



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: February 16, 2016

Jurisdiction: City of Beaverton

Local file no.: TA 2015-0005

DLCD file no.: 012-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 02/11/2016. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD 43 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
 File No.: 012-15 {24145}
 Received: 2/11/2016

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of Beaverton

Local file no.: **TA 2015-0005**

Date of adoption: 2-9-16

Date sent: 2/11/2016

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 11-24-15

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

The local regulations were modified to include an additional buffer of 1,000 feet from any marijuana sales use. This will require all sales, including retail sales and medical marijuana sales, to be 1,000 feet from one another.

Local contact (name and title): Steven Sparks

Phone: 503-526-2429

E-mail: ssparks@beavertonoregon.gov

Street address: PO Box 4755

City: Beaverton

Zip: 97076-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

N/A

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- | | | | |
|-------------|----|--------|--|
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this |
| change. | | | |
| Change from | to | acres. | A goal exception was required for this change. |

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

Chapter 20 (Land Uses) of the Development Code was amended to allow recreational marijuana uses. Chapter 90 (Definitions) of the Development Code was also amended to add two new definitions.

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation: Acres added: Acres removed:

Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts: None

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

**AN ORDINANCE AMENDING ORDINANCE NO. 2050,
THE DEVELOPMENT CODE, TA 2015-0005, DESIGNATING RETAIL
MARIJUANA SALES, WHOLESALE MARIJUANA SALES,
AND MARIJUANA PROCESSING AS PERMITTED USES IN
SPECIFIC ZONING DISTRICTS AND DECLARING AN EMERGENCY**

WHEREAS, the voters of the State of Oregon passed Ballot Measure 91 (BM 91) in the November 2014 election authorizing the growing, processing, selling, and use of recreational marijuana in the State of Oregon; and

WHEREAS, the State Legislature has directed the Oregon Liquor Control Commission to be the regulatory agency for recreational marijuana uses; and

WHEREAS, the State has allowed local jurisdictions to place additional regulations on recreational marijuana uses, provided that the regulations are solely time, place, and manner regulations; and

WHEREAS, on January 6, 2016, the Planning Commission conducted a public hearing to consider a City-initiated application to modify the text of the City of Beaverton Development Code to establish local regulations for zoning locations where recreational marijuana uses are allowed and to consider adding additional local regulations consistent with the provisions of BM 91; and

WHEREAS, the Planning Commission received and considered the submitted staff report, exhibits, and public testimony on this text amendment; and

WHEREAS, the Planning Commission voted to recommend approval of the text amendment, as amended by the Planning Commission, to the Beaverton City Council on January 6, 2016; and

WHEREAS, the Beaverton City Council conducted a public hearing on February 2, 2016, to consider the Planning Commission's recommended text amendment; and

WHEREAS, the Beaverton City Council voted to amend the Planning Commission's recommended text amendment at the conclusion of the Council's public hearing on February 2, 2016, to remove a proposed buffer for retail marijuana sales from Tualatin Hills Park and Recreation District recreational facilities and to add a provision to allow colocation of marijuana dispensary and retail marijuana uses on the same premises if colocation is permitted by state law; and

WHEREAS, the Council adopts as to criteria applicable to this request and findings thereon the Planning Division Staff Report dated December 30, 2015 and the Planning Commission Land Use Order No. 2440; now, therefore,

THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:

Section 1. Ordinance No. 2050, the Development Code, is amended to read as set out in Exhibit "A" to this Ordinance attached to and incorporated herein by this reference.

Section 2: EMERGENCY. This ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this ordinance takes effect on its passage.

First reading this 2nd day of February, 2016.

Second reading and passage this 9th day of February, 2016.

Approved by the Mayor this 10th day of February, 2016.

ATTEST:

APPROVED:

Nanci Moyo, Deputy City Recorder
for - CATHY JANSEN, City Recorder

Denny Doyle
DENNY DOYLE, Mayor

STATE OF OREGON,
COUNTY OF WASHINGTON, } ss CERTIFICATION
CITY OF BEAVERTON

I, Nanci Moyo, Deputy City Recorder for the City of Beaverton, Washington County, Oregon, certify that this instrument is a true and correct copy of the original which is part of the official records of the City of Beaverton, Oregon.

