



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

05/15/2012

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 001-12

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: Tuesday, May 29, 2012

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

<paa> YA



FORM 2

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **5-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

In person electronic mailed

DATE STAMP

DEPT OF
MAY 08 2012
LAND CONSERVATION
AND DEVELOPMENT

For Office Use Only

Jurisdiction: **Clackamas County**

Local file number: **ZDO-235**

Date of Adoption: **5/3/2012**

Date Mailed: **5/7/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 1/19/2012

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".

Add provisions establishing a Planning Commission, which has existed since the 1950s but is not currently codified. Standardize and expand existing provisions for authorization of similar uses. All commercial, industrial, community service, and mixed use zoning districts would include a provision for an applicant to request a Planning Director interpretation to authorize a use similar to uses specifically listed in the zone

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

Existing compatible use provisions were retained in the I-2, I-3 and BP zones. Conforming amendments were made to Sections 707 and 813.

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

35-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD File No. 001-12 (19144) [17031]

DLCD file No. _____

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

None

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@co.clackamas.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 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**.

<http://www.oregon.gov/LCD/forms.shtml>

Updated December 30, 2011

ORDINANCE NO. ZDO-235

**An Ordinance Amending Sections
101, 102, 103, 104, 501, 502, 504, 505, 507, 509, 601, 602, 603, 604, 606, 707, 813, 1606, 1607, 1701, 1703
and 1707 and adopting new Sections 105 and 106 of the Clackamas County Zoning and Development
Ordinance**

WHEREAS, in December 2011, the Board of County Commissioners directed the Planning and Zoning Division staff to prepare draft amendments to the Zoning and Development Ordinance to include administrative provisions related to the Planning Commission; and

WHEREAS, the Planning Director initiated an amendment to the similar use provisions in the Zoning and Development Ordinance, in response to policy and procedural inconsistencies in the current provisions; and

WHEREAS, an on-going process of amendments to the Zoning and Development Ordinance is necessary to clarify provisions and maintain consistency throughout the Ordinance and respond to changes in statutes and public input; 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 Zoning and Development Ordinance as necessary; and

WHEREAS, the proposed amendments are consistent with the Clackamas County Comprehensive Plan, the Metro Urban Growth Management Functional Plan, the Statewide Planning Goals and Guidelines, and all other applicable state and federal law; and

WHEREAS, after a duly-noticed public hearing, the Clackamas County Planning Commission recommended approval of ZDO-235 on February 27, 2012; and

WHEREAS, the Board of County Commissioners held public hearings on March 22, 2012, and April 5, 2012 and voted to direct staff to prepare the amendments for formal adoption; now therefore;


The Board of Commissioners of Clackamas County ordains as follows:

Section 1: Sections 101, 102, 103, 104, 501, 502, 504, 505, 507, 509, 601, 602, 603, 604, 606, 707, 813, 1606, 1607, 1701, 1703 and 1707 of the Clackamas County Zoning and Development Ordinance are hereby amended and new Sections 105 and 106 are added to the Clackamas County Zoning and Development Ordinance as shown in Exhibit A hereto.

Section 2: This ordinance shall be effective on May 14, 2012.

ADOPTED this 3rd day of May, 2012

BOARD OF COUNTY COMMISSIONERS


Chair


Recording Secretary

Ordinance ZDO-235
Zoning and Development Ordinance Amendments

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

SECTION 100

INTRODUCTORY PROVISIONS

101 TITLE

This Ordinance shall be known and may be cited and referred to as the "Clackamas County, Oregon, Zoning and Development Ordinance-" (hereinafter referred to as this Ordinance).

102 PURPOSE AND SCOPE

102.01 PURPOSE

This Ordinance is enacted to implement the goals and policies of the Clackamas County, Oregon, Comprehensive Plan (hereinafter referred to as the Comprehensive Plan) and to provide methods of administration and enforcement of the provisions herein described, as authorized by ~~Sections 215.010 to 215.615, and subsequent amendments of the Chapter 215 of the Oregon Revised Statutes.~~

102.02 CONFORMANCE REQUIRED

A. — Except as herein specified, no land, ~~building, structure,~~ or premise shall be used or transferred, and no ~~building structure~~ or part thereof, ~~or the structure,~~ shall be located, erected, moved, reconstructed, extended, enlarged, or altered except in conformity with the regulations herein specified for the zoning district(s) in which it is located.

