restaurants offering meals to the general public as well as to overnight guests. Bed and breakfast inns are subject to Section 832 and all requirements of the underlying district.

BICYCLE RACK: An apparatus designed to support the central frame of a bicycle and allow locking of both wheels, without the removal of wheels.

BIKEWAY: A paved facility provided for use by cyclists. There are five types of bikeways.

Shared Roadway: A type of bikeway where motorists and cyclists occupy the same roadway area. Shared roadways are allowed on neighborhood streets and on rural roads and highways.

Shoulder Bikeway: A bikeway which accommodates cyclists on paved roadway shoulder.

Bike Lane: A section of roadway designated for exclusive bicycle use, at the same grade as the adjacent roadway.

Bike Path: A bike lane constructed entirely separate from the roadway.

Cycle Track: An exclusive "grade-separated" bike facility elevated above the street level using a low-profile curb and a distinctive pavement material.

BLANKETING: The visual blocking of one sign by another as seen by a motorist traveling a street or highway.

BLOCK: A parcel of land bounded by streets, railroad rights-of-way, waterways, parks, unsubdivided acreage, or a combination thereof.

BUILDING: Any structure used or intended for supporting or sheltering any use or occupancy.

BUILDING ENVELOPE: The three dimensional space which is to be occupied by a building.

BUILDING LINE: A straight line that is parallel and adjacent to the front side of the main building and parallel to the front lot line.

BUILDING OR STRUCTURE HEIGHT: The term "height of building" shall be calculated by the methods identified in the State of Oregon Structural Specialty Code or the State of Oregon One and the Two Family Dwelling Specialty Code, as applicable.

BULK PLANT: Hazardous substances at the bulk plant level are manufactured, collected, repackaged, stored, or distributed, but are generally not used on the site. The primary emphasis of uses at the bulk plant level is on hazardous substances. Materials are stored in large permanent tanks. Bulk plant quantities are larger than amounts transported in or out in any single shipment. Processors of hazardous substances will generally be at this level. Uses which produce hazardous substances as a by-product or accessory to another product are not in this category.

CARE: The provision of room and board and other services as needed to assist in activities of daily living, such as assistance with bathing, grooming, eating, medication management, money management or recreation.

COGENERATION FACILITY: A facility that produces, through the sequential use of energy, electric energy and useful thermal energy including but not limited to heat or steam, as a by-product of its normal industrial process and the energy produced can be used for industrial, commercial, heating, or cooling purposes; and such facility is more than 50 percent owned by a person who is not an electrica public utility, an electric utility holding company, or an affiliated interest, or any combination thereof. ~~When this definition differs from that in ORS 758.500, the definition in ORS 758.500 shall prevail.~~

COMMERCIAL USE: The use of land and/or structures for the conduct of retail, service, office, artisan, restaurant, lodging, daycare, entertainment, private recreational, professional, and similar uses.

COMMON OWNERSHIP: Land commonly owned to include open space lands dedicated in planned unit developments and lands dedicated for open space which are owned by homeowners associations.

COMPOSTING: The managed process of controlled biological decomposition of green feedstocks. It does not include composting for the purposes of soil remediation.

COMPOSTING FACILITY: A site or facility, excluding home composting areas as described in Section 202 and agricultural composting conducted as a farm use, which utilizes green feedstocks to produce a useful product through a managed process of controlled biological decomposition. Composting may include amendments beneficial to the composting process. Vermiculture and vermicomposting are considered composting facilities. Composting facilities or sites may include sales of the finished product, as well as accessory products limited to topsoil, barkdust and aggregate commonly used in landscaping to wholesale and retail customers. The area utilized for the sale of said accessory products shall not exceed 10% of the area used for composting, or two (2) acres, whichever is less subject to the provisions of Subsection 834.03 and 834.04.

~~CONDITIONAL USE: A use addressing a limited or specific need but generally secondary to a primary use and, due to a potential adverse effect upon primary uses or public services and facilities, is only allowed subject to review and the use standards of the district and Section 800 and the criteria of Section 1203.~~

CONGREGATE HOUSING FACILITY: A building that contains more than one dwelling unit and provides common facilities and services for residents who require or desire a more supportive living environment than typically afforded to residents in multifamily, three-family, two-family, or single-family dwellings. Regular on-premise supervision by a registered physician, registered nurse, or other health care provider may be included.

CULTURAL RESOURCE: Improvements, buildings, structures, signs, features, sites, places, areas or other objects of scientific, aesthetic, educational, cultural, architectural, or historical significance to the citizens of the county.

CULTURAL RESOURCE INVENTORY: The official list of designated cultural features, sites, districts subject to the provisions of Section 707, Cultural Resources.

CULTURAL RESOURCES OBJECT: A material thing of functional, aesthetic, cultural, symbolic or scientific value, usually by design or nature movable.

DAYCARE FACILITY: A facility that provides regular daycare services to children under 13 years of age, including a day nursery, nursery school group, or similar unit operating under any name. A daycare facility shall not include services provided by a physician or nurse, or facilities operated primarily for education or supervised training or instruction, or daycare provided by a "babysitter" or "family daycare provider".

DEDICATION: The designation of land by its owner for any general or public use.

DESIGNATED SITE (historic site, cultural resource site, landmark site): A parcel or part thereof on which a cultural resource is situated, and any abutting parcel or part thereof constituting part of the premises on which the cultural resource is situated, and which has been designated pursuant to this Ordinance.

DESIGNATED STRUCTURE (landmark, cultural resource, historic structure): Any improvement that has special historical, cultural, aesthetic or architectural character, interest or value as part of the development, heritage or history of the county, the State of Oregon, or the nation and that has been designated pursuant to this ordinance.

DIRECT ROUTE: The shortest reasonable route between two points. A route is considered direct if it does not involve significant out of direction travel that could be avoided. Out of direction travel is significant if it is more than 50 percent longer than the straight line between two points.

DISTINCTIVE URBAN FOREST: Forested or woodland areas which are visually prominent or contain unique or rare tree and plant communities. These areas are usually found in association with other open space resources within the urban area.

DRIP IRRIGATION: Any non-spray low volume irrigation system utilizing emission devices with a flow rate measured in gallons per hour.

DRIP LINE: The outermost edge of a tree's canopy; when delineating the drip line on the ground, it will appear as an irregularly shaped circle defining the canopy's perimeter.

DROUGHT-TOLERANT PLANTS: Plants that will survive in the typical or somewhat less than typical amount of rainfall in the Willamette Valley, and therefore require very little or no supplemental water once established.

DWELLING: A building, or portion thereof, which contains one or more dwelling units. A dwelling may be a residential trailer or a manufactured dwelling but not a recreational vehicle.

DWELLING, ATTACHED SINGLE-FAMILY: A building, or portion thereof, that contains only one dwelling unit; shares at least one wall, or portion thereof, with another attached single-family dwelling; and is located on a separate lot of record from any other dwelling, except where otherwise permitted for an accessory dwelling unit. A manufactured dwelling or residential trailer is not an attached single-family dwelling.

DWELLING, DETACHED SINGLE-FAMILY: A building, or portion thereof, that contains only one dwelling unit and is detached from any other dwelling, except where otherwise permitted for an accessory dwelling unit. A manufactured dwelling or residential trailer is not a detached single-family dwelling.

DWELLING, MULTIFAMILY: A building, or portion thereof, that contains four or more dwelling units.

DWELLING, THREE-FAMILY: A building, or portion thereof, that contains three dwelling units.

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DWELLING, TWO-FAMILY: A building, or portion thereof, that contains two dwelling units, both of which are located on the same lot of record. If one of the two dwelling units is an accessory dwelling unit, the building, or portion thereof, is not a two-family dwelling.

DWELLING UNIT: A building, or portion thereof, with one or more rooms designed for residential occupancy by one family.

DWELLING UNIT, ACCESSORY: A dwelling unit located on the same lot of record as a primary dwelling. The primary dwelling may be an attached or detached single-family dwelling, as specified in the underlying zoning district provisions.

EASEMENT: A right of usage of real property granted by an owner to the public or to specific persons, firms, and corporations.

EDIBLE GARDEN: A garden that contains plants that produce food for human consumption.

ELECTRIC VEHICLE CHARGING STATION: A location where a vehicle can plug into an electrical source to re-charge its batteries.

FAMILY: Any individual or group of persons, regardless of relationship but not exceeding 15 persons, living together as a single housekeeping unit within a dwelling unit.

FAMILY DAYCARE PROVIDER: A daycare provider who regularly provides daycare to 16 or fewer children, or as amended by ORS 657A.440, including the children of the provider, regardless of full-time or part-time status, in the provider's home in the family living quarters. Provision of daycare to more than 16 children, including the children of the provider, regardless of full-time or part-time status, in the provider's home in the family living quarters shall constitute the operation of a "daycare facility" and shall be subject to the requirements of this Ordinance for daycare facilities.

FARMERS' MARKET: An organized seasonal outdoor market dedicated to the direct sales by growers of agricultural goods, including plants, produce, meats, and other animal products (e.g. eggs, cheese, honey).

FEE IN LIEU OF LAND: ~~Payment made instead of a land donation to satisfy a particular development requirement, such as park lands or school sites.~~

FINAL SUBDIVISION (plat): ~~The Plat of a plan, subdivision, dedication or any portions thereof, approved and prepared for filing for record with the County Clerk and containing those elements and requirements as set forth in this Ordinance and as required by State statute.~~

FLAG: Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols.

FLAG LOT: A lot or parcel which has access to a road, street or easement, by means of a narrow strip of lot or easement.

~~FLEX SPACE: A building constructed to accommodate a variety of commercial, office and/or light industrial uses, including: administration, direct and telephone sales, back-office operations, product assembly, component and inventory warehousing, shipping and related or similar activities.~~

FLOOR AREA: The area included within the surrounding exterior walls of a building or portion thereof, exclusive of porches and exterior stairs, multiplied by the number of stories or portion thereof. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above. Floor area shall not include portions of buildings used for parking of vehicles, except the square footage of commercial uses in parking structures can be counted as part of the total floor area.

FLOOR AREA RATIO (FAR): A measurement of density expressed as the ratio of square footage of building floor area to the square footage of the net site area. The greater the ratio, the greater the density. For example, a building occupying one-fourth of the net site area has a FAR of .25: 1, or .25; adding a second floor to the same building increases the FAR to .50:1, or .5.

FRATERNITY OR SORORITY HOUSE: A building occupied by and maintained exclusively for students affiliated with a school or college.

GRADE: The line of the street or ground surface deviation from the horizontal.

GREEN FEEDSTOCKS: Are defined as including yard debris, non-treated wood waste, vegetative food waste, produce waste, vegetative restaurant waste, vegetative food processor by-products, crop waste and livestock manure. For the purpose of these provisions, "non-treated wood waste" excludes wood waste treated with paint, varnish or other chemicals or preservatives.

GREEN ROOF: A vegetated roof designed to treat storm runoff.

GUEST HOUSE/STUDIO: A guest house or studio is a separate accessory structure, or portion thereof, which is built to residential (R-3 occupancy) building code requirements and which is used by members of the family residing in the primary dwelling or their nonpaying guests or employees on the premises. A "guest house" or "studio" shall be a temporary living area, and shall not be used for boarders or lodgers.

HARDSCAPES: In the practice of landscaping, refers to the inanimate, manmade, non-planted, outdoor areas where the soil is no longer exposed and that are surfaced with pervious or non-pervious durable materials such as masonry, wood, stone, paving, tile, or similar material to create patios, walkways, water fountains, benches, gazebos, etc.

HAZARDOUS SUBSTANCE, MATERIAL OR WASTE: Any hazardous substance, material or waste listed in the following federal regulations:

- A. Superfund Amendments and Reauthorization Act (SARA) of 1986, Section 302 Extremely Hazardous Substances List (40 C.F.R 355, App. A and B);
- B. Comprehensive Environmental Response Compensation & Liability Act Superfund (CERCLA) of 1980, Hazardous Substances List (40 C.F.R 302, Table 302.4);
- C. SARA of 1986, Section 313, Toxic Chemicals List (40 C.F.R Section 372.65);
- D. Resource Conservation and Recovery Act (RCRA) of 1976 and 1984 Amendments, Hazardous Wastes List (P & U Categories) (40 C.F.R Section 261.33(e) and (f)); and
- E. DOT Hazardous Materials Table (49 C.F.R Part 172.101).

HISTORIC AREA: Any area containing improvements which have a special character, historical interest or aesthetic value or which represent one or more architectural periods or styles typical of the history of the County and which improvements constitute a distinct section of the County that has been designated a cultural resource district pursuant to this ordinance.

HOME COMPOSTING: A composting area operated and controlled by the owner or person in control of a single family dwelling unit and used to dispose of vegetative waste, garden wastes, weeds, lawn cuttings, leaves and prunings generated from that property.

HOME OCCUPATION: An occupation or business activity which results in a product or service; is conducted, in whole or in part, in a dwelling and/or an accessory building normally associated with primary uses allowed in the underlying zoning district; is conducted by at least one family member occupying the dwelling; and is clearly subordinate to the residential use of the subject property. Home occupations do not include garage sales, yard sales, holiday bazaars, or home parties which are held for the purpose of the sale or distribution of goods or services unless such sales and/or parties are held more than six times in a calendar year or operate in excess of 24 total days in a calendar year.

HOMEOWNERS ASSOCIATION: The grouping or uniting of persons residing within a defined area, such as a subdivision, into an incorporated entity for the prosecution of a common enterprise.

HOSPITAL, ANIMAL: A building or premises for the medical or surgical treatment of domestic animals or pets, including dog, cat, and veterinary hospitals.

HOTEL: A building which is designed or used to offer short-term lodging for compensation, with or without meals, for six or more people. A facility that is operated for the purpose of providing care beyond that of room and board is not a "hotel".

HOUSEKEEPING UNIT: A living arrangement within a dwelling unit in which a common kitchen facility, laundry facility, living and dining rooms, and other general living areas of the dwelling unit, and the duties, rights, and obligations associated with the performance of domestic tasks and management of household affairs, are shared by the residents by virtue of legal relationship or mutual agreement.

HYDROELECTRIC FACILITY: Any facility relating to the production of electricity by waterpower, including, but not limited to the power generating plant, associated dams, diversions, penstocks, navigation locks, fish ladders, fish screens, reservoirs and detention areas, recreation facilities, interconnecting transmission lines, substations, access roads, offices or commercial and industrial structures proposed to be built in connection with the energy facility; and activities involved in their construction and operation.

IMPROVEMENT: Any building structure, parking facility, fence, gate, wall, work of art or other object constituting a physical betterment of real property, or any part of such betterment.

INDIRECT ILLUMINATION: A nonelectric sign illuminated by an indirect or separate light source.

INDUSTRIAL USE: The use of land and/or structures for the manufacturing or processing of primary, secondary, or recycled materials into a product; warehousing and associated trucking operations; wholesale trade; and related development.

INSTITUTIONAL USE: The use of land and/or structures for activities such as daycare and pre-school facilities, public and private schools, colleges, universities, art, music, trade and other educational and training facilities, convalescent care facilities, nursing homes, hospitals, places of worship, fraternal lodges, municipal and civic buildings, transit centers and park-and-ride facilities, parks, swimming pools and other recreational facilities open to the public or a membership group, senior and community centers, libraries, museums, cemeteries and mausoleums, utility facilities, and similar public and private uses.

INVASIVE NON-NATIVE OR NOXIOUS VEGETATION: Plant species that are listed in the Oregon Department of Agriculture's Noxious Weed Policy and Classification System.

KENNEL: Any lot or premises on which four or more dogs, more than six months of age or with permanent canine teeth, are kept for purposes other than a veterinary clinic.

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KIOSK: A small structure used as a newsstand, information booth, refreshment stand, bandstand, or display of goods, etc.

LANDSCAPING: Areas of land planted with groundcover, grasses, shrubs, annuals, perennials, or trees.

LIMITED USE: A use allowed in a district on a limited basis and subject to conditions specified therein which are generally more restrictive than the conditions placed on primary or accessory uses within the same district.

LIVESTOCK: One or more domesticated animals raised in an agricultural setting to produce commodities such as food, fiber, and labor. The term "livestock" includes miniature livestock, poultry, and farmed fish.

LOT: A unit of land created by a subdivision of land. For the purposes of this Ordinance, lot includes parcel and lot of record unless otherwise specified in the context of the specific provisions.

LOT AREA: The total horizontal area within the lot lines of a lot.

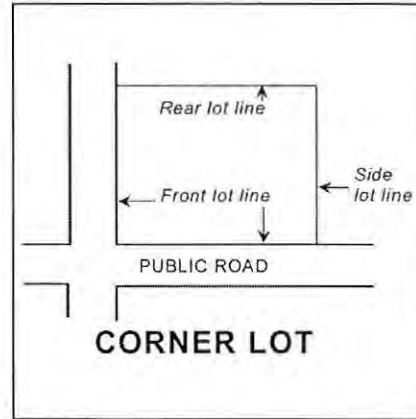
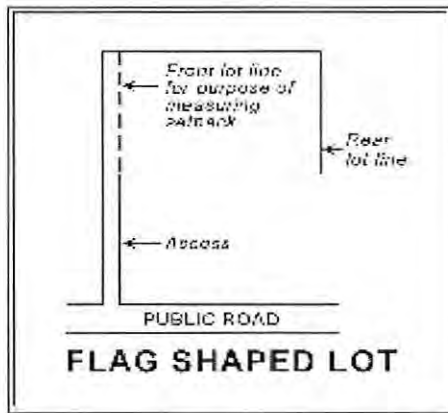
LOT, CORNER: A lot with street frontage on two streets intersecting at a corner of the lot. A lot within the radius curve of a single street is not a corner lot. A lot with access limited to, and frontage on, a state, County, public or private road and also with frontage on an intersecting private road or access drive is not a corner lot for the purpose of determining setbacks provided that the lot does not take access onto the latter abutting private road or access drive. In such a case, the frontage on the latter private road or access drive shall be treated as a side lot line.

LOT COVERAGE: The area of a lot covered by a building or buildings expressed as a percentage of the total lot area.

LOT DEPTH: The "lot depth" is the mean horizontal distance between the front line and the rear lot line of a lot.

LOT, DOUBLE FRONTAGE: A lot with street frontage along two opposite boundaries. See also "LOT, REVERSE FRONTAGE" AND "LOT, THROUGH".

LOT LINE, FRONT: Any boundary line separating the lot from a County, public, state or private road, or access drive. Except as otherwise provided in Subsection 903.07 of this Ordinance, the front lot line of a flag lot, for the purpose of determining setbacks, shall be within the boundaries of the lot by a distance equal to the width of the narrow strip or easement providing access to the lot. The front lot line shall be parallel to the lot line extending from the road to the lot line opposite and most distant from the road. (See following illustration for flag shaped lot).



LOT LINE, REAR: Any boundary line opposite and most distant from the front lot line, and not intersecting a front lot line. In the case of a corner lot, the rear lot line shall be any one of the boundary lines opposite the front lot lines. Any other opposite boundary line shall be a side lot line (see illustration above for corner lot). In the case of a triangular-shaped lot, there shall be no rear lot line for setback purposes.

LOT LINE, SIDE: Any boundary line not a front or rear lot line.

LOT OF RECORD: A lot, parcel, other unit of land, or combination thereof, that conformed to all zoning and Subdivision Ordinance requirements and applicable Comprehensive Plan provisions, in effect on the date when a recorded separate deed or contract creating the lot, parcel or unit of land was signed by the parties to the deed or contract; except:

- A. Contiguous lots under the same ownership when initially zoned shall be combined when any of these lots, parcels or units of land did not satisfy the lot size requirements of the initial zoning district, excluding lots in a recorded plat.
- B. A unit of land created solely to establish a separate tax account, or for mortgage purposes, that does not conform to all zoning and Subdivision Ordinance requirements and applicable Comprehensive Plan provisions, in effect on the date when a recorded separate deed, tax account or contract creating it was signed by the parties to the deed or contract, unless it is sold under the foreclosure provisions of Chapter 88 of the Oregon Revised Statutes.

LOT, REVERSE FRONTAGE: A double-frontage lot for which the boundary along one of the streets is established as the rear lot line. The rear lot line of the lot shall be that boundary abutting a primary arterial, railroad right-of-way or other feature which shall preclude access. See also "LOT, DOUBLE FRONTAGE" AND "LOT, REVERSE FRONTAGE".

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LOT, THROUGH: Lots, other than corner lots, that abut on two or more streets. See also "LOT, DOUBLE FRONTAGE" AND "LOT, REVERSE FRONTAGE".

LOT WIDTH: The "lot width" is the mean horizontal distance between the side lot lines of a lot measured within the lot boundaries.

LOT, ZONING: A "zoning lot or lots" is a single tract of land located within a single block, which (at the time of filing for a building permit) is designated by its owner or developer as a tract to be used, developed, or built upon as a unit under single ownership or control. Therefore, a "zoning lot or lots" may or may not coincide with a lot of record.

LOW VOLUME IRRIGATION: The application of irrigation water at low pressure through a system of tubing or lateral lines and low-volume emitters such as drip, drip lines, and bubblers. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

MAJOR TRANSIT STREET: Major transit streets, for the purpose of setting standards for orientation of development to transit, shall be those streets planned for High Capacity Transit and Primary Bus as shown on Comprehensive Plan Map V-6, and any other street that receives 20 minute or better service at the PM Peak traffic peak.

MAP: ~~A final diagram, drawing or other writing concerning a major or minor partition.~~

MANUFACTURED DWELLING: A mobile home or manufactured home, but not a residential trailer or recreational vehicle.

MANUFACTURED HOME: A structure constructed on or after June 15, 1976, for a movement on the public highways that has sleeping, cooking and plumbing facilities, that is designed, intended to be and/or being used for human occupancy by a family for residential purposes, and constructed in accordance with Federal manufactured housing construction and safety standards and regulations in effect at the time of construction.

MANUFACTURED HOME PARK: Any place where four or more manufactured homes are located within 500 feet of one another on a lot, tract or parcel of land under the same ownership, the primary purpose of which is to rent, lease or barter the use of such facilities. A manufactured home park does not include a lot or lots located within a subdivision.

MASTER PLAN: A sketch or other presentation showing the ultimate development layout of a parcel of property that is to be developed in successive stages or subdivisions. The plan need not be completely engineered but shall be of sufficient detail to illustrate the property's inherent features and probable development pattern.

MILL SITE, ABANDONED OR DIMINISHED: A mill, plant, or other facility engaged in the processing or manufacturing of wood products, including sawmills and facilities for the production of plywood, veneer, hardboard, panel products, pulp, and paper, that is located outside of urban growth boundaries; was closed after January 1, 1980, or has been operating at less than 25 percent of capacity since January 1, 2003; and contains or contained permanent buildings used in the production or manufacturing of wood products.

MIXED USE: A mix of uses located within a single building, such as retail on the first floor and residential or office uses on the upper floors.

MOBILE HOME: A structure constructed between January 1, 1962 and June 15, 1976, for movement on the public highways that has sleeping, cooking and plumbing facilities, that is designed, intended to be and/or being used for human occupancy by a family for residential purposes and met the construction requirements of Oregon mobile home law in effect at the time of construction.

MOBILE VENDING UNIT: A vehicle that is used in selling and dispensing goods or services to the customer. As used in this definition, a vehicle is motorized or non-motorized transportation equipment containing an axle and intended for use on public roads, including, but not limited to, a car, van, pickup, motorcycle, recreational vehicle, bus, truck, detached trailer, or a truck tractor with no more than one trailer.

MOTEL: A building or series of buildings in which lodging only is offered for compensation and which may have more than five sleeping rooms or units for this purpose and which is distinguished from a hotel primarily by reason of providing direct independent access to and adjoining parking for each rental unit designed primarily for automobile tourists and transient persons. The term includes auto courts, tourist courts, tourist homes, and motor lodges.

MULTI-USE DEVELOPMENT: A Multi-Use Development is a development which includes a number of distinct categories of uses, one or more of which is not allowed as a primary or accessory use in the underlying zoning district. Multi-Use Developments are allowed as conditional uses subject to the procedures and standards set forth in Section 1016 of this Ordinance.

NATIVE PLANTS: Any indigenous or resident species currently or historically found in the Willamette Valley.

NATURAL AREA: An area of land or water that has substantially retained its character and functions as an important habitat for plant and animal life.

NONCONFORMING DEVELOPMENT: An element of development, such as landscaping, parking, height, signage, or setbacks that was created in conformance with development regulations which, due to a change in the zone or zoning regulations, is no longer in conformance with the current applicable regulations.

NONCONFORMING USE: A use of any building, structure or land allowed by right when established or that obtained a required land use approval when established but, due to a change in the zone or zoning regulations, is now prohibited in the zone.

NUDITY OR NUDE: Being devoid of a covering for the male or female genitalia consisting of an opaque material which does not simulate the organ covered and, in the case of a female, exposing to view one or both breasts without a covering over the nipple that is at least three inches in diameter and does not simulate the organ covered.

NURSERY: The propagation of trees, shrubs, vines or flowering plants for transplanting, sale, or for grafting or budding; planting of seeds or cuttings; grafting and budding one variety on another; spraying and dusting of plants to control insects and diseases, and buying and selling the above plant stock at wholesale or retail. Help and seasonal labor may be employed. The term "nursery" contemplates the sale of a product of such nursery. The conduct of a nursery business presumes parking places for customers, the keeping of sales records, and quarters for these functions. However, the use does not include the business of reselling goods purchased off the premises, except plant stock, or the establishment of a roadside stand.

NURSING HOME: A nursing, convalescent, or rest home facility licensed by the State under ORS chapters 441 and 442, or an assisting living facility licensed under ORS 443, which provides, for a period exceeding 24 hours, the continuous services of licensed nursing personnel to care for chronically ill or infirm patients, exclusive of those patients related to the owner or facility administrator by blood or marriage. Such nursing, convalescent, or rest home must provide nursing services to those patients who, in the judgment of a physician, registered nurse, or facility administrator, require remedial, restorative, supportive, or preventive nursing measures.

OPEN SPACE: Land within a development which has been dedicated in common to the ownership within the development or to the public specifically for the purpose of providing places for recreational uses or for scenic purposes. Open space shall be used as such in perpetuity.

OVERBURDEN: Earth that lies above a natural deposit of a mineral.

OVERHEAD SPRINKLER IRRIGATION SYSTEMS: Systems that deliver water for irrigation from spray heads, rotors or other above-ground emitters that send water through the air.

OWNER: Person or persons holding fee title to a parcel, lot or tract of land, except in those instances when the land is being sold on contract, the contract purchaser shall be deemed the owner.

PARCEL: A unit of land created by a partition of land. For the purposes of this Ordinance, parcel includes lot and lot of record unless otherwise specified in the context of the specific provisions.

PARKING STRUCTURE: A structure having at least two levels which is designed and used for parking vehicles, or a structure having one level of covered parking area under an open space or recreational use. A one level surface parking area, garage or carport shall not be considered a "parking structure" for purposes of this Ordinance.

PARTITION: To divide an area or tract of land into two or three parcels within a calendar year when such area or tract of land exists as a unit or contiguous units of land under single ownership at the beginning of such year. "Partition" does not include divisions of land resulting from lien foreclosures, divisions of land resulting from foreclosure of recorded contracts for the sale of real property and divisions of land resulting from the creation of cemetery lots; and "partition" does not include any adjustment of a lot line by the relocation of a common boundary where an additional parcel is not created and where the existing parcel reduced in size by the adjustment is not reduced below the minimum lot size established by an applicable zoning ordinance. "Partition" does not include the sale of a lot in a recorded subdivision, even though the lot may have been acquired prior to the sale with other contiguous lots or property by a single owner.

PEDESTRIAN AMENITIES: Outdoor improvements directly visible and accessible to pedestrians that promote and facilitate pedestrian use, including plazas, pocket parks, courtyards, awnings or other weather protection, kiosks or gazebos, water features, drinking fountains, sculpture, outside seating areas, landscape planters, trellises, and street furniture.

PEDESTRIAN PATHWAY: A hard-surfaced or permeable hard-surfaced pedestrian facility adjacent to a public roadway where there is no curb, but is protected from vehicular traffic or set back behind a planting strip.

PEDESTRIAN-SCALE LIGHTING: Street lights designed to illuminate sidewalks to provide security for nighttime use by pedestrians. Pedestrian scale lighting includes ornamental lighting with a 14- to 25-foot mounting height and which meets the Illumination Society guidelines for Commercial Collector roadways.

PENNANT: Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended, usually in series, from a rope, wire, or string, and designed to move in the wind.

PERVIOUS: Any surface or material that allows the passage of water through the material and into the underlying soil.

PLANNING DIRECTOR: The administrative official of Clackamas County, or authorized staff member, designated to administer the responsibilities of the Planning Division.

PLAT, FINAL: ~~A The final map which is a diagram, drawing, replat or and other~~ writing containing all the descriptions, locations, specifications, dedications, provisions, and information concerning a partition or subdivision.

PLAT, PRELIMINARY: A clearly legible and approximate drawing of the proposed layout of streets, blocks, lots and other elements of a subdivision or partition which shall help furnish a basis for the approval or disapproval of the general layout of a partition or subdivision. For the purposes of this Ordinance, "preliminary plat" shall be synonymous with "tentative plan" as used in Oregon Revised Statutes Chapter 92.

POROUS PAVEMENT: Surface to walk, drive or park on that may reduce stormwater runoff by allowing water to soak into the ground. Examples are permeable pavers, pervious concrete, porous asphalt, and gravel.

~~PRELIMINARY PLAN: A clearly legible and approximate drawing of the proposed layout of streets, blocks, lots and other elements of a subdivision or partition which shall help furnish a basis for the approval or disapproval of the general layout of the major partition, short subdivision, subdivision or other development. For the purposes of this Ordinance, the terms "preliminary" and "tentative" as used in Chapter 92, Oregon Revised Statutes, shall be synonymous.~~

PREMISES: A lot, building, or portion of a lot or building, occupied by a use with its appurtenances.

PRESERVATION, CULTURAL RESOURCES: The identification, study, protection, restoration, rehabilitation or enhancement of cultural resources.

PRIMARY BUILDING WALL: Exterior building wall which contains a public entrance to the occupant's premises and faces either a street or a parking area.

PRODUCE STAND: A table, bench (or similar), cart, or structure, any of which may be covered, that is located or erected for the purpose of direct sales by growers of agricultural goods, including vegetables, fruits, flowers, bulbs, herbs, plants, honey, and similar products as determined by the Planning Director, but not including processed foods such as jams or jellies, that are produced on the same site at which the produce stand is located.

~~PROFESSIONAL-TYPE SERVICES: A professional-type service shall include activities such as those offered by a physician, surgeon, dentist, lawyer, architect, engineer, accountant, artist, teacher, real estate agent, and insurance agentsales.~~

PUBLIC OWNERSHIP: Land owned by federal, state, regional, or local government, or governmental agency.

PUBLIC UTILITY: A utility regulated by the Public Utility Commission under ORS 757 or any other utility that provides electrical energy directly to consumers within the State of Oregon, including, but not limited to, municipalities, cooperatives and people's utility districts. ~~When this definition differs from that in ORS 758.500, the definition in ORS 758.500 shall prevail.~~

PUBLIC WATER SYSTEM: A system for the provision to the public of piped water for human consumption, if such system has more than three service connections and

is a facility licensed by the State of Oregon Health Division.

RAINWATER COLLECTION SYSTEM: A system of pipes, container (rain barrel, rainwater tank, pond, or rainwater reservoir), valves and associated apparatus for collecting and storing harvested rainwater runoff, typically from rooftops via rain gutters, but also from ground catchment systems.

RECORDER'S PLAT SHEET: ~~A standard "recorder's plat sheet" shall be a good quality, white, cold-pressed, double-mounted drawing paper 18 inches by 24 inches in size with the muslin extending three inches at one end for binding purposes. No portion of the map or drafting shall be closer than one inch of the edge of the board.~~

RECREATIONAL VEHICLE: A vehicle licensed by the Oregon State Department of Motor Vehicles, with or without motive power, which is designed, intended to be and/or used for temporary human occupancy for recreation, seasonal or emergency purposes, and has a gross floor area not exceeding 400 square feet in the set-up mode. These shall include but are not limited to park trailers, travel trailers, pickup campers, motor homes, fifth wheel trailers, camping and tent trailers.

RECYCLABLE DROP-OFF SITE: A convenient location not within a public right-of-way where mobile depots or drop boxes may be sited as a recyclable material collection point for nearby residents prior to delivery to a broker or user of such materials.

RECYCLE/RECYCLING: A process by which solid waste materials are transformed into new products in such a manner that the original products may lose their identity. It shall also include the collection, transportation, or storage of products by other than the original user or consumer, giving rise to the product's being in the stream of commerce for collection, disposal, recycling, reuse, resource recovery, or utilization.

RECYCLING CENTER: A facility that primarily purchases for recycling or reuse principal recyclable materials which have been source-separated by type, such as vegetative yard debris, paper, glass, and metal, by the person who last used the unseparated solid wastes, but not a salvage or junk yard. Principal recyclable materials are those items defined as such by the Oregon Department of Environmental Quality.

RELATIVE: A parent, child, brother, sister, grandparent or grandchild of a person or person's spouse.

RESERVE STRIP: A strip of land, usually one foot in width, across the end of a street or alley which shall be under the ownership of the County to insure street extensions where needed.

RESIDENTIAL HOME: A dwelling operated as a single housekeeping unit for the purpose of providing food, shelter, personal services, care, and when appropriate, a planned treatment or training program of counseling, therapy, or other rehabilitative social service, for persons of similar or compatible conditions or circumstances.

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RESIDENTIAL TRAILER: A structure constructed prior to January 1, 1962, for movement on the public highways that has sleeping, cooking and plumbing facilities, that is designed, intended to be and/or being used for human occupancy by a family for residential purposes and that was constructed in accordance with Federal Manufactured housing construction and safety standards and regulations in effect at the time of construction and is greater than 400 square feet and less than 700 square feet.

RESOURCE RECOVERY FACILITY: Any facility at which solid waste is processed for the purpose of extracting, converting to energy, or otherwise separating and preparing solid waste for reuse, but not a salvage or junk yard.

RIGHT-OF-WAY: A passageway conveyed for a specific purpose.

ROAD: A public or private way created to provide ingress to, or egress from, one or more lots, parcels, areas or tracts of land, or that provides for travel between places by vehicles. A private way created exclusively to provide ingress and egress to land in conjunction with a forest, farm or mining use is not a "road:". The terms "street", "access drive" and "highway" for the purposes of this Ordinance shall be synonymous with the term "road".

ROAD, COUNTY: A public way under County jurisdiction which has been accepted into the County road maintenance system by order of the Board of County Commissioners.

ROAD, PRIVATE: A private way created by deed or easement to provide vehicular ingress to, or egress from, three or more lots or parcels.

ROAD, PUBLIC: A public way dedicated or deeded for public use but not accepted into the County road maintenance system, intended primarily for vehicular circulation and access to abutting properties.

ROADWAY: That portion of a road or alley that has been improved for vehicular traffic.

SALVAGE: Separating, collecting or retrieving reusable solid waste for resale.

SALVAGE, JUNK YARD: A location on which solid wastes are separated, collected, and/or stored pending resale.

SCHOOL, COMMERCIAL: A building where instruction is given to pupils in arts, crafts, or trades, and operated as a commercial enterprise as distinguished from schools endowed and/or supported by taxation.

SCHOOL, PRIVATE: Includes private kindergartens, nurseries, play schools, and church-related schools.

SCREENING: Sight-obscuring fence, or sight-obscuring planting.

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SERVICE STATION: A commercial establishment with sales and services limited to the sale of motor fuels and supplying goods and service generally required in the operation and maintenance of automotive vehicles and fulfilling a motorist's needs. These may include sale of petroleum products; sale and servicing of tires, batteries, automotive accessories and replacement items; washing and lubricating services; the performance of minor automotive maintenance and repair, and the supplying of other incidental customer services and products. Major automotive repairs, painting and fender work are excluded. An electric vehicle charging station is not a service station.

SHARED PARKING: Parking spaces used jointly by two or more uses within the same development, or separate adjacent developments, which either have peak hours of operation that do not overlap, or typically provide services to many of the same patrons (i.e. restaurant in an office complex or hotel providing lodging for convention participants within the same development), provided satisfactory legal evidence is presented in the form of deeds, leases, or contracts securing full access to such parking spaces for all parties jointly using them.

SIDEWALK: A concrete pedestrian facility adjacent to a curb along a public road or setback from the curb behind a planting strip.

SIGHT-OBSCURING FENCE: Any fence or wall which conceals or makes indistinct any object viewed through such fence or wall.

SIGHT-OBSCURING PLANTING: A dense perennial evergreen planting with sufficient foliage to obscure vision and which will reach a height of at least six feet within 30 months after planting.

SIGN: A presentation or representation, other than a house number, by words, letters, figures, designs, pictures or colors displayed out of doors in view of the general public so as to give notice relative to a person, a business, an article of merchandise, a service, an assemblage, a solicitation, or a request for aid or other type of identification. This definition specifically includes billboards, ground signs, freestanding signs, wall signs, roof signs, logo signs, and signs on the following: marquees, awnings, canopies, street clocks and furniture and includes the surface upon which the presentation or representation is displayed.

SIGN, ANIMATED: Any sign that uses movement or change of lighting to depict action or create a special effect or scene.

SIGN AREA, OR SURFACE AREA: The area, on the largest single face of a sign, within a perimeter which forms the outside shape of a sign. If the sign consists of more than one module, the total area of all modules will constitute the sign area. The area of a sign having no such perimeter or boarder shall be computed by enclosing the entire copy area within the outline of either a parallelogram, triangle, circle or any other easily recognized geometric shape and then computing the area. Where a sign is of a three-dimensional, round or irregular shape, the largest cross section shall be used in flat projection for the purpose of computing sign area.

SIGN, BUILDING: Any sign attached to any part of a building, as contrasted to a freestanding sign.

SIGN, CHANGEABLE COPY: A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this ordinance.

SIGN, COMMERCIAL: Any sign associated with a commercial activity.

SIGN, DIRECTORY: An onsite sign that identifies and directs traffic to a number of tenants, uses, or buildings within a development.

SIGN, ELECTRONIC MESSAGE CENTER: A sign, display or device, or portion thereof, whose message may be changed by electronic process or remote control, and includes electronic time and temperature displays and the device known in the advertising industry as a commercial electronic variable message sign.

SIGN, FREESTANDING: A sign not attached to a building.

SIGN, INCIDENTAL: A sign, generally informational, that has a purpose secondary to the use of the site on which it is located, such as "no parking," "entrance," "loading only," "telephone," and other similar directives.

SIGN, INTEGRAL ROOF: Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches.

SIGN, LOGO: A sign consisting of a trademark or symbol.

SIGN, MESSAGE: Anything displayed on an electronic message center sign, including copy and graphics.

SIGN, MONUMENT: A sign which extends from the ground or which has a support which places the bottom thereof less than two feet from the ground.

SIGN, OFF-PREMISES: A sign which advertises goods, products or services which

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are not sold, manufactured, or distributed on or from the premises or facilities on which the sign is located.

SIGN, POLE: A sign erected and maintained on a freestanding frame, mast or pole and not attached to any building but does not include ground-mounted signs.

SIGN, PORTABLE: Any sign not permanently attached to the ground or other permanent structure, and/or designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used as other than a sign in the normal day-to-day operations of the business for transportation of goods and/or personnel.

SIGN, PROJECTING: Any sign affixed to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall.

SIGN, PUBLIC SERVICE INFORMATION: Any sign, or message on an electronic message center sign, which provides the time, date, temperature, weather, or information concerning civic, charitable or other noncommercial activities.

SIGN, RESIDENTIAL: Any sign associated with a dwelling.