Dated this 11th day of February, 2016.

Nanci Moyo, Deputy City Recorder
for - RECORDER, City of Beaverton

Section 1: The Development Code, Ordinance No. 2050, Chapter 20 - Land Uses, Section 20.05.20, LAND USES, will be amended to read as follows:

20.05. RESIDENTIAL LAND USE DISTRICTS

20.05.20. LAND USES

The following Land Uses are classified in the following three categories: Permitted (P) including their accessory uses and structures, Conditional Uses (C), or Prohibited (N) uses as identified in the table below for Residential Zoning Districts. All superscript notations refer to applicable Use Restrictions Section 20.05.25. [ORD 4584; June 2012]

Category and Specific Use <small>Superscript Refers to Use Restrictions</small>		R1 ¹¹	R2 ¹¹	R4 ¹¹	R5 ¹¹	R7 ¹¹	R10
		P: Permitted		C: Conditional		N: Prohibited	
Residential							
1. Care	A. Care Facilities	P	P	P	P	P	P
2. Dwellings	A. Accessory Dwelling Units	P	P	P	P	P	P
	B. Attached ¹	P	P	P	N C ²	N	N
	C. Detached ¹²	P	P	P	P	P	P
	D. Home Occupation	P	P	P	P	P	P
	E. Manufactured and Mobile Homes ³	N	P ⁴	P	P	P	P
	F. Manufactured and Mobile Homes Parks and Subdivisions	N	C	C	P	N	N
	G. Planned Unit Development	C	C	C	C	C	C
Commercial							
3. Care	A. Hospitals	C	C	C	C	C	C
	B. Medical Clinics	C	C	C	C	C	C
	C. Child Care Facilities	C	C	C	C	C	C
	D. Residential Care Facilities	C	C	C	C	C	C
4. Lodging	A. Temporary Living Quarters	C ⁵	C ⁵	C ⁵	N	N	N
5. Storage	A. Self Storage Facilities	C	C	C	N	N	N
	B. Storage Yards ⁶	C	C	C	C	C	C
6. Marijuana Dispensary, Retail Marijuana Sales, Wholesale Marijuana Sales, Marijuana Processing		N	N	N	N	N	N
Civic							
7. Cemetery		C	C	C	C	C	C

Category and Specific Use Superscript Refers to Use Restrictions		R1 ¹¹	R2 ¹¹	R4 ¹¹	R5 ¹¹	R7 ¹¹	R10
		P: Permitted		C: Conditional			
8. Education	A. Educational Institutions	C	C	C	C	C	C
	B. Commercial Schools	N	N	N	N	N	N
9. Places of Worship		C	C	C	C	C	C
10. Public Buildings and Uses	A. Non-Profit Public Services in Public Buildings	P ⁷	N	N	N	N	N
	B. Public Buildings	C	C	C	C	C	C
	C. Public Sewer and Water and Utility Transmission Lines	P	P	P	P	P	P
	D. Public Sewer, Water Supply, Water Conservation and Flood Control Facilities other than Transmission Lines	C	C	C	C	C	C
11. Recreation	A. Public Parks, Parkways, Playgrounds, and Related Facilities	C	C	C	C	C	C
	B. Public Recreational Facilities	C	C	C	C	C	C
	C. Community Gardens	P	P	P	P	P	P
12. Utilities	A. Utility Substations and Related Facilities other than Transmission Lines	C	C	C	C	C	C

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Section 2: The Development Code, Ordinance No. 2050, Chapter 20 - Land Uses, Section 20.10.20, LAND USES, will be amended to read as follows:

20.10. COMMERCIAL LAND USE DISTRICTS

20.10.20 Land Uses

The following Land Uses are Permitted (P), allowed with a Conditional Use (C) approval, or Prohibited (N) as identified in the following table for the Commercial Zoning Districts. All superscript notations refer to applicable Use Restrictions Section 20.10.25.