SIGN, ROOF: Any sign erected and constructed wholly on and on top of the roof of a building, supported by the roof structure.

SIGN, SEGMENTED MESSAGE: Any message or distinct subunit of a message presented by means of at least one display change on an electronic message center sign.

SIGN, TEMPORARY: Any sign that is normally considered to be of temporary duration and is not permanently mounted. Examples include, but are not limited to: commercial signs for limited term events, election signs, real estate signs, etc.

SIGN, TRAVELING MESSAGE: A message which appears to move across an electronic message center sign.

SIGN, WALL: Any sign parallel to, and attached within six inches of a wall, painted on the wall surface, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

SIGN, WINDOW: Any sign, pictures, symbol, or combination thereof, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

SIGNIFICANT NATURAL AREAS: Natural areas as defined in "Oregon National

Areas - Clackamas County Data Summary" published by The Nature Conservancy. This list of natural areas may be amended by the County as additional areas are identified.

SMALL POWER PRODUCTION FACILITY: A facility that produces energy primarily by use of biomass, waste, solar energy, wind power, water power, geothermal energy, or any combination thereof; ~~is more than 50 percent owned by a person who is not an electric utility, an electric utility holding company, an affiliated interest, or any combination thereof; and has having a power production capacity that, together with any other small power production facility facilities located at the same site and owned by the same person, is not greater than 80 megawatts; and such facility is more than 50 percent owned by a person who is not a public utility, an electric utility holding company or an affiliated interest. When this definition differs from that in ORS 758.500, the definition in ORS 758.500 shall prevail.~~

SOIL MOISTURE SENSING DEVICE OR SOIL MOISTURE SENSOR: A device that measures the amount of water in the soil. The device may also suspend or initiate an irrigation event.

SOLAR ENERGY SYSTEM: Any solar collector, or other solar energy device, the primary purpose of which is to provide for the collection, storage, and distribution of solar energy for space heating or cooling, water heating, or electricity. The power generating capacity of a "solar energy system" is limited to power consumed by the development to which the system is accessory, or—if the system feeds power into the grid of a public utility company—to an amount equivalent to no more than the annual usage of the development to which the system is accessory.

SOLID WASTE: Solid waste shall include all putrescible and non-putrescible waste, including, but not limited to: garbage; compost; organic waste; yard debris; brush and branches; land clearing debris; sewer sludge; residential, commercial and industrial building demolition or construction waste; discarded residential, commercial and industrial appliances, equipment and furniture; discarded, inoperable or abandoned vehicles or vehicle parts and vehicle tires; special vehicles and equipment that are immobile and/or inoperable; manufactured dwellings or residential trailers which are dilapidated, partially dismantled or fire damaged; manure; feces; vegetable or animal solid and semi-solid waste and dead animals; and infectious waste. Waste shall mean useless, unwanted or discarded materials. The fact that materials which would otherwise come within the definition of Solid Waste may, from time to time, have value and thus be utilized shall not remove them from the definition. The terms "solid waste" or "waste" do not include:

- A. Environmentally hazardous wastes as defined in ORS 466.055;
- B. Materials used for fertilizer or for other productive purposes on land in agricultural operations in the growing and harvesting of crops or the raising of fowl or animals. This exception does not apply to the keeping of animals on land which has been zoned for residential non-agricultural purposes;

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- C. Septic tank and cesspool pumping or chemical toilet waste;
- D. For purposes of Article V of this Ordinance, reusable beverage containers as defined in ORS 459A;
- E. Source separated, principal recyclable materials as defined in ORS 459A and the Rules promulgated thereunder and under this Ordinance, which have been purchased or exchanged for fair market value, unless said principal recyclable materials create a public nuisance pursuant to Article II of this Ordinance;
- F. Applications of industrial sludges or industrial waste by-products authorized through a Land Use Compatibility Statement of Management Plan approval and that have been applied to agricultural lands according to accepted agronomic practices or accepted method approved by the Land Use Compatibility Statement or Management Plan, but not to exceed 100 dry tons per acre annually;
- G. Stabilized municipal sewage sludge applied for accepted beneficial uses on land in agricultural, non-agricultural, or silvicultural operations;
- H. Sludge derived products applied for beneficial uses on land in landscaping projects.

SPECIFIED SEXUAL ACTIVITIES: Real or simulated acts of human sexual intercourse, human/animal sexual intercourse, masturbation, sadomasochism abuse (as defined on ORS 167.060), sodomy, or the exhibition of human sexual organs in a stimulated state, or the characterization thereof in printed form. This definition shall not be construed to allow uses or activities which are unlawful under State criminal laws.

STABLE, BOARDING OR RIDING: Premises that are used by the public for the training, riding, boarding, public exhibition or display of livestock for commercial or noncommercial purposes. An agricultural building, as defined in Chapter 4 of the Uniform Building Code, or premises used for the boarding, training or riding of three or less livestock other than those of the operator of the premises shall not be a "stable" for the purposes of this Ordinance.

STATIONARY WINDOWS: ~~A window that cannot be opened and is used for light only.~~

STORY: A portion of a building included between a floor and the ceiling next above it, exclusive of a basement.

STREAM: A body of perennial running water, together with the channel occupied by such running water.

STREAM CORRIDOR AREA: An area including the streambed and a required strip or buffer of land on each side of the streambed necessary to maintain streamside amenities and existing water quality. The width of the stream corridor area varies with the site conditions and shall be determined by on-the-ground investigation, as provided under Subsection 1002.05(B). The intent of the stream corridor area shall be to preserve natural environmental qualities and the function of land to purify water before it reaches the stream but not to prohibit timber management activities pursuant to the State Forest Practices Act.

STREET FRONTAGE: The entire linear distance of a lot abutting a street. Toe strips or flair strips shall not be used to satisfy the minimum street frontage requirements of the Ordinance.

STREET: See "ROAD".

STREET FURNITURE: Any structural element other than residential, industrial or commercial buildings, streets, sidewalks and curbs shall be considered street furniture including, but not limited to, benches, bus shelters, newsstands, bulletin boards, kiosks, drinking fountains, bicycle stalls, etc.

STRUCTURE: Anything constructed or erected, which requires location on the ground or attached to something having a location on the ground.

SUBDIVIDE: To divide an area or tract of land into four or more lots within a calendar year when such area or tract exists as a unit or contiguous units, under a single ownership at the beginning of such year, whether or not that area or tract of land is divided by a water course or a road right-of-way.

SUBDIVISION: A division of property creating four or more lots in the same calendar year.

SURFACE MINING: Includes the mining of minerals by removing overburden and extracting a natural mineral deposit thereby exposed, or simply such extraction. Surface mining includes open-pit mining, auger mining, production of surface mining waste, prospecting and exploring that extracts minerals or affects land, processing to include rock crushing and batch plant operations, and excavation of adjacent offsite borrow pits other than those excavated for building access roads.

SURFACE MINING, MINERALS: Includes soil, clay, stone, sand, gravel, and any other inorganic solid excavated from a natural deposit in the earth for commercial, industrial, or construction use.

SURFACE MINING, NONAGGREGATE MINERALS: Coal and metal-bearing ores, including but not limited to ores that contain nickel, cobalt, lead, zinc, gold, molybdenum, uranium, silver, aluminum, chrome, copper or mercury.

SURFACE MINING, OPERATOR: A legal entity engaged in surface mining or in an activity at a surface mining site preliminary to surface mining.

SURFACE MINING, RECLAMATION: Procedures designed to minimize the disturbance from surface mining and to provide for the rehabilitation of surface resources through the use of plant cover, soil stabilization, and other procedures to protect the surface and subsurface water resources, and other measures appropriate to the subsequent beneficial use of mined lands.

SUSTAINABILITY: Using, developing, and protecting resources in a manner that enables people to meet their current needs and also provides that future generations can meet their own needs. Sustainability requires simultaneously meeting environmental, economic, and community needs.

TRACT: One or more contiguous lots or parcels under the same ownership.

TRAIL: A hard- or soft-surfaced facility for pedestrians, bicyclists, or equestrians that is separate from vehicular traffic. Trails often go through natural areas and are designed to have a minimal impact on the natural environment.

TRANSFER STATION: A fixed or mobile facility used as part of a solid waste collection and disposal system or resource recovery system, between a collection route and a processing facility or a disposal site, including but not limited to drop boxes made available for general public use. This definition does not include solid waste collection vehicles.

TRANSIT STOP: Any posted bus or light rail stop.

~~TRANSITIONAL AREA: The lot or lots within any residential district, having a lot line abutting and impacted by a boundary of a commercial or industrial district and extending into the residential district where such use will not adversely impact existing residential uses.~~

TURF LAWN: A ground-cover surface made up of thick, closely mowed, cultivated grass.

UNDERGROUND STRUCTURE: A structure in which more than 50 percent of the cubic footage of the enclosed, covered space is (1) constructed below the highest elevation of the ground adjoining the structure site prior to excavation; and (2) covered over by ground materials, such as soil, sod, sand or exterior paving, which are continuous on at least one side of the structure with contiguous surface ground materials. Conventional roofing materials may be used to cover any portion of the structure which extends above ground elevation. For an underground structure to be a "dwelling unit" access must be provided to outdoor space at floor level (within two feet of elevation) equal to at least 20 percent of the square footage of the enclosed, covered area of the structure.

Underground structures must meet all appropriate Uniform Building Code regulations and the requirements of the subject zoning district, except as provided in Section 904 of this Ordinance.

UNINCORPORATED COMMUNITY: A settlement that conforms to the definition set forth in Chapter 660, Division 22 of the Oregon Administrative Rules. The County's unincorporated communities are identified in Chapter 4 of the Comprehensive Plan and shown on Map IV-7 of the Comprehensive Plan.

USE: The purpose for which land or a building is arranged, designed or intended, or for which either land or a building is or may be occupied.

UTILITY CARRIER CABINETS: A small enclosure used to house utility equipment intended for offsite service, such as electrical transformer boxes, telephone cable boxes, cable TV boxes, fire alarm boxes, police call boxes, traffic signal control boxes, and other similar apparatus.

VEHICLE, COMMERCIAL: A commercially licensed and operated vehicle exceeding the capacity of one ton.

VISUALLY SENSITIVE AREAS: Prominent natural landscape features such as hillsides, forests, and waterways; historic district; visual corridors along major highways and rivers. Natural landscapes that occur within the urban area and along traffic corridors are of higher visual significance.

WALKWAY: A hard-surfaced facility for pedestrians, within a development or between developments, distinct from surfaces used by motor vehicles. A walkway is distinguished from a sidewalk by its location on private property.

WASTE-RELATED USES: Waste-related uses are characterized by uses that receive solid or liquid wastes from others for disposal on the site for transfer to another location, uses which collect sanitary wastes, or uses that manufacture or produce goods or energy from the composting of organic material. Waste-related uses also includes uses which receive hazardous wastes from others and which are subject to the regulations of OAR 340.100-110, Hazardous Waste Management.

WETLANDS: Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

YARD: The open space, on a lot, between a structure or structures and any lot line. The minimum horizontal distance between any point on a lot line and the nearest part of any structure or building is the yard depth.

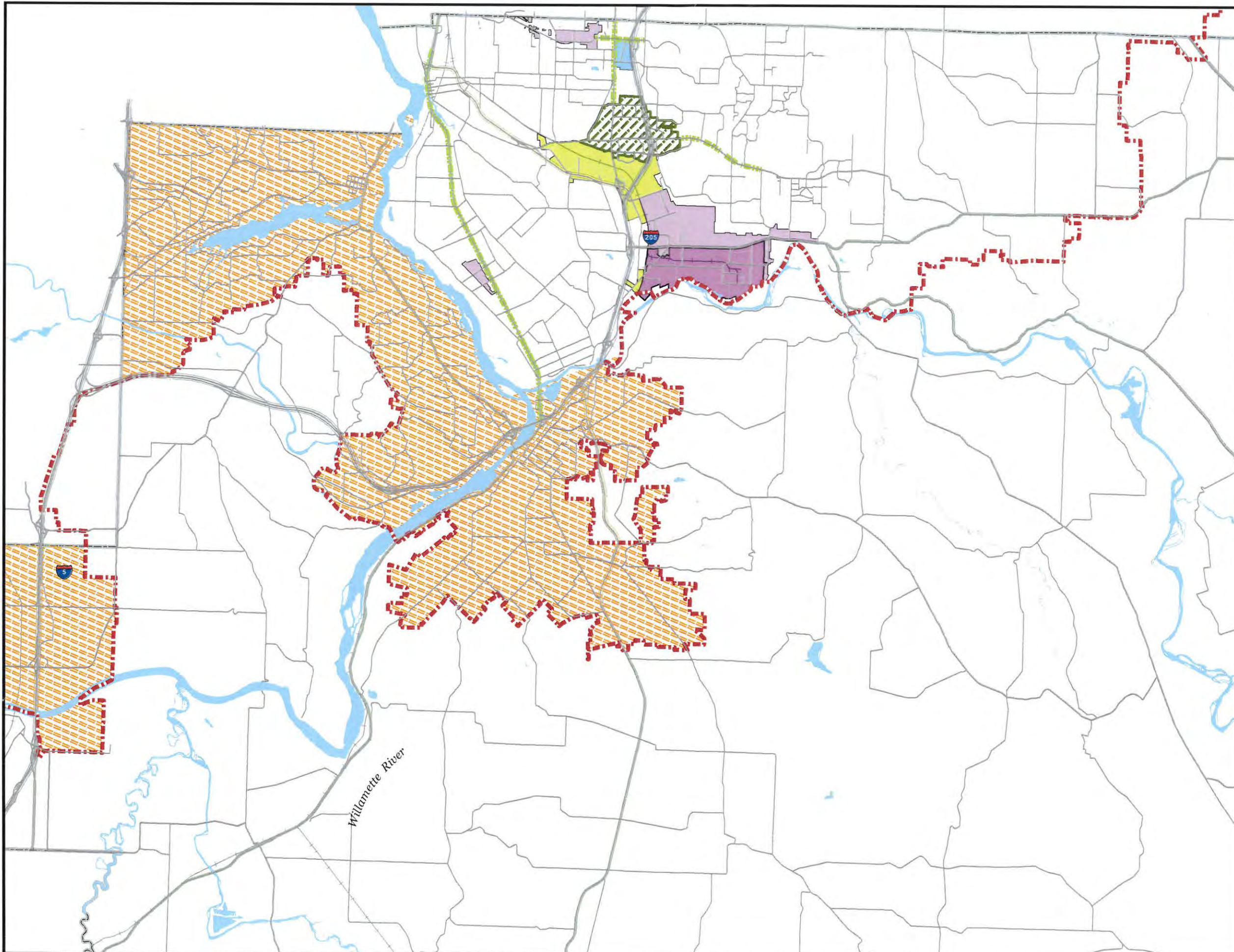
YARD, FRONT: Any yard abutting a state highway, County road, public road, private road, or access drive, except as modified by Subsections 903.01 and 903.07 of this Ordinance.

YARD, REAR: Any yard abutting a rear lot line.

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YARD, SIDE: Any yard abutting a side lot line.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-231, 1/31/12; Amended by Ord. ZDO-232, 3/12/12; Amended by Ord. ZDO-234, 6/7/12]



Urban Growth Concept

-  Clackamas Regional Center (CRC)
-  Station Community
-  Employment Area
-  Industrial
-  Regionally Significant Industrial Area (RSIA)
-  Corridor Street
-  Neighborhood
-  See Adjacent City for Design Type
-  Future Urban Study Area
-  Portland Metropolitan Urban Growth Boundary (UGB)
-  Incorporated City

Last Amended: September, 9, 2013



Department of Transportation & Development
150 Beavercreek Rd Oregon City, OR 97045

Clackamas County
Comprehensive Plan

MAP IV-8

503 GENERAL COMMERCIAL DISTRICT (C-3)

503.01 PURPOSE

Section 503 is adopted to implement the policies of the Comprehensive Plan for General Commercial areas.

503.02 AREA OF APPLICATION

Property may be zoned General Commercial District when the site has a Comprehensive Plan designation of General Commercial and the criteria in Section 1202 are satisfied.

503.03 PRIMARY USES

The following are primary uses in the General Commercial District:

- A. Any use permitted in the Retail Commercial District;
- B. Service and retail uses where there is a need for outdoor areas in order to conduct business activities and sales or storage areas are an integral part of the use, such as lumber yards or auto sales;
- ~~C. Business Park District uses listed in Subsection 606.03(A), which are not otherwise listed as primary uses under Subsections 503.03(A) and (B), subject to Subsection 606.03 and provided no smoke, noise, or odors shall be emitted that detract from the character of a commercial district;~~
- ~~C. Research offices and laboratories, including testing facilities, provided no smoke, noise, or odors shall be emitted that detract from the character of a commercial district;~~
- ~~D. Any manufacturing or assembly use, except primary processing of raw materials, provided no smoke, noise, or odors shall be emitted that detract from the character of a commercial district;~~
- ~~E. Indoor recreational facilities for such sports as gymnastics, martial arts, soccer, basketball, and skating, provided no smoke, noise, or odors shall be emitted that detract from the character of a commercial district. These facilities may be used for instruction, practice, and competitions;~~
- ~~F. Any use that the Planning Director finds to be compatible with one or more of the uses listed in Subsections 503.03(C) through (E), provided no smoke, noise, or odors shall be emitted that detract from the character of a commercial district. In determining the status of a proposed use, the Planning Director shall exclude accessory, conditional, and prohibited uses in the Business Park District. A request for a determination under Subsection~~

503.03(F) shall be processed as an Interpretation pursuant to Subsection 1305.03. Application for an interpretation under this provision shall include a detailed description of the use and operational requirements of the use, approximate number of employees, estimated volume of truck traffic to be generated, a site plan, building elevations, and preliminary landscaping plans;

~~D.G.~~ Housing facilities for senior citizens or handicapped persons;

~~E.H.~~ Colleges, educational institutes, private schools, commercial schools, and trade schools; art, music, and dance studios; and radio and television studios, excluding transmission towers;

~~F.I.~~ Galleries, museums, assembly or convention facilities, theaters for performing arts, exhibition halls, libraries, senior centers, and fraternal organizations;

~~G.J.~~ Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835; and

H. Mobile vending units, subject to Section 837.

503.04 ACCESSORY USES

The following are accessory uses in the General Commercial District:

A. Uses and structures customarily accessory and incidental to a primary use;

B. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;

C. The temporary storage within an enclosed structure of source-separated recyclable/reusable materials generated and/or used on-site prior to on-site reuse or removal by the generator or licensed or franchised collector to a user or broker;

D. Recyclable dropoff sites, subject to Section 819;

E. Bus shelters, subject to Section 823;

F. Signs, subject to Section 1010;

G. Bike racks, pedestrian amenities, and transit amenities;

H. Rainwater collection systems; and

I. Solar energy systems.

503.05 USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR

The Planning Director may approve the following use in the General Commercial District, pursuant to Subsection 1305.02:

- A. Wireless telecommunication facilities listed in Subsection 835.05, subject to Section 835.

503.06 CONDITIONAL USES

- A. The Hearings Officer may approve the following conditional uses in the General Commercial District, pursuant to Section 1300. Approval shall not be granted unless the proposal complies with Section 1203 and any applicable provisions of Section 800.
 - 1. Hydroelectric facilities, subject to Section 829;
 - 2. Telephone exchanges, utility substations, railroad rights-of-way, and public utility structures including shops and garages;
 - 3. Radio and television transmission and receiving towers and earth stations, provided that the base of such towers shall not be closer to the property line than a distance equal to the height of the tower;
 - 4. Heliport landing areas;
 - 5. Outdoor stadiums and race tracks; and
 - 6. Multi-use developments, subject to Section 1016.

503.07 PROHIBITED AND PREEXISTING USES

- A. Prohibited Uses: The following uses are prohibited in the General Commercial District (C-3):
 - 1. Uses of structures and land not specifically allowed;
 - 2. The use of a manufactured dwelling, except as an office in a manufactured dwelling or recreational vehicle sales lot, unless authorized pursuant to Section 1204;
 - 3. New single- and two-family dwellings, except when incidental to a primary use; and
 - 4. Retail uses larger than 60,000 square feet of gross leasable area per building or business in areas designated as Industrial on Comprehensive Plan Map IV-8, *Urban Growth Concept*.
- B. Preexisting Uses:

1. Lawfully established dwellings shall be allowed to remodel or expand without review under Section 1206.
2. A lawfully established dwelling may be converted to any use permitted in the C-3 District, subject to all requirements of this Ordinance for new development.
3. No minimum lot size shall be required for a lot containing a preexisting dwelling.

503.08 DIMENSIONAL STANDARDS

- A. Purpose: The dimensional standards are intended to:
 1. Provide for protection of adjacent properties;
 2. Provide for efficient utilization of General Commercial areas;
 3. Ensure that the minimum operational requirements of the development are provided on-site; and
 4. Establish the maximum limits of the development.
- B. Minimum Site Area: None, except a two-acre minimum for the area defined as Hinckley Avenue on the north, Cleo Battin on the south, and between 82nd Avenue and I-205.
- C. Minimum Front Yard Setback: 15 feet.
- D. Maximum Front Yard Setback: 20 feet for buildings at or near a transit stop along a major transit street, as set forth more specifically in Section 1005.
- E. Minimum Rear Yard Setback: None, except when the rear yard abuts a more restrictive district, in which case the minimum shall be 15 feet. Ten feet shall be added to the minimum rear yard setback for each 10-foot increment in building height over 35 feet.
- F. Minimum Side Yard Setback: None, except when the side yard abuts a more restrictive district, in which case the minimum shall be 15 feet. Ten feet shall be added to the side yard setback for each 10-foot increment in building height over 35 feet.
- G. Minimum Road Frontage: 50 feet.
- H. Minimum Landscaping Area: 15 percent of the lot.
- I. Exceptions: Dimensional standards are subject to modification pursuant to Section 900.

- J. Variances: The requirements of Subsections 503.08(B) through (I) may be modified pursuant to Section 1102 when such modification is consistent with Section 1205. A proposed reduction that exceeds 20 percent of the requirement shall be processed as a separate variance application pursuant to Section 1205.

503.09 DEVELOPMENT STANDARDS

- A. General: Development shall be subject to the applicable provisions of Sections 1000 and 1100.
- B. Community and Design Plans: Development within a Community or Design Plan area identified in Chapter 10 of the Comprehensive Plan shall comply with the specific policies and standards for the adopted Community or Design Plan.
- C. Operational Impacts: Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter, or water-carried wastes.
- D. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-231, 1/31/12]

601 CAMPUS INDUSTRIAL DISTRICT (CI)

601.01 PURPOSE

Section 601 is adopted to implement the policies of the Comprehensive Plan for Campus Industrial areas.

601.02 AREA OF APPLICATION

~~The Campus Industrial District shall apply only to those properties zoned Campus Industrial prior to (insert effective date of ZDO-243).~~

~~Property may be zoned Campus Industrial District when:~~

~~A. The site has a Comprehensive Plan designation of Campus Industrial~~

~~B. The criteria in Section 1202 are satisfied; and~~

~~C. The property and the affected area are presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property.~~

601.03 PRIMARY USES

- A. The following business and industrial uses may occupy up to 100 percent of the total floor area of the development:
1. Experimental, film or testing laboratories, provided no operation shall be conducted or equipment used which would create hazards, and/or noxious or offensive conditions.
 2. Industries which manufacture products from, or otherwise process, previously prepared materials which satisfy the following conditions:
 - a. The use is employee-intensive, providing approximately 15 or more jobs for every developed acre of land.
 - b. The use is not of a type or intensity which produces odor, smoke, fumes, noise, glare, heat or vibrations which are incompatible with other primary uses allowed in this district.
 - c. The physical and operational requirements of the use, including type of structure used and volume of heavy truck traffic generated, are similar to other industrial and office uses allowed in this district.
 3. Printing, publishing, bookbinding, graphic or photographic reproduction, blueprinting or photo processing.

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4. Trade or community schools primarily serving the business community within the area.
 5. Corporate headquarters or regional offices with 50 or more employees.
- B. Offices, except corporate headquarters or regional offices allowed under Subsection 601.03(A) and those offices specified as limited uses under Subsection 601.05, may occupy up to 70 percent of the total floor area of the development.
 - C. High Density Residential uses, subject to Section 303, may occupy up to 75 percent of the total floor area of the development. Density and land area used for this use shall be subject to the limits specified under Subsection 601.089(F), except as provided under Subsection 601.089(G).
 - D. Public and private community buildings, indoor and outdoor recreational facilities, such as swimming pools, racquetball clubs, athletic clubs, health and exercise spas, gymnasiums, tennis courts, playgrounds, and other similar uses, developed to serve primarily the recreational needs of residents and employees of the district, may occupy up to 100 percent of the floor area of the development.
 - E. Utility carrier cabinets, subject to Section 830.
 - F. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835.

601.04 ACCESSORY USES

The following are allowed as accessory uses in the Campus Industrial District:

- A. Uses and structures customarily accessory and incidental to a primary use;
- B. Employee lounges and dining rooms, conference rooms for tenant use, newsstands, central mail room and self-service postal and banking facilities, and products information and display areas which are included within the primary use structures;
- C. Warehouse or storage structures provided in conjunction with a primary use under Subsection 601.03 on the same site;
- D. Indoor and outdoor recreational facilities, such as swimming pools, saunas, game and craft rooms, exercise and dance studios, community meeting rooms, lounges, playgrounds, tennis and other courts, bike and walking trails, and pedestrian plazas and courts, which are provided in association with a primary use within the same development;
- E. Parking structures;
- F. Bus shelters, subject to Section 823;

- G. Signs, subject to Section 1010;
- H. Bicycle racks, pedestrian amenities, and transit amenities;
- I. Rental and development information offices;
- J. Handyman and maintenance services in association with primary, accessory or limited uses in the development;
- K. The temporary storage within an enclosed structure of source-separated recyclable/reusable materials generated and/or used on site prior to onsite reuse or removal by the generator or licensed or franchised collector to a user or broker;
- L. Self-service laundry facilities;
- M. Solar energy systems;
- N. Rainwater collection systems;
- O. Electric vehicle charging stations;
- P. Temporary buildings for uses incidental to construction. Such buildings shall be removed upon completion or abandonment of the construction work;
- Q. Daycare facilities, subject to Section 807; and
- R. Level one mobile vending units, subject to Section 837.

601.05 LIMITED USES

- A. The following retail and service commercial uses may be allowed on a limited basis as part of the development of this district when developed concurrently with or after the primary uses, subject to the provisions of Subsection 601.05(B):
 - 1. Neighborhood commercial uses under Subsection 501.03.
 - 2. Banks.
 - 3. Clinics for doctors, dentists, chiropractors, naturopathic and counseling treatment personnel, and other health services.
 - 4. Bars and cocktail lounges in conjunction with a restaurant.
- B. Limitations and conditions on the development of the limited uses itemized above shall be as follows:

1. The total combined floor area occupied by all limited uses shall not exceed 10 percent of the total floor area occupied by primary uses.

~~Formula: .10 x primary floor area = limited use floor area.~~

2. All limited uses shall be located, arranged and integrated within the development to serve primarily the shopping and service needs of residents and employees of the district.
- ~~3. No outdoor storage of materials associated with the limited use shall be allowed.~~
- ~~4.3. Uses shall not be or a type of intensity that produce odor, smoke, fumes, noise, glare, heat or vibrations, which are incompatible with associated primary uses in the area.~~

~~601.06 — USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR~~

~~The following use may be approved by the Planning Director pursuant to Subsection 1305.02:~~

- ~~A. — Wireless telecommunication facilities listed in Subsection 835.05, subject to Section 835.~~

601.067 CONDITIONAL USES

- ~~A. — Criteria: Conditional uses may be approved subject to Section 1203 and any applicable provisions of Section 800. In addition, the proposed use:~~
 - ~~1. Shall have minimal adverse impact on the appropriate development of primary uses on abutting properties and the surrounding area considering location, size, design and operating characteristics of the use;~~
 - ~~2. Shall not create offensive odor, dust, smoke, fumes, noise, glare, heat, or vibrations that are incompatible with primary uses allowed in this district;~~
 - ~~3. Shall be located on a site occupied by a primary or limited use or, if separate, in a structure which is compatible with the character and scale of uses allowed within the district, and on a site no larger than necessary for the use and operational requirements of the use; and~~
 - ~~4. Shall provide vehicular and pedestrian access, circulation, parking, and loading areas that are compatible with similar facilities for uses on the same site or adjacent sites.~~

The Hearings Officer may approve the following conditional uses in the Campus Industrial District, pursuant to Section 1300. Approval shall not be granted unless the proposal complies with Section 1203 and any applicable provisions of Section 800.

~~B.~~ Uses: ~~Uses allowed subject to the above conditions are:~~

- ~~1.~~ A. Conversion of multifamily dwellings into condominiums, subject to Section 803;
- ~~2.~~ B. Service and recreational uses that exceed a primary or accessory use, subject to Section 813;
- ~~3.~~ C. Hydroelectric facilities, subject to Section 829;
- ~~4.~~ D. Heliports, ~~subject to Section 712 or 713;~~
- ~~5.~~ E. Retail and service commercial uses not included as limited use under Subsection 601.05(A), subject to the additional limitations and conditions of Subsection 601.05(B);

~~C.F.~~ Uses listed as limited uses in Subsection 601.05(A) may be allowed as conditional uses on a site separate from a primary use ~~of this district, subject to Subsection 601.07(A), when either of the conditions below is satisfied:~~

1. The site is physically separated from all other undeveloped or underdeveloped properties in the district; or
2. The site is not physically separated from other un-developed or underdeveloped sites, but the applicant demonstrates:
 - a. The site is located on a primary access or frontage road, served or planned to be served, by public transit.
 - b. There is no alternative site in the area for the proposed use.
 - c. It is not possible to develop the proposed use in conjunction with a primary use.

~~D.G.~~ Development of a primary use listed in Subsection 601.03 and its associated accessory and limited uses, on a lot or site area which is smaller than the minimum area requirement for the use, and which is not physically separated from all other undeveloped or underdeveloped properties in this district, may be approved by the Hearings Officer when the proposal complies with Section 1203 and the applicant demonstrates the following:

1. The proposed lot size is not smaller than half the minimum lot size for the use.
2. It is not possible to develop the site in conjunction with an adjacent lot or lots, as provided under Subsection 601.089(B).

3. The purposes set forth under Subsection 601.089(A) are addressed and satisfied in the proposed use and design of the development; and:

HE. Multi-use developments, subject to Section 1016.

601.078 PROHIBITED ~~AND PREEXISTING~~ USES

- ~~A. Uses of structures and land not specifically permitted in Section 601 shall be prohibited in the Campus Industrial District, except as provided in Section 106.~~
- ~~B. Lawfully established single family dwellings may be remodeled or expanded without review under Section 1206.~~
- ~~C. Change of Use: Any change in the use of a lawfully established dwelling shall be subject to all requirements for new developments in this district, except as approved pursuant to Subsection 1204.01.~~
- ~~D. A new lot created for a lawfully established preexisting dwelling shall have no minimum lot size. However, the remaining lot shall be a minimum of two acres in size.~~
- ~~E. Lawfully established preexisting dwellings shall comply with the setback standards of Section 301.~~
- ~~F. Any lot less than two acres in size resulting from a property line adjustment is not buildable, except for recreational uses under Subsection 601.03(D) on a lot a minimum of one acre in size, unless combined with other property as provided under Subsection 601.09(B).~~
- ~~G. All other preexisting uses and structures not specifically permitted in Section 601 shall be nonconforming uses subject to provisions of Section 1206.~~

601.089 DIMENSIONAL STANDARDS

- A. Purpose: The dimensional standards are intended to:
1. Encourage coordinated development, and the most efficient and maximum use of the Campus Industrial District;
 2. Provide for adequate structure separation to ensure air and light access and fire safety and protection for all development site areas and structures within the district and adjoining districts;
 3. Provide for a compatible mix of uses supportive of public transportation facilities;
 4. Provide for the protection of adjacent properties; and
 5. Provide for open space and outdoor activity areas.
- B. Site Area Requirements: A "site area" for purposes of Section 601 shall be the total land area to be developed as a unit, prior to the creation of any new parcels or lots within the land area. A site area may be either of the following:
1. A single tax lot, or two or more contiguous tax lots, under the same ownership.
 2. Two or more contiguous tax lots under separate ownership, provided that:
 - a. All individual property owners are members of a group formed for the purpose of developing the properties as a single planned development, and
 - b. All individual tax lot ownerships are converted into development shares prior to any building permit being issued for the project, or
 - c. The group shall record, in the office of the County Clerk, a contract in which all members agree to subject the use and development of individual tax lots or ownerships to the development plan for the site area as approved by the County. No permit shall be issued on any separate tax lot or ownership for any structure or use not indicated on the County approved development plan for the site area.
- C. Minimum Site Area:
1. Developments which include uses under at least two of the primary use categories under Subsection 601.03(A) through (D), shall require a minimum site area of three acres.

- 2. Developments which include only uses under Subsection 601.03(A) and accessory uses, shall require a minimum site area of two acres.
 - 3. Developments which include only uses under Subsection 601.03(D) shall require a minimum site area of one acre.
- D. Undersized Lots: Any primary use under Subsection 601.03, and its associated accessory and limited uses, may be established on a lot smaller than the minimum site area that is physically separated from all other underdeveloped properties in this district, or that is approved as a conditional use under Subsection 601.067(G~~D~~). However, any lot less than two acres in size resulting from a property line adjustment is not buildable, except for recreational uses under Subsection 601.03(D) on a lot a minimum of one acre in size, unless combined with other property as provided under Subsection 601.08(B).
- E. Floor Area Ratio: The maximum floor area for all primary and conditional uses within a site area shall not exceed the net site area multiplied by one (1:1 ratio).
- F. Floor Area Requirements: Any primary use or combination of primary uses under Subsections 601.03(A) through (D) may be allowed within a development ~~in this district~~ at floor area percentages, excluding accessory uses, not exceeding those illustrated ~~in the following Table 601-1.~~

Table 601-1: Floor area limitations for primary use categories under Subsection 601.03

<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>
<u>100%</u>	<u>70%</u>	<u>75%</u>	<u>100%</u>

<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>
<u>100 percent</u>	<u>70 percent</u>	<u>75 percent</u>	<u>100 percent</u>

- 1. Land area and density for residential uses shall be as follows:
 - a. No more than 25 percent of a site area may be developed with exclusively high-density residential uses, and associated accessory and limited uses.
 - b. The entire site, or any portion thereof, may be developed with mixed-use structures which combine housing and other primary uses allowed in this district.

- c. The entire area may be used to calculate the allowed density under Subsection 303.09(D) and Section 1012, subject to the floor area limitation of this district.
2. Limited Uses: Only primary use floor area may be included for purposes of calculating the allowed limited use floor area for a development.
- G. Exceptions to Floor Area Requirements: The requirements under Subsection 601.089(F) may be modified or waived by the Hearings Officer, pursuant to Section 1300. Approval shall not be granted, unless the applicant provides evidence substantiating compliance with Subsections 601.089(G)(1) through (3), or Subsection 601.089(G)(4):
 1. The modification or waiver is consistent with the purposes under Subsection 601.089(A); and
 2. The need for the use for which additional floor area is requested is at least as great as the need for other compatible primary uses allowed in this district; and
 3. The proposed use, and location of the use, is compatible with, and complementary to existing or proposed developments within the district area; or
 4. A substantial mix of primary uses has been established within the immediate district area to the extent that all primary use categories under Subsections 601.03(A) through (D) are represented.
- H. Maximum Lot Coverage: 55 percent.
- I. Minimum Perimeter Setback: 15 feet.
 1. The following uses may be allowed within a perimeter setback area ~~that which~~ fronts on a public, county, or state road:
 - a. Landscaping;
 - b. Bikeways, trails, pedestrian walks and plazas;
 - c. Access driveways; ~~and~~
 - d. Bus shelters and other pedestrian amenities; ~~and~~
 - e. ~~Identification signs, subject to Section 1010.~~
 2. The following uses may be allowed within perimeter setback areas ~~that which~~ are adjacent to other site areas:
 - a. Landscaping;

b. Bikeways, trails, pedestrian walks, patios, courts;

~~e. Onsite directional signs;~~

~~d.c.~~ Coordinated joint-use circulation drives, parking, loading, recreational activity areas, plazas, and

~~e.d.~~ Coordinated joint-use structures.

J. Minimum Street Frontage: 50 feet.

K. Minimum Landscaping Area: 25 percent of the lot.

L. Exceptions to Dimensional Standards Requirements: The requirements of Section 601.089 are not subject to modification pursuant to Sections 903 and 904. However, the requirements for lot coverage, perimeter setback, and street frontage may be modified through design review pursuant to Section 1102. Approval shall not be granted unless:

~~1.~~ The variance criteria under Section 1205 ~~for variances~~ are satisfied, ~~and~~

~~2.~~ The purposes set forth under Subsection 601.09(A) are addressed and satisfied in the proposed design of the development.

601.4009 DEVELOPMENT STANDARDS

The following development standards shall apply in the Campus Industrial District.

A. General: Development is subject to the applicable provisions of Sections 1000 and 1100.

B. Community and Design Plans: Development within a Community or Design Plan area identified in Chapter 10 of the Comprehensive Plan shall comply with the specific policies and standards for the adopted Community Plan or Design Plan.

~~C. Fences: Periphery fences shall not be allowed within this district. Decorative fences or walls may be used to screen service and loading areas, private patios or courts. Fences may be used to enclose playgrounds, tennis courts, or to secure sensitive areas or uses, such as vehicle storage areas or drainage detention facilities. Fences shall not be located where they impede pedestrian or bicycle circulation through or between site areas.~~

~~D. Signs: One freestanding or ground-mounted sign may be provided for a development, pursuant to Section 1010.~~

E.C. Outdoor Storage: No outdoor storage of materials shall be allowed.

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F. ~~Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-231, 1/31/12; Amended by Ord. ZDO-235, 5/14/12]

602 BUSINESS PARK, LIGHT INDUSTRIAL, AND GENERAL INDUSTRIAL DISTRICTS (BP, LI, AND GI-2)

602.01 PURPOSE

Section 602 is adopted to implement the policies of the Comprehensive Plan for Business Park, Light Industrial, and General Industrial areas.

602.02 APPLICABILITY AREA OF APPLICATION

Section 602 applies to property in the Business Park, Light Industrial, and General Industrial Districts. Property may be zoned Business Park, Light Industrial, or General Industrial District when ~~it~~the site has a Comprehensive Plan designation of Business Park, Light Industrial, or General Industrial, respectively, and the criteria in Section 1202, Zone Change, are satisfied.

602.03 USES PERMITTED

Uses permitted in each zoning district are listed in Table 602-1. In addition, uses similar to one or more of the listed uses for the applicable zoning district may be authorized pursuant to Section 106, Authorization of Similar Uses.

A. As used in Table 602-1:

1. "P" means the use is a primary use.
2. "A" means the use is an accessory use.
3. "C" means the use is a conditional use, approval of which is subject to Section 1203, Conditional Use.
4. "X" means the use is prohibited.
5. Numbers in superscript correspond to the notes that follow Table 602-1.

B. Permitted uses are subject to the applicable provisions of Subsection 602.04, Dimensional Standards, Subsection 602.05, Development Standards, Section 1000, Development Standards, Section 1100, Development Review Process, and Section 1700, Clackamas Regional Center Area General Provisions.

Table 602-1: Permitted Uses in the BP, LI, and GI Districts

<u>Use</u>	<u>BP</u>	<u>LI</u>	<u>GI</u>
<u>A. Construction and Maintenance Contractors</u> <u>This category includes contractors engaged in construction and maintenance of buildings and their component parts (e.g.,</u>	<u>P</u>	<u>P</u>	<u>P</u>

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<p>roofing, siding, windows), fencing, decking, building systems (e.g., plumbing, electrical, mechanical), landscaping, and infrastructure (e.g., roads, utilities). Also included are excavation contractors, building movers, pest control services, and janitorial services.</p>			
<p><u>B. Heavy Truck and Heavy Equipment Uses</u> <u>This category includes sales, rental, storage, repair, and servicing of heavy trucks such as dump trucks, moving trucks, and truck tractors; large construction equipment such as backhoes and bulldozers; large farm equipment such as tractors and combines; and large cargo trailers such as semitrailers. Sales, rental, storage, repair, and servicing of passenger vehicles, recreational vehicles, and boats are excluded from this category.</u></p>	<p><u>X</u></p>	<p><u>P</u></p>	<p><u>P</u></p>
<p><u>C. Indoor Recreational Facilities</u> <u>This category includes indoor facilities for such sports as dance, gymnastics, martial arts, soccer, basketball, and skating. These facilities may be used for instruction, practice, and competitions. Health and fitness clubs are excluded from this category but are included in the “retail and professional services that cater to daily customers/retail commercial uses” category.</u></p>	<p><u>P¹</u></p>	<p><u>P¹</u></p>	<p><u>P¹</u></p>
<p><u>D. Industrial Trade Schools</u> <u>This category includes training facilities whose primary purpose is to provide training to meet industrial needs. These facilities also may be referred to as technical schools, vocational schools, and career schools. Industrial trade schools provide training in such occupational skills as welding, operation and repair of industrial machinery, and truck driving.</u></p>	<p><u>P</u></p>	<p><u>P</u></p>	<p><u>P</u></p>
<p><u>E. Information Services</u> <u>This category includes establishments engaged in producing and distributing information; providing the means to transmit or distribute these products, as well as data or communications; and processing data. Examples include publishing industries such as book, periodical, and software publishing; computer systems design; internet web search services; internet service providers; radio, television, motion picture, and recording studios; computer data storage services; optical scanning and imaging services; and financial transaction processing such as credit card transaction and payroll processing services. These businesses primarily serve other industries or deliver their products to the end user through means other than on-site pickup by the customer. Few general public customer visits per day are generated.</u></p>	<p><u>P</u></p>	<p><u>P</u></p>	<p><u>P</u></p>

<p><u>F. Manufacturing</u></p> <p><u>This category includes establishments engaged in the mechanical, physical, or chemical transformation of materials, substances, or components into new products, including the assembly of component parts. Examples of manufacturing include alternative energy development, biosciences, food and beverage processing, software and electronics production, and fabrication of products made from materials such as metal, glass, rubber, plastic, resin, wood, and paper.</u></p>	P	P	P
<p><u>G. Large-Scale Laundry, Dry-Cleaning, and Carpet-Cleaning Plants</u></p> <p><u>These businesses primarily serve other industries or deliver their services to the end user through means other than on-site customer visits. Few general public customer visits per day are generated.</u></p>	P	P	P
<p><u>H. Miscellaneous Industrial Uses</u></p> <p><u>This category includes wrecking and salvage of building materials, equipment, and vehicles; tire retreading and recapping; and petroleum, coal, or other fuel storage, refining, reclaiming, distribution, and wholesale trade. These businesses primarily serve other industries or deliver their products and services to the end user through means other than on-site customer visits. Few general public customer visits per day are generated.</u></p>	X	X	P
<p><u>I. Offices</u></p> <p><u>This category includes administrative and corporate offices and call centers. These businesses primarily serve other industries or deliver their products and services to the end user through means other than on-site customer visits. Few general public customer visits per day are generated.</u></p>	P	P	P
<p><u>J. Repair and Servicing Uses</u></p> <p><u>This category includes large-scale repair and servicing of equipment, machinery, and other products. Examples include authorized service centers, welding shops and machine shops. Products are received from and returned to customers primarily by shipping or pickup/delivery by employees of the business. Few general public customer visits per day are generated.</u></p>	P	P	P
<p><u>K. Research Facilities and Laboratories</u></p> <p><u>This category includes product research and development, product design and testing, medical research, and medical</u></p>	P	P	P

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<p><u>laboratories. Medical laboratories in this category primarily serve other industries or deliver their services to the end user through means other than on-site customer visits. Few general public customer visits per day are generated.</u></p>			
<p><u>L. Retail and Professional Services that Cater to Daily Customers/Retail Commercial Uses</u></p> <p><u>This category includes the sale of goods and services to the general public. Examples of retail and professional services that cater to daily customers include rental and storage of passenger vehicles, recreational vehicles, and boats; health and fitness clubs; daycare facilities; and financial, insurance, real estate, legal, medical, and dental offices. Examples of retail commercial uses include sales of passenger vehicles, recreational vehicles, and boats; stores; and restaurants. Sales of motor vehicle fuels are excluded from this category.</u></p>	<u>P^{2,3,4}</u>	<u>P^{2,3,4}</u>	<u>A⁵</u>
<p><u>M. Towing Establishments, Including Storage of Towed Vehicles</u></p>	<u>X</u>	<u>P</u>	<u>P</u>
<p><u>N. Transportation Uses</u></p> <p><u>This category includes the transportation of cargo using motor vehicles or rail spurs and may include loading docks and parking of cargo transport vehicles. Examples include freight terminals, parcel delivery services, moving companies, and parking facilities for long-haul trucks. These uses often are associated with warehousing facilities. This category also includes parking, storage, repair, and servicing of fleet vehicles used for the transport of people. Examples include ambulance services and mass transit and school bus fleet facilities. This category also includes commercial motor vehicle fueling services, such as cardlock fueling stations; however, motor vehicle fueling stations that cater to the general public are prohibited.</u></p>	<u>X</u>	<u>P</u>	<u>P</u>
<p><u>O. Utility Carrier Cabinets, subject to Section 830</u></p>	<u>P</u>	<u>P</u>	<u>P</u>
<p><u>P. Warehousing and Distribution</u></p> <p><u>This category includes establishments primarily engaged in operating warehousing and distribution facilities for general merchandise, refrigerated goods, and other products and materials that have been manufactured and generally are being stored in anticipation of delivery to the final customer. A range of logistical services may be provided, including labeling, packaging, price marking and ticketing, and transportation arrangement. Mini-storage facilities are not included in this category.</u></p>	<u>A</u>	<u>P</u>	<u>P</u>
<p><u>Q. Wholesale Trade</u></p>	<u>P</u>	<u>P</u>	<u>P</u>

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<u>This category includes establishments engaged in selling and distributing goods and services to retailers; to industrial, commercial, or professional business users; or to other wholesalers, generally without transformation. Wholesalers sell goods and services to other businesses, not the general public.</u>			
<u>R. Wireless Telecommunication Facilities, subject to Section 835</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>S. Accessory Uses, except accessory dwelling units, listed in Section 301, Urban Low Density Residential Districts, provided that such uses are accessory to a single-family dwelling that is a nonconforming use</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>T. Bus Shelters, subject to Section 823</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>U. Cogeneration Facilities</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>V. Electric Vehicle Charging Stations</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>W. Employee Amenities, such as clinics, daycare facilities, lounges, cafeterias, and recreational facilities</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>X. Level One Mobile Vending Units, subject to Section 837</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>Y. Parking, Storage, Repair, and Servicing of Fleet Vehicles</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>Z. Parking Structures</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>AA. Pedestrian Amenities</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>BB. Rainwater Collection Systems</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>CC. Satellite Dishes</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>DD. Signs, subject to Section 1010</u>	<u>A⁶</u>	<u>A⁶</u>	<u>A⁶</u>
<u>EE. Solar Energy Systems</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>FF. Temporary Buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work.</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>GG. Temporary Storage within an enclosed structure of source-separated recyclable/reusable materials generated and/or used on-site prior to on-site reuse or removal by the generator or licensed or franchised collector to a user or broker</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>HH. Warehouse Event Retail Sales</u>	<u>A⁷</u>	<u>A⁷</u>	<u>A⁷</u>
<u>II. Arenas, Exhibition Halls, and Stadiums</u>	<u>C¹</u>	<u>C¹</u>	<u>C¹</u>
<u>JJ. Composting Facilities, subject to Section 834</u>	<u>X</u>	<u>C</u>	<u>C</u>
<u>KK. Electrical Power Production Facilities</u>	<u>X</u>	<u>X</u>	<u>C</u>

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<u>LL. Government and Special District Uses</u>	<u>C^{8,9}</u>	<u>C^{8,9}</u>	<u>C^{8,9}</u>
<u>MM. Heliports</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>NN. Outdoor Display of Products, subject to Subsection 602.05(B)(1) or (C)(1), provided that such display is associated with a permitted use</u>	<u>X</u>	<u>C</u>	<u>A</u>
<u>OO. Outdoor Entertainment Facilities, including amusement parks, circuses, carnivals, drive-in theatres, and racetracks for automobiles, dogs, horses, and motorcycles</u>	<u>X</u>	<u>X</u>	<u>C</u>
<u>PP. Outdoor Storage Areas larger than allowed by Subsection 602.05(B)(2)(a), provided that such storage is associated with a permitted use</u>	<u>X</u>	<u>C</u>	<u>A</u>
<u>QQ. Public Utility Facilities</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>RR. Radio and Television Transmission and Receiving Towers and Earth Stations, provided that the base of such towers shall not be closer to the property line than a distance equal to the height of the tower</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>SS. Recycling Centers and Transfer Stations, subject to Section 819</u>	<u>X</u>	<u>C</u>	<u>P</u>
<u>TT. Retail Services, as follows: auto repairing, overhauling, painting, washing, body and fender work, and reconditioning</u>	<u>X</u>	<u>X</u>	<u>C</u>
<u>UU. Surface Mining, subject to Section 818</u>	<u>X</u>	<u>C</u>	<u>C¹⁰</u>
<u>VV. Telephone Exchanges</u>	<u>C</u>	<u>C</u>	<u>C</u>

Notes to Table 602-1:

- ¹ In Regionally Significant Industrial Areas identified on Comprehensive Plan Map IV-8, Urban Growth Concept, places of assembly shall not exceed 20,000 square feet.
- ² Notwithstanding other provisions of Section 602 that may permit outdoor display, storage, or processing, these uses shall be conducted entirely within a building, except the following are permitted: outdoor seating areas associated with a restaurant, outdoor play areas associated with a daycare facility, and similar outdoor amenities. Drive-thru window service facilities are prohibited.
- ³ In Regionally Significant Industrial Areas identified on Comprehensive Plan Map IV-8, building floor area associated with each use shall not exceed 3,000 square feet, and the total building floor area of all such uses in the same development project shall not exceed 20,000 square feet. Notwithstanding these limitations, the lawful use of any structure or land as of (insert effective date of ZDO-243) may continue and expand to add up to 20 percent more building floor area. Outside Regionally Significant Industrial Areas identified on Comprehensive Plan Map IV-8, the same standards shall apply, except that the single-use limit is 5,000 square feet of building floor area. However, the building floor area limitations do not apply to the following uses in the BP District: destination restaurants that comply with Subsection 1016.05(B)(4) and provide lunch service; and hotels and associated convention facilities, gift shops, and restaurants.
- ⁴ Lots of record created on or after (insert effective date of ZDO-243) shall be subject to Note 4 to Table 602-1 in lieu of Note 3 to Table 602-1. In Regionally Significant Industrial Areas identified on Comprehensive Plan Map IV-8, building floor area associated with each use shall not exceed 3,000 square feet. Outside Regionally Significant Industrial Areas identified on Comprehensive Plan Map IV-8, building floor area associated with each use shall not exceed 5,000 square feet. Notwithstanding these limitations, the lawful use of any structure or land as of (insert effective date of ZDO-243) may continue and expand to add up to 20 percent more building floor area. In all cases, the total building floor area of all such uses on the same lot of record shall not exceed 20,000 square feet or 25 percent of the building floor area on the lot of record, whichever is less. However, the building floor area limitations do not apply to the following uses in the BP District: destination restaurants that comply with Subsection 1016.05(B)(4) and provide lunch service; and hotels and associated convention facilities, gift shops, and restaurants.
- ⁵ This use is limited to indoor areas for retail display and retail sales of products manufactured by the same business occupying the premises, as well as related products. In Regionally Significant Industrial Areas identified on Comprehensive Plan Map IV-8, building floor area for such retail display and retail sales shall not exceed 3,000 square feet per business, and the total building floor area of all such retail display and retail sales areas in the same development project shall not exceed 20,000 square feet. Notwithstanding these limitations, the lawful use of any structure or land as of (insert effective date of ZDO-243) may continue

and expand to add up to 20 percent more building floor area. Outside Regionally Significant Industrial Areas identified on Comprehensive Plan Map IV-8, the same standards shall apply, except that the single-business limit is 5,000 square feet of building floor area.

⁶ Temporary signs regulated under Subsection 1010.13(A) are a primary use.

⁷ Warehouse event retail sales are permitted if the products being sold at the event sale are manufactured, warehoused, or distributed as a primary use on the subject property; no more than one event sale occurs each calendar month; a single event sale lasts a maximum of three consecutive days, which shall be Friday, Saturday, Sunday, or Monday; and the event sales occur indoors.

⁸ A government or special district use is a conditional use only if the proposed use does not also fall within one of the categories identified as a primary or accessory use in the applicable zoning district.

⁹ In Regionally Significant Industrial Areas (RSIAs) identified on Comprehensive Plan Map IV-8, parks—intended to serve people other than those working or residing in the RSIA—and schools are prohibited.

¹⁰ Aggregate batch plant operations are a primary use in the GI zoning district.

~~602.03 — PRIMARY USES~~

~~A. — Uses: The following uses may be established when they comply with Subsections 602.03(B) through (G):~~

- ~~1. — Research offices and laboratories, including testing facilities;~~
- ~~2. — Corporate headquarters, regional headquarters, and administrative offices but not business service offices identified in Subsection 606.04(C);~~
- ~~3. — Warehouse and distribution facilities, manufacturing, and other compatible business and industrial uses, as determined by the Planning Director, that are not listed in Subsection 602.04, 602.06, or 602.07(A). A request for a determination under this subsection shall be processed as an Interpretation pursuant to Subsection 1305.03. Application for an interpretation under this provision shall include a detailed description of the use and operational requirements of the use, approximate number of employees, estimated volume of truck traffic to be generated, a site plan, building elevations, and preliminary landscaping plans;~~
- ~~4. — Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835. These uses shall not be subject to Subsections 602.03(B) through (I); and~~

~~5. Indoor recreational facilities for such sports as gymnastics, martial arts, soccer, basketball, and skating. These facilities may be used for instruction, practice, and competitions. Health and fitness clubs are specifically excluded.~~

~~B. Site Plan and Design: Structures, circulation, parking, loading, and landscaping shall be designed to:~~

- ~~1. Maximize the use of level, clear land area for buildings and truck maneuvering areas;~~
- ~~1. Preserve significant trees within parking and perimeter areas and near office buildings or areas;~~
- ~~2. Avoid disturbance of slopes, stream corridors, and floodplains;~~
- ~~3. Project a positive image as viewed from public, county, and state roads and freeways;~~
- ~~4. Buffer adjacent residential or commercial areas; and~~
- ~~5. Provide for efficient truck circulation on and off and within the site.~~

~~C. Building Types and Design: The use shall occupy only the types of buildings described below:~~

- ~~1. Office buildings having the following characteristics:~~
 - ~~a. Are designed by an architect for the specific site to accomplish the objectives of Subsection 602.03(B);~~
 - ~~b. Are generally two or more stories in height;~~
 - ~~c. Provide for natural light penetration into work areas using such features as windows, skylights, atriums, and courtyards;~~
 - ~~d. Have distinctive public entrances;~~
 - ~~e. Use high image exterior materials and finishes such as masonry, architecturally treated tilt-up concrete, glass, wood, or stucco;~~
 - ~~f. Devote no more than 20 percent of the floor area exclusively to storage. Uses exempt from this standard include those providing storage and retrieval of records/information, needing additional storage for materials and finished products produced in the same building, and similar uses.~~
- ~~2. Multi-use and multi-tenant buildings having the following characteristics:~~

- ~~a. Are designed for the specific site to accomplish the objectives of Subsection 602.03(B);~~
 - ~~a. Are generally one to three stories in height;~~
 - ~~b. May be designed to facilitate internal alterations to accommodate changes in spatial needs over a period of time (i.e. "flex space" design);~~
 - ~~c. Incorporate architectural features, including distinctive entrances to office or lobby areas of the building;~~
 - ~~d. Provide for natural light penetration into office areas;~~
 - ~~e. Use exterior materials and finishes such as masonry or tilt-up concrete, with materials such as wood, stucco, or glass panels used to create texture and visual interest; and~~
 - ~~f. Are designed to accommodate either a number of tenants in one structure, or a single tenant that has various space needs, such as office, research, assembly, and storage.~~
- ~~3. Warehouse and manufacturing buildings having the following characteristics:~~
- ~~a. Are designed for the specific site to accomplish the objectives under Subsection 602.03(B);~~
 - ~~a. Are designed to provide large indoor areas to accommodate storage, assembly, processing, or manufacturing activities;~~
 - ~~b. Accessory office areas within the same structure have windows and are highlighted architecturally;~~
 - ~~c. Use exterior materials such as tilt-up concrete, masonry, or stucco which are painted, textured, or trimmed to enhance the appearance from the perimeter of the site, except perimeters adjacent to railroad rights-of-way;~~
 - ~~d. May be used entirely or partially for storage.~~
- ~~D. Outdoor Storage and Process Areas: No outdoor processes shall be employed in the operation of the business. Waste and recycle receptacles shall be maintained within an enclosed structure. Limited outdoor storage areas shall be allowed, subject to the following criteria:~~

- ~~1. Outdoor storage may occupy an area equal to or less than the square feet of the ground floor of the building(s) on the same premises. Larger outdoor storage areas shall be subject to Subsection 602.06.~~
- ~~1. Outdoor storage areas shall be located behind the building, to the rear of the site, and not adjacent to front property lines.~~
- ~~2. Outdoor storage areas shall be screened with a sight-obscuring fence a minimum of six feet in height. Fencing shall be located behind the perimeter landscaping required under Subsections 602.09(C) and 1009.04.~~
- ~~3. Equipment, vehicles, materials, and other items located within outdoor storage areas shall be maintained in an orderly fashion and, except large industrial or commercial vehicles and equipment, shall be no higher than the height of the fence.~~
- ~~4. Outdoor storage areas shall not be used to store waste or recycle materials.~~

~~E. — Display Areas: All display of products shall be located within an enclosed building, as provided for accessory uses under Subsections 602.04(A)(12) and (13). No outdoor display areas shall be allowed, except as approved pursuant to Subsection 602.06.~~

~~F. — Transportation Requirements: Loading areas shall be readily accessible to large semi-trailer trucks. The use may generate unlimited local and semi-trailer truck service and limited non-employee traffic, with occasional direct sales-related passenger vehicle traffic.~~

~~G. — Operational Impacts:~~

- ~~1. The operation of the use shall not produce noise, odors, fumes, gases, or vibration that exceed the standards of the Oregon Department of Environmental Quality.~~
- ~~1. No hazardous materials in quantities classified under Group H, Division 1 or Division 2 Occupancies under the Oregon Structural Specialty Code shall be stored or used on the premises, except as specifically approved pursuant to Subsection 602.06.~~

~~602.04 — ACCESSORY USES~~

~~A. — The following are allowed as accessory uses in the Light Industrial District:~~

- ~~1. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;~~
- ~~2. Bus shelters, subject to Section 823;~~

- ~~3. Pedestrian amenities;~~
- ~~4. Solar energy systems;~~
- ~~5. Satellite dishes;~~
- ~~6. Utility carrier cabinets, subject to Section 830;~~
- ~~7. Signs, subject to Section 1010;~~
- ~~8. Employee lounges, indoor recreation areas and facilities and cafeterias catering to employees of the primary use;~~
- ~~9. Outdoor recreational facilities for employees, such as tennis courts, jogging and exercise courses, playfields, and similar uses;~~
- ~~10. Signs identifying the developer, contractor, or real estate agency responsible for leasing or selling land or buildings within the project. Such signs shall be removed upon sale or lease of the premises advertised;~~
- ~~11. Parking structures;~~
- ~~12. Indoor areas for display and sale of products manufactured by the same business occupying the premises, provided that the floor area of such display area constitutes no more than 20 percent of the floor area of the primary use, or no more than 3,000 square feet, whichever is less;~~
- ~~13. Indoor areas for display and wholesale sales of products warehoused or distributed by the same business entity operating the primary use on the premises, provided that the floor area of such display area constitutes no more than five percent of the floor area used for the primary use, or no more than 5,000 square feet, whichever is less. For purposes of this provision, sales of products warehoused or distributed shall not exceed two percent of the annual gross sales attributed to the premises;~~
- ~~14. Warehouse event sales, provided:
 - ~~a. The event sales products being sold are manufactured, warehoused, or distributed as a primary use operating on the premises.~~
 - ~~b. No more than one warehouse event sale shall occur each calendar month. Sales shall last a maximum of three consecutive days, which shall be Friday, Saturday, Sunday, and/or Monday.~~
 - ~~c. The event sales shall occur indoors.~~~~
- ~~15. Cogeneration facilities;~~
- ~~16. Rainwater collection systems;~~

- ~~17. Electric vehicle charging stations;~~
- ~~18. The temporary storage within an enclosed structure of source-separated recyclable/reusable materials generated and/or used on-site prior to on-site reuse or removal by the generator or licensed or franchised collector to a user or broker; and~~
- ~~19. Level one mobile vending units, subject to Section 837.~~

~~602.05 — USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR~~

~~The following use may be approved by the Planning Director pursuant to Subsection 1305.02:~~

- ~~A. — Wireless telecommunication facilities listed in Subsection 835.05, subject to Section 835.~~

~~602.06 — CONDITIONAL USES~~

- ~~A. — Criteria: Conditional uses may be approved subject to Section 1203 and any applicable provisions of Section 800. In addition, the proposed use:~~

- ~~1. Shall have minimal adverse impact on the appropriate development of primary uses on abutting properties and the surrounding area considering location, size, design, visual appearance, and operating characteristics of the use;~~
- ~~1. Shall not create hazardous, or potentially hazardous, conditions which cannot be contained within the premises in the event of an accident involving hazardous materials or processes; and~~
- ~~2. Shall comply with all standards of Subsection 602.03, except those that prompt the application for a conditional use.~~

- ~~B. — Uses: The following uses are allowed subject to the above criteria:~~

- ~~1. Heliports;~~
- ~~1. Uses involving hazardous substances that exceed the standards of Subsection 602.03(G);~~
- ~~2. Outdoor storage areas that exceed the area limits of Subsection 602.03(D)(1);~~
- ~~3. Outdoor display of products as an accessory use to a primary use of the property. At a minimum, outdoor display areas shall comply with Subsection 603.03(E).~~

- ~~4. Surface mining, subject to Section 818;~~
- ~~5. Daycare facilities, subject to Section 807;~~
- ~~6. Business or vocational schools and college or university extension facilities;~~
- ~~7. City, county, state, federal, or municipal corporation uses or buildings, telephone exchanges, railroad right-of-way, public utility facilities, fire stations, and associated uses;~~
- ~~8. Indoor or outdoor arenas and stadiums;~~
- ~~9. Radio and television transmission and receiving towers and earth stations, provided that the base of such towers shall not be closer to the property line than a distance equal to the height of the tower;~~
- ~~10. Recycling centers and transfer stations, subject to Section 819; and~~
- ~~11. Composting facilities, including retail sales and facilities that exceed the outdoor storage area limitations of this section, subject to Section 834.~~

~~602.07 — PROHIBITED AND PREEXISTING USES~~

~~A. — Prohibited Uses: The following uses are prohibited in the Light Industrial District (I-2):~~

- ~~1. Uses that do not comply with Subsections 602.03(B) through (G), except as approved pursuant to Subsection 602.06;~~
- ~~1. Retail commercial uses;~~
- ~~2. Service commercial uses catering to the general public on-site;~~
- ~~3. Uses identified as conditional uses in the General Industrial District but not as conditional uses in the I-2 District;~~
- ~~4. New dwelling units and detached accessory structures to existing dwelling units.~~

~~B. — Preexisting Uses:~~

- ~~1. Preexisting industrial and business uses that do not conform to the physical and operational requirements of this district shall be subject to Section 1206. In addition, any expansion, alteration, or change of use shall require that the use be brought into conformance with the physical and operational requirements of the I-2 District to the extent possible, as reviewed and approved by the Design Review Committee pursuant to Section 1102.~~

- ~~1. Preexisting single-family dwellings shall be allowed to remodel or expand without review under Section 1206.~~
- ~~2. Any change in the use of a preexisting dwelling shall be subject to all requirements for new developments in this district, except as approved pursuant to Subsection 1204.01.~~
- ~~3. No minimum lot size shall be required for a lot containing a preexisting dwelling. (4/13/06)~~
- ~~4. Preexisting dwellings and their accessory structures shall comply with the setback standards of Section 301.~~
- ~~5. Separate structures for industrial purposes may be approved on the same premises with an existing dwelling, subject to all provisions of Section 602.~~
- ~~6. Preexisting nonconforming commercial uses and all other preexisting uses and structures not allowed by Section 602 shall be subject to Section 1206.~~

602.048 DIMENSIONAL STANDARDS

Dimensional standards applicable in the BP, LI, and GI Districts are listed in Table 602-2. The standards of Table 602-2 are not subject to modification under Section 903, *Setback Exceptions*, but may be modified pursuant to Section 1205, *Variance*.

A. As used in Table 602-2, numbers in superscript correspond to the notes that follow Table 602-2.

Table 602-2: Dimensional Standards

<u>Standard</u>	<u>BP</u>	<u>LI</u>	<u>GI</u>
<u>Minimum Lot Size¹</u>	<u>3 acres</u>	<u>1 acre²</u>	<u>1 acre²</u>
<u>Maximum Front Yard Depth</u>	<u>20 feet³</u>	<u>0</u>	<u>0</u>
<u>Minimum Front Yard Depth</u>	<u>20 feet⁴</u>	<u>20 feet⁴</u>	<u>20 feet⁴</u>
<u>Minimum Rear Yard Depth, if the rear yard abuts an industrial zoning</u>	<u>0⁴</u>	<u>0⁴</u>	<u>0^{4.5}</u>

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<u>district</u>			
<u>Minimum Rear Yard Depth, if the rear yard abuts a commercial or mixed use zoning district</u>	<u>15 feet⁴</u>	<u>15 feet⁴</u>	<u>15 feet^{4,5}</u>
<u>Minimum Rear Yard Depth, if the rear yard abuts a residential, natural resource, or Open Space Management zoning district</u>	<u>35 feet⁴</u>	<u>35 feet⁴</u>	<u>35 feet^{4,5}</u>
<u>Minimum Side Yard Depth, if the side yard abuts an industrial zoning district</u>	<u>0⁴</u>	<u>0⁴</u>	<u>0^{4,5}</u>
<u>Minimum Side Yard Depth, if the side yard abuts a commercial or mixed use zoning district</u>	<u>15 feet⁴</u>	<u>15 feet⁴</u>	<u>15 feet^{4,5}</u>
<u>Minimum Side Yard Depth, if the side yard abuts a residential, natural resource, or Open Space Management zoning district</u>	<u>35 feet⁴</u>	<u>35 feet⁴</u>	<u>35 feet^{4,5}</u>

Notes to Table 602-2:

¹ The minimum lot size standard applies to subdivisions, partitions, and property line adjustments, except that no minimum lot size standard applies to a lot that is developed with a dwelling that is a nonconforming use. Notwithstanding the

minimum lot size standard, a lot of record may be developed, subject to other applicable standards of this Ordinance.

² The minimum lot size may be reduced to 20,000 square feet, subject to design review approval pursuant to Section 1102 of the overall development plan for the entire lot of record, including access, circulation, parking, landscaping, and proposed building locations.

³ The maximum front yard depth standard applies, if required by Subsection 1005.03(L), except that this standard does not apply to dwellings that are nonconforming uses, or to structures that are accessory to such dwellings.

⁴ The minimum yard depth requirements of Section 301, *Urban Low Density Residential Districts*, apply to dwellings that are nonconforming uses, as well as to structures that are accessory to such dwellings.

⁵ The minimum yard depth for a silo, tower, or other specialized storage or processing structure (unless such structure is enclosed in a building) is 35 feet for structures 35 feet or less in height. An additional five feet of yard depth is required for each additional 10-foot height increment, or portion thereof, for structures over 35 feet in height. These greater yard depth standards do not apply if the yard abuts an LI or GI District.

~~A. Purpose: The dimensional standards are intended to:~~

- ~~1. Enhance the appearance of the development from public roads and from adjacent properties;~~
- ~~1. Encourage the retention of large sites and their development in a coordinated, pleasing, and efficient manner;~~
- ~~2. Ensure that the minimum operational requirements of the development are provided on-site; and~~
- ~~3. Establish the maximum limits of development.~~

~~B. Site Area Requirements: A site area for purposes of this section shall be the total land area to be developed as a unit, prior to the creation of any new parcels or lots within the land area. A site area may be either of the following:~~

- ~~1. A single tax lot, or two or more contiguous tax lots, under the same ownership; or~~
- ~~1. Two or more contiguous tax lots under separate ownership, provided that:
 - ~~a. All individual property owners are members of a group formed for the purpose of developing the properties as a single planned development; and~~~~

- a. ~~All individual tax lot ownerships are converted into development shares, or other satisfactory arrangement, allowing all lots to be combined into one lot prior to any building permit being issued for the project.~~

C. ~~Site Area Standards: The following standards shall apply:~~

- 1. ~~Site Area: Developments shall have a minimum site area of one acre.~~
- 1. ~~Preexisting Undersized Site Areas: Developments may be established on a preexisting lot of record of less than one acre provided such development satisfies all other standards of this district.~~
- 2. ~~Property line adjustments and divisions of land creating lots less than an average of one acre in size shall be allowed subject to the following criteria:~~
 - a. ~~Design review approval pursuant to Section 1102 of the overall development plan for the site area, including access, circulation, parking, landscaping, and proposed building locations, shall be required prior to the approval of a property line adjustment or division of land.~~
 - a. ~~Building permits shall not be issued on any lot within a property line adjustment or division of land approved pursuant to Subsection 602.08(C)(3)(a) until all road and frontage improvements have been installed or bonded pursuant to Section 1104. In addition, maintenance of all parcels shall be required, including mowing and weed control on undeveloped parcels.~~
 - b. ~~No lot shall be created which is less than 20,000 square feet in area.~~

D. ~~Setback Requirements:~~

- 1. ~~Minimum Front Yard Setback: 20 feet. Structures on corner or through lots shall satisfy the minimum front yard setback on both streets.~~
- 1. ~~Minimum Side and Rear Yard Setbacks: None required except where such yard abuts a more restrictive district, in which case the minimum setback from the more restrictive district shall be as follows:~~
 - a. ~~Next to residential districts: 35 feet.~~
 - a. ~~Next to commercial districts: 15 feet.~~
 - b. ~~Next to a Business Park district: 20 feet.~~

~~2. Setback Yard Landscaping: Within the required front yard setback area, a landscaped strip at least 15 feet wide shall be provided.~~

~~E. Minimum Street Frontage: A site area shall have a minimum of 100 feet of street frontage on a public, county, or state access road, except as provided under Subsection 904.02(A).~~

~~F. Minimum Landscaping Area: 15 percent of the lot.~~

~~G. Exceptions to General Requirements: The requirements of Subsection 602.08 are not subject to modification under Section 900, except where specifically referenced. However, these requirements may be modified pursuant to Section 1205.~~

602.059 DEVELOPMENT STANDARDS

The following development standards apply in the BP, LI, and GI Districts.

~~A. General: Development is subject to the applicable provisions of Sections 1000 and 1100.~~

~~B. Community and Design Plans: Development within a Community or Design Plan Area identified in Chapter 10 of the Comprehensive Plan shall comply with the specific policies and standards for the adopted Community or Design Plan.~~

~~C. Fences: Street perimeter fences or walls shall meet a minimum setback of 15 feet from the front property line. The area between the fence and improved roadway shall be landscaped and maintained pursuant to Section 1009.~~

~~D. Signing: Section 1010 and the following shall apply:~~

~~1. Perimeter Street Signs: One sign oriented toward offsite traffic may be provided at each public access point from a county or state road. Such signs shall comply with the following requirements:~~

~~a. Shall not exceed 60 square feet in area;~~

~~a. Shall not exceed five feet in height; and~~

~~b. Shall use materials and design elements that are complementary to those used in the development.~~

~~A. Outdoor Operations in the BP District: In the operation of a primary use in the BP District:~~

~~1. All display areas shall be located within a building. No outdoor display areas shall be allowed.~~

2. No outdoor storage of materials or products shall be allowed.
3. No outdoor processes shall be employed in the operation of the business.
4. Receptacles for solid waste and recyclable materials shall be maintained within an enclosed structure.

B. Outdoor Operations in the LI District: In the operation of a primary use in the LI District:

1. All display of products shall be located within an enclosed building. No outdoor display areas shall be allowed. Notwithstanding these limitations, outdoor display of finished products may be permitted as a conditional use, as established by Table 602-1 and provided that, at a minimum, outdoor display areas and items on display shall:
 - a. Not block visibility to or from any road or driveway, or block visibility of signs located on adjacent lots;
 - b. Be located a minimum of 15 feet from the front lot line(s);
 - c. Be maintained to project an organized and neat appearance at all times; and
 - d. Only include finished products manufactured on, or sold on a wholesale basis from, the subject property.
2. Limited outdoor storage areas shall be allowed, subject to the following criteria:
 - a. Except as permitted as a conditional use, as established by Table 602-1, outdoor storage may occupy an area no greater than the area of the ground floor of the building(s) on the same premises.
 - b. Outdoor storage areas shall be located behind the building, to the rear of the site, and not adjacent to front lot lines.
 - c. Outdoor storage areas shall be screened with a sight-obscuring fence a minimum of six feet in height. Fencing shall be located behind the landscaping strips required by Subsections 1009.04(B) and 1009.06.
 - d. Equipment, vehicles, materials, and other items located within outdoor storage areas shall be maintained in an orderly fashion and, except for large industrial or commercial vehicles and equipment, shall be no higher than the height of the fence.
 - e. Outdoor storage areas shall not be used to store waste or recyclable materials.

3. No outdoor processes shall be employed in the operation of the business.

4. Receptacles for solid waste and recyclable materials shall be maintained within an enclosed structure.

C. Outdoor Operations in the GI District: In the operation of a primary use in the GI District:

1. Outdoor display of finished products is permitted, provided that outdoor display areas and items on display shall:

a. Not block visibility to or from any road or driveway, or block visibility of signs located on adjacent lots;

b. Be located a minimum of 10 feet from the front lot line(s);

c. Be maintained to project an organized and neat appearance at all times; and

d. Only include finished products manufactured on, or sold on a wholesale basis from, the subject property.

2. Outdoor storage and processing are permitted, subject to the following standards:

a. Outdoor storage and processing areas shall be located a minimum of 20 feet from the front lot line(s), a minimum of 15 feet from side or rear lot lines that abut a commercial or mixed use zoning district, and a minimum of 35 feet from side or rear lot lines that abut a residential, natural resource, or Open Space Management zoning district.

b. Outdoor storage areas shall be screened with a sight-obscuring fence a minimum of six feet in height and a maximum of 10 feet in height. Fencing shall be located behind the landscaping strips required by Subsections 1009.04(B) and 1009.06. Outdoor processing areas shall be buffered pursuant to Subsections 1009.05(D) through (F).

c. Equipment, stockpiles of materials, and other items located within outdoor storage and processing areas shall be maintained in an orderly fashion.

d. Waste materials (by-products that are not further processed or recycled on-premise) shall not accumulate in outdoor storage and processing areas for more than two weeks, except that waste materials from water treatment facilities or surface water retention facilities may accumulate for such longer period as necessitated by Best Management Practices for the facility.

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e. It shall be demonstrated through engineering and design or monitoring that outdoor storage of waste materials will not negatively impact ground or surface waters.