Category and Specific Use Superscript Refers to Use Restrictions		NS	CS	CC	GC
		P: Permitted		C: Conditional	
		N: Prohibited			
Residential					
1. Care	A. Care Facilities	P	P	P	P
2. Dwellings	B. Accessory Dwelling Units	P	P	P	P
	C. Attached	C ¹	P	P	P
	D. Detached	C ¹	P	P	P
	E. Home Occupation	P	P	P	P
	F. Manufactured and Mobile Homes	N	N	N	N
	G. Manufactured / Mobile Homes Parks and Subdivisions	N	N	N	N
	H. Planned Unit Development	C	C	C	C
Commercial					
3. Animal	A. Animal Care, Major	C	C	C	C
	B. Animal Care, Minor	P	P	P	P
4. Care	A. Hospitals	C	C	C	C
	B. Medical Clinics	C	C	C	C
	C. Child Care Facilities	C	P	P	P
	D. Residential Care Facilities	C	C	C	C
5. Eating and Drinking Establishment		P	P	P	P
6. Financial Institutions		P	P	P	P
7. Live / Work Uses		P	P	P	P
8. Office		P ²	P	P	P
9. Parking as the Principal Use		N	N	C	P
10. Retail Trade ³		P	P	P	P
11. Marijuana Dispensary ¹³		N	P	P	P
12. Retail Marijuana Sales ¹⁶		N	P	P	P
13. Service Business / Professional Services		P	P	P	P
14. Storage	A. Self Storage Facilities	N	N	C	P
	B. Storage Yards	N	N	C	P
15. Temporary Living Quarters		N	C ⁴	P	P
16. Vehicles	A. Automotive Service, Major	C	C	N	C
	B. Automotive Service, Minor	C	P	C	P
	C. Bulk Fuel Dealerships	C	P	C	P
	D. Sales or Lease	N	N	N	P
	E. Rental	N	C	C	P
17. Drive-Up Window Facilities		P	P	P	P
18. Food Cart Pods ¹⁴		P ¹⁵	P	P	P
Civic					
19. Cemetery		N	N	N	N
20. Education	A. Commercial Schools	C	P	P	P

Category and Specific Use Superscript Refers to Use Restrictions		NS	CS	CC	GC
		P: Permitted N: Prohibited		C: Conditional	
	B. Educational Institutions	P	P	P	P
21. Places of Worship		C	P C ⁷	P	P
22. Public Buildings, Services and Uses		C	C	C	C
23. Recreation	A. Public Parks, Parkways, Playgrounds, and Related Facilities	P	P	P	P
	B. Recreational Facilities	P	P	P	P
24. Social Organizations		C	P C ⁷	P	P
25. Transit Centers		N	C	C	N
26. Utilities	A. Utility Substations and Related Facilities other than Transmission Lines	C	C	C	C
	B. Transmission Lines	P	P	P	P
Hours of Operation					
27. Uses Operating between 10:00 p.m. and 7:00 a.m. ^{5 13 16}		P C ⁶	P C ^{6 7}	P	P C ⁸

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Section 3: The Development Code, Ordinance No. 2050, Chapter 20 - Land Uses, Section 20.10.25, USE RESTRICTIONS, will be amended to read as follows:

20.10.25 USE RESTRICTIONS

The following Use Restrictions refer to superscripts found in Section 20.10.20.

1. Detached or Attached Dwellings; only 50% of the contiguous area within any NS zone may be developed residentially.
2. No freestanding office structure or group of office structures shall exceed a combined total of 15,000 square feet.
3. No sales or outdoor storage of animals or livestock are allowed with this use.
4. Limited to Hotels and Extended Stay Hotels located on a lot or parcel adjoining U.S. Highway 26, Canyon Road, Tualatin Valley Highway or Oregon State Highway 217, subject to the following:
 - a. It shall be located on the portion of the lot immediately adjoining the highway.
 - b. Signage is allowed as per Section 60.40.35.3. of this code. However, only one freestanding sign, up to 32 square feet per face, 64 square feet for all four faces combined or one wall sign up to