E.D. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use ~~is subject to shall require compliance with~~ Subsection 825.03.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-231, 1/31/12; Amended by Ord. ZDO-235, 5/14/12]

~~603 — GENERAL INDUSTRIAL DISTRICT (I-3)~~

~~603.01 — PURPOSE~~

~~Section 603 is adopted to implement the policies of the Comprehensive Plan for General Industrial areas.~~

~~[Amended by Ord. ZDO-224, 5/31/11]~~

~~603.02 — AREA OF APPLICATION~~

~~Property may be zoned General Industrial District when the site has a Comprehensive Plan designation of General Industrial and the criteria in Section 1202 are satisfied.~~

~~[Amended by Ord. ZDO-224, 5/31/11]~~

~~603.03 — PRIMARY USES~~

~~A. — Uses: The following uses may be established when they comply with Subsections 603.03(B) through(G):~~

- ~~1. — Research offices and laboratories, including testing facilities;~~
- ~~2. — Corporate headquarters, regional headquarters, and administrative offices but not business service offices identified in Subsection 606.04(C);~~
- ~~3. — Warehouse and distribution facilities, manufacturing, and other compatible business and industrial uses, as determined by the Planning Director, that are not listed in Subsection 603.04, 603.06, or 603.07(A) or (B). A request for a determination under this subsection shall be processed as an Interpretation pursuant to Subsection 1305.03. Application for an interpretation under this provision shall include a detailed description of the use and operational requirements of the use, approximate number of employees, estimated volume of truck traffic to be generated, a site plan, building elevations, and preliminary landscaping plans;~~
- ~~4. — Recycling centers and transfer stations, subject to Section 819;~~
- ~~5. — Heavy manufacturing uses;~~
- ~~6. — Aggregate processing facilities such as concrete and asphalt batch plants, but not mining;~~
- ~~7. — Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835. These uses shall not be subject to Subsections 603.03(B) through (G);~~

- ~~8. Truck repair, maintenance, and fueling services; and~~
 - ~~9. Indoor recreational facilities for such sports as gymnastics, martial arts, soccer, basketball, and skating. These facilities may be used for instruction, practice, and competitions. Health and fitness clubs are specifically excluded.~~
- ~~B. Site Plan and Design: Structures, circulation, parking, loading, and landscaping shall be designed to:~~
- ~~1. Minimize the impacts of outdoor operations, storage, and processes associated with the use;~~
 - ~~1. Maximize the use of level, clear land area for buildings, processes, storage, and truck or equipment maneuvering areas;~~
 - ~~2. Preserve significant trees within perimeter areas and near office buildings or areas;~~
 - ~~3. Screen outdoor storage areas and buffer outdoor processes and equipment in compliance with Subsections 1009.05(C) and 603.03(D); and~~
 - ~~4. Provide for efficient truck circulation on and off and within the site and, where applicable, efficient use of rail service.~~
- ~~C. Building Types and Design: The use shall occupy only the types of buildings described below:~~
- ~~1. Multi-use and multi-tenant buildings having the following characteristics:~~
 - ~~a. Are designed for the specific site to accomplish the objectives of Subsection 602.03(B);~~
 - ~~b. Are generally one to three stories in height;~~
 - ~~c. May be designed to facilitate internal alterations to accommodate changes in spatial needs over a period of time (i.e. "flex space" design);~~
 - ~~d. Incorporate architectural features, including distinctive entrances to office or lobby areas of the building;~~
 - ~~e. Provide for natural light penetration into office areas;~~
 - ~~f. Use exterior materials and finishes such as masonry or tilt-up concrete, with materials such as wood, stucco, or glass panels used to create texture and visual interest;~~

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- ~~1. Outdoor storage areas shall be screened with a sight-obscuring fence a minimum of six feet in height and a maximum of 10 feet in height. Fencing shall be located behind the perimeter landscaping required under Subsections 603.09(C) and 1009.04.~~
 - ~~2. Equipment, stockpiles of materials, and other items located within outdoor storage and process areas shall be maintained in an orderly fashion.~~
 - ~~3. Waste materials (by products which are not further processed or recycled on premise) shall not be allowed to accumulate in outdoor process areas for more than two weeks, except that waste materials from water treatment facilities or surface water retention facilities may accumulate for such longer period as necessitated by Best Management Practices for the facility.~~
 - ~~4. It shall be demonstrated through engineering and design or monitoring that outdoor storage of waste materials will not negatively impact ground or surface waters.~~
- ~~E. Display Areas: Outdoor display of finished products shall be allowed provided that outdoor display areas and items on display shall:~~
- ~~1. Not be located where they will block visibility to or from any road or driveway, or block visibility of signs located on adjacent properties;~~
 - ~~1. Be set back at least 10 feet from the front property line, behind the landscaped strip along the frontage;~~
 - ~~2. Be maintained to project an organized and neat appearance at all times;~~
 - ~~3. Not include signs, except those emblems painted on, or permanently attached to, items being displayed; and~~
 - ~~4. Only include finished products manufactured on or distributed from the premises.~~
- ~~F. Transportation Requirements: Loading areas shall be readily accessible to large semi-trailer trucks. The use may generate unlimited local and semi-trailer truck service and limited non-employee traffic, with infrequent direct sales-related passenger vehicle traffic.~~
- ~~G. Operational Impacts:~~
- ~~1. The operation of the use shall not produce noise, odors, fumes, gases, or vibration that exceeds the standards of the Oregon Department of Environmental Quality.~~

- ~~1. Except as specifically listed as a conditional use in Subsection 603.06, hazardous materials may be stored or used in quantities classified under Group H, Division 1 or Division 2 Occupancies under the Oregon Structural Specialty Code.~~

[Amended by Ord. ZDO-224, 5/31/11]

~~603.04 — ACCESSORY USES~~

~~A. The following are allowed as accessory uses in the General Industrial District:~~

- ~~1. Freestanding office buildings in conjunction with a primary or conditional use;~~
- ~~2. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;~~
- ~~3. Bus shelters, subject to Section 823;~~
- ~~4. Pedestrian amenities;~~
- ~~5. Solar energy systems;~~
- ~~6. Satellite dishes;~~
- ~~7. Utility carrier cabinets, subject to Section 830;~~
- ~~8. Signs, subject to Section 1010;~~
- ~~9. Employee lounges, indoor recreation areas and facilities and cafeterias catering to employees of the primary use;~~
- ~~10. Outdoor recreational facilities for employees, such as tennis courts, jogging and exercise courses, playfields, and similar uses;~~
- ~~11. Signs identifying the developer, contractor, or real estate agency responsible for leasing or selling land or buildings within the project. Such signs shall be removed upon sale or lease of the premises advertised;~~
- ~~12. Parking structures;~~
- ~~13. Indoor areas for display and sale of products manufactured by the same business occupying the premises, provided that the floor area of such display area constitutes no more than 5 percent of the developed site area, or no more than 5,000 square feet, whichever is less;~~
- ~~14. Indoor areas for display and wholesale sales of products warehoused or distributed by the same business entity operating the primary use on the~~

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~~premises, provided that the floor area of such display area constitutes no more than five percent of the floor area used for the primary use, or no more than 5,000 square feet, whichever is less. For purposes of this provision, sales of products warehoused or distributed shall not exceed two percent of the annual gross sales attributed to the premises;~~

~~15. Warehouse event sales, provided:~~

~~a. The event sales products being sold are manufactured, warehoused or distributed as a primary use operating on the premises.~~

~~b. No more than one warehouse event sale shall occur each calendar month. Sales shall last a maximum of three consecutive days, which shall be Friday, Saturday, Sunday, and/or Monday.~~

~~c. The event sales shall occur indoors.~~

~~16. Cogeneration facilities;~~

~~17. Rainwater collection systems;~~

~~18. Electric vehicle charging stations;~~

~~19. The temporary storage within an enclosed structure of source-separated recyclable/reusable materials generated and/or used on site prior to on-site reuse or removal by the generator or licensed or franchised collector to a user or broker; and~~

~~20. Level one mobile vending units, subject to Section 837.~~

~~[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-231, 1/31/12]~~

~~603.05 — USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR~~

~~The following use may be approved by the Planning Director pursuant to Subsection 1305.02:~~

~~A. Wireless telecommunication facilities listed in Subsection 835.05, subject to Section 835.~~

~~603.06 — CONDITIONAL USES~~

~~A. Criteria: Conditional uses may be approved subject to Section 1203 and any applicable provisions of Section 800. In addition, the proposed use:~~

~~1. Shall have minimal adverse impact on the appropriate development of primary uses on abutting properties and the surrounding area considering location, size, design, and operating characteristics of the use;~~

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- ~~2. Shall not create hazardous, or potentially hazardous, conditions which cannot be contained within the premises in the event of an accident involving hazardous materials or processes; and~~
- ~~3. Shall comply with all standards of Subsection 603.03, except those that prompt the application for a conditional use.~~

~~B. Uses: The following uses are allowed subject to the above criteria:~~

- ~~1. Heliports;~~
- ~~1. Uses involving hazardous substances that exceed the standards of Subsection 603.03(G);~~
- ~~2. Surface mining or rock crushing operations, subject to Section 818;~~
- ~~3. Business or vocational schools and college or university extension facilities;~~
- ~~4. City, county, state, federal, or municipal corporation uses or buildings, telephone exchanges, railroad right-of-way, public utility facilities, fire stations, and associated uses;~~
- ~~5. Indoor or outdoor arenas and stadiums;~~
- ~~6. Radio and television transmission and receiving towers and earth stations, provided that the base of such towers shall not be closer to the property line than a distance equal to the height of the tower;~~
- ~~7. Outdoor amusements, including amusement parks, circuses, carnivals, drive-in theatres, and racetracks for autos, dogs, horses, or motorcycles;~~
- ~~8. Wrecking and salvage yards for building materials, autos, trucks, and other equipment, except as prohibited by Subsection 603.07(B)(1)(d);~~
- ~~9. Electrical power production facilities that are not allowed as an accessory use;~~
- ~~10. Petroleum, coal, or other fuel storage, refining, reclaiming, distribution, and wholesale trade. However, except for petroleum storage containers for the exclusive use of on-site fleet vehicles, these uses are prohibited in the Clackamas River Principal River Conservation Area;~~
- ~~11. Auto repairing, overhauling, painting, washing, body and fender work, and reconditioning;~~
- ~~12. Military reservations and associated uses; and~~
- ~~13. Composting facilities, including retail sales, subject to Section 834.~~

~~[Amended by Ord. ZDO 224, 5/31/11; Amended by Ord. ZDO 224, 5/14/12]~~

~~603.07 — PROHIBITED AND PREEXISTING USES~~

~~A. — Prohibited Uses: The following uses are prohibited in the General Industrial District (I-3):~~

- ~~1. — Uses that do not comply with Subsections 603.03(B) through (G), except as approved pursuant to Subsection 603.06;~~
- ~~1. — Retail commercial uses;~~
- ~~2. — Service commercial uses, except those specifically listed as a primary or conditional use;~~
- ~~3. — Freestanding office buildings not in conjunction with a primary use on the same premises; and~~
- ~~4. — New dwelling units and detached accessory structures to existing dwelling units.~~

~~B. — Prohibited uses within the Clackamas River Principal River Conservation Area:~~

- ~~1. Purpose: Certain uses are prohibited within this area because they pose a high risk to surface and groundwater resources and to the Clackamas River which provides public drinking water and habitat for fish and wildlife. Preventative measures are the most effective and economical measures available to protect water quality. Prohibiting large quantities of hazardous materials and hazardous wastes, and prohibiting specific uses that traditionally use these substances, reduces potential harm due to exposure to these substances.~~
- ~~2. The following uses shall be prohibited within the Clackamas River Principal River Conservation Area:~~
 - ~~a. — Manufacture and production of hazardous materials (chemicals listed in SARA TITLE III) and nuclear and radioactive materials;~~
 - ~~a. — Uses which use hazardous materials at the bulk plant quantity level;~~
 - ~~b. — Uses in the waste-related category and waste collection and transfer facilities that involve hazardous materials;~~
 - ~~c. — Salvage and wrecking yards for building materials, autos, trucks, and other equipment;~~

- ~~d. Wood processing/treatment and composites that include chemical treatment including sap staining (Chromium-Copper-Arsenate [CCA], Creosote, pentachlorophenol [PENTA], furniture stripping or refinishing, and related chemicals);~~
- ~~e. Battery recycling or reprocessing operations;~~
- ~~f. Operations that process, reprocess, collect, or store oils containing polychlorinated biphenyls (PCB);~~
- ~~g. Manufacture/production of petroleum base construction materials (tars, creosote);~~
- ~~h. Outdoor vehicle salvage, drum container recycling and cleaning, or cleaning operations for commercial truck tankers or rail tankers;~~
- ~~i. Industrial and commercial dry cleaning plants that use solvents; and~~
- ~~j. Sewage treatment plants.~~

~~C. Preexisting Uses:~~

- ~~1. Preexisting industrial and business uses that do not conform to the physical and operational requirements of this district shall be subject to Section 1206. In addition, any expansion, alteration, or change of use shall require that the use be brought into conformance with the physical and operational requirements of the I-3 District to the extent possible, as reviewed and approved by the Design Review Committee pursuant to Section 1102.~~
- ~~1. Preexisting single-family dwellings shall be allowed to remodel or expand without review under Section 1206.~~
- ~~2. Any change in the use of a preexisting dwelling shall be subject to all requirements for new developments in this district, except as approved pursuant to Subsection 1204.01.~~
- ~~3. No minimum lot size shall be required for a lot containing a preexisting dwelling.~~
- ~~4. Preexisting dwellings and their accessory structures shall comply with the setback standards of Section 301.~~
- ~~5. Separate structures for industrial purposes may be approved on the same premises with an existing dwelling, subject to all provisions of Section 603.~~

- ~~6. Preexisting noneconforming commercial uses and all other preexisting uses and structures not allowed by Section 603 shall be subject to Section 1206.~~

~~[Amended by Ord. ZDO 224, 5/31/11]~~

~~603.08 — DIMENSIONAL STANDARDS~~

~~A. Purpose: The dimensional standards are intended to:~~

- ~~1. Enhance the appearance of the development from public roads and from adjacent properties;~~
- ~~1. Mitigate potential adverse impacts associated with outdoor processes, storage areas, and other intensive industrial operations and characteristics;~~
- ~~2. Encourage the coordinated, pleasing, and efficient development of sites;~~
- ~~3. Ensure that the minimum operational requirements of the development are provided on-site; and~~
- ~~4. Establish the maximum limits of development.~~

~~B. Site Area Requirements: A site area for purposes of this section shall be the total land area to be developed as a unit, prior to the creation of any new parcels or lots within the land area. A site area may be either of the following:~~

- ~~1. A single tax lot, or two or more contiguous tax lots, under the same ownership; or~~
- ~~1. Two or more contiguous tax lots under separate ownership, provided that:
 - ~~a. All individual property owners are members of a group formed for the purpose of developing the properties as a single planned development; and~~
 - ~~a. All individual tax lot ownerships are converted into development shares, or other satisfactory arrangement, allowing all lots to be combined into one lot prior to any building permit being issued for the project.~~~~

~~C. Site Area Standards: The following standards shall apply:~~

- ~~1. Minimum Site Area: one acre~~

1. ~~Preexisting Undersized Site Areas: Developments may be established on a preexisting lot of record which is less than one acre in size provided such development satisfies all other standards of this district.~~
2. ~~Property Line Adjustments and Land Divisions: Property line adjustments and divisions of land creating lots less than one acre in size shall be allowed subject to the following criteria:~~
 - a. ~~Design review approval pursuant to Section 1102 of the overall development plan for the site area, including access, circulation, parking, landscaping, and proposed building locations, shall be required prior to the approval of a property line adjustment or division of land.~~
 - a. ~~Building permits shall not be issued on any lot within a property line adjustment or division of land approved pursuant to Subsection 603.08(C)(3)(a) until all improvements, irrigation systems, and landscape materials have been installed along street frontages or bonded pursuant to Section 1104.~~
 - b. ~~No lot shall be created which is less than 20,000 square feet in area.~~

D. ~~Setback Requirements:~~

1. ~~Minimum Front Yard Setback: 20 feet. Structures on corner or through lots shall satisfy the minimum front yard setback on both streets.~~
2. ~~Minimum Side and Rear Yard Setbacks: None required when abutting property zoned I-2 or I-3. When abutting any other zoning district, the minimum setback from the property line adjoining the other district shall be 35 feet. An additional five feet of setback shall be required for each additional 10-foot height increment, or portion thereof, for structures over 35 feet in height.~~

E. ~~Minimum Street Frontage: A site area shall have a minimum of 100 feet of street frontage on a public, county, or state access road.~~

F. ~~Minimum Landscaping Area: 15 percent of the lot.~~

G. ~~Exceptions to General Requirements: The requirements of Subsection 603.08 are not subject to modification under Section 900. However, these requirements may be modified pursuant to Section 1205.~~

[Amended by Ord. ZDO-224, 5/31/11]

603.09 — DEVELOPMENT STANDARDS

- ~~A. — General: Development is subject to the applicable provisions of Sections 1000 and 1100.~~
- ~~A. — Community and Design Plans: All development within a Community or Design Plan Area identified in Chapter 10 of the Comprehensive Plan shall comply with the specific policies and standards for the adopted Community or Design Plan.~~
- ~~B. — Fences: Street perimeter fences or walls shall meet a minimum setback of 10 feet from the front lot line. The area between the fence and improved roadway shall be landscaped and maintained pursuant to Section 1009.~~
- ~~C. — Signing: Section 1010 and the following shall apply:~~
- ~~1. — Perimeter Street Signs: One sign oriented toward offsite traffic may be provided at each public access point from a county or state road. Such signs shall comply with the following requirements:~~
 - ~~a. — Shall not exceed 60 square feet in area;~~
 - ~~a. — Shall not exceed five feet in height; and~~
 - ~~b. — Shall use materials and design elements that are complementary to those used in the development.~~
- ~~D. — Hazardous Substances Containment Review: This subsection shall apply in the North Bank of the Clackamas River Principal River Conservation Area.~~
- ~~1. — Purpose: The intent of hazardous substances containment review is to promote public safety and welfare by ensuring that uses which use hazardous substances locate in appropriate locations and develop in such a manner as to not be a serious threat to the Clackamas River and groundwater.~~
 - ~~2. — The following uses traditionally use hazardous substances. If technology is used to minimize risk and impacts to water quality, these uses may be allowed if approved by Clackamas County Water Environment Services through hazardous substances containment review.~~
 - ~~a. — Petroleum storage containers for the exclusive use of on-site fleet vehicle fueling and maintenance and emergency generators;~~
 - ~~a. — Uses that roll, draw, extrude, cast, forge, heat treat, electroplate, plate, anodize, or color ferrous and non-ferrous metals;~~
 - ~~b. — Manufacture and production of paving, roofing, and other construction materials, using asphaltic and petroleum-based coatings and preserving materials; and~~

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~~e. Uses that utilize hazardous substances in less than bulk plant quantities.~~

~~E. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

[Amended by Ord. ZDO-224, 5/31/11]

604 RURAL INDUSTRIAL DISTRICT (RI)

604.01 PURPOSE

Section 604 is adopted to implement the policies of the Comprehensive Plan for Rural Industrial areas.

604.02 AREA OF APPLICATION

Section 604 applies to property in the Rural Industrial District. Property may be zoned Rural Industrial District when it ~~the site~~ has a Comprehensive Plan designation of Rural Industrial and the criteria in Section 1202, Zone Change, are satisfied.

604.03 USES PERMITTED

Uses permitted in the Rural Industrial District are listed in Table 604-1. In addition, uses similar to one or more of the listed uses may be authorized pursuant to Section 106, Authorization of Similar Uses.

A. As used in Table 604-1:

1. "P" means the use is a primary use.
2. "A" means the use is an accessory use.
3. "C" means the use is a conditional use, approval of which is subject to Section 1203, Conditional Use.
4. Numbers in superscript correspond to the notes that follow Table 604-1.

B. Permitted uses are subject to the applicable provisions of Subsection 604.04, Dimensional Standards, Subsection 604.05, Development Standards, Section 1000, Development Standards, and Section 1100, Development Review Process.

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Table 604-1: Permitted Uses in the RI District

<u>Use</u>	<u>RI</u>
<p><u>A. Construction and Maintenance Contractors</u> <u>This category includes contractors engaged in construction and maintenance of buildings and their component parts (e.g., roofing, siding, windows), fencing, decking, building systems (e.g., plumbing, electrical, mechanical), landscaping, and infrastructure (e.g., roads, utilities). Also included are excavation contractors, building movers, pest control services, and janitorial services.</u></p>	<u>P</u>
<p><u>B. Indoor Recreational Facilities</u> <u>This category includes indoor facilities for such sports as dance, gymnastics, martial arts, soccer, basketball, and skating. These facilities may be used for instruction, practice, and competitions. Health and fitness clubs are excluded from this category.</u></p>	<u>P</u>
<p><u>C. Lawfully Established Industrial Uses that existed on December 20, 2001, and are not otherwise listed in Table 604-1</u></p>	<u>P</u>
<p><u>D. Light Metal and Fiberglass Fabrication</u></p>	<u>P</u>
<p><u>E. Manufacturing</u> <u>This category includes establishments engaged in the mechanical, physical, or chemical transformation of materials, substances, or components into new products, including the assembly of component parts. Examples of manufacturing include alternative energy development, biosciences, food and beverage processing, software and electronics production, and fabrication of products made from materials such as metal, glass, rubber, plastic, resin, wood, and paper.</u></p>	<u>P¹</u>
<p><u>F. Ornamental and Horticultural Nurseries</u></p>	<u>P</u>
<p><u>G. Repair and Refinishing of Furniture and Household Goods</u></p>	<u>P</u>
<p><u>H. Repair of Motor Vehicles</u></p>	<u>P</u>
<p><u>I. Retail Sales of Lumber and Building Materials</u></p>	<u>P</u>
<p><u>J. Sales, Rental, Storage, Repair, and Servicing of equipment and materials associated with farm and forest uses, road maintenance, mineral extraction, and construction</u></p>	<u>P</u>
<p><u>K. Sheet Metal and Machine Shops</u></p>	<u>P</u>
<p><u>L. Small Power Production Facilities, provided that if it is a hydroelectric facility, it shall be subject to Section 829</u></p>	<u>P</u>
<p><u>M. Upholstery Shops</u></p>	<u>P</u>
<p><u>N. Utility Carrier Cabinets, subject to Section 830</u></p>	<u>P</u>

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<u>O. Veterinary Hospital</u>	<u>P</u>
<u>P. Warehousing and Distribution</u> This category includes establishments primarily engaged in operating warehousing and distribution facilities for general merchandise, refrigerated goods, and other products and materials that have been manufactured and generally are being stored in anticipation of delivery to the final customer. A range of logistical services may be provided, including labeling, packaging, price marking and ticketing, and transportation arrangement. This category includes the transportation and distribution of cargo using motor vehicles or rail spurs and may include loading docks and parking of cargo transport vehicles. Mini-storage facilities are not included in this category.	<u>P'</u>
<u>Q. Wholesale Trade</u> This category includes establishments engaged in selling and distributing goods and services to retailers; to industrial, commercial, or professional business users; or to other wholesalers, generally without transformation. Wholesalers sell goods and services to other businesses, not the general public.	<u>P'</u>
<u>R. Wireless Telecommunication Facilities, subject to Section 835</u>	<u>P</u>
<u>S. Accessory Uses listed in Section 308, Rural Area Residential 2-Acre District, provided that such uses are accessory to a single-family dwelling that is a nonconforming use</u>	<u>A</u>
<u>T. Bus Shelters, subject to Section 823</u>	<u>A</u>
<u>U. Cogeneration Facilities</u>	<u>A</u>
<u>V. Dwellings</u>	<u>A</u>
<u>W. Electric Vehicle Charging Stations</u>	<u>A</u>
<u>X. Employee Amenities, such as clinics, daycare facilities, lounges, cafeterias, and recreational facilities</u>	<u>A</u>
<u>Y. Level One Mobile Vending Units, subject to Section 837</u>	<u>A</u>
<u>Z. Offices</u>	<u>A</u>
<u>AA. Parking, Storage, Repair, and Servicing of Fleet Vehicles</u>	<u>A</u>
<u>BB. Pedestrian Amenities</u>	<u>A</u>
<u>CC. Rainwater Collection Systems</u>	<u>A</u>
<u>DD. Recyclable Drop-off Sites, subject to Section 819</u>	<u>A</u>
<u>EE. Retail Sales of products that are manufactured on the subject property, distributed from the subject property, warehoused on the subject property, or sold on a wholesale basis from the subject property</u>	<u>A</u>
<u>FF. Satellite Dishes</u>	<u>A</u>

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<u>GG. Signs, subject to Section 1010</u>	<u>A²</u>
<u>HH. Solar Energy Systems</u>	<u>A</u>
<u>II. Temporary Buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work.</u>	<u>A</u>
<u>JJ. Temporary Storage within an enclosed structure of source-separated recyclable/reusable materials generated and/or used on-site prior to on-site reuse or removal by the generator or licensed or franchised collector to a user or broker</u>	<u>A</u>
<u>KK. Animal Slaughtering and Rendering, Distillation of Bones, and Leather Tanning</u>	<u>C</u>
<u>LL. Auto Wrecking Yard and Junkyards, subject to Section 817</u>	<u>C</u>
<u>MM. Composting Facilities, subject to Section 834</u>	<u>C</u>
<u>NN. Government and Special District Uses</u>	<u>C³</u>
<u>OO. Heliports</u>	<u>C</u>
<u>PP. Hosting of weddings, family reunions, class reunions, company picnics, and similar events</u>	<u>C</u>
<u>QQ. Incineration and Reduction of Offal, Dead Animals, and Solid Waste</u>	<u>C</u>
<u>RR. Manufacturing, transportation, distribution, warehousing, and wholesale trade of the following: explosive materials and devices, fertilizer, natural gas, pesticides, petroleum, and petroleum products</u>	<u>C</u>
<u>SS. Private commercial, noncommercial, or nonprofit recreational areas, uses, and facilities, including country clubs, lodges, fraternal organizations, swimming pools, gymnastics facilities, golf courses, boarding or riding stables, boat moorages, parks, and concessions</u>	<u>C</u>
<u>TT. Public Utility Facilities without shops, garages, or general administrative offices.</u>	<u>C</u>
<u>UU. Radio and Television Transmission and Receiving Towers and Earth Stations, provided that the base of such towers shall not be closer to the property line than a distance equal to the height of the tower</u>	<u>C</u>
<u>VV. Recycling Centers and Transfer Stations, subject to Section 819</u>	<u>C</u>
<u>WW. Surface Mining, subject to Section 818</u>	<u>C</u>
<u>XX. Telephone Exchanges</u>	<u>C</u>

Notes to Table 604-1:

¹ Manufacturing, transportation, distribution, warehousing, and wholesale trade of certain products are conditional uses, when specifically listed as such in Table 604-1.

² Temporary signs regulated under Subsection 1010.13(A) are a primary use.

³ A government or special district use is a conditional use only if the proposed use does not also fall within one of the categories identified as a primary or accessory use.

604.03 — PRIMARY USES

The following are allowed as primary uses in the Rural Industrial District:

- A. ~~Primary processing, packaging, treatment, bulk storage, and wholesale distribution of the following products, except when identified as a conditional use in Subsection 604.06:~~
 - 1. ~~Agricultural products, including foodstuffs, animal and fish products, and animal feeds;~~
 - 2. ~~Ornamental horticultural products;~~
 - 3. ~~Softwood and hardwood products; and~~
 - 4. ~~Sand, gravel, clay, and other mineral products;~~
- B. ~~Storage, sales, repair, and servicing of equipment and materials associated with farm and forest uses, logging, road maintenance, mineral extraction, construction, or similar rural activities, except when identified as a conditional use in Subsection 604.06;~~
- C. ~~Building, building maintenance, plumbing, electrical, heating, roofing, glass, landscaping, painting, or similar contractors' offices, shops, and incidental storage of materials and equipment;~~
- D. ~~Cabinet making, carpentry, and other woodcraft manufacturing, storage, and wholesale distribution;~~
- E. ~~Furniture and household goods refinishing, repair, and storage;~~
- F. ~~Ceramics, pottery, stained glass, leatherwork, jewelry, and similar crafts manufacturing, storage, and wholesale distribution;~~
- G. ~~Retail or wholesale lumber and building materials sales;~~
- H. ~~Small-scale light metal and fiberglass fabrication;~~
- I. ~~Auto, motorcycle, and truck repair;~~
- J. ~~Upholstery shops;~~
- K. ~~Ornamental and horticultural nurseries;~~

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- ~~L. — Veterinary hospitals;~~
- ~~M. — Sheet metal and machine shops;~~
- ~~N. — Small power production facilities. Hydroelectric facilities shall be subject to Section 829;~~
- ~~O. — Production of renewable fuel resources such as alcohol, methanol, and biomass for retail or wholesale distribution;~~
- ~~P. — Utility carrier cabinets, subject to Section 830;~~
- ~~Q. — Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835;~~
- ~~R. — Indoor recreational facilities for such sports as gymnastics, martial arts, soccer, basketball, and skating. These facilities may be used for instruction, practice, and competitions. Health and fitness clubs are specifically excluded; and~~

~~604.04 — ACCESSORY USES~~

~~The following are allowed as accessory uses in the Rural Industrial District:~~

- ~~A. — Uses and structures customarily accessory and incidental to a primary or conditional use;~~
- ~~A. — Offices in conjunction with a primary or conditional use;~~
- ~~B. — Incidental retail sales of products that are allowed, as a primary or conditional use, to be assembled, stored, manufactured, and distributed on a wholesale basis;~~
- ~~C. — Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;~~
- ~~D. — The temporary storage within an enclosed structure of source-separated recyclable/reusable materials generated and/or used on-site prior to on-site reuse or removal by the generator or licensed or franchised collector to a user or broker;~~
- ~~E. — Recyclable dropoff sites, subject to Section 819;~~
- ~~F. — Electric power cogeneration facilities;~~
- ~~G. — Pedestrian amenities;~~
- ~~H. — Bus shelters, subject to Section 823;~~

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- ~~I. Signs, subject to Section 1010;~~
- ~~J. Solar energy systems;~~
- ~~K. Rainwater collection systems;~~
- ~~L. Electric vehicle charging stations;~~
- ~~M. Dwellings incidental to a primary or conditional use; and~~
- ~~N. Level one mobile vending units, subject to Section 837.~~

~~604.05 USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR~~

~~The following use may be approved by the Planning Director pursuant to Subsection 1305.02:~~

- ~~A. Wireless telecommunication facilities listed in Subsection 835.05, subject to Section 835.~~

~~604.06 CONDITIONAL USES~~

- ~~A. Criteria: Conditional uses may be approved subject to Section 1203 and any applicable provisions of Section 800. In addition:~~

- ~~1. Associated odors, smoke, dust, and noise shall be controlled; and~~
- ~~1. Explosive and incendiary materials shall be stored and treated such that they do not pose a danger to surrounding uses.~~

- ~~B. Uses: The following uses are allowed subject to the above criteria:~~

- ~~1. Animal or poultry slaughtering and rendering, distillation of bones, and leather tanning;~~
- ~~1. Incineration or reduction of garbage, offal, dead animals, or refuse;~~
- ~~2. Compost, fertilizer, and pesticides manufacturing, processing, packaging, bulk storage, and wholesale distribution;~~
- ~~3. Surface mining and aggregate extraction and processing, including concrete mixing plants, subject to Section 818;~~
- ~~4. Storage and processing of explosive materials and devices;~~
- ~~5. Petroleum, petroleum products, and natural gas storage and wholesale distribution;~~

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6. ~~Service and recreational uses, excluding recreational vehicle camping facilities, subject to Section 813;~~
7. ~~Auto wrecking yards and junkyards, subject to Section 817;~~
8. ~~Recycling centers and transfer stations, subject to Section 819;~~
9. ~~Composting facilities, subject to Section 834; and~~
10. ~~The hosting of weddings, family reunions, class reunions, company picnics, and similar events.~~

~~604.07~~ PROHIBITED AND PREEXISTING USES

- A. ~~The following uses are prohibited in the Rural Industrial District:~~
1. ~~Uses of structures and land not specifically allowed; and~~
 1. ~~A subdivision or partition within the Portland Metropolitan Urban Growth Boundary resulting in the creation of one or more lots or parcels of less than 20 acres.~~
- B. ~~Lawfully established dwellings shall be allowed to remodel or expand without review under Section 1206.~~
- C. ~~Lawfully established industrial uses that existed on December 20, 2001, and are not otherwise provided for in Section 604, shall not be nonconforming uses and are allowed outright.~~

604.0~~48~~ DIMENSIONAL STANDARDS

~~The following dimensional standards apply in the Rural Industrial District.~~

- A. ~~Purpose:~~ ~~The dimensional standards are intended to:~~
1. ~~Provide for protection of adjacent properties;~~
 2. ~~Provide for coordinated, pleasing, and efficient utilization of Rural Industrial areas;~~
 3. ~~Ensure that the minimum operational requirements of the development are provided on-site; and~~
 4. ~~Establish the maximum limits of the development.~~
- B.A. ~~Minimum Front Yard DepthSetback:~~ ~~The minimum front yard depth is 30 feet from the front lot line or 50 feet from the centerline of any public, county, or state road, whichever is greater.~~

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- ~~B. Minimum Rear Yard Depth: The minimum rear yard depth is 30 feet if the rear yard abuts a residential zoning district and 10 feet if the rear yard abuts a commercial zoning district. In either case, an additional five feet of yard depth is required for each additional 10-foot height increment, or portion thereof, for structures over 35 feet in height.~~
- ~~C. Minimum Side Yard Depth: The minimum side yard depth is 30 feet if the side yard abuts a residential zoning district and 10 feet if the side yard abuts a commercial zoning district. In either case, an additional five feet of yard depth is required for each additional 10-foot height increment, or portion thereof, for structures over 35 feet in height.~~
- ~~D. Nonconforming Dwellings: Notwithstanding Subsections 604.04(B) and (C), the minimum rear and side yard depth requirements of Section 308, *Rural Area Residential 2-Acre District*, apply to dwellings that are nonconforming uses, as well as to uses that are accessory to such dwellings.~~
- ~~C. Minimum Side and Rear Yard Setbacks:~~
- ~~1. When abutting any residential zoning district, 30 feet. An additional five feet of setback shall be required for each 10 feet, or portion thereof, of building height over 35 feet.~~
 - ~~2. When abutting any commercial or industrial zoning district, 10 feet. An additional five feet of setback shall be required for each 10 feet, or portion thereof, of building height over 35 feet.~~
- ~~D. Minimum Street Frontage: 50 feet.~~
- ~~E. Minimum Landscaping Area: 15 percent of the lot.~~
- ~~F.E. Minimum Lot Size: There is no minimum lot size standardNone, except within the Portland Metropolitan Urban Growth Boundary, where the minimum lot size is 20 acres as restricted by Subsection 604.07(A)(2). The 20-acre minimum lot size is applicable to a land division, but not to a property line adjustment.~~
- ~~G.F. Maximum Building Floor Area:~~
- ~~1. For an industrial use within an unincorporated community, the maximum building floor area per use shall be 40,000 square feet, except that no limit shall apply to:~~
 - ~~a. Uses authorized under Statewide Planning Goals 3 and 4;~~
 - ~~b. Expansion of a use that existed on December 5, 1994;~~

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~~c. Uses that require proximity to a rural resource, as defined in Oregon Administrative Rules 660-004-0022(3)(a);~~

~~d. New uses that will not exceed the capacity of water and sewer service available to the site on December 5, 1994, or, if such services are not available to the site, the capacity of the site itself to provide water and absorb sewage; and~~

~~a.e. No limit shall apply to Uses sited on abandoned or diminished mill sites.~~

~~b. A lawfully established use that existed on October 28, 1994 may expand to occupy a maximum of 40,000 square feet of building floor area or 50 percent more building floor area than was occupied by the use on December 20, 2001, whichever is greater.~~

2. For an industrial use outside an unincorporated community, the maximum building floor area per use shall be 39,500 square feet, except:

a. No limit shall apply to the primary processing of raw material produced in rural areas or to uses sited on abandoned or diminished mill sites.

b. A lawfully established use that existed on December 20, 2001 may expand to occupy a maximum of 40,000 square feet of building floor area or 25 percent% more building floor area than was occupied by the use on December 20, 2001, whichever is greater.

~~G. Modifications: The minimum yard depth standards are subject to modification under Section 903, *Setback Exceptions*, and may be modified pursuant to Section 1205, *Variance*.~~

~~H. Exceptions: Dimensional standards are subject to modification pursuant to Section 900.~~

~~I. Variances: The requirements of Subsections 604.08(B) through (E) may be modified pursuant to Section 1102 when such modification is consistent with Section 1205. A proposed reduction that exceeds 20 percent of the requirement shall be processed as a separate variance application pursuant to Section 1205.~~

604.059 DEVELOPMENT STANDARDS

~~A. General: Development shall be subject to the applicable provisions of Sections 1000 and 1100.~~

~~B. Community and Design Plans: Development within a Community or Design Plan area identified in Chapter 10 of the Comprehensive Plan shall comply~~

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~~with the specific policies and standards for the adopted Community or Design Plan.~~

~~C. Property Line Adjustments and Land Divisions: Staff approval of a preliminary development plan of the entire site shall be required prior to approval of a property line adjustment or land division.~~

~~D. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use is subject to shall require compliance with Subsection 825.03.~~

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[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-231, 1/31/12; Amended by Ord. ZDO-235, 5/14/12]

~~606 — BUSINESS PARK DISTRICT (BP)~~

~~606.01 — PURPOSE~~

~~Section 606 is adopted to implement the policies of the Comprehensive Plan for Business Park areas.~~

~~[Amended by Ord. ZDO-224, 5/31/11]~~

~~606.02 — AREA OF APPLICATION~~

~~Property may be zoned Business Park District when the site has a Comprehensive Plan designation of Business Park and the criteria in Section 1202 are satisfied.~~

~~[Amended by Ord. ZDO-224, 5/31/11]~~

~~606.03 — PRIMARY USES~~

~~A. — Uses: The following uses may be established when they comply with Subsections 606.03(B) through (H):~~

- ~~1. — Research: Research offices and laboratories, including testing facilities;~~
- ~~2. — Offices: Corporate headquarters, regional headquarters, and administrative offices. Business service offices identified in Subsection 606.04(C) shall be allowed as accessory uses;~~
- ~~3. — Manufacturing Uses: Any manufacturing or assembly use, except primary processing of raw materials;~~
- ~~4. — Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835. These uses shall not be subject to Subsections 606.03(B) through (H);~~
- ~~5. — Indoor recreational facilities for such sports as gymnastics, martial arts, soccer, basketball, and skating. These facilities may be used for instruction, practice, and competitions. Health and fitness clubs are specifically excluded; and~~
- ~~6. — Any use that the Planning Director finds to be compatible with one or more of those specified above, provided the use satisfies the purposes and performance standards of the Business Park District. In determining the status of a proposed use, the Planning Director shall exclude prohibited uses under Subsection 606.07, conditional uses under Subsection 606.06 and accessory uses under Subsection 606.04. A request for a determination under Subsection 606.03(A)(6) shall be processed as an Interpretation pursuant to Subsection 1305.03. Application for an~~

~~interpretation under this provision shall include a detailed description of the use and operational requirements of the use, approximate number of employees, estimated volume of truck traffic to be generated, a site plan, building elevations, and preliminary landscaping plans.~~

- ~~B. Site Plan and Design: Structures, circulation, parking, loading, and landscaping shall be designed to:~~
- ~~1. Avoid undue disturbance of significant vegetation, slopes, stream corridors, and floodplains;~~
 - ~~2. Incorporate and use significant natural features to enhance the quality of the development and preserve the visual character of the site;~~
 - ~~3. Project a positive image as viewed from both inside and outside the site; and~~
 - ~~4. Minimize the impact of truck loading and maneuvering areas.~~
- ~~C. Building Types and Design: The use shall occupy only the types of buildings described below:~~
- ~~1. Office Buildings having the following characteristics:~~
 - ~~a. Are designed by an architect for the specific site to accomplish the objectives of Subsection 606.03(B);~~
 - ~~b. Are generally two or more stories in height;~~
 - ~~c. Provide for natural light penetration into work areas using such features as windows, skylights, atriums, and courtyards;~~
 - ~~d. Have distinctive public entrances;~~
 - ~~e. Use high image exterior materials and finishes such as masonry, architecturally treated tilt-up concrete, glass, wood, or stucco;~~
 - ~~f. Devote no more than 20 percent of the floor area exclusively to storage. Uses exempt from this standard include those providing storage and retrieval of records/information, needing additional storage for materials and finished products produced in the same building, and similar uses.~~
 - ~~2. Multi-use and multi-tenant buildings having the following characteristics:~~
 - ~~a. Are designed for the specific site to accomplish the objectives of Subsection 606.03(B);~~

- ~~b. Are generally one to three stories in height;~~
 - ~~e. May be designed to facilitate internal alterations to accommodate changes in spatial needs over a period of time (i.e. "flex space" design);~~
 - ~~d. Incorporate architectural features, including distinctive entrances to office or lobby areas of the building;~~
 - ~~e. Provide for natural light penetration into office areas;~~
 - ~~f. Use exterior materials and finishes such as masonry or tilt-up concrete, with materials such as wood, stucco, or glass panels used to create texture and visual interest;~~
 - ~~g. Are designed to accommodate either a number of tenants in one structure, or a single tenant that has various space needs, such as office, research, assembly, and storage.~~
- ~~D. — Outdoor Storage and Process Areas: No outdoor storage of materials or products shall be allowed. No outdoor processes shall be employed in the operation of the business. Waste and recycle receptacles shall be maintained within an enclosed structure.~~
- ~~E. — Display Areas: All display areas shall be located within an office, multi-use, or multi-tenant building. No outdoor display areas shall be allowed.~~
- ~~F. — Transportation Requirements: Loading areas shall be located to the side or rear of buildings unless topography, natural features, rail service, or other requirements of this section dictate front yard loading bays. Loading dock areas shall be recessed, screened, or otherwise designed to buffer this use from adjacent properties and roads. The use shall provide good access to a road of at least a collector classification and shall not draw traffic through a local residential street.~~
- ~~G. — Operational Impacts:~~
- ~~1. — The operation of the use shall not produce noise, odors, fumes, gases, or vibrations that exceed the standards of the Oregon Department of Environmental Quality.~~
 - ~~2. — No hazardous materials in quantities classified under Group H, Division 1 or Division 2 Occupancies under the Oregon Structural Specialty Code shall be stored or used on the premises, except as specifically approved pursuant to Subsection 606.06.~~

[Amended by Ord. ZDO-224, 5/31/11]

606.04 — ACCESSORY USES

The following are allowed as accessory uses in the Business Park District:

- A. — Incidental Uses: Structures and uses customarily accessory and incidental to a primary use, such as:
1. — Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;
 2. — Bus shelters, subject to Section 823;
 3. — Pedestrian amenities;
 4. — Solar energy systems;
 5. — Rainwater collection systems;
 6. — Electric vehicle charging stations;
 7. — Satellite dishes, provided such use is buffered from periphery and internal circulation roads;
 8. — Utility carrier cabinets, subject to Section 830;
 9. — Signs, subject to Section 1010;
 10. — Employee lounges, indoor recreation areas and facilities, and cafeterias;
 11. — Outdoor recreational facilities for employees, such as tennis courts, jogging and exercise courses, playfields, and similar uses;
 12. — Signs identifying the developer, contractor, or real estate agency responsible for leasing or selling land or buildings within the project. Such signs shall be removed upon sale or lease of the premises advertised;
 13. — Parking structures;
 14. — Indoor areas for display and sale of products manufactured by the same business occupying the premises, provided that the floor area of such display area constitutes no more than 10 percent of the floor area of the primary use, or no more than 3,000 square feet, whichever is less; and
 15. — The temporary storage within an enclosed structure of source separated recyclable/reusable materials generated and/or used on-site prior to on-site reuse or removal by the generator or licensed or franchised collector to a user or broker.

~~B. — Warehouse Structures: Within a planned business park site area occupying at least 10 acres, separate warehouse or storage structures in conjunction with a primary use may be developed concurrently with or after the primary use provided that:~~

- ~~1. The warehouse shall be located on a site with easy access to periphery roads where impacts on other uses may be minimized, and the use shall satisfy the loading area requirements of Subsection 606.03(F).~~
- ~~2. Such structures shall be compatible with the primary use structure(s) on the site in the use of materials and design.~~

~~C. — Business Services: Service uses customarily provided within a business park to serve the needs of other businesses shall be allowed when such accessory uses constitute no more than 10 percent of the developed floor area of the development. Such limited uses shall be integrated within structures that also house primary uses. Such uses may include the following:~~

- ~~1. Employment agencies;~~
- ~~2. Real estate offices specializing in commercial or industrial properties; and~~
- ~~3. Delicatessens, pastry shops, cafes, and takeout food services offering breakfast and/or lunch items.~~

~~D. — Level one mobile vending units, subject to Section 837.~~

~~[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-231, 1/31/12; Amended by Ord. ZDO-235, 5/14/12]~~

~~606.05 — USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR~~

~~The following use may be approved by the Planning Director pursuant to Subsection 1305.02:~~

~~A. — Wireless telecommunication facilities listed in Subsection 835.05, subject to Section 835.~~

~~606.06 — CONDITIONAL USES~~

~~A. — Criteria: Conditional uses may be approved subject to Section 1203 and any applicable provisions of Section 800. In addition, the proposed use:~~

- ~~1. Shall have minimal adverse impact on the appropriate development of primary uses on abutting properties and the surrounding area considering location, size, design, and operating characteristics of the use;~~

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- ~~2. Shall not create offensive odor, dust, smoke, fumes, noise, glare, heat, vibrations, or truck traffic that are incompatible with primary uses allowed in this district;~~
- ~~3. Shall be located on a site occupied by a primary use and/or in a structure that is compatible with the character and scale of uses allowed within the district; and~~
- ~~4. Shall provide vehicular and pedestrian access, circulation, parking, and loading areas that are compatible with similar facilities for uses on the same site or adjacent sites.~~

~~B. Uses: The following uses are allowed subject to the above criteria:~~

- ~~1. Heliports;~~
- ~~2. Uses that comply with Subsections 606.03(A) through (G) but require the storage or use of potentially hazardous materials in quantities classified as Group H, Division 1 or Division 2 Occupancies under the Oregon Structural Specialty Code;~~
- ~~3. Daycare facilities, subject to Section 807;~~
- ~~4. Business or vocational schools and college or university extension facilities;~~
- ~~5. City, county, state, federal, or municipal corporation uses or buildings, telephone exchanges, railroad right-of-way, public utility facilities, fire stations and associated uses;~~
- ~~6. Indoor and outdoor arenas and stadiums;~~
- ~~7. Radio and television transmission and receiving towers and earth stations, provided that the base of such towers shall be not closer to the property line than a distance equal to the height of the tower;~~
- ~~8. Destination restaurants that comply with Subsection 1016.05(B)(4) and provide lunch service;~~
- ~~9. Hotels and associated convention facilities, gift shops, and restaurants; and~~
- ~~10. Multi-use developments, subject to Section 1016;~~

~~[Amended by Ord. ZDO-224, 5/31/11]~~

~~606.07 — PROHIBITED AND PREEXISTING USES~~

~~A. — Prohibited Uses: The following uses are prohibited in the Business Park District (BP):~~

- ~~1. Uses that do not comply with Subsections 606.03(B) through (G), except as approved pursuant to Subsection 606.06;~~
- ~~2. Separate warehouse and distribution structures and activities, except as allowed in Subsection 606.04(B);~~
- ~~3. Motor freight terminals;~~
- ~~4. Auto or truck storage or repair;~~
- ~~5. Uses identified as conditional uses in the Light Industrial or General Industrial Districts but not as a conditional use in the BP District;~~
- ~~6. Retail and service commercial uses except as allowed in Subsections 606.04(C) or 606.06(B), which pursuant to Section 106 may include authorization of uses similar to the uses listed in Subsections 606.04(C) or 606.06(B).~~

~~B. — Preexisting Uses:~~

- ~~1. Preexisting single family dwellings shall be allowed to remodel or expand without review under Section 1206.~~
- ~~2. Any change in the use of a preexisting dwelling shall be subject to all requirements for new developments in the BP District, except as approved pursuant to Subsection 1204.01.~~
- ~~3. No minimum lot size shall be required for a lot containing a preexisting dwelling.~~
- ~~4. Preexisting dwellings and their accessory structures shall comply with the setback standards of Section 301.~~
- ~~5. All other preexisting uses and structures not allowed by this section shall be nonconforming uses subject to Section 1206.~~

[Amended by Ord. ZDO 224, 5/31/11; Amended by Ord. ZDO 235, 5/14/12]

~~606.08 — DIMENSIONAL STANDARDS~~

~~A. — Purpose: The dimensional standards are intended to:~~

- ~~1. Assure that developments have a positive image and attractive appearance from within the site, from public roads, and from adjacent properties;~~

- ~~2. Encourage the retention of large sites and their development in a coordinated, pleasing, and efficient manner;~~
 - ~~3. Ensure that the minimum operational requirements of the development are provided on-site; and~~
 - ~~4. Establish the maximum limits of development.~~
- ~~B. Site Area Requirements: A "site area" for purposes of this section shall be the total land area to be developed as a unit, prior to the creation of any new parcels or lots within the land area. A site area may be either of the following:~~
- ~~1. A single tax lot, or two or more contiguous tax lots, under the same ownership; or~~
 - ~~2. Two or more contiguous tax lots under separate ownership, provided that:
 - ~~a. All individual property owners are members of a group formed for the purpose of developing the properties as a single planned development; and~~
 - ~~b. All individual tax lot ownerships are converted into development shares, or other satisfactory arrangement, allowing all lots to be combined into one lot prior to any building permit being issued for the project.~~~~
- ~~C. Site Area Standards: The following standards shall apply:~~
- ~~1. Minimum Site Area: Developments shall have a minimum site area of three acres.~~
 - ~~2. Preexisting Undersized Site Areas: Developments may be established on a site of less than three acres if the site is physically separated from all other undeveloped or underdeveloped properties in this district.~~
 - ~~3. Property Line Adjustments and Land Divisions: Design review approval pursuant to Section 1102 of the overall development plan for the site area, including access, circulation, parking, landscaping, and proposed building locations, shall be required prior to the approval of a property line adjustment or division of land.~~
- ~~D. Setback Requirements: For purposes of Section 604, a "perimeter access road" shall be any state, county, or public road that provides access to the site area, and an "internal circulation road" shall be any public or private roadway that provides direct access to more than one use, building, or parcel within a site area but not including connecting driveways within or between parking areas.~~

- ~~1. Minimum Rear and Side Perimeter Access Road Setbacks: A minimum 30-foot setback shall be maintained between structures in a development and any perimeter access road, except:
 - ~~a. An additional five feet of setback shall be required for each five feet, or portion thereof, of building height over 35 feet.~~
 - ~~b. No setback shall be required between a structure and any railroad right of way.~~~~
- ~~2. Maximum Front Yard Setback: 20 feet for buildings at or near a transit stop along a major transit street, as more specifically set forth in Section 1005.~~
- ~~3. Minimum Perimeter Side and Rear Yard Setbacks: A 20-foot setback shall be required between any structure and a side or rear perimeter line, except when a site area abuts an Urban Low Density Residential zoning district. A 50-foot setback shall be required between any structure and the boundary of the residential zoning district.~~
- ~~4. Minimum Internal Site Setbacks: A 20-foot setback shall be required between buildings within a site area and between any building and an internal circulation road.~~
- ~~5. Perimeter Landscaping: Within the perimeter setback, a landscaped strip at least 20 feet wide shall be provided.~~
- ~~E. Minimum Street Frontage: A site area shall have a minimum of 100 feet of street frontage on a public, county, or state perimeter access road.~~
- ~~F. Minimum Landscaping Area: 20 percent of the lot.~~
- ~~G. Maximum Building Height: 55 feet.~~
- ~~H. Exceptions to General Requirements: The requirements of Subsection 606.08 are not subject to modification under Section 900. However, these requirements may be modified pursuant to Section 1205.~~

[Amended by Ord. ZDO 224, 5/31/11]

606.09 — DEVELOPMENT STANDARDS

All development is subject to Sections 1000 and 1100 and Subsections 606.03(B) through (G). In addition, the following shall apply:

- ~~A. General: Development is subject to the applicable provisions of Sections 1000 and 1100.~~

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- ~~B. Master Plan: All developments within the Business Park District shall be reviewed and developed under a master plan which addresses the performance standards of Section 606 and Section 1000.~~
- ~~C. Community and Design Plans: All development within a Community or Design Plan Area identified in Chapter 10 of the Comprehensive Plan shall comply with the specific policies and standards for the adopted Community or Design Plan.~~
- ~~D. Fences: Street perimeter fences or walls and guard posts shall meet a minimum setback of 30 feet and shall be of a material, color, and design complementary to the development and to adjoining properties and public access roads.~~
- ~~E. Signing: Section 1010 and the following shall apply:
 - ~~1. Perimeter Street Signs: One sign oriented toward offsite traffic may be provided at each public access point from a county or state road. Such signs shall comply with the following requirements:
 - ~~a. Shall not exceed 60 square feet in area;~~
 - ~~a. Shall not exceed five feet in height;~~
 - ~~b. Shall use materials and design elements that are complementary to those used in the development.~~~~~~
- ~~F. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

[Amended by Ord. ZDO-224, 5/31/11]

834 COMPOSTING/YARD DEBRIS PROCESSING FACILITY

834.01 GENERAL PROVISIONS

This Section 834 is adopted to implement the policies of the Solid Waste Section of the Public Facilities and Services element of the Comprehensive Plan. Composting/yard debris processing facilities shall be considered pursuant to the siting, design and operational provisions of this section. Additionally, these facilities shall be subject to:

- A. All requirements of the Clackamas County Solid Waste and Waste Management Ordinance.
- B. All requirements of the Clackamas County Excavating and Grading Ordinance.
- C. All rules and regulations of the Oregon State Department of Environmental Quality for all types of composting facilities as codified in ORS 468B.050 and OAR 340, Divisions 93, 95, 96 and 97.
- D. All composting rules of the Metropolitan Service District (as codified in Metro Code chapter 5.01) and compliance with Metro's Regional Solid Waste Management Plan (RSWMP) for facilities that are proposed to be sited within the Metro Boundary.
- E. The adoption of these provisions is in addition to the remaining Sections of the Ordinance. In the event there are conflicts between these and other provisions of the Ordinance, the standards and procedures of this Section shall supersede other conflicting provisions affecting composting/yard debris processing facilities.

834.02 DEFINITIONS

- A. Composting means the managed process of controlled biological decomposition of green feedstocks. It does not include composting for the purposes of soil remediation.
- B. Composting facility means a site or facility excluding home composting areas as described in Section 202 and agricultural composting conducted as a farm use, which utilizes green feedstocks to produce a useful product through a managed process of controlled biological decomposition. Composting may include amendments beneficial to the composting process. Vermiculture and vermicomposting are considered composting facilities. Composting facilities or sites may include sales of the finished product, as well as accessory products limited to topsoil, barkdust and aggregate commonly used in

landscaping to wholesale and retail customers. The area utilized for the sale of said accessory products shall not exceed 10% ~~percent~~ of the area used for composting, or two ~~(2)~~ acres, whichever is less subject to the provisions of Subsection s 834.03 and 834.04.

- C. Green feedstocks are defined as including yard debris, non-treated wood waste, vegetative food waste, produce waste, vegetative restaurant waste, vegetative food processor by-products, crop waste and livestock manure. For the purpose of these provisions, “non-treated wood waste” excludes wood waste treated with paint, varnish or other chemicals or preservatives.

834.03 AREA OF APPLICATION

- A. The following Table of Uses lists where composting/yard debris facilities may be permitted subject to review by the Hearings Officer pursuant to the Conditional Use provisions of Section 1203 in reference to specific zoning districts. Existing lawfully established composting facilities may be maintained, enhanced, or expanded subject to the provisions of this section.

TABLE OF USES

<u>STATUS OF USE</u>	<u>ZONING DISTRICT</u>
CU	Timber District (TBR)
CU	AgG/Forest District (AG/F)
CU*	Exclusive Farm Use District (EFU)
CU	Rural Residential / Farm Forest 5--Acre District (RRFF-5)
CU	Farm Forest 10--Acre District (FF-10)
CU	Light Industrial District (I-2)
CU	General Industrial District (I-3)
CU	Rural Industrial District (RI)

* Not permitted on “high value farmland as defined in ORS 215.710, except as provided in Subsection 401.05(H)(3).

- B. Composting facilities are a prohibited use in all other zoning dDistricts.

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834.04 DEVELOPMENT STANDARDS

The development of composting facilities shall be subject to the requirements prescribed in Section 1000 pursuant to the Design Review procedures of Section 1102. Additionally, these facilities shall be subject to the following development and operational standards:

A. Lot Area, Setbacks:

REVIEW CRITERIA	ZONING DISTRICT	MINIMUM LOT SIZE	Setback Requirements	
			PROPERTY LINES	PERENNIAL DRAINAGEWAYS, WETLANDS & WELLS
Conditional Use	Timber District (TBR)	5 Acres	All structure setbacks shall meet the fire break standards described under S subsection 406.08(A) 406.09(C)	A minimum of 100 feet
Conditional Use	AG/Forest District (AG/F)	5 Acres	All structure setbacks shall meet the fire break standards described under S subsection 406.08(A) 407.09(C)	A minimum of 100 feet
Conditional Use	Exclusive Farm Use District (EFU)	5 Acres	The operational area shall be a minimum fifty (50) feet from all property lines.	A minimum of 100 feet
Conditional Use	Farm Forest 10-Acre District (FF-10)	5 Acres	The operational area shall be a minimum fifty (50) feet from all property lines.	A minimum of 100 feet
Conditional Use	Rural Residential Farm Forest 5-Acre District (RRFF-5)	5 Acres	The operational area shall be a minimum fifty (50) feet from all property lines.	A minimum of 100 feet
Conditional Use	Light Industrial District (I-2)	5 Acres	The operational area shall be a minimum fifty (50) feet from all property lines.	A minimum of 100 feet
Conditional Use	General Industrial District (I-3)	5 Acres	The operational area shall be a minimum fifty (50) feet from all property lines.	A minimum of 100 feet
Conditional Use	Rural Industrial District (RI)	5 Acres	The operational area shall be a minimum fifty (50) feet from all property lines.	A minimum of 100 feet

B. Transportation:

The County shall require the necessary traffic measures to insure the facility use is consistent with the County transportation system.

1. Facilities shall have ingress and egress from a paved road. Additionally, access to the site shall be paved a minimum ~~fty~~(50) feet into the site from the property line.
2. The road access system to the facility shall be adequate to handle traffic generated by the use. The facility shall have an operational plan that assures those traveling to the facility, particularly trucks, travel primarily on truck routes identified by the County. Additionally, the driveway apron from the paved road to the property line shall be hard-surfaced.
3. All weather roads shall be provided from the public highway or roads to and within the disposal site and shall be designed and maintained to prevent traffic congestion, traffic hazards, dust, and noise pollution.
4. The operator shall install and maintain signage so that routes to the facility are posted. Signage shall be subject to the applicable County and state regulations.
5. Effective barriers to unauthorized entry and dumping shall be provided (such as fences, gates and locks).

C. Site design, landscaping, and lighting:

1. The storage of composting materials, end products, and equipment shall occur only in the designated operation area.
2. The operational area shall be screened and buffered with vegetation. Any screening, buffering or vegetation at the intersection of any road, driveway or easement shall comply with the site distance requirements of the American Association of State Highway and Transportation Officials (AASHTO) manual.
3. On-site lighting shall be designed, located, shielded, or deflected so as not to shine off-site onto structures or impair the vision of the driver of any vehicle.
4. The property shall be located within a fire protection district capable of fire suppression as demonstrated by a written letter from the applicable

district.

5. Noise generated from the operation of the composting facility shall not unreasonably interfere with the use and enjoyment of surrounding properties for their primary use. Various methods of sound control may be required such as installation of earth berms, strategic location of stockpiles and limiting hours of operation as required by the Hearings Officer.
6. The maximum height of storage materials shall not be more than ~~twenty five (25)~~ feet, or the height of the vegetation screening, whichever is less.
7. The feedstock shall be ground within one ~~(1)~~ week of receipt.
8. The tipping, grinding and storage areas of unprocessed yard debris shall be managed to control odors.
9. The facility owner or operator shall on a daily basis collect litter and illegally dumped waste on all public roads leading to the facility for a distance up to one-quarter ~~(1/4)~~ mile of the facility entrance.
10. Feedstocks shall be incorporated into active compost piles within a reasonable time. Grass clippings shall be incorporated within ~~twenty four (24)~~ hours of receipt.
11. Storage
 - a. All feedstocks deposited at the site shall be confined to the designated dumping area.
 - b. Facilities and procedures shall be provided for handling, recycling or disposing of feedstocks that are non-biodegradable by composting.

834.05 SUBMITTAL REQUIREMENTS

- A. A detailed traffic study, including onsite circulation, shall be required as a means for the County to assess appropriate traffic impact measures. The study shall be based on Metro's traffic data methodology and meet the requirements of the County's comprehensive transportation planning model. Such a study must be performed by an engineer registered in the state of Oregon.

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- B. The applicant shall submit a transportation plan that assures those traveling to the facility, particularly trucks, travel primarily on truck routes identified by the County. If no truck routes are readily available, the routes selected and used shall not significantly impact the existing traffic patterns.
- C. An application shall be required and shall include but not be limited to:
 - 1. Location and design of the physical features of the site and composting plant, surface drainage control, wastewater facilities, fences, residue disposal, controls to prevent adverse health and environmental impacts, and design and performance specifications for major composting equipment and detailed descriptions of methods to be used.
 - 2. A proposed plan for utilization of the processed compost or other evidence of assured utilization of composted feedstocks.
 - 3. A proposed plan to dispose of processed compost that, due to concentration of contaminants, cannot be marketed or used for beneficial purposes, and finished compost which has been stored for two years since processing was completed.
 - 4. A dust control plan shall be submitted to the County and, when required, DEQ for approval. A copy of the approved plan shall be submitted to the County prior to operation of the facility.

834.06 ISSUANCE OF PERMITS

Prior to commencing any activities authorized by the Hearings Officer pursuant to these provisions, the applicant shall submit copies of all operating permits or licenses required by DEQ or Metro as applicable.

[Amended by Ord. ZDO-234, 6/7/12]

1005 SUSTAINABLE SITE AND BUILDING DESIGN

1005.01 PURPOSE

Section 1005 is adopted to ensure sites are developed and buildings designed to:

- A. Efficiently utilize the land used in development, particularly urban land in centers, corridors, station communities and employment areas;
- B. Create lively, safe, attractive and walkable centers, corridors, station communities, employment areas and neighborhoods;
- C. Support the use of non-auto modes of transportation, especially pedestrian trips to and between developments;
- D. Support community interaction by creating lively, safe and attractive public use spaces within developments and on the street;
- E. Reduce impacts of development on natural features and vegetation;
- F. Utilize opportunities arising from a site's configuration or natural features;
- G. Encourage use of green building technologies and green site development practices, energy conservation and use of renewable energy resources;
- H. Design illumination so that dark skies are maintained to the extent possible, balanced with the lighting needs of safe and functional developments; and
- I. Accommodate the needs of the users to be located in developments.

1005.02 APPLICABILITY

Section 1005 shall apply to institutional, commercial and industrial development; multifamily dwellings; and developments of more than one two- or three-family dwellings. Subsection 1005.04 (F) shall also apply to attached single-family dwellings.

1005.03 GENERAL SITE DESIGN STANDARDS

Development shall be subject to the following standards:

- A. Where feasible, cluster buildings within single and adjacent developments for efficient sharing of walkways, on-site vehicular circulation, connections to adjoining sites, parking, loading, transit-related facilities, plazas, recreation areas, and similar amenities.
- B. Cluster and modulate building masses to minimize disturbance of existing significant landforms and vegetation. Through the design review process, minimum front yard setbacks may be reduced or waived to minimize

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disturbance of natural landforms or vegetation. If a setback reduction is granted, a program for protection of those landforms and vegetation during construction, and for long-term maintenance, shall be provided.

- C. Incorporate existing significant plants, terrain or other natural features into the landscape design and development.
- D. Where feasible, design the site so that so that the longest building elevations can be oriented within 20 degrees of true south in order to maximize the south-facing dimensions.
- E. Minimum setbacks may be reduced by up to 50 percent as needed to allow improved solar access—as demonstrated by technical standards set forth in Section 1018 or by other credible evidence—when solar panels or other active or passive solar use is incorporated into the building plan.
- F. A continuous, interconnected on-site walkway system meeting the following standards shall be provided.
 - 1. Walkways shall directly connect each building public entrance accessible to the public to the nearest sidewalk or pedestrian pathway, and to all adjacent streets, including streets that dead-end at the development or to which the development is not oriented.
 - 2. Walkways shall connect each building to outdoor activity areas including parking lots, transit stops, children’s play areas and plazas.
 - 3. Walkways shall be illuminated. Separate lighting shall not be required if existing lighting adequately illuminates the walkway.
 - 4. Walkways shall be constructed with a well drained, hard-surfaced material or porous pavement and shall be at least five feet in unobstructed width.
 - 5. Standards for walkways through vehicular areas:
 - a. Walkways crossing driveways, parking areas and loading areas shall be constructed to be clearly identifiable to motorists through the use of different paving material, raised elevation, warning signs or other similar methods.
 - b. Where walkways are adjacent to driveways, they shall be separated by a raised curb, bollards, landscaping or other physical barrier.
 - c. Inside the Portland Metropolitan Urban Growth Boundary (UGB), if the distance between the building public entrance and street is 75 feet or greater and located adjacent to a driveway or in a parking lot, the walkway shall be raised, with curbs, a minimum four-foot-wide

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landscape strip and shade trees planted a maximum of 30 feet on center.

- d. The exclusive use of a painted crossing zone to make walkways identifiable to motorists may be used only for portions of walkways which are shorter than 30 feet and located across driveways, parking lots, or loading areas.
 - e. Walkways bordering parking spaces shall be at least seven feet wide or a minimum of five feet wide when concrete bumpers, bollards, curbing, landscaping, or other similar improvements are provided which prevent parked vehicles or opening doors from obstructing the walkway.
 - f. The interconnected onsite walkway system shall connect to walkways in adjacent developments, or stub to the adjacent property line if the adjacent land is vacant or is developed without walkways.
 - g. Walkway stubs shall be located in consideration of topography and eventual redevelopment of the adjacent property.
 - h. Notwithstanding Subsections 1005.03 (F)(5)(f) and (g), walkway linkages to adjacent development shall not be required within industrial developments, to industrial developments, or to vacant industrially zoned land.
- G. Inside the UGB, except for industrial developments, a minimum of 50 percent of the street frontage of the development site shall have buildings located at the minimum front yard setback line.
1. If the minimum front yard setback is less than 20 feet, the setback may be increased to 20 feet provided pedestrian amenities are developed within the setback.
 2. Primary building entrances for buildings used to comply with Subsection 1005.03(G), shall:
 - a. Face the street;
 - b. Be located at an angle facing both the street and a parking lot; or
 - c. Be located to the side of the building, provided that the walkway connecting to the street is a minimum of eight feet wide and is developed with landscaping and pedestrian amenities.
 3. If a development has frontage on more than one street, Subsection 1005.03(G) must be met on only one frontage, as follows:

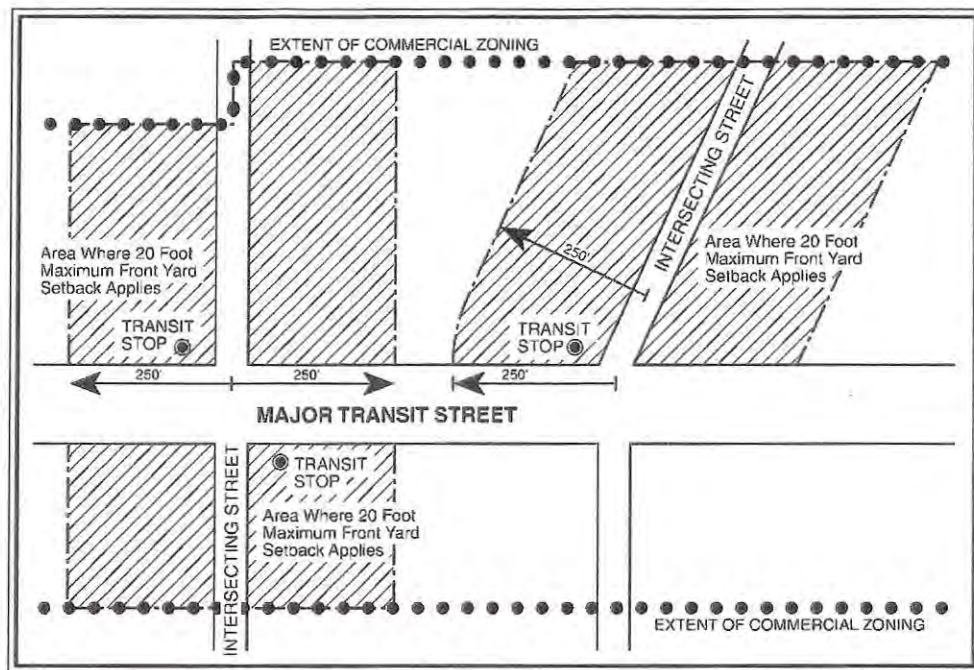
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- a. If one of the streets is a major transit street, the standard shall be met on that street.
 - b. If neither or both are a major transit street, then the standard shall be met on the street with the higher functional classification.
 - c. If neither 1005.03(G)(3)(a) or (b) applies, then the standard shall be met on the longest frontage.
- H. Inside the UGB, parking lots larger than three acres in size shall be built with major on-site vehicular circulation ways that include raised walkways with curbs, a minimum four-foot-wide landscape strip and shade trees planted a maximum of 30 feet on center.
- I. Onsite vehicular circulation aisles for multifamily, mixed use, commercial, institutional and industrial developments shall be a maximum of 24 feet in width, unless additional width is required by the County Roadway Standards or in areas designed for truck circulation.
- J. Inside the UGB:
1. The development shall have no more than the minimum number of driveways allowed by the Department of Transportation and Development on all arterial and collector streets.
 2. For properties having more than one street frontage, driveways shall be located on the street with the lowest functional classification, if feasible.
 3. Driveways shall be no wider than the minimum width allowed by the County Roadway Standards.
 4. Driveways shall be located so as to maximize the number of allowed on-street parking spaces, the number of street trees and optimum street tree spacing.
- K. New retail, office, mixed use and institutional buildings located on major transit streets shall have at least one public entrance facing a major transit street, or street intersecting a major transit street.
1. A private street used to meet the standards in Subsection 1005.03(K) must have raised walking surfaces on both sides, street trees, curbs, and pedestrian-scale street lighting, and must connect at both ends to an existing or proposed street.
 2. If a development has frontage on more than one major transit street this orientation requirement needs to be met on only one side.

3. The public entrance orientation requirement does not apply to warehouses or industrial buildings with less than 5,000 square feet of attached offices.
- L. Buildings located at or near a transit stop along a major transit street in the Community Commercial, General Commercial, Office Commercial, Retail Commercial (RTL), Business Park, or Corridor Commercial (CC) Districts shall have a maximum front yard setback of 20 feet from a state, County, public, or private road.
1. "At or near" means within 250 feet of an intersection along a major transit street where a transit stop is within 250 feet of the intersection, as illustrated in Figure 1005-1:
 2. The 20-foot maximum setback shall apply in both directions along the major transit street and along the intersection street to the depth of the designation of any zone identified in Subsection 1005.03(L). This setback applies to the side of the major transit street having the transit stop, and applies whether the intersection street is a public street or signalized private road.
 3. Except in the CC District, along a signalized private road, the maximum setback shall apply only along the first 250 feet from the major transit street.
 4. Buildings with nonconforming front yard setbacks may have additional height added as an expansion without being brought into conformance with this maximum setback.
 5. The maximum setback requirement does not apply to warehouses or industrial buildings with less than 5,000 square feet of attached offices.
 6. Except in the CC District, this maximum setback from major transit streets and, except in the RTL District, intersecting streets shall contain no onsite parking; however, vehicle circulation lanes are permitted if crossing walkways are designed to ensure safety for pedestrians.

Figure 1005-1

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M. Development in Centers, Station Communities or along Corridor Streets as identified on Comprehensive Plan Map IV-8, *Urban Growth Concept*; X-CRC-1, *Clackamas Regional Center Area Design Plan, Regional Center, Corridors and Station Community*; X-SC-1, *Sunnyside Corridor Community Plan, Community Plan Area and Corridor Design Type Location*; or X-MC-1, *McLoughlin Corridor Design Plan, Design Plan Area* shall meet is subject to the following development standards:

1. Site plans shall illustrate potential future development on the site, including: additional buildings, expansions of proposed buildings, locations of understructure or structured parking, and circulation and connections to adjacent uses. For Corridor Streets, this shall apply to the depth of the multifamily, mixed use, commercial or industrial zoning.
2. The site shall be developed to accommodate the potential future development illustrated.

1005.04 BUILDING DESIGN

- A. The following standards apply to building facades visible from a public or private street or accessway and to all building façades where the primary entrance is located.
1. Building facades shall be developed with architectural relief, variety and visual interest and shall avoid the effect of a single, long or massive wall with no relation to human size. Examples of elements that subdivide the wall: change in plane, texture, masonry pattern or color, or windows.
 2. Building facades shall have particular architectural emphasis at entrances and along sidewalks and walkways.
 3. Provide visual interest through use of articulation, placement and design of windows and entrances, building trim, detailing, ornamentation, planters or modulating building masses.
 4. Utilize human scale, and proportion and rhythm in the design and placement of architectural features.
 5. Use architectural features which are consistent with the proposed use of the building, level and exposure to public view, exposure to natural elements, and ease of maintenance.
 6. When uses between ground-level spaces and upper stories differ, provide differentiation through use of bays or balconies for upper stories, and awnings, canopies, trim and other similar treatments for lower levels.
- B. Requirements for building entries:
1. Public entries shall be clearly defined, highly visible and sheltered with an overhang or other architectural feature, with a depth of at least four feet.
 2. Commercial, mixed-use and institutional buildings sited to comply with 1005.03(G) shall have public entries that face streets and are open to the public during all business hours.
- C. The street-facing façade of commercial, mixed-use and institutional buildings sited to comply with 1005.03(G) shall meet the following requirements:
1. Facades of buildings shall have transparent windows, display windows, entry areas, or arcades occupying a minimum of 60 percent of the first floor linear frontage.
 2. Transparent windows shall occupy a minimum of 40 percent of the first floor linear frontage. Such windows shall be designed and placed for viewing access by pedestrians.

3. For large-format retail buildings greater than 50,000 square feet, features to enhance the pedestrian environment, other than transparent window, may be approved through design review. Such items may include, but are not limited to display cases, art, architectural features, wall articulation, landscaping, or seating, provided they are attractive to pedestrians, are built to human scale, and provide safety through informal surveillance.

D. Requirements for roof design:

1. For buildings with pitched roofs:
 - a. Eaves shall overhang at least 24 inches.
 - b. Roof vents shall be placed on the roof plane opposite the primary street.
2. For buildings, other than industrial buildings, with flat roofs or without visible roof surfaces, a cornice or other architectural treatment shall be used to provide visual interest at the top of the building.

E. Requirements for exterior building materials:

1. Use architectural style, concepts, colors, materials and other features that are compatible with the neighborhood's intended visual identity.
2. Building materials shall be durable and consistent with the proposed use of the building, level and exposure to public view, exposure to natural elements, and ease of maintenance.
3. Walls shall be surfaced with brick, tile, masonry, stucco, stone or synthetic equivalent, pre-cast masonry, gypsum reinforced fiber concrete, wood lap siding, architecturally treated concrete, glass, wood, or a combination of these or other high-image materials.
4. Notwithstanding Subsection 1005.04(E)(3) metal may be approved as an exterior building material through design review pursuant to Section 1102 for specific high-image surfaces, canopies, awnings, doors, screening of roof-mounted fixtures, or other architectural features.

F. Additional building design requirements for multifamily dwellings, two- and three-family dwellings, and attached single-family dwellings:

1. Façades of buildings that are two or more stories in height shall have a minimum of one balcony or bay per four dwelling units.
2. Windows shall be frequent and coordinate with bays and balconies.

3. Where feasible, place the buildings to minimize the potential of windows facing directly toward primary living areas of other dwelling units.
4. For buildings that are one or two stories in height, roofs shall be hipped, gambrel or gabled to provide visual interest. Flat roofs shall be allowed in areas of these buildings where mechanical equipment is mounted or where they are used for roof gardens or other outdoor activities.
5. For multifamily developments, convenient areas shall be provided for storage of articles such as bicycles, barbecues, and outdoor furniture. These areas shall be completely enclosed and easily accessible to respective dwelling units.

G. Requirements to increase safety and surveillance:

1. Locate buildings and windows to maximize potential for surveillance of entryways, walkways, parking, recreation and laundry areas.
2. Provide adequate lighting for entryways, walkways, parking, recreation and laundry areas.
3. Locate parking and automobile circulation areas to permit easy police patrol.
4. Design landscaping to allow for surveillance opportunities.
5. Addresses shall be clearly marked. Addresses for complexes shall be visible from the street, and addresses of individual businesses and dwelling units shall be clearly marked at a pedestrian scale within the development.
6. Locate mail boxes where they are easily visible and accessible.
7. Limit fences, walls and, except for trees, landscaping between a parking lot and a street to a maximum of three feet in height.
8. Locate play areas for clear parental monitoring.

H. Solar access requirements:

1. Except for uses with greater cooling needs than heating needs, such as many retail uses, concentrate window areas on the south side of buildings (within 20 degrees of due south) where there is good southern exposure.
2. Provide overhangs, balconies, or other shading devices to prevent excessive summer heat gains.

3. Use architectural features, shape of buildings, fences, natural landforms, berms, and vegetation to catch and direct summer breezes for natural cooling, and minimize effects of winter winds.

I. Requirements for compatibility with the intent of the design type or with the surrounding area. For purposes of Subsection 1005.04(I), design types are Centers, Station Communities or Corridor Streets as identified on Comprehensive Plan Map IV-8, *Urban Growth Concept*; X-CRC-1, *Clackamas Regional Center Area Design Plan, Regional Center, Corridors and Station Community*; X-SC-1, *Sunnyside Corridor Community Plan, Community Plan Area and Corridor Design Type Location*; or X-MC-1, *McLoughlin Corridor Design Plan, Design Plan Area*. The intent of these design types is stated in Chapter 4 or 10 of the Comprehensive Plan.

1. Use shapes, colors, materials, textures, lines, and other architectural design features that enhance the design type area and complement the surrounding area and development.
2. Use colors, materials and scale, as appropriate, to visually connect building exteriors to adjoining civic/public spaces such as gateways, parks, plazas and transit stations.
3. Use building orientation and physical design, including setbacks and modulations, to ensure a development is compatible with other activities onsite, nearby properties, intended uses and the intent of the design type.
4. Orient loading and delivery areas and other major service activity areas of the proposed project away from existing dwellings.
5. In industrial zoning districts, site areas used for vehicular operations, outdoor storage, and outdoor processing to minimize the impacts on adjacent dissimilar uses.
- ~~5.6.~~ Inside the Portland Metropolitan Urban Growth Boundary, use colors, materials and architectural designs to visually reduce the impact of large buildings.
- ~~6.7.~~ In unincorporated communities, design structures to reflect and enhance the local character and to be in scale with surrounding development.
- ~~7.8.~~ In rural and natural resource areas, use materials, colors and shapes that imitate or complement those in the surrounding areas, such as those used in typical farm structures.
- ~~8.9.~~ In open space or scenic areas, use natural color tones, lines and materials which blend with the natural features of the site or site background.

J. Requirements for screening mechanical equipment:

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1. Rooftop mechanical equipment, except for solar energy systems, shall be screened from view by the use of parapet walls or a sight-obscuring enclosure around the equipment. The screen shall be constructed of one of the primary materials used on the primary facades, and shall be an integral part of the building's architectural design.
2. Ground mounted mechanical equipment shall be located away from the intersection of two public streets, to the extent practicable, and shall be screened by ornamental fences, screening enclosures, or landscaping that blocks at least 80% of the view.
3. Wall mounted mechanical equipment shall not be placed on the front of a building or on a façade that faces a street. Wall mounted mechanical equipment that extends six inches or more from the outer building wall shall be screened from view from the streets; from residential, public, and institutional properties; and from public areas of the site or adjacent sites through one of the screening techniques used in 1005.04(J)(1) or (2).

K. Requirements for specialized structures in industrial zoning districts:

1. In the GI District, silos, towers, and other specialized storage or processing structures, including metal-sided structures, are permitted as part of a primary use only if such structures are enclosed in a building that complies with the other applicable standards of Subsection 1005.04, or if such structures have the following characteristics:
 - a. Provide windows and canopies, awnings, wood or masonry siding, or other exterior treatment to highlight accessory office areas within the same building, when applicable;
 - b. Use exterior colors which blend with the landscape, such as brown, green, tan, or, in the case of tall structures, such as silos or towers, use light colors that blend with the sky; and
 - c. Do not use bright colors, white, or multiple colors, except as specifically approved pursuant to Section 1102 for trim, accents, or to provide visual interest to equipment or structures that are unique to the particular use.
2. In the BP and LI Districts, silos, towers, and other specialized storage or processing structures are prohibited unless they are enclosed in a building that complies with the other applicable standards of Subsection 1005.04, or unless they are approved as part of a conditional use.

1005.05 OUTDOOR LIGHTING

- A. Outdoor lighting devices:
 - 1. Shall be architecturally integrated with the character of the associated structures, site design and landscape.
 - 2. Shall not direct light skyward.
 - 3. Shall direct downward and shield light; or direct light specifically toward walls, landscape elements or other similar features, so that light is directed within the boundaries of the subject property;
 - 4. Shall be suitable for the use they serve, e.g. bollard lights along walkways, pole mounted lights for parking lots;
 - 5. Shall be compatible with the scale and intensity of uses they are serving. Height of pole mounted fixtures shall not exceed 25 feet or the height of the tallest structure onsite, whichever is less; and
 - 6. At entrances, shall be glare-free. Entrance lighting may not exceed a height of 12 feet and must be directed downward.

- B. The following are exempt from Subsection 1005.05(A):
 - 1. Temporary lights used for holiday decorations;
 - 2. Street lights regulated in Section 1006; and
 - 3. Lighting associated with outdoor recreation uses such as ball fields or tennis courts.

1005.06 ADDITIONAL REQUIREMENTS

In addition to the requirements listed in Subsections 1005.03 through 1005.05, development shall comply with a minimum of one of the following techniques per 20,000 square feet of site area. Regardless of site size, a minimum of one and a maximum of five techniques are required. Partial site area numbers shall be rounded.