- 1 64 square feet may orient toward an abutting Arterial or regional
2 traffic route.
- 3 c. Signage shall not be allowed for auxiliary uses such as
4 restaurants, meeting rooms, etc.
- 5 d. Auxiliary uses such as restaurants and meeting rooms shall be
6 designed to meet the needs of the guests of the facility and not the
7 general public.
- 8 5. Applicable to all uses, excluding marijuana dispensaries and retail
9 marijuana sales.
- 10 6. Office uses do not require a Conditional Use for extended hours of
11 operation.
- 12 7. If property is greater than 500 feet from an existing Residential use in
13 a Residential zone the use is Permitted. If property is within 500 feet
14 from an existing Residential use in a Residential zone the use requires
15 Conditional Use approval.
- 16 8. Conditional Use required when abutting a Residential Zone.
- 17 9. On a location containing an existing tower supporting one carrier and
18 shall be consistent with other approvals.
- 19 10. Provided the buildings or structures are not exclusively used for single-
20 family or multi-family residential purposes.
- 21 11. Not permitted on single family dwellings.
- 22 12. W3 when located on streetlights, or traffic signal lights, or high voltage
23 power utility poles in the right-of-way of designated Collector,
24 Neighborhood Route, or Local Streets; W2 in the right-of-way of
25 designated Freeways and Arterial Streets.
- 26
- 27 13. Marijuana dispensary shall:
28 a. be subject to the provisions of ORS 475.314; and
29 b. be allowed to operate only between the hours of 7:00 AM and
30 10:00 PM. Hours of operation may not be extended through the
31 Conditional Use process as identified in this Code.
- 32
- 33 14. Food Cart Pods are exempt from the Site Development Standards of
34 20.10.10 but are subject to the standards of 60.11 of the Development
35 Code. [ORD 4662; Sept 2015]
- 36
- 37 15. Permitted only when abutting a Collector or higher street classification.
38 ORD 4662; Sept 2015]
- 39
- 40 16. Retail Marijuana Sales shall:
41 a. be subject to the provisions of ORS <insert appropriate ORS

1 section citation>;

2 b. be located 1,000 feet from any existing Marijuana Dispensary or
3 Retail Marijuana Sales use, except for instances of colocation
4 within the same premises of Marijuana Dispensary and Retail
5 Marijuana Sales uses when such colocation is permitted by state
6 law; and

7 c. be allowed to operate only between the hours of 7:00 AM and
8 10:00 PM. Hours of operation may not be extended through the
9 Conditional Use process as identified in this Code.

10 *****

11
12 **Section 4: The Development Code, Ordinance No. 2050, Chapter 20 -**
13 **Land Uses, Section 20.15.20, LAND USES, will be amended to read as**
14 **follows:**

15
16 20.15. EMPLOYMENT / INDUSTRIAL LAND USE DISTRICTS

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19
20 20.15.20 LAND USES

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22 The following Land Uses are Permitted (P), allowed with a Conditional Use (C)
23 approval, or Prohibited (N) as identified in the following table for the Employment
24 and Industrial Zoning Districts. All superscript notations refer to applicable Use
25 Restrictions Section 20.15.25. [ORD 4584; June 2012]

Category and Specific Use Superscript Numbers Refer to Footnote		OI	OI-NC	IND
		P: Permitted C: Conditional N: Prohibited		
Commercial				
1. Animal ¹	A. Animal Care, Major	N	N	C
	B. Animal Care, Minor	P	N	P
2. Care ¹	A. Hospitals	P	N	C
	B. Medical Clinics	P	P ²⁴	C
	C. Child Care Facilities	P	P ²⁴	P
3. Parking as the Principal Use	A. Structures	P	N	C
	B. Surface	N	N	C
4. Retail and Service Business	A. Bulk Retail	C ³	N	N
	B. Eating and Drinking Establishments	P ²	P ²⁴	C ²
	C. Equipment and Supply Sales ⁴	P	N	P ⁵
	D. Equipment Rental Agencies ⁶	C	N	C
	E. Freestanding Retail or Service Business up to and Including 5,000 sq ft ⁷	P	P ²⁴	N
	F. Freestanding or Combination of Retail or Service Business of More than 5,000 but Less than 30,000 sq ft ⁷	C	P ²⁴	N
	G. Professional Services	P	P ²⁴	C