- A. Install a solar energy system in the development.

- B. Use passive solar heating or cooling techniques to reduce energy consumption. Examples of techniques:
 - 1. Modulate building masses to maximize solar access.
 - 2. For developments with more than one structure, locate taller structures to minimize negative impacts on solar access for the development site and

adjacent sites, as demonstrated by technical standards set forth in Section 1018 or by other credible evidence.

3. Locate buildings to maximize windbreaks.
 4. Locate structures and landscaping to avoid winter shading on the south side and optimize summer shading on the west and southwest sides of buildings.
 5. Utilize deciduous trees to provide summer shade and allow winter sun.
 6. Utilize deciduous vines on fences, trellises, and arbors to provide summer shade.
 7. Locate and form berms to protect buildings and exterior use spaces against winter winds or utilize dense evergreens or conifers to screen winter wind and protect against hostile winter elements.
 8. Provide skylights or clerestory windows to provide natural lighting, and/or solar heating of interior spaces.
- C. Use highly reflective (high albedo) materials on roof surfaces.
 - D. Place major outdoor use areas such as plazas, playgrounds, gardens, etc. on the south side of buildings.
 - E. Construct a minimum of 75 percent of walkway area of porous pavement.
 - F. Construct a minimum of 75 percent of all parking spaces with porous pavement.
 - G. Provide additional landscaping area at least 10 percent above the requirements for the site pursuant to Table 1009-1. For example, if the minimum area requirement is 20 percent, then 22 percent shall be provided. Credit shall be given for green roofs or other areas of vegetation that exceed the minimum area requirements.
 - H. Include additional swales in development landscaping, pursuant to Section 1009. Credit shall be given for additional swale(s) that exceed the requirements of Subsection 1009.04(A)(2) by at least 10 percent of area. For example, if 1009.04(A)(2) requires 200 square feet of swale area, then an additional 20 square feet of swale area would be required.
 - I. Collect rainwater from roofs and/or other impervious surfaces and use it for irrigation.
 - J. Apply other techniques for onsite storm water treatment identified by the surface water management regulatory authority.

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- K. Lay out sites and locate buildings and on-site vehicular circulation to create functional open areas such as plazas, courtyards, outdoor recreation areas, mini-parks, and accessways that are open to the general public.
- L. Enhance sidewalks and/or walkways by providing additional width, using higher quality materials; shielding from vehicular traffic with enhanced planting strips, street trees and on-street parking, and/or providing pedestrian amenities that are compatible with the design of the development as well as the neighborhood as a whole.
- M. Coordinate development between adjacent uses to provide for a more attractive and lively streetscape, enhance connections, minimize conflicts and provide common-use areas.
- N. Enhance the pedestrian connection between the development and neighborhood shopping areas, nearby transit, trails, bikeways or parks. Examples include additional width or pedestrian amenities.
- O. Provide functional and accessible rooftop gardens.
- P. For multifamily dwelling units that face the street, raise first floor units a minimum of two feet above street level.
- Q. Provide structured or under-structure parking to meet all or part of the parking need.
- R. Provide no more than the minimum number of surface parking spaces set out in Table 1015-2, all of which shall be no greater than the minimum dimensions allowed in Subsection 1015.04(B)(2).
- S. Lay out sites or orient structures, to maximize significant vistas.
- T. Locate and design structures to protect scenic views or vistas from adjacent properties and public thoroughfares. Setbacks, building height, and bulk should be considered.
- U. Utilize rail service opportunities abutting the site.
- V. Inside the UGB, a minimum of 75 percent of the street frontage of each lot shall have buildings located at the minimum front setback line. If the minimum front setback is zero, up to 20 feet of additional setback may be provided where plazas, outdoor seating, or other pedestrian amenities are located.
- W. Outside the UGB, or for industrial developments, a minimum of 25 percent of the street frontage of each lot shall have buildings located at the minimum front setback line. Up to 20 feet of additional setback may be provided where plazas, outdoor seating, or other pedestrian amenities are located.

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- X. Locate buildings at the minimum side yard setback or within 10 feet of the side setback line, whichever is greater.
- Y. For developments not in Centers, Station Communities or along Corridor Streets site plans shall illustrate potential future buildings and potential future expansions of proposed buildings, locations of understructure or structured parking, and circulation and connections to adjacent uses. Lay out and develop the site to accommodate future additional buildings, circulation and structured parking.

1005.07 MODIFICATIONS

Modification of any standard identified in Subsections 1005.03 and 1005.04 may be approved as part of design review if the proposed modification will result in a development that achieves the purposes stated in Subsection 1005.01 as well or better than the requirement listed.

[Amended by Ord. ZDO-224, 5/31/11]

1009 LANDSCAPING

1009.01 PURPOSE

Section 1009 is adopted to:

- A. Promote sustainable development practices, including energy efficiency, water conservation, reduced use of pesticides and synthetic fertilizers, and onsite storm water containment;
- B. Support clean air and water, wildlife habitat, greenhouse gas reduction, and the retention of existing natural features;
- C. Create compatibility between adjacent land uses, with particular emphasis on mitigating off-site impacts to residential areas;
- D. Provide outdoor recreational space in residential developments;
- E. Encourage the planting of edible gardens;
- F. Create an attractive, safe, and functional pedestrian environment;
- G. Facilitate the safe and efficient movement of traffic through parking lots; and
- H. Enhance the appearance of development.

1009.02 GENERAL PROVISIONS

- A. Landscaping materials shall be selected and sited to produce a hardy and low-maintenance landscaped area with an emphasis on fast-growing plants. Selection shall include consideration of soil type and depth, spacing, exposure to sun and wind, slope and contours of the subject property, building walls and overhangs, and compatibility with existing vegetation to be preserved. Notwithstanding the requirement for hardiness, annuals are permitted as provided in Subsection 1009.02(B).
- B. A variety of plants, intermixed throughout landscaped areas, shall be provided, as follows:
 - 1. Evergreen and deciduous;
 - 2. Trees, shrubs, and groundcover;
 - 3. Plants of varying textures;
 - 4. Plants of varying widths and heights at maturity; and
 - 5. Plants with seasonal color interest (e.g., foliage, flowering perennials, annuals).

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- C. The planting of invasive non-native or noxious vegetation shall be prohibited, and existing invasive non-native or noxious vegetation shall be removed.
- D. Landscaped areas shall not be used for other purposes, such as storage or display of automobiles, equipment, merchandise, or materials.
- E. Landscaping of the unimproved area between a property line and the improved portion of an adjacent road right-of-way shall be required when there are no immediate plans to develop or otherwise disturb the unimproved area, and one or more of the following apply:
 - 1. The subject property is located inside the Portland Metropolitan Urban Growth Boundary;
 - 2. Landscaping is necessary to present an appearance consistent with the proposed development as viewed from the road;
 - 3. Landscaping is necessary to reduce dust, noise, erosion, or fire hazard; or
 - 4. The road is designated as a scenic road on Comprehensive Plan Map V-5, *Scenic Roads*.
- F. Landscaping shall be used to highlight public entrances to buildings, except that this requirement will be waived where buildings are not set back from the front property line.
- G. Where feasible, landscaping shall be required adjacent to walkways and other areas intended for pedestrian use.

1009.03 MINIMUM AREA STANDARDS

- A. Table 1009-1 establishes the minimum percentage of the area of the subject property that shall be landscaped.
 - 1. The minimum landscaping percentage shall be calculated after subtracting any public dedications from the area of the subject property.
 - 2. Landscaping in adjacent rights-of-way shall not count toward compliance with the minimum landscaping percentage.
 - 3. Requirements for surface parking and loading area landscaping, screening and buffering, landscaping strips, and outdoor recreational areas set forth in Section 1009 apply regardless of whether compliance with those requirements results in landscaping a greater percentage of the site than is required by Table 1009-1.
 - 4. Notwithstanding Subsection 1009.03(A), additions to a commercial, industrial, or institutional development which does not currently comply

with the minimum landscaping percentage standard, shall require additional landscaping area, as follows:

- a. Structural additions of 1,000 to 1,999 square feet: An additional five percent of the subject property, but no more than the percentage required by Table 1009-1;
- b. Structural additions of 2,000 to 4,999 square feet: An additional 10 percent of the subject property, but no more than the percentage required by Table 1009-1;
- c. Structural additions of 5,000 square feet or more: The percentage required by Table 1009-1; and
- d. Where successive structural additions occur at different times, the required landscaping percentage shall increase until total conformance is reached.

Table 1009-1: Minimum Landscaped Area

Zoning District	Minimum Landscaped Area
RTL, RCO, RCC, PMU, CC, SCMU ¹	10 percent
NC, C-2, C-3, RTC ² , RC, BP, LH-2, GH-3, RI, VCS, VO, VC	15 percent
OC, OA, BP, RCHDR ³	20 percent
MR-1, HDR, PMD, MRR, MR-2, CI, VTH, VA	25 percent, except 20 percent for developments of attached single-family dwellings in the MR-1 and MR-2 zoning districts
HR	25 percent for the development of conditional uses; 20 percent for the development of attached single-family dwellings, if three or more dwelling units are attached to one another
R-2.5 through R-30, RR, RA-1, RA-2, RRFF-5, FF-10, HR, FU-10, VR-4/5, and VR-5/7	25 percent for the development of conditional uses
SHD	40 percent ⁴

¹ In the SCMU District, the minimum shall be 15 percent for developments of three-family or multifamily dwellings, including mixed-use developments that include these uses.

² In the unincorporated community of Government Camp, as shown on Comprehensive Plan Map X-MH-4, *Government Camp Village Plan, Land Use Plan & Boundary*, the minimum shall be 10 percent, except that there shall be no minimum for properties with frontage on the Old Mt. Hood Loop Road from E. Wy'east Trail to E. Olive Street and on E. Little Trail from E. Olive Street to E. Church Street, where public plazas are provided in compliance with Subsection 504.09(E).

³ In the RCHDR District, this is the minimum percentage for landscaping, outdoor surface areas, and certain recreational facilities, as regulated by Subsections 1706.10(D) and (E).

⁴ This is the minimum percentage for certain indoor recreational facilities, as set forth in Subsection 304.10(C), and outdoor surface areas, including the following: landscaping; courtyards; pedestrian plazas; areas dedicated for parks; onsite walkways and bikeways; recreational areas and facilities; and shared yards, decks, terraces, patios, and roof gardens.

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- B. A minimum of 75 percent of the minimum landscaped area required by Table 1009-1—excluding any area occupied by pedestrian amenities, active recreational areas, or edible gardens—shall be landscaped with native or drought-tolerant plants.
- C. Outdoor recreational areas required by Subsection 1009.086, as well as outdoor recreational areas in the Mountain Recreational Resort District, shall count toward the minimum landscaped area required by Table 1009-1, except that impervious surface area exceeding 25 percent of the outdoor recreational area shall be excluded.
- D. Edible gardens may comprise a maximum of 10 percent of the minimum landscaped area required by Table 1009-1.
- E. Green roofs may comprise a maximum of 25 percent of the minimum landscaped area required by Table 1009-1.
- F. Turf lawn may comprise a maximum of 10 percent of the minimum landscaped area required by Table 1009-1. However, this limitation shall not apply to active recreational areas, provided that no other areas of the subject property are planted in turf lawn, and it shall not apply to cemeteries.
- G. Pedestrian amenities may comprise a maximum of one-third of the minimum landscaped area required by Table 1009-1. However, no more than 15 percent of the minimum landscaped area required by Table 1009-1 and developed with pedestrian amenities shall have an impervious surface.
- H. Area occupied by walls, fences, or trellises constructed to comply with Subsections 1009.04 and 1009.05 shall count toward the minimum landscaped area required by Table 1009-1.
- I. In Medium, Medium High, and High Density Residential Districts, the following may comprise a maximum of 20 percent of the minimum landscaped area required by Table 1009-1: interior courtyards, atriums, solar greenhouses, solariums, roof gardens, indoor recreational areas, and other comparable amenities.

1009.04 SURFACE PARKING AND LOADING AREA LANDSCAPING

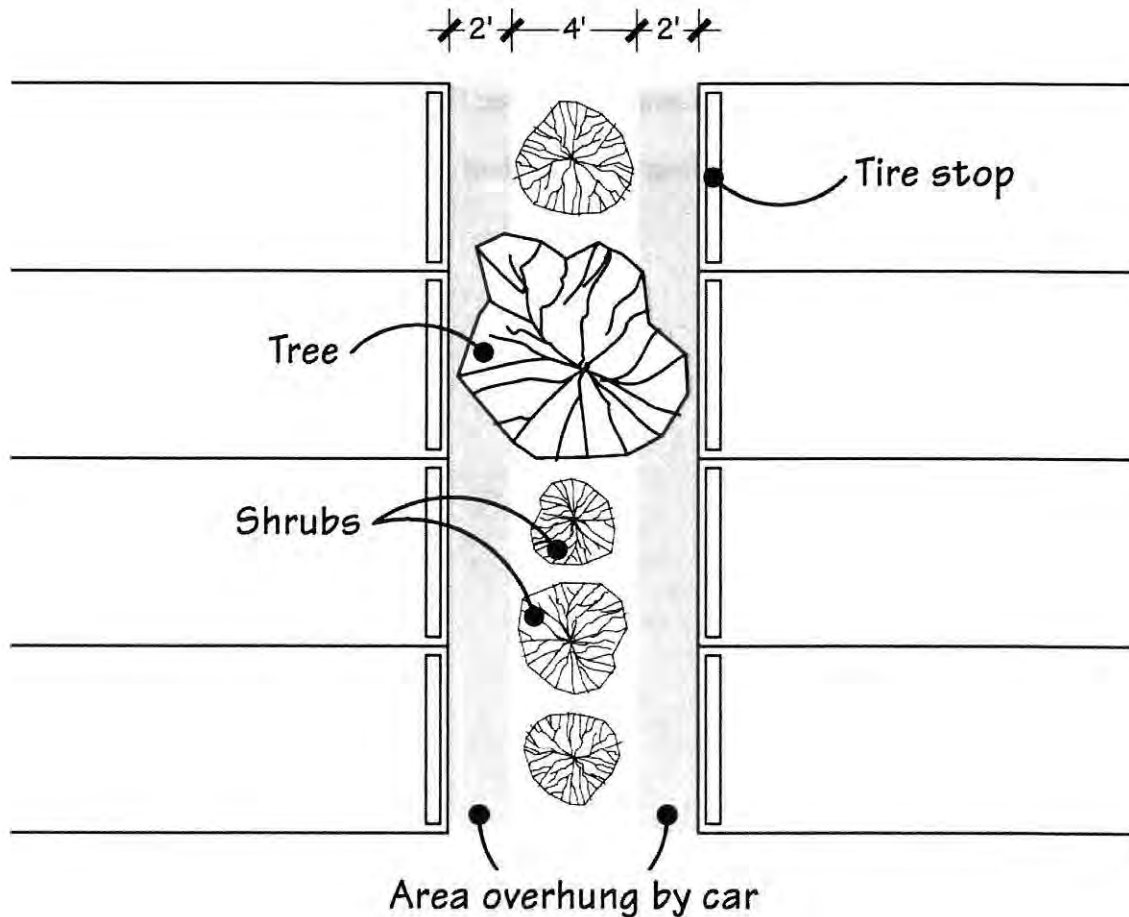
Surface parking and loading areas shall be landscaped as follows:

- A. Surface parking areas that include more than 15 parking spaces shall comply with the following landscaping requirements:
 - 1. Twenty-five square feet of landscaping per parking space, excluding perimeter parking spaces, shall be provided, except that the standard shall be reduced to 20 square feet for each parking space developed entirely with porous pavement.

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2. One landscape swale located between two rows of parking spaces, as shown in Figure 1009-1, is required for every six rows of parking spaces, unless all parking spaces are developed entirely with porous pavement. Additional swales beyond the minimum requirement are allowed.
 - a. For the purpose of Subsection 1009.04(A)(2), a “row” of parking spaces is one space deep, meaning that where two spaces abut at their ends, it is considered two “rows”.
 - b. Parking spaces separated by pedestrian or vehicle crossings perpendicular to the row of parking spaces are considered to be part of a single row.
 - c. The first required swale shall be developed for the entire length of the longest row of parking spaces.
 - d. Gaps in a required swale are permitted only to provide for pedestrian and vehicle crossings.
 - e. The parking lot shall be graded to allow surface water to flow into a swale. Curbs shall not separate parking spaces from the swale, and gaps between parking space tire stops are required to allow surface water to flow into a swale.
 - f. Swales shall be a minimum of four feet wide.
 - g. If the front portions of parking spaces are landscaped as allowed by Subsection 1015.04(B)(11), the landscaped portion of the parking space shall be adjacent and in addition to the swale, as shown in Figure 1009-1.
 - h. Turf lawn is prohibited in swales.

Figure 1009-1: Parking Lot Swale

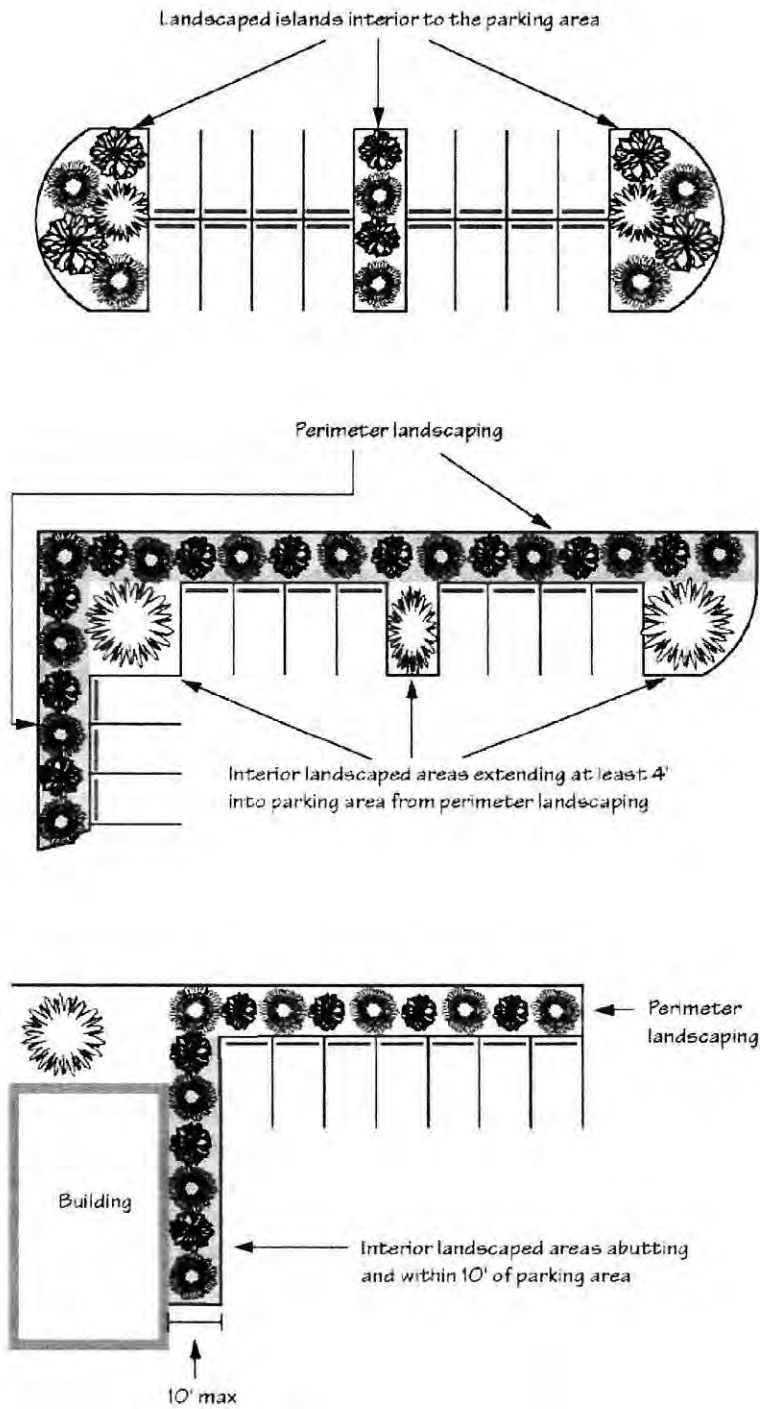


3. Interior landscaping not developed as swales pursuant to Subsection 1009.04(A)(2) shall comply with the following standards:
 - a. It shall be arranged in areas at the ends of rows of parking or between parking spaces within rows of parking. See Figure 1009-2.
 - b. It may join perimeter landscaping as long as the interior landscape area extends at least four feet into the parking area from the perimeter landscape line. See Figure 1009-2.
 - c. Landscaping that abuts, but does not extend into, the parking area may be included as interior landscaping if all of the following are met:
 - i. The abutting landscaped area must be in addition to required perimeter landscaping;

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- ii. Only the first 10 feet of the abutting landscaped area, measured from the edge of the parking area, may be included as interior landscaping; and
- iii. The landscaped area is not abutting and parallel to required perimeter landscaping. See Figure 1009-2.
- d. The interior length and width of landscaped areas shall be a minimum of four feet.

Figure 1009-2: Interior Landscaping



4. Interior landscaped areas, including swales, shall include a minimum of one tree located every eight interior parking spaces, or fraction thereof, except in the Office Apartment (OA), Village Apartment (VA), Village Community Service (VCS), Village Office (VO), and Village Commercial (VC) Districts, where a minimum of one tree shall be located every six interior parking spaces.
 - a. Where necessary to accommodate other design considerations, variable spacing of the trees required by Subsection 1009.04(A)(4) is allowed, but in no case shall there be less than one tree planted in every 12 parking spaces.
 - b. The species of trees required shall be determined on the basis of the growth habit and the need to provide maximum shading of surface parking areas.
- B. Perimeter landscaping requirements for surface parking and loading areas adjacent to abutting properties or rights-of-way are as follows:
1. A landscaping strip with a minimum width of five feet shall be provided adjacent to the perimeter of the surface parking or loading area, except:
 - a. ~~In the OA, VA, VCS, VO, and VC Districts, where~~ the minimum width shall be 10 feet;
 - b. In the BP and LI Districts, the minimum width shall be 15 feet abutting a front lot line; and
 - c. In the GI District, the minimum width shall be 10 feet abutting a front lot line.
 2. The required landscaping strips shall comply with the following standards:
 - a. Sufficient low shrubs shall be planted to form a continuous screen three feet high and 95 percent opaque, year-round; or a three-foot-high masonry wall or a berm may be substituted for the shrubs. When applied along front lot lines, the screen or wall is to be placed along the interior side of the landscaping strip.
 - b. In addition, one tree is required for every 30 linear feet of landscaping strip, or as otherwise required to provide a tree canopy over the landscaping strip.
 - c. Ground cover plants must fully cover the remainder of the landscaped area.

3. A perimeter landscape strip is not required for a surface parking or loading area adjacent to an abutting property if one or more interior driveways connect the two properties and if the abutting property also is developed with a surface parking or loading area adjacent to the shared property line.
4. Required walkways may cross perimeter landscaping strips.

1009.05 SCREENING AND BUFFERING

- A. Screening shall be used to eliminate or reduce the visual impacts of the following:
 1. Service areas and facilities, such as loading areas and receptacles for solid waste or recyclable materials;
 2. Storage areas;
 3. Ground-mounted rainwater collection facilities with a storage capacity of more than 100 gallons;
 4. Parking lots within or adjacent to an Urban Low Density Residential, Recreational Residential, Rural Area Residential 1-Acre, Rural Area Residential 2-Acre, Rural Residential Farm Forest 5-Acre, Farm Forest 10-Acre, Hoodland Residential, Future Urban 10-Acre, Village Small Lot Residential, or Village Standard Lot Residential zoning districts; and
 5. Any other area or use, as required by this Ordinance.
- B. Screening shall be accomplished by the use of sight-obscuring plant materials (generally evergreens), vegetated earth berms, walls, fences, trellises, proper siting of disruptive elements, building placement, or other design techniques.
- C. Screening shall be required to substantially block any view of material or equipment from any point located on a street or accessway adjacent to the subject property. Screening from walkways is required only for receptacles for solid waste or recyclable materials. A sight-obscuring fence at least six feet in height and up to a maximum of 10 feet shall be required around the material or equipment.
- D. Buffering shall be used to mitigate adverse visual impacts, dust, noise, or pollution, and to provide for compatibility between dissimilar adjoining uses. Special consideration shall be given to the buffering between residential uses and commercial or industrial uses, and in visually sensitive areas.
- E. Buffering shall be accomplished by one of the following:
 1. A landscaping strip with a minimum width of 15 feet and planted with:

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- a. At least one row of deciduous and evergreen trees staggered and spaced not more than 30 feet apart;
 - b. At least one row of evergreen shrubs, spaced not more than five feet apart, which will grow to form a continuous hedge at least five feet in height within one year of planting; and
 - c. Low-growing evergreen shrubs and evergreen ground cover covering the balance of the area;
2. A berm with a minimum width of ten feet, a maximum slope of 40 percent on the side away from the area screened from view, and planted with a dense evergreen hedge;
 3. A strip with a minimum width of five feet, and including:
 - a. A masonry wall or sight-obscuring fence not less than five feet in height;
 - b. An evergreen hedge, vines, trees, or shrubs; and
 - c. Low-growing evergreen shrubs and evergreen ground cover covering the balance of the area; or
 4. Another method that provides an adequate buffer considering the nature of the impacts to be mitigated.
- F. Required walkways shall be accommodated, even if such accommodation necessitates a gap in required screening or buffering.

1009.06 LANDSCAPING STRIPS IN INDUSTRIAL ZONING DISTRICTS

- A. In the BP and LI Districts, a landscaping strip a minimum of 15 feet wide shall be provided along front lot lines.
- B. In the GI District, a landscaping strip a minimum of 10 feet wide shall be provided along front lot lines.

1009.07 FENCES

- A. In the CI District, periphery fences shall not be allowed. Decorative fences or walls may be used to screen service and loading areas, private patios or courts. Fences may be used to enclose playgrounds, tennis courts, or to secure sensitive areas or uses, such as vehicle storage areas or drainage detention facilities. Fences shall not be located where they impede pedestrian or bicycle circulation through or between site areas.

B. In the BP District, street perimeter fences or walls and guard posts shall meet a minimum setback of 15 feet and shall be of a material, color, and design complementary to the development and to adjoining properties and public access roads.

C. In the LI District, street perimeter fences or walls shall meet a minimum setback of 15 feet from the front lot line.

D. In the GI District, street perimeter fences or walls shall meet a minimum setback of 10 feet from the front lot line.

1009.0~~86~~ OUTDOOR RECREATIONAL AREAS

An outdoor recreational area shall be provided in developments of two-family, three-family, or multifamily dwellings in the Medium Density Residential, Medium High Density Residential, and High Density Residential zoning districts, and in developments of three-family or multifamily dwellings, including mixed-use developments that include these uses, in the Station Community Mixed Use (SCMU) zoning district, as follows:

- A. A minimum of 200 square feet of usable outdoor recreational space per dwelling unit shall be provided for studio, one- bedroom, and two-bedroom units. The minimum shall be increased to 300 square feet per dwelling unit for units with three or more bedrooms. Notwithstanding these requirements, see Subsections 1707.08(D)(1) and (2) for limitations that apply in the SCMU zoning district.
- B. Outdoor recreational areas may be designed for passive or active recreation, including edible gardening.
- C. Outdoor recreational areas shall be designed for adequate surveillance opportunities.
- D. Outdoor recreational areas shall be conveniently located and accessible to all dwelling units.

1009.0~~97~~ EROSION CONTROL

- A. Graded areas shall be re-vegetated with suitable plants to ensure erosion control.
- B. Netting shall be provided, where necessary, on sloped areas while ground cover is being established.

1009.1~~008~~ PLANTING AND MAINTENANCE

- A. Impervious weed barriers (e.g, plastic sheeting) are prohibited.

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- B. Plants shall not cause a hazard. Plants over walkways, sidewalks, pedestrian pathways, and seating areas shall be pruned to maintain a minimum of eight feet below the lowest hanging branches. Plants over streets and other vehicular use areas shall be pruned to maintain a minimum of 15 feet below the lowest hanging branches.
- C. Plants shall be of a type that, at maturity, typically does not interfere with above- or below-ground utilities.
- D. Plants shall be installed to current nursery industry standards.
- E. Plants shall be properly guyed and staked to current nursery industry standards as necessary. Stakes and guy wires shall not interfere with vehicular or pedestrian traffic.
- F. Landscaping materials shall be guaranteed in writing by the developer for a period of one year from the date of installation. A copy of the guarantee shall be furnished to the County by the developer. The developer also shall submit a signed maintenance contract, or provide a financial guarantee pursuant to Section 1104, covering the landscape maintenance costs during the guarantee period.
- G. Plants shall be suited to the conditions under which they will be growing. As an example, plants to be grown in exposed, windy areas that will not be irrigated shall be sufficiently hardy to thrive under these conditions. Plants shall have vigorous root systems, and be sound, healthy, and free from defects and diseases.
- H. When planted, deciduous trees shall be fully branched, have a minimum caliper of two inches, and have a minimum height of eight feet.
- I. When planted, evergreen trees shall be fully branched and have a minimum height of eight feet.
- J. Shrubs shall be supplied in minimum one-gallon containers or eight-inch burlap balls with a minimum spread of 12 inches.
- K. Ground cover shall be planted a maximum of 30 inches on center with a maximum of 30 inches between rows. Rows of plants shall be staggered. Ground cover shall be supplied in minimum four-inch containers, except that the minimum shall be reduced to two and one-quarter inches or equivalent if the ground cover is planted a minimum of 18 inches on center.
- L. Plants shall be spaced so that ground coverage three years after planting is expected to be 90 percent, except where pedestrian amenities, rainwater collection systems, or outdoor recreational areas count as landscaping pursuant to Subsection 1009.03. Areas under the drip line of trees count as ground coverage.

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- M. Irrigation of plants shall be required, except in wooded areas, wetlands, and in river and stream buffers. The irrigation system shall be automatic, except that hose bibs and manually operated methods of irrigation may be permitted in small landscaped areas close to buildings. Automatic irrigation systems are subject to the following standards:
1. The irrigation system shall be designed to prevent runoff, low head drainage, overspray, or other similar conditions where irrigation water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures.
 2. In mulched planting areas, the use of low volume irrigation is required to maximize water infiltration into the root zone.
 3. Narrow or irregularly shaped areas, including turf lawn, less than eight feet in width in any direction shall be irrigated with subsurface or low volume irrigation.
 4. Overhead sprinkler irrigation shall not be permitted within two feet of any non-permeable surface. Allowable irrigation within the two-foot setback from non-permeable surfaces may include drip, drip line, or other low flow non-spray technology. The setback area may be planted or unplanted. The surfacing of the setback may be mulch, gravel, or other porous material. These restrictions may be modified if:
 - a. The landscaped area is adjacent to permeable surfacing and no runoff occurs; or
 - b. The adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping; or
 - c. The irrigation designer specifies an alternative design or technology, and clearly demonstrates strict adherence to Subsection 1009.1008(M)(1).
 - d. Automatic irrigation controllers utilizing either evapotranspiration or soil moisture sensor data shall be required for irrigation scheduling.
- N. Appropriate methods of plant care and landscaping maintenance shall be provided by the property owner.
- O. Plants shall be protected from damage due to heavy foot traffic or vehicular traffic by protective tree grates, pavers, or other suitable methods.

[Amended by Ord. ZDO-224, 5/31/11]

1010 SIGNS

1010.01 PURPOSE

The provisions of Section 1010 are intended to maintain a safe and pleasing environment for the people of Clackamas County by regulating the size, height, number, location, type, structure, design, lighting, and maintenance of signs.

1010.02 GENERAL PROVISIONS

- A. Permits Required: If a sign other than one named in Subsection 1010.03 is to be placed, constructed, erected, or modified, a sign permit shall be secured.
- B. Along State Highways: All off-premises signs which are visible from a state highway are subject to approval by the Oregon State Highway Division pursuant to the Oregon Motorists Information Act.
- C. Oregon State Structural Specialty Code Compliance: All signs shall comply with the applicable provisions of the Oregon State Structural Specialty Code, except as otherwise provided in Section 1010.
- D. Address Display: The signing program for a multifamily, commercial, or industrial development shall include the display of the street number(s) for the development on the sign or building where it can be seen from adjacent roads and meet fire district standards.
- E. Sign Clearances: A minimum of eight feet above sidewalks and 15 feet above driveways shall be provided under freestanding and projecting signs.
- F. Sight Distance: All signs shall comply with the intersection sight distance standards of the Department of Transportation and Development.
- G. Setbacks: Unless otherwise specified, all signs shall observe the yard setback requirements of the zoning districts in which they are located.
- H. Blanketing: No sign shall be situated in a manner which results in the visual obstruction from an adjoining roadway or pedestrian way of an existing sign on adjacent property.
- I. Illuminated Signs:
 - 1. Internally illuminated signs, or external lights used to illuminate signs, shall be placed, shielded, or deflected so they do not shine into dwellings or impair the vision of the driver of any vehicle.
 - 2. The light intensity of an illuminated sign shall conform to or be less than the accepted standards of the sign industry, as provided by the Oregon

Electric Sign Association.

3. Except for an electronic message center sign approved pursuant to Subsection 1010.14, no sign or illuminating devices shall have blinking, flashing, or fluttering lights.
- J. Signs or displays containing any electrical components or parts or illuminated by electrical lighting must be approved under the National Electrical Code as modified by the State of Oregon Rules and Regulations. Lights and illuminated signs requiring an outside power source shall use a state-approved power outlet.
- K. Moving Signs: No sign, sign structure, or portion thereof, except flags (as per Subsection 1010.12) and temporary displays (as per Subsection 1010.13(B)) shall be designed to rotate, flutter, or appear to move.
- L. Maintenance: All signs, together with all of their supports, braces, guys, and anchors, shall be maintained in a safe condition, in compliance with all building and electrical codes, and in conformance with Section 1010, at all times.
- M. Preexisting Signs: Notwithstanding Section 1206, signs and sign structures existing prior to September 12, 1996, which complied with applicable regulations existing when the sign was established, but which do not comply with one or more of the requirements of Section 1010 shall be subject to the following provisions:
1. Alterations to a nonconforming sign which reduce or do not increase its noncompliance with the provisions of this Ordinance, including changes in display surface, sign areas, height, and setback, may be allowed subject to review under Subsection 1010.05, and
 2. Failure to use the copy area of a nonconforming sign for purposes permitted under Section 1010 for a period of more than 12 consecutive months shall constitute a "discontinuation of use" as provided under Subsection 1206.02 and such sign shall be removed or modified to satisfy all applicable requirements of Section 1010 and the underlying zoning district.
- N. Hazards: No sign, light, electrical cord, streamer, flag, or other apparatus shall be situated or used in a manner which creates a hazard.
- O. Sign Structure: When visible, the supporting structure of the sign shall be incorporated into the overall sign design, and shall be in scale with the sign.
- P. Site: For purposes of Section 1010, a "site" shall be the entire "site area" of the development as it is defined in Subsection 601.089(B), and onsite signs shall be those permanent signs which are oriented towards internal circulation

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roads, driveways, and walkways, or which direct the flow of traffic to and from the site from adjacent roads or walkways.

- Q. Incidental signs shall not exceed three square feet per side.

1010.03 EXEMPT SIGNS:

- A. The following signs do not require a sign permit, but must meet other provisions of Section 1010:
1. Signs having an area three square feet or less;
 2. Signs listed as temporary under Subsection 1010.13; and
 3. Government owned or posted signs in the public right-of-way.
- B. The following signs are not regulated by this Ordinance:
1. Incidental signs;
 2. Product dispensers, such as beverage, newspaper, and recycling machines;
 3. Window signs
 4. Signs painted on or attached to a level one mobile vending unit. A level one mobile vending unit is one that complies with Subsection 837.02.

1010.04 PROHIBITED SIGNS:

The following signs and sign characteristics are prohibited:

- A. Temporary signs, except as provided by Subsection 1010.13;
- B. Portable signs, except as provided by Subsection 1010.07(A)(2)(d), 1010.09(C)(2), or 1010.13;
- C. Animated signs, except as provided by Subsection 1010.14;
- D. Roof signs, except integral roof signs in Commercial and Industrial zoning districts;
- E. Signs that obstruct free and clear vision of a traffic sign or signal from intended users, or otherwise constitute a traffic impediment;
- F. Signs imitating or resembling official traffic signs or signals;
- G. Any sign imitating or resembling an official county street or road sign, unless the sign is approved pursuant to Chapter 7.05, *Addressing and Road Naming*, of the Clackamas County Code;

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- H. Colored lights which might in any way be confused with or construed to be traffic signals or lights on emergency vehicles;
- I. Strobe lights and signs containing strobe lights;
- J. Any sign that emits sound, odor, or visible matter; and
- K. Multiple reader signs designed to be read as a continued statement.

1010.05 DESIGN REVIEW

The size, materials, design, color, lighting, and location of signs and supporting structures for all permanent signs greater than 60 square feet in area, shall be subject to design review pursuant to Section 1102 and the following criteria:

- A. Design: Signs shall be designed to be compatible with other development on the site, other nearby signs, other elements of street and site furniture, and adjacent structures. Compatibility shall be determined by the relationships of the elements of form, proportion, scale, color, materials, surface treatment, overall sign size, and the size and style of lettering.
- B. Scale: The scale of the sign, letter size, and design shall be appropriate for roadway or walkway visibility.

1010.06 RESIDENTIAL SIGNS IN URBAN AND RURAL RESIDENTIAL DISTRICTS AND FUTURE URBAN DISTRICTS

- A. Residential Signs in Urban Low Density and Future Urban Districts:
 - 1. Shall not exceed three square feet.
 - 2. Shall be located inside the dwelling or located flat against the dwelling.
 - 3. Only one such sign shall be permitted upon the premises.
 - 4. May be illuminated by internal or external lighting subject to Subsections 1010.02(I)(1) and (2).
 - 5. No moving parts, noisemaking or musical devices, banners, or other attractions or displays shall be used, except as provided in Subsection 1010.13.
- B. Signs in Rural Residential Districts:
 - 1. Shall not exceed eight square feet per side or six feet in height.
 - 2. Only one such sign shall be permitted upon the premises.
 - 3. May be located within the required setback area of the district provided it

is situated in a manner so as not to adversely affect safety, corner vision, or other similar conditions.

4. May be illuminated by internal or external lighting subject to Subsections 1010.02(I)(1) and (2).
5. No moving parts, noisemaking or musical devices, banners, flags, or other attractions or displays shall be used, except as provided in Subsection 1010.13.

C. Freestanding signs for multifamily developments or subdivisions:

1. Maximum total sign area: 32 square feet per side.
2. Maximum number: No more than one freestanding sign shall be allowed for a development or complex, even when more than one tax lot or ownership is included in the development, except as follows:
 - a. When an additional sign is located at a major public access point located on a different public road, or
 - b. When two single-faced signs oriented in two different directions are proposed in lieu of a two-sided identification sign, or
 - c. In mixed-use developments, a separate monument sign, not to exceed 32 square feet, may be allowed for the multifamily portion of the development.
 - d. In the case of signs permitted under Subsection 1010.06(C)(2)(a) or (b), neither sign shall exceed the maximum sign size allowed.
3. Maximum top-of-sign height: Five feet above the finished ground elevation (not including berms or mounds specifically created for the sign).
4. Setbacks: Behind property line.

1010.07 SIGNS IN NATURAL RESOURCE DISTRICTS:

- A. Commercial signs:
 1. Shall not exceed 32 square feet. Signs may be two sided.
 2. Freestanding commercial signs:
 - a. Maximum top-of-sign height: Eight feet above finished ground elevation (not including berms or mounds specifically created for the sign).

- b. Maximum number: The maximum number of signs shall be four. (11/6/97)
 - c. Setback: Behind front property line.
 - d. May include portable signs when anchored in accordance with Subsection 1010.13(A)(5).
 - e. May be illuminated by internal or external lighting, subject to Subsection 1010.02(I).
3. Building commercial signs:
- a. Maximum number: One
 - b. May be illuminated by internal or external lighting, subject to Subsection 1010.02(I).
- B. Residential signs as per Subsection 1010.06(B).
- C. Institutional uses as per Subsection 1010.08.

1010.08 SIGNS FOR SERVICE, RECREATIONAL, INSTITUTIONAL, AND GOVERNMENTAL USES

- A. In residential and natural resource zoning districts, the following standards shall apply to signs for service and recreational uses regulated by Section 813, and to signs for institutional uses.
- 1. Maximum Area: 32 square feet per side. Neither a freestanding nor a building sign shall exceed this standard.
 - 2. Illumination: Signs may be illuminated by internal or external lighting, subject to Subsection 1010.02(I).
 - 3. Maximum Number: One freestanding and one building sign shall be permitted upon the premises.
 - 4. Maximum Top-of-Sign Height: Five feet for a freestanding sign.
 - 5. Setback: Behind front property line.
- B. Notwithstanding Subsection 1010.08(A), in residential and natural resource zoning districts outside the Portland Metropolitan Urban Growth Boundary, the following standards shall apply to signs for governmental uses.
- 1. Maximum Area: 60 square feet per side. Neither a freestanding nor a building sign shall exceed this standard.
 - 2. Illumination: Signs may be illuminated by internal or external lighting, subject to Subsection 1010.02(I).

3. Maximum Number: One freestanding and one building sign shall be permitted upon the premises, except if the subject property has frontage on two different streets, an additional sign may be permitted under the following conditions:
 - a. If the subject property has a driveway entrance on each street frontage, one freestanding sign may be oriented to each street frontage; or
 - b. If one of the street frontages abuts a state highway, one freestanding sign may be oriented to each street frontage; or
 - c. A second building sign oriented to the second street frontage may be permitted in lieu of a second freestanding sign allowed pursuant to Subsection 1010.08(B)(3)(a) or (b).
4. Maximum Top-of-Sign Height: 20 feet for a pole sign, five feet for a monument sign.

5. Setback: Behind front property line.

1010.09 COMMERCIAL SIGNS IN COMMERCIAL AND INDUSTRIAL DISTRICTS

A. Commercial freestanding signs:

1. Number: Only one sign shall be allowed for a development or complex, even when more than one tax lot or ownership is included in the development, unless through design review pursuant to Section 1102, the following is determined:
 - a. An additional sign is needed to provide identification of the development at major public access points located on two different public roads, and/or
 - b. When two single-faced signs oriented in two different directions are proposed in lieu of a two-sided identification sign.
 - c. In mixed use developments a separate freestanding sign, not to exceed 32 square feet, may be allowed for the multifamily portion of the development.
 - d. In the case of signs permitted under Subsection 1010.09(A)(1)(a) or (b), neither sign shall exceed the maximum sign size allowed.
 - e. ~~In the For General Commercial (C-3) and Retail Commercial (RTL) zoning Districts,~~ one additional freestanding sign may be allowed on a public, ~~c~~County, or ~~s~~State road when the frontage on that road exceeds 450 feet. In no case shall the number of freestanding signs exceed four for any development. The additional signs shall be a maximum of 60 square feet. This provision for an additional freestanding sign shall not

allow an additional sign on any site located on a corner which qualifies for an additional sign by reason of that corner location under Subsection 1010.09(A)(1)(a).

f. In the BP, LI, and GI Districts, one sign oriented toward offsite traffic may be provided at each public access point from a county or state road.

2. Maximum top-of-sign height:
 - a. Pole signs: In C-3 and RTL ~~zoning-D~~ districts, 25 feet. In all other ~~c~~Commercial zoning districts, 20 feet.
 - b. Monument signs: In all ~~c~~Commercial zoning districts, six feet. In all industrial zoning districts, five feet.
3. Maximum Sign Area: 60 square feet. Signs may be two sided. For developments of more than one use included on the same site, a sign area may be increased above this requirement an additional 10 square feet per tenant, up to a maximum of 200 square feet, subject to Subsection 1010.05. Additionally, multiple-tenant signs shall use a common background.
4. Setbacks: Behind property line.
5. The sign supporting structure shall not be counted for purposes of determining sign area.
6. Illumination: Such signs may be internally or externally illuminated, subject to Subsection 1010.02(I).

B. Building commercial signs:

1. Number: The maximum sign area may be distributed among any number of signs.
2. Maximum size:
 - a. If there is not a freestanding sign on the same site frontage, then one and one-half square feet of sign area per linear footage of the occupant's primary building wall.
 - b. If there is a freestanding sign on the same site frontage, then one square foot of sign area per linear footage of the occupant's primary building wall.
 - c. Wall signs based on the sign rights of a primary building wall may be placed on a secondary building wall; they may not be placed onto another primary building wall.

- d. Each tenant shall be allowed a minimum 32 square feet of building sign area.
 - e. In no case shall a building sign exceed 200 square feet.
3. Design: Building signs shall be incorporated into the design of the building, and shall not be placed in locations which interrupt, detract from, or change the architectural lines of the building.
 4. Illumination: Building signs may be internally or externally illuminated, subject to Subsection 1010.02(I).

C. Mobile Vending Unit Signs:

1. The number and area of signs on a mobile vending unit are unrestricted. However, such signs shall be located flat against the unit, and no portion of any sign shall extend above the roof of the unit. These signs may be internally or externally illuminated, provided that any required utility connections for such illumination comply with Section 837.
2. Each mobile vending unit may have one portable menu or sandwich board sign a maximum of six square feet in area. This sign shall be located within 10 feet of the mobile vending unit and shall be located outside the unit only during unit operating hours.

1010.10 ONSITE TRAFFIC CONTROL AND IDENTIFICATION SIGNS

~~A. Directory: A directory is an onsite sign which identifies and directs traffic to a number of tenants, uses, or buildings within a development.~~

~~B.A.~~ Directories oriented primarily toward vehicle circulation shall be limited in area to a maximum of two square feet per tenant, use, or building specifically identified, up to a maximum of 40 square feet.

~~C.B.~~ Directories, including those attached to buildings, that are oriented toward pedestrian circulation areas shall be a maximum of 24 square feet in area, and a maximum of eight feet in top-of-sign height.

~~D.C.~~ An onsite monument sign for an individual building within a development may be allowed as an alternative to a building sign, provided such sign shall:

1. Be located adjacent to the building being identified.
2. Not exceed 12 square feet in area.
3. Not exceed four feet in top-of-sign height.
4. Use materials and colors that are the same, or substantially the same, as those used on the building identified by the sign.

D. In the CI District, identification signs may be allowed within a perimeter setback area that fronts on a public, county, or state road, and onsite directional signs may be allowed within perimeter setback areas that are adjacent to other site areas.

1010.11 OFFSITE TRAFFIC CONTROL AND IDENTIFICATION SIGNS IN NATURAL RESOURCE DISTRICTS

- A. A temporary permit may be approved, renewable after five years. Criteria for approval:
1. Shall be allowed only in Natural Resource zoning districts.
 2. The sign shall provide the actual registered name of a business and directions to the business (e.g., left or right, an arrow, one-quarter mile, etc.).
 3. A maximum of three offsite traffic control identification signs are allowed for each business.
 4. Maximum distance of business from offsite traffic control identification sign: Five miles.
 5. A maximum of two offsite traffic control signs shall be located at any one site.
- B. Development Standards
1. Maximum size: Shall not exceed four square feet per side.
 2. Setback: Behind the front property line.
 3. Illumination: Offsite traffic control and identification signs shall not be illuminated.

1010.12 FLAGS

Flags are allowed in all zoning districts, subject to the following:

- A. Number: Three flags per site.
- B. Maximum size: No flag shall exceed 40 square feet.
- C. Height: Top of pole supporting flag shall not exceed 35 feet above finished ground elevation (not including berms or mounds specifically created for the sign).
- D. All flags shall be located on one pole.

1010.13 TEMPORARY DISPLAYS AND SIGNS

- A. Temporary signs may be displayed under the following conditions and limitations:
1. Number: Only one temporary sign shall be displayed for a site.
 2. Time Period and Duration: Shall not be displayed for a total time period exceeding 60 days in any calendar year.
 3. Size and Height Limits: Same size and height limits as a permanent sign for the same site.
 4. Setbacks: Behind front property line.
 5. Anchoring: All signs approved under this provision shall be physically attached to the premises in a manner which both prevents the sign from being moved or blown from its location, and allows the prompt removal of the sign.
 6. Exceptions: No temporary sign shall be allowed under this provision for any business or development which has a changeable copy sign incorporated into its permanent sign.
- B. Temporary displays (pennants, banners, streamers, strings of lights, and beacon lights) may be displayed according to Subsections 1010.13(A)(2) and (5) and 1010.02(N).

1010.14 CHANGEABLE COPY SIGNS

Electronic message centers signs and other changeable copy signs may be incorporated into permanent signs permitted pursuant to Subsections 1010.08 or 1010.09. Approval shall not be granted unless the following criteria are satisfied:

- A. Only one such sign shall be used in a development.
- B. The changeable copy sign or electronic message center sign shall be included in the maximum sign area allowed under Subsections 1010.09(A)(3) or 1010.09(B)(2), and Subsections 1010.08 (A)(1) or (B)(1), and shall not exceed 80 percent of the total sign area.
- C. The changeable copy sign or electronic message center sign shall be integrated into the design of the sign.
- D. All segments of a message shall be completed within 12 seconds.

1010.15 GOVERNMENT CAMP SIGN STANDARDS

- A. Area of Application: Subsection 1010.15 shall apply to all permanent

identification signs for commercial developments in the Rural Tourist Commercial (RTC) and Mountain Recreational Resort zoning districts in Government Camp and in the Hoodland Residential zoning district on properties with frontage on Government Camp Loop Road. The purpose of these sign standards is to provide a consistent design theme in the commercial areas.

- B. Conformance: Signs shall comply with the other applicable provisions of Section 1010, except as otherwise provided in Subsection 1010.15. Where there are conflicts, Subsection 1010.15 shall govern. A sign plan must be submitted to the Design Review Committee which shows:
1. Total signage allowed for the proposed sign frontage, face area of existing signage, and face area of proposed signage;
 2. The design of the sign and sign support including dimensions, materials, colors, sign copy, lighting, and graphics; and
 3. A site plan and building elevation showing placement of existing and proposed signs on the site.
- C. Preexisting Signs: Signs and sign structures existing prior to February 10, 1993, that complied with applicable regulations existing when the sign was established but do not comply with one or more of the requirements of Section 1010 shall be subject to the provisions of Section 1206 and Subsection 1010.02(M), except:
1. Any permanent sign which is nonconforming in any manner other than individual size shall be brought into conformance with the provisions of this Ordinance prior to any expansion or change in use which requires design review or a conditional use permit. Total signage area of existing and new signs may not exceed the maximum established in these standards. No occupancy permit shall be issued until a sign plan is submitted.
 2. Should any permanent nonconforming sign be damaged by any means to an extent of more than 50 percent of its replacement costs at the time of damage, it shall be reconstructed or replaced in conformance with these sign standards.
 3. Placement of a new sign where existing signage is greater than the total allowed, or where the new sign will make the total greater, requires removal of an amount of existing signage to keep the total signage area under the limit.
 4. Where a Clackamas County Development Agency incentive program is in effect, all nonconforming signs, except those that are nonconforming in size alone, must be brought into conformance or removed by February 10,

1996.

- D. Design Standards: Signs shall comply with Subsection 1010.05 and the following conditions:
1. Design: Sign design and support structure shall uphold the rustic, mountain environment of Government Camp through a Cascadian design theme.
 2. Materials:
 - a. Signs and support structures are limited to wood or wood exterior, stone, brick, etched or stained glass, wrought iron, or non-shiny metal. Plywood may be used for signs only if it is heavily painted and/or edged to obscure the plywood texture and the surface is sealed to keep it from delaminating.
 - b. Neon signs are permitted inside windows only.
 - c. Plastic may be used only in the letters of sign copy or the portion of a sign with changeable copy.
 - d. Signs in the RTC-zoned properties at the east and west entries of Government Camp visible from U.S. Highway 26 or with frontage on U.S. Highway 26 may be constructed of plastic if the design intent is upheld.
 3. Colors: No reflective or fluorescent colors shall be used on signs or support structures.
 4. Lighting: The source of the lighting shall be external and obscured from the pedestrian. Internally lit signs are permitted only where the letters of the copy are illuminated or in RTC-zoned properties at the east and west entries of Government Camp visible from U.S. Highway 26, or in signs on U.S. Highway 26 frontage.
 5. Changeable Copy: Electronic message center sign area or changeable copy sign area is limited to no more than 20 percent of total signage allowed.
 6. Scale: Signs shall be kept in scale with pedestrians and buildings.
 7. Placement: Signs shall be incorporated into the design of the building and shall not be placed in locations which interrupt, detract from, or change the architectural lines of the building.

E. Total Signage Area:

1. Developments less than three acres in size:
 - a. Total signage area shall be determined by the lineal feet of building frontage per street. This shall be a minimum of 30 square feet of signage plus one square foot for every five feet of building frontage greater than 30 lineal feet.
 - b. Buildings two stories or taller may increase the total signage allowed by 50 percent.
 - c. Only frontages on streets shall be used to determine total signage per frontage per development.
 - d. Signage shall not be transferred between frontages.
2. Developments over three acres in size:
 - a. Total signage area shall be determined by lineal street frontage. This shall be a minimum of 30 square feet of signage plus one square foot of signage per five lineal feet of street frontage greater than 30 feet.
 - b. Internal signs not readily visible from the street shall not be subject to total signage area restrictions in Subsection 1010.15(F)(2)(a).
3. Developments with U.S. Highway 26 frontage: Such signs serve a unique purpose in attracting high speed traffic from the Highway and are also subject to Oregon Department of Transportation sign regulations. One sign shall be allowed per development per U.S. Highway 26 frontage and will be handled on a case-by-case basis. Signage shall conform to the Government Camp design intent to the degree possible.

F. Types of Signs Permitted:

1. Freestanding or monument signs:
 - a. Shall be situated within setback.
 - b. Shall have a maximum of one ground mounted sign per 50 feet of lineal building frontage.
 - c. Shall have a maximum face area of 24 square feet.
 - d. Shall have a maximum top-of-sign height of 12 feet.
 - e. Shall be on a base or wooden supports; poles are permitted only if integrated into a base. Any metal poles must be free of peeling paint and rust.

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2. Building signs:
 - a. Shall have a maximum face area of 24 square feet.
 - b. Shall not extend more than 10 inches from the wall.
 - c. Sign or components shall not exceed top of roofline or extend beyond the face area of the building.
3. Projecting signs:
 - a. Shall not extend more than two feet into the public right-of-way, project farther than five feet from the building, or exceed top of roofline immediately above.
 - b. Shall not exceed one projecting sign per 25 feet of lineal building frontage.
 - c. Shall have a maximum face area of 12 square feet; buildings over two stories may have signs of up to 24 square feet.
 - d. Supporting structure may not exceed sign's height or width by more than two feet or extend higher than roofline.
4. Window signs readily visible from outside the building:
 - a. Shall have a maximum face area of 30 percent of total window area per frontage; maximum sign size per individual window sign is 12 square feet.
 - b. Interior neon window signs readily visible from the street shall not exceed 10 percent of the total window area per street frontage. No more than 20 percent of an individual window should be covered with neon. Neon signs within these limits shall not be counted toward the total signage area.
5. Awning/overhead or walkway covering signs:
 - a. Shall be completely positioned on awning, overhead, or covered walkway.
 - b. Shall have a maximum face area of 24 square feet.

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[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-231, 1/31/12; Amended by Ord. ZDO-245, 7/1/13]

1015 PARKING AND LOADING

1015.01 PURPOSE

Section 1015 is adopted to:

- A. Provide safe, efficient, and functional parking areas for automobiles and bicycles, and adequate loading areas for service vehicles;
- B. Provide parking and loading areas that complement the design of the development, the street, and the community, and support planned urban form in urban areas;
- C. Minimize disturbance of soils, impervious surfaces, and other negative environmental impacts of parking and loading areas; and
- D. Implement Title 4 of the Regional Transportation Functional Plan.

1015.02 APPLICABILITY

If there is a conflict between Section 1015 and the Clackamas County Roadway Standards, Section 1015 shall govern.

1015.03 GENERAL PROVISIONS

- A. The provision and maintenance of offstreet parking and loading facilities is a continuing obligation of the property owner. When any parking area for the parking of three or more cars is to be established, the standards set forth herein shall apply.
- B. Inside the Portland Metropolitan Urban Growth Boundary (UGB), parking, loading, and maneuvering areas shall be hard-surfaced, unless a permeable surface is required to reduce surface runoff, as determined by the Department of Transportation and Development.
- C. Outside the UGB, all areas used for parking, loading, and maneuvering of vehicles shall be surfaced with screened gravel or better, and shall provide for suitable drainage.
- D. Parking and loading requirements for types of uses and structures not specifically listed in Tables 1015-2, 1015-3, and 1015-4, or specified in other Sections of this Ordinance, shall be subject to the requirements for the most similar use, as determined by the Planning Director.

1015.04 AUTOMOBILE PARKING AREA STANDARDS

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- A. Off-street parking areas shall be provided in defined areas of the subject property and shall meet the following requirements for location of the parking area on the site:
 - 1. No area shall be considered a parking space unless it can be shown that the area is accessible and usable for that purpose and has required maneuvering area for the vehicles.
 - 2. Automobile parking areas shall be separated from bicycle parking areas and from loading areas to the extent possible.
 - 3. Commercial or recreational vehicle storage areas shall be located in areas that are farther from building entrances than parking spaces for customers and employees.

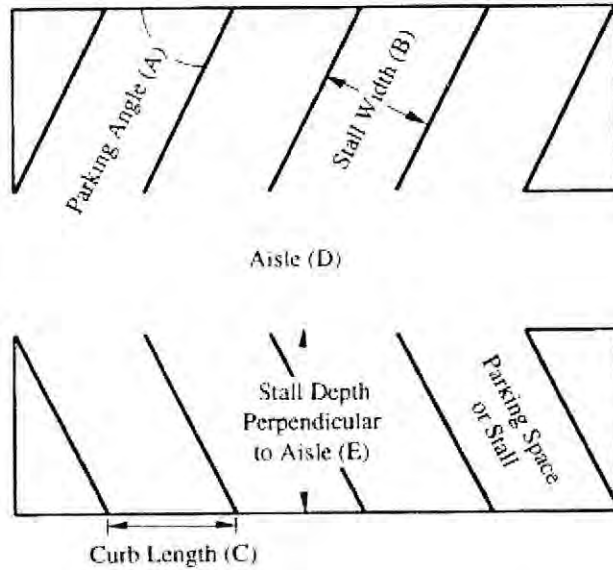
- B. Off-street parking areas shall be designed to meet the following requirements:
 - 1. Parking areas must meet the requirements of the Americans with Disabilities Act.
 - 2. Except for parallel parking spaces, the minimum size for all standard parking spaces shall be 8.5 feet wide and 16 feet long.
 - 3. Minimum dimensions of curb length, stall depth, and parking lot aisles are based on the parking space orientation as follows:

Table 1015-1: Minimum Parking Space and Aisle Dimensions

Parking Space Orientation (A)	Curb Length (C)	Stall Depth (E)	One-Way Aisle (D)	Two-Way Aisle (D)
Parallel	22 feet	8 feet	12 feet	20 feet
30 degree angle	17 feet	15 feet	12 feet	20 feet
45 degree angle	12 feet	17 feet	12 feet	20 feet
60 degree angle	9.75 feet	17.5 feet	16 feet	20 feet
90 degree angle	8.5 feet	16 feet	24 feet	24 feet

Figure 1015-1 Parking Dimension Factors

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4. Double-loaded, ninety-degree angle parking bays shall be utilized where possible.
5. A maximum of 50 percent of the parking spaces may be larger than 8.5 feet wide and 16 feet long, but not larger than 9 feet wide and 18 feet long, with the following exceptions:
 - a. Outside the Portland Metropolitan Urban Growth Boundary (UGB), more than 50 percent of parking spaces may be larger than 8.5 feet wide and 16 feet long, but not larger than 9 feet wide and 18 feet long.
 - b. For retail uses such as building supply stores, furniture stores, and other stores selling bulky items, more than 50 percent of parking spaces may be larger than 8.5 feet wide and 16 feet long, but not larger than 9 feet wide and 18 feet long.
 - c. More than 50 percent of parking spaces may be larger than 8.5 feet wide and 16 feet long, but not larger than 9 feet wide and 18 feet long, when the applicant demonstrates that a higher ratio of oversized vehicles are found in parking areas of similar developments and uses.
 - d. More than 50 percent of parking spaces may be larger than 8.5 feet wide and 16 feet long, but not larger than 9 feet wide and 18 feet long, when porous pavement is used for all parking spaces.
6. A minimum of five percent, but at least one space, of the required parking spaces shall be marked and signed for use as carpool/vanpool

spaces. These spaces shall be the closest employee automobile parking spaces to the building entrances normally used by employees, but shall not take priority over any spaces required for individuals with disabilities.

7. Required backing and maneuvering areas for on-site automobile parking spaces shall be located entirely onsite.
 8. In parking lots greater than one acre, major onsite circulation drive aisles and lanes crossing to adjacent developments shall not have parking spaces accessing directly onto them.
 9. Where feasible, shared driveway entrances, shared parking and maneuvering areas, and interior driveways between adjacent parking lots shall be required.
 10. Except for parallel spaces, parking spaces heading into landscaped areas or along the perimeter of a parking lot shall be provided with a sturdy tire stop at least four inches high and located two feet within the space to prevent any portion of a car within the lot from extending over the property line.
 11. For parking spaces heading into a landscaped area, the area in front of the tire stop that is included in the parking space dimension may be landscaped instead of paved or graveled according to the following standards:
 - a. Landscaping shall be ground cover plants only;
 - b. The area in front of the tire stop that is included in the parking space dimension shall be in addition to the required minimum dimension for a landscape planter; and
 - c. The landscaped area in front of the tire stop may count toward overall site landscaping requirements established in Table 1009-1. However, it may not count toward perimeter landscaping requirements established in Section 1009.04(B)(1).
 12. Required parking spaces shall not be used for storing or accumulating goods or storing a commercial or recreational vehicle, camper, or boat, rendering it useless for parking.
- C. Uses located on transit service lines and that have days and hours of operation not in conflict with weekday use (e.g. churches, fraternal organizations, or nighttime amusements) may be required under Subsection 1007.07, to allow a portion of their parking area to be used for a park-and-ride lot.

- D. Parking Minimums: The minimum parking spaces listed in Table 1015-2 apply unless modified in Subsection 1015.04(F).
1. In case of expansion of a building or use that, prior to the expansion, does not meet the minimum parking space requirements in Table 1015-2, the following provisions shall apply:
 - a. The minimum number of additional parking spaces required shall be based only on the floor area or capacity added and not the area or capacity existing prior to the expansion.
 - b. If the enlargement covers any of the pre-expansion parking spaces, lost parking spaces shall be replaced, in addition to any required additional spaces.
 - c. The maximum number of parking spaces allowed for the entire development after the expansion shall be based on Table 1015-2.
 2. In the event more than one use occupies a single structure or parcel, the total minimum requirement for parking shall be the sum of the minimum requirements of the several uses computed separately.
 3. Parking spaces fulfilling the minimum requirement for a specified use shall not be rented, leased, or assigned to any other person or organization, except as provided for under Subsection 1015.03(F)(2)(a) for shared parking.
 4. The conducting of any business activity, except for temporary uses (e.g., Farmers' Markets), shall not be permitted to occupy any of the required parking spaces.
- E. Parking Maximums:
1. Within the UGB, the parking maximums listed in Table 1015-2, Urban Zone A, apply when an area has 20-minute peak hour transit service within one-quarter mile walking distance for bus transit or one-half mile walking distance for light rail transit;
 2. Within the UGB, areas not meeting the requirements of Subsection 1015.04(E)(1), are subject to the parking maximums listed in Table 1015-2, Urban Zone B.
 3. In case of expansion of a building or use with more parking spaces than the maximum allowed by Table 1015-2:
 - a. Existing parking spaces may be retained, replaced, or eliminated, provided that after the expansion, the total number of remaining

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spaces complies with the minimum parking space requirement of Table 1015-2 for the entire development; and

- b. Additional parking spaces are allowed only if required to comply with the minimum parking space requirement of Table 1015-2 for the entire development after the expansion.

Table 1015-2: Automobile Parking Space Requirements*

* Parking ratios are based on spaces per 1,000 square feet of gross leasable area, unless otherwise stated.

Land Use Category	Minimum Parking Spaces	Maximum Parking Spaces (Urban Zone A)	Maximum Parking Spaces (Urban Zone B)
Amusement Parks, Riding Academies, and Camps (per 1000 square feet of serving area)	0.8	None	None
Bank with Drive-in	4.3	5.4	6.5
Bowling Alleys (per alley)	3	None	None
Daycare Facilities	0.5 In addition, a passenger-loading area shall be provided on the site.	None	None
Hospitals	0.5	None	None
Hotels and Motels (per unit)	1	None	None
Industrial, Manufacturing, and Processing Facilities			
Zero to 24,999 square feet	1.5	None	None
25,000 to 49,999 square feet	1.42	None	None
50,000 to 79,999 square feet	1.25	None	None
80,000 square feet and greater	1	None	None

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Land Use Category	Minimum Parking Spaces	Maximum Parking Spaces (Urban Zone A)	Maximum Parking Spaces (Urban Zone B)
Medical and Dental Clinics	3.5	4.9	5.9
Movie Theaters (per seat)	0.3	0.4	0.5
Nursing Homes, Welfare or Correctional Institutions, and Institutions for Children (per bed)	0.2	None	None
Office Uses (includes Office Park, "Flex-Space", Government Office and Miscellaneous Services)	2.7	3.4	4.1
Places of Worship (per seat located in main assembly room), unless a school, daycare, or similar facility is proposed in conjunction with primary use, in which case it shall have separate parking requirement	0.5, or 1 per 5.3 feet of bench length in main assembly room	0.6	0.8
Produce Stands (per stand)	4	None	None
Dwellings, including			
Single-Family Dwelling or Manufactured Dwelling in Urban Low Density, Village Small Lot, or Village Standard Lot Residential District, except in a Planned Unit Development (per dwelling unit)	1, located behind the front yard setback line	None	None
Planned Unit Development (per single-family dwelling unit)	2	None	None
Hoodland Residential District (per dwelling unit 800 square feet or less) ¹	1	None	None
Hoodland Residential District (per dwelling unit greater than 800 square feet) ¹	2	None	None

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Land Use Category	Minimum Parking Spaces	Maximum Parking Spaces (Urban Zone A)	Maximum Parking Spaces (Urban Zone B)
Mountain Recreational Resort District, except congregate housing facilities (per 600 square feet of residential building area)	1	None	None
Attached Single-Family Dwelling in Medium or Medium High Density Residential District (per dwelling unit)	2	None	None
Attached Single-Family Dwelling in Station Community Mixed Use District (SCMU) District (per dwelling unit)	1 onsite	2 onsite	NA
Attached Single-Family Dwelling in Village Townhouse District (per dwelling unit)	1, located in a garage	None	None
Two- and Three-Family Dwellings (per dwelling unit)	1.5	None	None
Manufactured Dwelling Park (per dwelling unit)	2	None	None
Multifamily Dwelling (per one-bedroom dwelling unit)	1.25	None	None
Multifamily Dwelling (per two-bedroom dwelling unit)	1.5	None	None
Multifamily Dwelling (per three-bedroom dwelling unit)	1.75	None	None
Congregate Housing Facilities (per resident)	0.25	None	None
Accessory Dwelling Units (per dwelling unit)	1, located behind the front yard setback line	None	None
Restaurants: Fast Food with drive-thru window service	9.0	12.4	14.9
Restaurants: With no drive-thru window service, Taverns	15.0	19.1	23

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Land Use Category	Minimum Parking Spaces	Maximum Parking Spaces (Urban Zone A)	Maximum Parking Spaces (Urban Zone B)
Retail/Commercial, including shopping centers	4.1, except in the Clackamas Regional Center Area, 3.0	5.1	6.2
Retail stores with bulky merchandise, such as furniture, appliances, automobiles, service/repair shops	2	5.1	6.2
Schools: Colleges, Universities, and High Schools (per student or staff member)	0.2	0.3	0.3
Schools: Elementary and Junior High Schools (per school)	15, or 2 per classroom, whichever is less	None	None
Service Stations (per employee at peak employment period)	1	None	None
Sports Clubs/Recreation Facilities	4.3	5.4	6.5
Surface Mining	On-site vehicular parking for employees, customers and visitors, determined through Conditional Use process.	None	None
Tennis and Racquetball Courts	1	1.3	1.5
Theaters, Dance Halls, Community Clubs, Skating Rinks, Public Meeting Places (per seat, or 1 per 100 sq. ft. exclusive of stage)	0.25	None	None

Land Use Category	Minimum Parking Spaces	Maximum Parking Spaces (Urban Zone A)	Maximum Parking Spaces (Urban Zone B)
Warehouse and Storage Distribution, and Terminals (air, rail, truck, water, etc.) **Maximum parking requirements apply only to warehouses 150,000 gross square feet or greater.			
Zero to 49,999 square feet	0.3	None	None
50,000 square feet and over	0.2	0.4**	0.5**

On land above 3,500-foot elevation, covered parking shall be provided for structures containing three or more dwelling units.

F. Exceptions to Parking Requirements:

1. Parking maximums in Table 1015-2 may be increased for the following:
 - a. Parking spaces in parking structures;
 - b. Fleet parking;
 - c. Designated employee carpool spaces;
 - d. User paid spaces;
 - e. Parking for vehicles for sale, lease, or rent; and
 - f. Structured parking.
2. Parking minimums in Table 1015-2 may be reduced for the following:
 - a. The total minimum requirement for parking spaces may be reduced up to 20 percent per use when shared parking is utilized.
 - b. Available permitted on-street parking spaces on a development's street frontage may be counted toward required parking as follows:
 - i. All on-street parking spaces may count towards required parking in the following zoning districts: Neighborhood Commercial, Community Commercial, General Commercial, Office Commercial, Retail Commercial, Campus Industrial, Light Industrial, General Industrial, Business Park, Village Office, Village Commercial, Regional Center Office, Regional Center

Commercial, Corridor Commercial, and Station Community Mixed Use District.

- ii. In Office Apartment and Planned Mixed Use zoning districts, each on-street parking space may count towards one-half a required parking space.
 - iii. All on-street parking spaces may count towards required parking in Government Camp Village, as identified on Comprehensive Plan Map X-MH-4, *Government Camp Village Plan, Land Use Plan & Boundary*, on Government Camp Loop between Wy'East Trail and Church Street and on Little Trail between Olive Street and Church Street. Corner lots with such street frontage also may count parking spaces on the intersecting street.
- c. Motorcycle parking may substitute for vehicle parking spaces as follows:
- i. Up to five spaces or five percent of required automobile parking, whichever is less, may be utilized.
 - ii. For every four motorcycle parking spaces provided, the automobile parking requirement is reduced by one space.
 - iii. Existing parking may be converted to take advantage of this provision.
 - iv. Each motorcycle space must be at least four feet wide and eight feet deep.
- d. Electric vehicle charging stations may be installed according to the following standards:
- i. Two spaces or five percent of the minimum required parking spaces, whichever is greater, may be utilized for electric vehicle charging stations and identified exclusively for such use.
 - ii. Additional parking spaces of the minimum required parking may be utilized for electric vehicle charging stations, provided they are not identified exclusively for such use.
 - iii. Any portion of parking spaces provided that are beyond the required minimum number of parking spaces may be utilized for electric vehicle charging stations, regardless of whether they are identified exclusively for such use.

1015.05 BICYCLE PARKING STANDARDS

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- A. Bicycle parking areas shall meet the following on-site locational requirements:
1. Bicycle parking racks shall be located in close proximity to an entrance but shall not conflict with pedestrian needs.
 2. At least 75 percent of the bicycle parking spaces shall be located within 50 feet of a public entrance to the building.
 3. Bicycle parking areas shall be separated from automobile parking.
 4. Bicycle parking may be provided within a building, if the location is easily accessible for bicycles.
 5. Bicycle parking for multiple uses, or a facility with multiple structures, may be clustered in one or several locations within 50 feet of each building's entrance.
 6. If the bicycle parking is not easily visible from the street or main building entrance, then a sign must be posted near the building entrance indicating the location of the parking facilities.
- B. Bicycle parking shall be designed to meet the following requirements:
1. When more than seven bicycle parking spaces are required, a minimum of 50 percent of the spaces shall be covered. All (100 percent) of the required bicycle spaces for schools, park-and-ride lots, congregate housing facilities, and multifamily dwellings shall be covered.
 2. Cover for bicycle parking may be provided by building or roof overhangs, awnings, bicycle lockers, bicycle storage within buildings, or freestanding shelters.
 3. When more than 15 covered bicycle parking spaces are required, 50 percent of the required covered spaces shall be enclosed and offer a high level of security, e.g. bicycle lockers or a locked cage or room with locking facilities inside, to provide safe long-term parking.
 4. Required bicycle parking spaces shall be illuminated.
 5. Required bicycle parking areas shall be clearly marked and reserved for bicycle parking only.
 6. Bicycle parking space dimensions and standards:
 - a. Bicycle parking spaces must be at least six feet long and two feet wide, and in covered situations the overhead clearance must be at least seven feet.

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- b. An aisle five feet wide for bicycle maneuvering must be provided.
 - c. Bicycle racks must hold bicycles securely by the frame and be securely anchored.
 - d. Hanging bicycle racks and/or enclosed, stackable bike lockers may be substituted for surface racks if, through design review pursuant to Section 1102, it is determined that comparable dimensions, maneuvering, and clearance are provided to the user.
 - e. Bicycle racks must accommodate both:
 - i. Locking the frame and one wheel to the rack with a high-security U-shaped shackle lock; and
 - ii. Locking the frame and both wheels without removal of wheels to the rack with a chain or cable not longer than six feet.
7. The minimum bicycle parking spaces listed in Table 1015-3 are required.
8. Notwithstanding Table 1015-3, all listed uses located within the Portland Metropolitan Urban Growth Boundary (UGB) shall have a minimum of two bicycle parking spaces.

Table 1015-3: Minimum Required Bicycle Parking Spaces

Land Use Category	Minimum Bicycle Parking Spaces*
Elementary Schools, Junior High Schools, Middle Schools, Senior High Schools, and Colleges (per classroom)	2 (maximum required spaces – 100)
Multifamily Dwellings (per dwelling unit)	0.5
Park-and-Ride Lots, Transit Centers, and Community Parks (per acre)	5
Preschools	4
Residential Care Facilities, Nursing Homes, and Hospitals (per 8 beds)	1
Retail and Commercial including offices and clinics	
Per 2,500 square feet, up to 50,000 square feet	1

Land Use Category	Minimum Bicycle Parking Spaces*
Per each additional 5,000 square feet	1
Theaters, Places of Worship, Auditoriums, Dance Halls and other Public Assembly Places (per 40 seats or per 40 persons of design capacity, whichever is greater)	1
Warehouses and industrial buildings without attached offices, automotive service uses such as service stations and tire stores, and businesses selling large items such as major appliances, furniture, cars, or boats (per 10,000 square feet of building area)	1

* Minimums outside the UGB are 20 percent of the requirement listed in Table 1015-3.

1015.06 OFF-STREET LOADING STANDARDS

- A. Loading areas shall meet the following onsite locational requirements:
 - 1. No area shall be considered a loading berth unless it can be shown that the area is accessible and usable for that purpose, and has maneuvering area for vehicles.
 - 2. Loading areas shall be separated from vehicle and bicycle parking areas.
 - 3. In the BP District, loading areas shall be located to the side or rear of buildings unless topography, natural features, rail service, or other requirements of this Ordinance dictate front-yard loading bays.
- B. Loading berths fulfilling the minimum requirement for a specified use shall not be rented, leased, or assigned to any other person or organization, except as provided for under shared loading berths in Subsection 1015.06(F).
- C. The conducting of any business activity, except for permitted temporary uses (e.g., Farmers' Markets), shall not occupy any of the minimum required loading berths.
- D. No required loading berth shall be used for storing or accumulating goods or a commercial or recreational vehicle, camper, or boat, rendering it useless for loading operations.
- E. In cases of expansion of a building or use, that prior to the expansion, does not meet the minimum loading berth requirements in Table 1015-4, the following provisions shall apply:
 - 1. The minimum number of additional loading berths required shall be

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based only on the floor area or capacity added and not on the area or capacity existing prior to the expansion.

2. If the expansion covers any pre-expansion loading berths, lost loading berths shall be replaced, in addition to any required additional berths.

F. In the event several uses occupy a single structure or parcel of land and share the same loading berths, the total requirement for off-street loading shall be reduced by up to 25 percent of the sum of the requirements of the several uses computed separately.

G. The minimum off-street loading berths listed in Table 1015-3 are required.

Table 1015-4: Minimum Required Off-Street Loading Berths

Land Use Category	Unit of Measurement	Number of Loading Berths	Minimum Required Dimension
Multifamily Dwellings	Number of Dwelling Units		25 feet x 12 feet x 14 feet high
	Below 50	None	
	50 to 100	1	
	101 to 200	2	
	201 or more	3	
Hotels and Motels	Square feet of floor area		35 feet x 12 feet x 14 feet high
	Under 5,000	None	
	5,000 to 50,000	1	
	50,001 to 150,000	2	
	150,001 to 300,000	3	

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	300,001 to 500,000	4	
	For each additional 200,000	1 additional berth	
Institutional Uses			
Nursing Homes, Welfare or Correctional Institutions, and Institutions for Children	Number of beds		35 feet x 12 feet x 14 feet high
	Less than 25	0	
	More than 25	1	
Assisted Living Facilities	Square feet of floor area		
	Below 10,000	None	
	10,000 to 60,000	1	
	60,001 to 160,000	2	
	160,001 to 264,000	3	
	388,001 to 520,000	5	
	520,001 to 652,000	6	
	652,001 to 784,000	7	
	784,001 to 920,000	8	
	For each additional 140,000	1 additional berth	
Schools	Per each school bus	0.5	
Hospitals	Square feet of floor area		35 feet x 12 feet x 14 feet

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			high
	Under 5,000	None	
	5,000 to 16,000	1	
	16,001 to 40,000	2	
	40,001 to 64,000	3	
	64,001 to 96,000	4	
	96,001 to 128,000	5	
	128,001 to 160,000	6	
	160,001 to 196,000	7	
	For each additional 36,000	1 additional berth	
Commercial Uses	Square feet of floor area		35 feet x 12 feet x 14 feet high
	Under 5,000	None	
	5,000 to 24,999	1	
	25,000 to 49,999	2	
	50,000 to 100,000	3	
	Each additional 50,000	1	
Industrial, Manufacturing, Warehousing, Storage, Processing, and Terminals	Square feet of floor area		60 feet x 12 feet x 14 feet high
	Under 5,000	None	
	5,000 to 16,000	1	
	16,001 to 40,000	2	

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	40,001 to 64,000	3	
	64,001 to 96,000	4	
	96,001 to 128,000	5	
	128,001 to 160,000	6	
	160,001 to 196,000	7	
	For each additional 36,000	1 additional berth	

[Added by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-231, 1/31/12]

1016 MULTI-USE DEVELOPMENT

1016.01 PURPOSE

Section 1016 is adopted to:

- A. Implement the goals and policies of the Comprehensive Plan for multi-use developments;
- B. Accommodate and encourage innovation and design excellence in the development of multi-use centers containing a mixture of different uses in close proximity;
- C. Ensure functionally coordinated, aesthetically pleasing, and cohesive site planning and design that maximizes the benefits of multi-use to all individual components of the development;
- D. Ensure compatibility of multi-use developments with the surrounding area and minimize off-site impacts associated with the development;
- E. Provide for the development of sites that, because of their strategic location, can be developed to a higher and better land use development pattern than would otherwise be allowed in the zoning districts in which the sites are located;
- F. Provide focal points for various levels of transportation service (roads, transit, etc.) that can better serve areas of mixed uses and higher concentrations of development;
- G. Recognize the need for a higher level of economic activity, development and employment that multi-use developments generally provide in a community;
- H. Accommodate the changing land use and economic dynamics of the region, including the decentralization of many businesses and services into subregional centers to better serve their clients;
- I. Recognize and accommodate the need to provide for cultural, social, and entertainment interests of the larger community;
- J. Recognize the increasing importance of tourism on the economy of the County, and provide for a variety of attractions and tourist-related services to increase the County's share of this market; and
- K. Facilitate the economic objectives of the Comprehensive Plan, and other adopted County plans.