Category and Specific Use Superscript Numbers Refer to Footnote		OI	OI-NC	IND
		P: Permitted Conditional	N: Prohibited	C:
	H. Wholesale or Retail Lumber, Building, and or Landscaping Materials Yard	P	N	P
	I. Wholesale Marijuana Sales	P	N	P
	J. Marijuana Dispensaries	N	N	N
	K. Retail Marijuana Sales	N	N	N
5. Storage ¹	A. Cold Storage Plants	N	N	P
	B. Self Storage Facilities	N	N	C
	C. Storage or Sale Yard ⁸	N	P ²⁴	P
	D. Storage Yard for Building Materials	N	N	P
6. Temporary Living Quarters		C ⁹	N	N
7. Vehicles ¹	A. Auto, Truck and Trailer Rental	N	N	C
	B. Automotive Service, Major	N	N	P ¹⁰
	C. Automotive Service, Minor	N	N	P
	D. Bulk Fuel Dealerships	N	N	P
	E. Heavy Equipment Sales ¹¹	N	N	P
	F. Trailer, Recreational Vehicle or Boat Storage	N	P ²⁴	P
	G. Trailer Sales or Repair	N	N	C
	H. Vehicle Storage Yards	N	N	C
8. Food Cart Pods ²⁵		P	N	N
Industrial				
9. Concrete Mixing and Asphalt Batch Plants		N	N	C
10. Fuel Oil Distributors		N	N	P
11. Heliport		C	C	C
12. Mail Order Houses, Wholesale or Retail, Exclusive of On-Site Sales to the Public ¹		P	P	P
13. Manufacturing, Fabricating, Assembly, Processing, Packing, and Storage ¹		P ^{12 13}	P	P ¹³
14. Marijuana Processing		P ¹²	N	P ¹²
14. Motor Freight Terminal		N	N	C
15. Operation Centers ¹⁴		N	N	P
16. Laboratory ¹		C	P	P
17. Salvage Yards, Recycling Centers and Solid Waste Transfer Stations ¹		N	N	C
18. Warehousing, Wholesale and Distributive Activities ¹		P ¹²	P	P
Civic				
19. Education ¹	A. Commercial Schools	C	N	N
	B. Educational Institutions	C	N	C
	C. Job Training and Vocational Rehabilitation Services	P	N	P
20. Public Buildings and Uses ¹⁵		P	N	C
21. Railroad Tracks and Facilities	A. Freight ¹⁶	P	N	P
	B. Passenger	P	N	P
22. Recreation ¹	A. Public Parks and Recreational Facilities	P	N	P

Category and Specific Use Superscript Numbers Refer to Footnote		OI	OI-NC	IND
		P: Permitted C: Conditional N: Prohibited		
	B. Private Recreation Facilities ¹⁷	P	P	P
23.	Transit Centers ¹⁸	P	P	C
24.	Utilities A. Facilities Related to Utility Distribution, such as Substations, Water Towers, Pump Stations, other than Transmission Lines or Power Plants	C	C	C
Office				
25.	Office ¹	P	P	P ¹⁹
26.	Financial Institutions ¹	P	P ²⁴	C
Other				
27.	Planned Unit Development	C	C	C

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Section 5: The Development Code, Ordinance No. 2050, Chapter 20 - Land Uses, Section 20.20.20, LAND USES, will be amended to read as follows:

20.20 MULTIPLE USE LAND USE DISTRICTS

20.20.20. LAND USES

The following Land Uses are Permitted (P), allowed with a Conditional Use (C) approval, or Prohibited (N) as identified in the following table for the Multiple Use zoning districts. All superscript notations refer to applicable Use Restrictions Section 20.20.25. [ORD 4576; January 2012] [ORD 4578; March 2012]