1016.02 AREA OF APPLICATION

Section 1016 may be applied to sites within the Portland Metropolitan Urban Growth Boundary, or the Hoodland Residential or Mountain Recreational Resort zoning districts, when the sites satisfy the following conditions, and the specific development plan satisfies the criteria under Subsection 1016.03:

- A. The zoning district in which the site is located allows multi-use developments as a conditional use.
- B. The ownerships or parcels are large enough to satisfy the dimensional requirements under Subsection 1016.08(B).
- C. The subject property and affected area is presently provided with adequate public facilities, services, and transportation networks to support the use, or such facilities, services, and transportation networks are planned to be provided to accommodate the development of the subject property.
- D. The site is suited to and desirable for a mix of different categories of use, one or more of which is not allowed outright in the subject zoning district, considering location, size, shape, access, topography, transportation networks existing or planned for the area, visibility, natural features and existence of improvements and uses which support the higher intensity use of the site associated with multi-use developments.
- E. The use of the site for a multi-use development will not substantially limit, impair, or preclude the use of surrounding properties for uses allowed in the zoning district(s) in which the surrounding properties are located.

1016.03 PROCEDURE FOR REVIEW OF A MULTI-USE DEVELOPMENT

- A. Conditional Use: A Multi-Use Development shall be a conditional use, subject to public hearing review under the provisions of Section 1300. Approval shall be granted when the applicant demonstrates that the site and master plan satisfy the requirements of this Section.
- B. Conceptual Approval/Master Plan: Application for a Multi-Use Development shall include a master plan for the entire property for which the conditional use is requested. The master plan shall address the standards and requirements of Section 1016, and shall be reviewed by the Design Review Committee pursuant to Section 1102.

The recommendation of the Design Review Committee shall be incorporated into the staff report and recommendation to the Hearings Officer. The application and master plan shall include:

- 1. Identification of proposed use categories, square footage of building area included in each category, and percentage of total building/land area to be used for each category of use, satisfying the provisions of Subsection 1016.04.

2. Identification of major uses - those uses within the development most likely to generate the most traffic, or otherwise impact public services and facilities - and those uses for which special use provisions have been adopted under Section 800.
3. A site analysis including the requirements under Subsections 1102.05(A)(7) and (8).
4. A preliminary site plan including the requirements under Subsections 1102.05(A)(9) through (12), and addressing the purposes under Subsection 1016.01, the site planning and design objectives under Subsection 1016.09(A), and dimensional requirements under Subsection 1016.08.
5. Proposed phasing of the development, if applicable to satisfy the requirements of Subsection 1016.04(G).
6. Other information and plans necessary to address the special use provisions of Section 800 for affected uses within the proposed development.

C. Approval Period: Conditional use approval of a multi-use development is valid for four years from the date of the final written decision. If the County's final written decision is appealed, the approval period shall commence on the date of the final appellate decision. During this four-year period, the approval shall be implemented, or the approval will become void. "Implemented" means:

1. Plans, as required under Subsections 1102.05(A)(7) through (12), are submitted, reviewed, and approved by the Design Review Committee; and
2. All major development permits shall be obtained and maintained for the approved multi-use development. A "major development permit" is:
 - a. A building permit for a new primary structure that was part of the multi-use development approval; or
 - b. A permit issued by the County Engineering Division for parking lot or road improvements required by the multi-use development approval.
3. In the case of phased developments, the initial application shall specify a timetable for each phase. This proposed timetable shall be subject to review, modification, and/or approval by the Hearings Officer.

D. Time Extension: If the conditional use approval of a multi-use development is not implemented within the initial approval period established by Subsection 1016.03(C), a two-year time extension may be approved by the Planning Director, pursuant to Subsection 1305.02, and subject to Subsection 1305.05.

- E. Modification of Approved Plans: Minor modifications shall be subject to review and approval by the Design Review Committee. All other modifications shall be subject to the same procedure as the original application.
1. The Planning Director shall determine the status of a proposed modification. A modification shall be considered minor only if the portion of the Master Plan being proposed for change:
 - a. Is consistent with the conditions of the prior approval;
 - b. Complies with the provisions of Section 1016 which are in effect at the time of the modification request;
 - c. Does not involve a change in use which results in any of the following:
 - i. The addition of a new category of use not included in the original application;
 - ii. The deletion of a category of use approved in the original application;
 - iii. An increase in the square footage of land area (la) or floor area (fa) exceeding five percent of the "limited" uses, or 10 percent of the "permitted" and/or "required" uses approved in the Master Plan; or
 - iv. The addition of a major use, such as a large commercial amusement, public use, entertainment, or educational facility, which will generate more traffic or use more public facility capacity than anticipated in the findings or record supporting the original application approval;
 - d. Will not result in an increase in traffic or use of public facilities which exceed those capacities on which the original approval was based;
 - e. Will not cause a disturbance to an open space feature, as defined in Subsection 1011.02, and identified and preserved in the Master Plan approval; and
 - f. Does not result in a reduction in required pavement widths or a change in major access locations or major circulation patterns which force more traffic maneuvers onto public, County, or State roads.
 2. A modification that satisfies the criteria under Subsection 1016.03(E)(1) shall be reviewed by the Design Review Committee. The Committee may approve, deny, or approve with conditions the proposed modification, in consideration of the following:

- a. The Ordinance provisions in effect at the time of the original approval of the Master Plan for the development; and
- b. The consistency of the proposed modification with the design approved in the Master Plan, including site layout, architectural design, vehicle and pedestrian circulation, transit amenities, parking areas, scale of structures and treatment of open spaces, plazas, and landscaping.

1016.04 DETERMINATION OF USES

The following provisions shall determine the uses allowed in a multi-use development. See Table 1016-1 for specific information about what categories of use may be allowed in each district.

- A. Use Selection: Uses shall be selected from those categories (or subcategories) of uses which are "Required," "Permitted" or "Limited" in the underlying district, as specified in Table 1016-1.
- B. "Required" Uses: Those uses which are "required" shall be included at the minimum percent of floor area or land area specified in Table 1016-1.
- C. "Limited" Uses: The total area occupied by "limited" uses shall not exceed the maximum percent of floor area or land area specified in Table 1016-1.
- D. "Permitted" Uses: Uses which are "permitted" may occupy whatever floor area or land area remains after satisfying the minimum "required" use area and subtracting the amount of "limited" use area proposed in the development.

Total area - ("required" + "limited" areas) = "Permitted" area.

- E. Residential District/"Limited" Uses: In low density residential districts at least one-half of the proposed residential units shall be constructed prior to the introduction of "limited" uses into the development. In multifamily districts limited uses located within the same building as dwelling units may be developed concurrently provided the maximum allowed percent of developed floor area for limited uses is not exceeded at any time.
- F. Residential Districts/"Required" Uses: In residential zoning districts the total land area may be used to calculate the base density, as provided under Section 1012, for the underlying zoning district. At least 80 percent of the base density in the Medium Density Residential and High Density Residential zoning districts, and 50 percent of the base density in the Special High Density Residential zoning district shall be provided in the development. Residential units may be clustered to provide for limited uses and preserve natural features or protect restricted areas. However, the density on any acre of land shall not exceed that allowed in the next highest residential Comprehensive Plan category.

- G. Commercial/Industrial Phased Developments: In commercial or industrial zoning district phased developments, the floor area/land area developed for "limited" uses in each phase shall not exceed the floor area/land area developed for other uses in that phase. An increase in the ratio of "limited" to other uses may be proposed and approved for any phase when other protection measures are used, such as binding development agreements, bonding, or other suitable controls over the total development percentages.
- H. Minimum Mix: In commercial and industrial districts, the Master Plan shall include uses from at least three of the primary use categories under Subsection 1016.05.

1016.05 USE CATEGORIES

Uses listed under the following use categories may be included in a Multi-Use Development when allowed in the zoning district pursuant to Table 1016-1, subject to the requirements under Subsection 1016.04.

A. Office/Manufacturing:

- 1. Business and professional offices, including legal, financial, architectural, engineering, governmental, manufacturers' representatives, corporate facilities; medical and dental, chiropractic, counseling, and other similar services and clinics; insurance, real estate, travel agencies and membership organization headquarters; studios for artists, photographers, writers, radio and television broadcasting (but not transmission towers).
- 2. Research and development operations and testing laboratories; manufacturing and assembly of medical equipment, communications equipment, electronic components, measuring and analyzing instruments; printing, publishing, bookbinding, graphic or photographic reproduction, blueprinting and photo finishing; and similar uses, except those prohibited under Subsection 1016.07, provided that no operation shall be conducted or equipment or chemicals used which would create a hazard or offensive noise, odor, vibration, smoke, dust, or other similar condition.
- ~~3. Other industrial uses listed under Subsection 602.03 or 603.03.~~

B. Hospitality/Public Use:

- 1. Hotels, motels, guest lodges and associated convention facilities; gift shops, newsstands and eating and drinking establishments located within the same building with a motel, hotel, or public use facility; tourist facilities and information services.
- 2. Health, recreation and exercise facilities, including health clubs, swimming pools, spas, tennis, racquetball, handball courts, golf courses and driving ranges and similar uses.

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3. Large scale public use facilities such as auditoriums for live entertainment, operas, concerts and plays; convention facilities not part of a hotel or motel; indoor or outdoor stadia and arenas, spectator sport and multi-use facilities, such as coliseums or domes; exhibition halls, galleries and museums; movie theaters; other public use gathering places of similar nature.
4. A "destination restaurant" may be allowed as a "hospitality" use in the Campus Industrial and Office Commercial zoning districts. A "destination restaurant," for purposes of this Ordinance, is a "full menu establishment" (as defined by the U.S. Census Bureau) with no drive-through service, which satisfies five of the criteria listed below. On sites 40 acres or larger, up to two restaurants meeting four of the seven criteria listed below may be allowed as a "hospitality" use.
 - a. Has a minimum seating capacity of 75;
 - b. Specializes in gourmet, ethnic, or specialty cuisine;
 - c. Includes banquet facilities and services;
 - d. Provides live entertainment at least two nights a week;
 - e. Utilizes custom architectural design and/or collections of artistic, cultural, or historic items to produce a distinctive thematic decor or atmosphere;
 - f. Has an OLCC license to serve beer and wine;
 - g. Employs only chefs who have graduated from a recognized culinary institute, or who have outstanding qualifications or reputations for their culinary skills.

C. Commercial:

1. Neighborhood retail and service commercial uses listed under Subsection 501.03 which primarily serve the tenants and/or residents of the Multi-Use Development and the immediate surrounding area.
2. Commercial amusement uses such as bowling alleys, game rooms, billiard and pool halls, miniature golf, roller or ice skating rinks, and similar uses, but not those included in Category B, or prohibited under Subsection 1016.07.
3. All retail and service commercial uses except those included under Subsection 1016.05(C)(4); eating and drinking establishments except those qualifying as "hospitality" uses under Subsection 1016.05(B); banks, credit unions, and financial institutions.
4. Sales lots and repair services for automobiles, trucks, boats, motorcycles, recreational vehicles, trailers, manufactured dwellings, farm or construction equipment and other heavy machinery; lumber yards, fuel yards, carpentry or sheet metal shops; mini-storage and vehicle storage facilities, moving equipment rental; funeral parlors; gasoline service stations. ~~In the Light Industrial and General Industrial zoning districts, those uses listed above which are allowed as primary uses shall not be included in the "limited" use land area.~~

D. Residential:

1. Low density residential zoning district primary uses, as specified in the underlying zoning district (i.e., R-7 through R-30 and Hoodland Residential).
2. Medium Density Residential zoning district primary uses, subject to Section 302.
3. High Density Residential zoning district primary uses, subject to Section 303.
4. Special High Density Residential zoning district primary uses, subject to Section 304.
5. Mountain Recreational Resort zoning district primary uses, subject to Section 306.

- E. Educational: Colleges, universities or graduate centers; business, trade and craft schools; specialty schools in the arts, music, counseling, etc.; and rehabilitation and worker training/retraining centers and facilities.

1016.06 ACCESSORY USES

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The following uses may be provided in conjunction with any category of use, or uses, approved under Subsection 1016.03.

- A. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.
- B. Transit stations, bus shelters, bike racks, pedestrian amenities, and transit amenities.
- C. Parking structures.
- D. Utility carrier cabinets.
- E. Solar energy systems.
- F. Cogeneration facilities.
- G. Radio and television earth stations and dishes.
- H. Daycare facilities associated with a principal use.
- I. Cafeterias, delicatessens, and other such facilities provided for employees of a principal use.
- J. Recycling collection containers, provided all materials are presorted, no processing occurs on-site, and all materials are stored within an enclosed structure or area between pickup days.
- K. Private recreational facilities as part of a multifamily residential complex.
- L. Helistops.
- M. Rainwater collection systems.
- N. Electric vehicle charging stations .
- O. Other uses and structures customarily accessory and incidental to a primary use, as determined by the Design Review Committee.

1016.07 PROHIBITED USES

The following uses shall be prohibited in a multi-use development.

- A. Any category of use, or major use not included on the approved site plan for a multi-use development shall be prohibited in that development. A modification of the approved plan, as provided under Subsection 1016.03(E), shall be required prior to the addition of a new category of use or major use.

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- B. New dwellings, manufactured dwellings and manufactured dwelling parks, except as permitted within low density or medium density residential districts.
- C. Outdoor storage of materials or products.
- D. Drive-thru window service, except those associated with a bank, credit union, or other financial institution, subject to Section 827.
- E. Industrial uses listed in Table 602-1 as Conditional Uses in the ~~General Industrial zoning District under Subsection 603.06(A)~~, except as specifically allowed under Subsection 1016.05.

1016.08 DIMENSIONAL STANDARDS

- A. The dimensional standards are intended to:
 - 1. Provide for and encourage coordinated development and the most efficient use of property within a multi-use development.
 - 2. Ensure adequate structure separation for light, air, fire safety and protection of all uses and structures within the development, and between the development and uses and structures on adjacent properties.
 - 3. Protect adjacent properties and uses from incompatible uses, and provide adequate buffering and transitioning between different uses within the development.
 - 4. Ensure an attractive appearance through the use of open spaces, setbacks, landscaping and pedestrian amenities, plazas, buffering, and retention of significant natural features.
 - 5. Ensure adequate access to property and minimum traffic conflicts and impacts.
- B. A multi-use development shall comply with the following dimensional requirements:
 - 1. Minimum Site Area: For purposes of this section, "site area" shall be as defined in Subsection 304.09(B).
 - a. Low Density Residential (R-7 through R-30): 30 acres
 - b. Hoodland Residential (HR): 30 acres
 - c. Medium Density Residential (MR-1): 10 acres
 - d. Mountain Recreational Resort (MRR): 10 acres
 - e. High Density Residential (HDR): 5 acres

- f. Special High Density Residential (SHD): 5 acres
- g. General Commercial (C-3): 1 acre
- h. Office Commercial (OC): 10 acres
- i. Campus Industrial (CI): 20 acres

~~j. Light Industrial (I-2): 10 acres~~

~~k. General Industrial (I-3): 20 acres~~

l.j. Open Space Management (OSM): 20 acres

m.k. A site area less than the above requirements may be allowed when such site is physically separated from all other undeveloped or underdeveloped properties in the underlying district.

- 2. Minimum front yard setbacks:
 - a. From major periphery roads: 25 feet.
 - b. From interior access driveways and circulation roads: 10 feet.
- 3. Minimum side and rear setbacks: 15 feet.
- 4. Minimum building separation: The minimum separation between a multifamily residential use located in a separate building on the same site, or on an adjacent site, and any building housing another category of use shall be 50 feet. However, this shall not preclude the mixing of multifamily residential with other categories of use within one building.
- 5. Minimum site area street frontage: 200 feet, except in the C-3 zoning district, the minimum street frontage shall be 100 feet.
- 6. Maximum building height: Same as underlying zoning district.
- 7. Minimum landscaping/open space area requirements: The minimum landscaped area standards under Table 1009-1 shall be modified as follows:
 - a. In the C-3, ~~I-2, and I-3~~ zoning districts, a minimum of 20 percent of the net site area shall be utilized for landscaping and open space. In phased developments, landscaped areas may be reduced to a minimum of 15 percent for any phase when the applicant demonstrates how the minimum 20-percent requirement will be satisfied.
 - b. In the R-7 through R-30, MR-1, HDR, SHD, MRR, HR, OSM, CI, and OC zoning districts, a minimum of 25 percent of the net site area shall

be utilized for landscaping and open space. In phased developments, landscaped areas may be reduced to a minimum of 20 percent for any phase when the applicant demonstrates how the minimum 25-percent requirement will be satisfied.

- C. **Exceptions to Dimensional Requirements:** The requirements of this subsection are not subject to modification pursuant to the provisions of Section 900. However, except for minimum landscape provisions, these requirements may be reduced up to 20 percent by the Design Review Committee during the review process when such modification is consistent with the purposes under Subsections 1016.01 and 1016.08(A). The effect of the proposed modification on the natural features of the site and on the use and preservation of solar access shall be considered when applicable. Proposed modifications which exceed 20 percent of the requirement shall be subject to Section 1205.

1016.09 DEVELOPMENT STANDARDS

A multi-use development shall comply with the development standards in Section 1000. In addition, the following standards and objectives shall apply:

- A. **Site Planning and Design:** The master plan and siting of individual uses and buildings within a multi-use development shall address the following objectives:
1. **Identity:** To create a stimulating environment through the siting of various uses, the use and articulation of open spaces, structure scale, design and texture, and the provision of pedestrian level amenities to produce a strong "sense of place."
 2. **Pedestrian Circulation:** To provide pedestrian access and movement through the site in a manner that maximizes foot traffic exposure to goods and services, and minimizes conflicts with vehicle circulation areas.
 3. **Transit:** To maximize the use of mass transit services through the provision of transit and pedestrian facilities and amenities in cooperation with the regional transit provider.
 4. **Parking:** To minimize the visual impact of parking areas. This may be accomplished through the use of: landscaping techniques; the incorporation of parking structures, as provided under Subsection 1016.09(D); the siting of uses to maximize the "shared parking" provisions of Section 1015; or a combination of these methods.
 5. **Access/Circulation:** To minimize the number of access points onto the site from adjacent roads and provide for traffic circulation between on-site uses, as appropriate.

6. **Visual Access/Traffic Impacts:** To maximize visibility and access for uses most dependent upon impulse shopping, or off-the-street business while minimizing traffic impacts on other uses within the development.
 7. **Natural Features:** To protect the aesthetic and location advantages provided by the terrain and natural features of the site and minimize the alteration thereof as far as practicable.
 8. **Impacts:** To minimize negative impacts of proposed uses on adjacent properties and uses and ensure the livability of residential areas of the site, when applicable.
- B. **Building Design:** In addition to the provisions of Section 1005, a multi-use development shall require:
1. Buildings and structures to be designed using materials, architectural styling and features, pedestrian plazas and amenities, and color, texture and scale of architectural elements to produce a mix of complimentary styles which are in scale with each other and demonstrate comparable excellence in design and implementation.
 2. Buildings housing retail commercial uses shall provide ample window area oriented toward pedestrian walkways or plazas, and, when single-story construction is used, shall incorporate design techniques and elements to enhance the scale of the building(s).
- C. **Landscaping/Open Space:** The minimum percent of landscaping/open space required shall be as specified under Subsection 1016.08(B)(7). In addition to the requirements under Section 1009, the design and development of open space and landscaping in a multi-use development shall:
1. Include street trees and parking area trees which are in scale with the development.
 2. Provide a cohesive open space and pedestrian network within the development, with appropriate connections to surrounding properties and uses.
 3. Provide pleasing transitions between uses, soften and buffer utility and loading areas, visually break up parking areas into identifiable subareas, and provide pleasing textures and variety, particularly next to buildings, along walkways, and within plazas.
 4. Include open spaces and plazas which are in scale with the development, invite activity appropriate to adjoining uses, and incorporate plant materials, seating, waste receptacles, lighting, and a focal element such as a fountain, sculpture, mural, or other visual art object.

- D. Parking and Circulation: In addition to the standards of Section 1015, the County may require parking structures to serve intensive uses. Factors to be considered include:
1. Topography and other physical characteristics of the site;
 2. Effects on distinctive natural features of the site;
 3. Effects on surface drainage and associated facilities;
 4. Effect on the capacity of the site to absorb the parking and traffic impacts of the intensive use(s);
 5. Effects on the quality of the overall site design in addressing the objectives under Subsection 1016.09(A); and
 6. The benefits associated with structure parking, such as the increase in development intensity and provision of open space amenities, and the ability or inability of such benefits to recoup the added expense associated with such facilities.
- E. Identification/Signing: The provisions of Section 1010 shall be modified as follows:
1. Signing Master Plan: Applications for Multi-Use Developments shall include a comprehensive Signing Plan which shall include:
 - a. elevations illustrating the major sign and sign types;
 - b. maps and drawings indicating location of all proposed signs;
 - c. descriptions of sizes and heights of signs;
 - d. description of how the proposed sign plan satisfies the criteria set forth in this ordinance pertaining to size, design, placement, height, and number of signs.
 2. Standards: The Design Review Committee shall review the Signing Master Plan under the provisions of Section 1010, except as specifically provided below:
 - a. Freestanding Signs: One freestanding identification sign may be provided on each public, County or State road from which the development takes access. One additional freestanding sign may be allowed on a public, County or State road when the frontage on that road exceeds 1,000 feet, and two or more major access points are provided. In no case shall the number of freestanding signs exceed four for any Multi-Use Development. The maximum size and height

for each freestanding sign shall be determined by the Design Review Committee under Subsection 1010.05(A)(3).

- b. On-Building Signs: Individual on-building tenant identification signs shall be allowed under the provisions of Subsection 1010.05(B).
 - c. Ground-Mounted Signs: Ground-mounted signs may be used to identify an individual building within a multi-use development provided that:
 - i. no onbuilding sign with the same message is facing in the same direction;
 - ii. the sign area does not exceed 30 square feet;
 - iii. the sign does not exceed five feet in height;
 - iv. architectural features may be added to the sign structure provided the total sign size and height are not increased by more than one-third of the above requirements.
 3. Addresses/Road Signs: Street addresses shall be clearly displayed on or in front of each separate building or commercial tenant space. The Planning Division may require that interior circulation roads be named. Such names shall be subject to Planning Division approval. Signs identifying roads within the development shall be installed and maintained by the developer or management association. Directional signs to various uses within the development may be included on the road signs.
- F. Management Association/Easements: The County may require the formation of a management association or other suitable mechanism approved by the County to assure that the following maintenance and liability duties are adequately addressed:
1. To improve, operate, and maintain common facilities, including open space, landscaping, parking and service areas, streets, recreation areas, signing, and lighting.
 2. To provide and maintain cross-easements between uses and parcels within the development for parking, circulation, drainage facilities, utilities, and similar elements shared in common.
 3. To adopt and enforce restrictions on the use of open space, landscaping, plazas, and service areas, malls, and other public access areas of the site.
 4. To maintain liability insurance and pay local taxes, unless other legally binding mechanism is provided.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

5. To assess and collect from members their pro rata share of the cost associated with the responsibilities herein described. The association shall be able to adjust the assessment to meet changes as needed.
6. To make revisions to the bylaws as necessary, subject to County review and approval, when the County determines that such changes protect the intent and purpose of this ordinance and are in the public's interest.

DETERMINATION OF USE CHART (DUC)

	RESIDENTIAL					COMMERCIAL				INDUSTRIAL			
DISTRICTS	LDR	MR-1	HDR	SHD	MRR	C-3		OC		CI	I-2	I-3	OSM
Minimum Site Area*	30 ac	10 ac	5 ac	5 ac	10 ac	1 ac		10 ac		20 ac	10 ac	20 ac	20 ac
Minimum % <u>R</u> la or fa required	80% la	70% fa	50% fa	50% fa	70% fa	N/A		N/A		60% fa	70% la	70% la	70% la
Minimum % bd required		80% bd	80% bd	50% fa									
Maximum % (L) la or fa allowed	20% la	15% fa	20% fa	25% fa	20% fa	N/A		35% fa		35% fa	10% la	10% la	30% la
CATEGORY A													
1. Offices	(L)	P	P	P	P	P		P		<u>R</u>	P	(L)	(L)
2. High Tech	X	X	X	X	X	P		P		<u>R</u>	R	R	X
3. Other 1-2/1-3	X	X	X	X	X	X		X		X	R	R	X
CATEGORY B													
1. Hospitality	X	P	P	P	P	P		P		P	(L)	(L)	(L)
2. Health/Recreation	(L)	P	P	P	P	P		P		P	(L)	(L)	<u>R</u>
3. Public Use/Cultural	X	P	P	P	P	P		P		P	P	P	(L)
CATEGORY C													
1. Neighborhood Commercial	(L)	(L)	(L)	(L)	(L)	P		(L)		(L)	(L)	(L)	(L)
2. Commercial Amusement	X	X	(L)	(L)	(L)	P		(L)		(L)	X	X	(L)

DETERMINATION OF USE CHART (DUC)

3.	Retail/Service	X	X	X	(L)	X	P		(L)		(L)	×	×	X
4.	Strip/Auto	X	X	X	X	X	P		X		X	×	(L)	X
CATEGORY D														
1.	Residential (District Density)	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	MR-1 to HDR		HDR		HDR	×	×	X
CATEGORY E														
1.	Education	(L)	P	P	P	P	P		P		P	P	P	(L)

SYMBOL KEY:

P	Permitted Use
<u>R</u>	Required Use (See <u>m</u> Minimum % <u>r</u> Required)
la	Land Area
bd	Base Density
(L)	Limited Use (See <u>m</u> Maximum % allowed)
X	Prohibited Use
fa	Floor Area
*	See <u>Subsections</u> 1016.08(B)(1)(<u>km</u>) and 1016.08(C) for exceptions

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-230, 9/26/11]

1206 NONCONFORMING USE

1206.01 STATUS

A nonconforming use may be continued although not in conformity with the regulations for the zoning district in which the use is located. Nonconforming use status applies to the lot(s) or parcel(s) upon which the nonconforming use is located and may not be expanded onto another lot or parcel, except as provided under Subsection 1206.05. A change in ownership of, or a change of operator of, a nonconforming use shall be permitted.

1206.02 DISCONTINUATION OF USE

If a nonconforming use is discontinued for a period of more than 12 consecutive months, the use shall not be resumed unless the resumed use conforms with the requirements of this Ordinance and other regulations applicable at the time of the proposed resumption.

1206.03 RESTORATION OR REPLACEMENT

If a nonconforming use is damaged or destroyed by fire, other casualty, or natural disaster, such use may be restored, replaced, and/or re-established consistent with the nature and extent of the use or structure lawfully established at the time of loss, subject to the following conditions:

- A. Alterations or changes to the nature and extent of the nonconforming use as lawfully established prior to the fire, other casualty, or natural disaster shall not be permitted under Subsection 1206.03, but may be permitted pursuant to Subsection 1206.05.
- B. Physical restoration, replacement, or re-establishment of the nonconforming use shall be lawfully commenced within one year of the occurrence of the damage or destruction. For the purposes of this provision, "lawfully commenced" shall mean the lawful resumption of the nonconforming use and/or the filing of an application for a land use, building, septic, grading, manufactured dwelling or residential trailer placement, plumbing, electrical, or other development permit required by the County or other appropriate permitting agency that is necessary to begin restoration or replacement of the nonconforming use and/or structures.
- C. The nonconforming use status of the use to be restored, replaced, or re-established, and the nature and extent of the nonconforming use, shall be verified pursuant to Subsection 1206.06.

1206.04 MAINTENANCE

Normal maintenance of a nonconforming use necessary to maintain a nonconforming use in good repair is permitted provided there are not significant use or structural alterations as determined by the Planning Director. Normal maintenance may include painting, roofing, siding, interior remodeling, re-paving of access roads and parking/loading areas, replacement of landscaping elements, etc.

1206.05 ALTERATIONS AND CHANGES

- A. Alterations Required by Law: The Planning Director shall permit the alteration of any nonconforming use when necessary to comply with any lawful requirement for alteration of the use or structure, subject to building, plumbing, sanitation, and other specialty code permit requirements in effect at the time the alteration is commenced. The Planning Director shall not impose additional conditions upon the continuation of a nonconforming use when an alteration is required to comply with local or state health or safety requirements, except as provided in Oregon Revised Statutes 215.215 pertaining to the re-establishment of nonfarm uses in an Exclusive Farm Use zoning district.
- B. Alterations Not Required by Law: The Planning Director shall approve an alteration of a nonconforming structure and/or other physical improvements, or a change in the use, pursuant to Subsection 1305.02, if the applicant provides evidence substantiating the following:
1. The alteration in the structure and/or other physical improvements, or change in the use, will, after the imposition of conditions as authorized below, have no greater adverse impact on the neighborhood than the existing use, structure(s), and/or physical improvements; and
 2. The nonconforming use status of the existing use, structure(s), and/or physical improvements is verified pursuant to Subsection 1206.06. The verification and alteration/change requests may be combined as a single application.
 3. The Planning Director may impose conditions of approval on any alteration of a nonconforming use, structure(s), or other physical improvements permitted under Subsection 1206.05(B), when deemed necessary to ensure the mitigation of any adverse impacts.

C. Dwellings: A dwelling classified as a nonconforming use may be remodeled, expanded, or replaced without review under Subsection 1206.05(B), provided that the use is not altered from that of a dwelling and that the number of dwelling units is not increased.

D. Change in Use of a Dwelling: In the LI, GI, and Business Park zoning districts, any change in the use of a dwelling classified as a nonconforming use shall be subject to all requirements for new developments in the zoning district, except as approved pursuant to a temporary permit under Subsection 1204.01.

E. Industrial and Business Uses: In the LI and GI zoning districts, expansion, alteration, or change of use of a lawfully established industrial or business use which does not conform to the physical and operational requirements of the zoning district shall require that the use be brought into conformance with those requirements to the extent possible.

1206.06 VERIFICATION OF A NONCONFORMING USE

- A. The Planning Director may approve a request for verification of nonconforming use status, pursuant to Subsection 1305.02, if the applicant:
1. Proves that the nonconforming use lawfully existed at the time of the adoption of zoning regulations, or a change in zoning regulations, which prohibited or restricted the use; and, the nonconforming use has not been subsequently abandoned or discontinued; or
 2. Proves the existence, continuity, nature, and extent of the nonconforming use for the 10-year period immediately preceding the date of the application. Such evidence shall create a rebuttable presumption that the nonconforming use, as proven, lawfully existed at the time of, and has continued uninterrupted since, the adoption of restrictive zoning regulations, or a change in the zoning or zoning regulations, that have the effect of prohibiting the nonconforming use under the current provisions of this Ordinance.

1206.07 APPROVAL PERIOD AND TIME EXTENSION

- A. Approval Period: Approval of an alteration of a nonconforming use, pursuant to Subsection 1206.05(B), is valid for a period of four years from the date of the final written decision. If the County's final written decision is appealed, the approval period shall commence on the date of the final appellate decision. During this four-year period, the approval shall be implemented, or the approval will become void.
1. "Implemented" means all major development permits shall be obtained and maintained for the approved alteration of a nonconforming use, or if no major development permits are required to complete the development contemplated by the approved alteration of a nonconforming use, "implemented" means all other necessary County development permits

(e.g. grading permit, building permit for an accessory structure) shall be obtained and maintained.

- a. A “major development permit” is:
 - i. A building or manufactured dwelling placement permit for a new primary structure that was part of the alteration of a nonconforming use approval; or
 - ii. A permit issued by the County Engineering Division for parking lot or road improvements required by the alteration of a nonconforming use approval.
- B. Time Extension: If the approval of an alteration of a nonconforming use is not implemented within the initial approval period established by Subsection 1206.07(A), a two-year time extension may be approved by the Planning Director, pursuant to Subsection 1305.02, and subject to Subsection 1305.05.

1206.08 VESTED RIGHT DETERMINATION

The Planning Director may approve a request for a vested right determination, pursuant to Subsection 1305.02, if the applicant proves that the requested use was vested under common law.

[Amended by Ord. ZDO-230, 9/26/11]

1704 CORRIDOR COMMERCIAL DISTRICT (CC)

1704.01 PURPOSE

Section 1704 is adopted to implement the policies of the Comprehensive Plan for Corridor Commercial areas.

1704.02 AREA OF APPLICATION

Property may be zoned Corridor Commercial District when the site has a Comprehensive Plan designation of Corridor Commercial and the criteria in Section 1202 are satisfied.

1704.03 PRIMARY USES

The following are allowed as primary uses in the Corridor Commercial District:

- A. Any use permitted within the Retail Commercial District;
- B. Service and retail uses where there is a need for outdoor areas in order to conduct business activities and sales or storage areas are an integral part of the use, such as lumber yards or auto sales;
- C. Electric vehicle charging stations;
- ~~D. Business Park District uses listed in Subsection 606.03(A), which are not otherwise listed as primary uses under Subsections 1704.03(A) and (B); subject to Subsection 606.03;~~
- D. Research offices and laboratories, including testing facilities;
- E. Any manufacturing or assembly use, except primary processing of raw materials;
- F. Indoor recreational facilities for such sports as gymnastics, martial arts, soccer, basketball, and skating. These facilities may be used for instruction, practice, and competitions;
- G. Any use that the Planning Director finds to be compatible with one or more of the uses listed in Subsections 1704.03(D) through (F). In determining the status of a proposed use, the Planning Director shall exclude accessory, conditional, and prohibited uses in the Business Park District. A request for a determination under Subsection 1704.03(G) shall be processed as an Interpretation pursuant to Subsection 1305.03. Application for an interpretation under this provision shall include a detailed description of the use and operational requirements of the use, approximate number of

employees, estimated volume of truck traffic to be generated, a site plan, building elevations, and preliminary landscaping plans;

E.H. Colleges, educational institutes, private schools, commercial schools, and trade schools; art, music, and dance studios; and radio and television studios, excluding transmission towers;

F.I. Cultural/Public Uses: Galleries, museums, assembly or convention facilities, theaters for performing arts, exhibition halls, libraries, senior centers, and fraternal organizations;

G.J. High Density Residential, subject to Section 303;

H.K. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835; and

I.L. Mobile vending units, subject to Section 837.

1704.04 ACCESSORY USES

The following are allowed as accessory uses in the Corridor Commercial District:

- A. Uses and structures customarily accessory and incidental to a primary use;
- B. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;
- C. The temporary storage within an enclosed structure of source-separated recyclable/reusable materials generated and/or used on-site prior to on-site reuse or removal by the generator or licensed or franchised collector to a user or broker;
- D. Recyclable drop off sites, subject to Section 819;
- E. Bus shelters, subject to Section 823;
- F. Signs, subject to Section 1010;
- G. Park-and-ride lots;
- H. Bike racks, pedestrian amenities, and transit amenities;
- I. Solar energy systems;
- J. Rainwater collection systems; and
- K. Parking structures.

1704.05 USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR

The following use may be approved by the Planning Director pursuant to Subsection 1305.02:

- A. Wireless telecommunication facilities listed in Subsection 835.05, subject to Section 835.

1704.06 CONDITIONAL USES

The following conditional uses may be allowed subject to Hearings Officer review pursuant to Section 1300. Approval shall not be granted unless the proposal complies with Section 1203 and any applicable provisions of Section 800.

- A. Telephone exchanges, utility substations, railroad right-of-way, and public utility structures, including shops and garages;
- B. Radio and television transmission and receiving towers and earth stations provided that the base of such towers shall not be closer to the property line than a distance equal to the height of the tower; and
- C. Heliports.

1704.07 PROHIBITED AND PREEXISTING USES

- A. The following uses shall be prohibited:
 - 1. Uses of structures and land not specifically permitted;
 - 2. The use of a residential trailer or manufactured dwelling, except as an office in a commercial trailer or manufactured dwelling sales lot, unless specifically authorized pursuant to Section 1204;
 - 3. New single-family and two-family dwellings; and
 - 4. Retail uses larger than 60,000 square feet of gross leasable area per building or business in areas designated as Industrial on Comprehensive Plan Map IV-8, *Urban Growth Concept*.
- B. Lawfully established dwellings shall be allowed to remodel or expand without review under Section 1206.
- C. A lawfully established dwelling may be converted to any use permitted in the district, subject to all requirements of this Ordinance for new development.

1704.08 DIMENSIONAL STANDARDS

- A. Purpose: The dimensional standards are intended to:
 - 1. Provide for protection of adjacent properties;
 - 2. Provide for efficient utilization of Corridor Commercial areas;
 - 3. Ensure that the minimum operational requirements of the development are provided on-site; and
 - 4. Site buildings to encourage and support pedestrian and transit access.
- B. Minimum Front Yard Setback: 15 feet.
- C. Maximum Front Yard Setback: 20 feet for buildings at or near a transit stop along a major transit street, as more specifically set forth in Section 1005.
- D. Minimum Rear Yard Setback: None, except when the rear yard abuts a more restrictive zoning district, in which case the minimum rear yard setback shall be 15 feet. Ten feet shall be added to the rear yard setback for each 10-foot increment in building height over 35 feet.
- E. Minimum Side Yard Setback: None, except when the side yard abuts a more restrictive zoning district, in which case the minimum side yard setback shall be 15 feet. Ten feet shall be added to the side yard setback for each 10-foot increment in building height over 35 feet.
- F. Minimum Landscaping Area: 10 percent of the lot.

1704.09 DEVELOPMENT STANDARDS

- A. General: Development shall be subject to the applicable provisions of Sections 1000, 1100, and 1700.
- B. Community and Design Plans: Development within a Community or Design Plan area identified in Chapter 10 of the Comprehensive Plan shall comply with the specific policies and standards for the adopted Community or Design Plan.
- C. Improvements: The County shall require the provision of, or participation in the development of, public facility improvements to implement adopted design plans or special standards. Such improvements include, but are not limited to, the following:
 - 1. Road dedications and improvements;
 - 2. Signalization;

3. Sidewalks;
 4. Crosswalks;
 5. Storm drainage facilities;
 6. Sewer and water service lines and improvements;
 7. Underground utilities;
 8. Street lights;
 9. Street trees and landscaping;
 10. Parks and open space; and
 11. The urban design elements shown on Comprehensive Plan Map X-CRC-3, *Clackamas Regional Center Area Design Plan, Urban Design Elements*.
- D. Road and Access Easement Vacations: Road vacations shall be prohibited in developments unless replaced with a new road or walkway that serves the same function. The replacement does not have to be in the same alignment as long as it provides access to the same areas the vacated road would have if constructed.
- E. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

[Amended by Ord. ZDO-226, 3/7/11; Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-231, 1/31/12]

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5. 2013-08-01



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