Category and Specific Use Superscript Refers to Use Restrictions		RC-TO	RC-OT	RC-E	OI-WS	C-WS	TC-MU	TC-HDR	SC-MU	SC-HDR	SC-S	SC-E1	SC-E3
		P: Permitted			C: Conditional			N: Prohibited					
Residential													
1. Dwellings	A. Attached	P ¹	P	P ¹	P ²	P ³	P	P	P ⁴	P ⁴	P ⁶⁶	N	N
	B. Detached	P ^{5,6}	P ⁶	P ⁶	N	N	P ⁶	P ⁶	P ⁶	P ⁶	N	N ⁵	N ⁵
	C. Home Occupation	P	P	P	P	P	P	P	P	P	P	N	N
	D. Planned Unit Development	C	C	C	C	C	C	C	C	C	C ⁶⁶	C	C
Commercial													
2. Animal	A. Animal Care, Major	N	N	N	N	N	N	N	N	N	N	N	N
	B. Animal Care, Minor	P	P	P	P	P	P	P	P	P	P	P	P
3. Care	A. Hospitals	C	P	P	P	C	C	N	P	C	P	N	N
	B. Medical Clinics	C	P	P	P	P	P ⁷	P ⁸	P	P ⁸	P	P ^{9 10}	P ^{9 10}
	C. Child Care Facilities	P	P	P	P	P	P	P	P	P	P	P ⁹	P ⁹
	D. Residential Care Facilities	P	P	P	P	P	P	P	P	P	P	N	N
4. Commercial Amusement	P ¹¹	P ¹¹	P ¹¹	N	P C ¹²	C	C	C ¹³	C ¹³	P	N	N	
5. Drive-Up Window Facilities ¹⁴	N C ¹⁵	C	C	N P ¹⁶	P	C	C	C	N ¹⁰	N P C ^{17 18}	N ¹⁰	N ¹⁰	

Category and Specific Use		RC-TO	RC-OT	RC-E	OI-WS	C-WS	TC-MU	TC-HDR	SC-MU	SC-HDR	SC-S	SC-E1	SC-E3
Superscript Refers to Use Restrictions		P: Permitted			C: Conditional			N: Prohibited					
6. Eating and Drinking Establishments		P	P	P	P ¹⁹	P	P	P ^{9 13}	P ⁹	P ^{10 13}	P	P ^{9 10}	P ^{9 10}
7. Financial Institutions		P	P	P	P ²⁰	P	P	P	P	P	P	P ^{9 10}	P ^{9 10}
8. Live / Work Uses		C	C	C	C	C	P	P	P	P	P	N	N
9. Meeting Facilities		C P ²¹	C P ²¹	C P ²¹	C P ²¹	C P ²¹	C P ²¹	N	C P ²¹	N	P	C P ²¹	C P ²¹
10. Office		P	P	P	P	P	P ²²	P ^{8 23}	P	P ⁸	P	P	P
11. Parking as the Principle Use		C	C	C	C	C	C ²⁴	C	C	C	C	C ²⁴	C ²⁴
12. Rental Business		P	P	P	P	P ²⁵	P ^{7 22 26}	P ^{26 27}	P ²⁷	P ²⁷	P ^{28 29}	P ²⁵	N
13. Rental of Equipment Only		N	N	N	P ⁶¹	N	N	N	N	N	N	N	N
14. Retail	A. Retail Trade	P ^{26 30 31}	P ^{26 30}	P ^{26 30 31}	P ³²	P ²⁵	N P ^{22 26 33}	P ^{13 26}	P ^{9 25 34}	P ^{13 25}	P ²⁵	P ^{9 28 35}	P ^{9 28}
	B. Bulk Retail	N	N	N	N	N	N	N	N	N	N	N	N
15. Service Business / Professional Services		P ^{9 36}	P ^{9 36}	P ^{9 36}	P ³²	P ²⁵	N P ^{22 26 33}	P ^{13 26}	P ^{8 9}	P ⁹	P	P ^{9 10 28}	P ^{9 10 28}
16. Marijuana Dispensaries		N	N	N	N	N	N	N	N	N	N	N	N
17. Retail and Wholesale Marijuana Sales		N	N	N	N	N	N	N	N	N	N	N	N
18. Storage	A. Self Storage	N	N	N	N	P ³⁷	N	N	N	N	N	N	N
	B. Storage Yards	N	C ³⁸	C ³⁸	N	N	N	N	N	C ³⁹	N	N	P ⁴⁰
19. Temporary Living Quarters		P ⁴¹	C ⁴¹	C ⁴¹	N	P	C ⁴¹	C ⁴¹	P ⁴¹	C ⁴¹	C ⁴²	C ⁴²	C ⁴²
20. Vehicles	A. Automotive Service, Major	N	N	C ²⁵	N	N	C ⁴³	N	N	N	N	N	N
	B. Automotive Service, Minor	P ⁴⁴	P	P	N	C	C	C ²⁵	N P C ¹⁷	C ²⁵	N P C ¹⁷	N	N
	C. Bulk Fuel Dealerships	N	N	N	N	N	N	N	N	N	N	N	N
	D. Sales or Lease	C ⁴⁵	C ⁴⁵	C ⁴⁵	N	N	C ^{9 22 26}	N	P ^{9 28}	P ^{9 46}	P ^{28 47}	N	N
	E. Rental	C ⁴⁵	C ⁴⁵	C ⁴⁵	N	N	C ^{9 22 26}	N	P ^{9 28}	P ^{9 46}	P ²⁸	P	P
21. Food Cart Pods ⁶⁸		P	P	P	P	P	P	N	P	N	P	N	N

Category and Specific Use	RC-TO	RC-OT	RC-E	OI-WS	C-WS	TC-MU	TC-HDR	SC-MU	SC-HDR	SC-S	SC-E1	SC-E3
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Superscript Refers to Use Restrictions

P: Permitted C: Conditional N: Prohibited

Civic													
22. Education	A. Commercial Schools	P	P	P	C	P	PC N ^{33 48}	P ¹³	P	P	P	P ⁹	C ⁹
	B. Educational Institutions	P	P	P	CP ⁶⁷	P	P	P	P	P	P	P ⁹	C ⁹
23. Places of Worship		PC ⁴⁸	PC ⁴⁸	PC ⁴⁸	N	PC ⁴⁸	PC ⁴⁸	PC ⁴⁸	PC ⁴⁸	PC ⁴⁸	PC ⁴⁸	P ⁹	N
24. Public Buildings, Services and Uses		C	C	C	P	C	C	C	C	C	C	CP ⁴⁹	CP ⁴⁹
25. Railroad Tracks and Facilities	A. Passenger	P ⁵⁰	P ⁵⁰	P ⁵⁰	P	P	P	P	P	P	P	P	P
	B. Freight	P	P	P	P ⁵¹	P	N	N	N	N	N	P ⁵¹	P ⁵¹
26. Recreation	A. Public Parks, Parkways, Playgrounds, and Related Facilities	C	C	C	P ⁵²	P	P	P	P	P	P	P ⁵³	P ⁵³
	B. Recreational Facilities	P ¹¹	P ¹¹	P ¹¹	P ¹³	P	C	C	C ⁵⁴	C ⁵⁴	P	N	N
27. Social Organizations		P ⁴⁸	P ⁴⁸	P ⁴⁸	N	PC ⁴⁸	PC ⁴⁸	PC ⁴⁸	PC ⁴⁸	PC ⁴⁸	P	C	C
28. Transit Centers		C	C	N	P	P	C	C	C	C	P	P	P
29. Utilities	A. Utility Substations and Related Facilities other than Transmission Lines.	C	C	C	C	C	C	N	C	C	C	C	C
	B. Transmission Lines	P	P	P	P	P	P	P	P	P	P	P	P

Category and Specific Use	RC-TO	RC-OT	RC-E	OI-WS	C-WS	TC-MU	TC-HDR	SC-MU	SC-HDR	SC-S	SC-E1	SC-E3
Superscript Refers to Use Restrictions												
	P: Permitted			C: Conditional			N: Prohibited					

Industrial												
30. Manufacturing, Fabricating, Assembly, Processing, and Packing	P C ⁵⁵	P C ⁵⁵	P C ⁵⁵	P ^{56 57}	N	P ⁶⁰	N	P ²⁸	N	P ²⁸	P ^{56 57}	P ^{56 57}
31. Marijuana Processing	N	N	N	N	N	N	N	N	N	N	N	N
32. Printing, Publishing, and Book Binding	N	N	N	P	N	N	N	N	N	P	P	N
33. Warehousing ⁵⁸	P	P	P	P	P	P	P	N	N	P	P ⁵⁹	P ⁵⁹

Section 6: The Development Code, Ordinance No. 2050, Chapter 90 - DEFINITIONS, will be amended to read as follows:

Marijuana Dispensary. Includes the sales of medical marijuana products that are authorized pursuant to ORS 475.314.

Retail Marijuana Sales. Includes the sales of recreational marijuana products that are authorized pursuant to ORS <insert appropriate ORS section citation>