~~The County may initiate legal proceedings to enforce the terms and provisions of this Ordinance. Such proceedings may be commenced either by filing a complaint with the Compliance Hearings Officer, or by filing a civil action in Circuit Court, or both. The County may, in addition to other remedies provided by law, institute injunction, mandamus, abatement, or other appropriate proceedings to prevent, temporarily or permanently enjoin, abate, remove, or nullify the unlawful transfer, location, construction, maintenance, repair, alteration, or use.~~

102.03 VIOLATIONS AND ENFORCEMENT

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

The County may enforce violations of this Ordinance as provided for in Chapter 2.07 of the Clackamas County Code. ~~Violation of any provision of this Ordinance is subject to imposition of the following:~~

~~A. A civil penalty for each day of violation where the offense is a continuing violation.~~

~~B. A civil penalty for a non-continuing offense.~~

~~C. Civil penalty amounts shall be established by resolution of the Board of County Commissioners.~~

~~102.04~~ JURISDICTION

~~The County Compliance Hearings Officer and circuit courts have concurrent jurisdiction under subsection 102.03.~~

102.045 INTERPRETATION

The provisions of ~~this~~ the Ordinance shall be held to be minimum requirements. Where this Ordinance imposes a greater restriction than is imposed ~~or required~~ by other provisions of law, ~~or by other rules, or regulations, or resolutions, or easements, covenants, or other agreements between parties,~~ the provisions of this Ordinance shall control.

102.056 SAVING CLAUSE

Should any section, clause or provisions of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of this Ordinance as a whole or any part thereof other than the part so declared to be invalid; each section, clause, and provision hereof being declared severable.

102.067 CONFLICTING ORDINANCES

All other zoning ordinances or regulations, by whatever authority resolved or ordained, are herewith superseded and all such previous zoning ordinances or regulations are replaced.

103 ZONING DISTRICTS DESIGNATION

103.01 ZONING DISTRICT DESIGNATION

For the purposes of this Ordinance the unincorporated territory of Clackamas County, Oregon is hereby divided into the ~~categories of~~ zoning districts as listed in the Table of Contents under Sections 300- through 700, 1600, and 1700.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

103.042 ZONING DISTRICT BOUNDARIES

- A. ~~The Zoning district boundaries of these districts~~ are hereby established as shown on the zoning map or maps of the unincorporated territory of Clackamas County, Oregon, which map or maps are hereby made a part of this Ordinance. The said zoning map or maps and all notations and references and other matters shown thereon, shall be and are hereby made part of this Ordinance. Said zoning map or maps, properly attested, shall be and remain on file in the office of the Ceounty Department of Transportation and Development, governing body of the Ceounty, or County Clerk ~~of Clackamas County, Oregon~~.
- B. Except where reference is made on said map or maps to a street line, political boundary, or other designated line by dimensions shown on said map or maps, the zoning district boundaries~~boundary lines~~ are intended to follow property lines, lot lines, or center lines of streets, alleys, streams, or railroads, or the extension of such lines as they existed when the zoning district boundary was established~~at the time of the adoption of this Ordinance~~.
- C. The exact location of zoning district boundaries~~boundary lines~~ shall be interpreted by the Planning Director.
- D. Whenever any street, alley, or other public way is vacated by official action as provided by law, the zoning districts adjoining the side of such public way shall be automatically extended, depending on the side or sides to which such lands revert, to include the right of way thus vacated, which shall thenceforth be subject to all regulations of the extended district or districts.

104 SUMMARY OF REVIEW PROCEDURES

104.01 ADMINISTRATION

The review of applications under this Ordinance shall be subject to one of following procedures:

- A. ~~The Public Hearing or Planning Director Review~~ Administrative Action Review process established by~~process as defined and outlined in~~ Section 1300;
- B. The Legislative ~~Changes~~ Actions process established by~~as outlined in~~ Section 1400; or
- C. The Planning Staff Review process, which shall be conducted as follows:
1. The applicant shall submit an application and supplementary materials, as required in this Ordinance, to the Planning Director~~Department~~.

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2. The application shall be reviewed by the Planning Director~~appropriate staff members~~, who shall approve, deny, or approve with conditions, the application on the basis of an evaluation of the proposal and the requirements and standards set forth in this Ordinance.
3. The Planning Director shall notify the applicant in writing of the decision.
4. Decisions of the Planning Director shall become final unless appealed in writing. The appeal must be received by the Planning Director within 12 days of the date of mailing of the notice of decision, or if the 12th day falls on a day on which the County is not open for business, by the next day on which the County is open for business. Anyone may appeal the decision. If appealed, the application shall be reviewed by the Hearings Officer pursuant to Section 1300. An appeal stays the proceedings in the matter appealed until the determination of the appeal by the Hearings Officer.

105 PLANNING COMMISSION

105.01 PURPOSE AND AUTHORITY

The Planning Commission is designated as the land use planning advisory body to the Board of County Commissioners and shall have the powers and duties described in Section 105 and subsequent sections of this Ordinance and such other powers and duties as may be imposed on it by County, state, or federal law.

105.02 COMPOSITION

- A. The Planning Commission shall be composed of nine members, designated in positions labeled 1 through 9, appointed by and serving at the pleasure of the Board of County Commissioners.
- B. Members of the Planning Commission shall be residents of the various geographic areas of the County. No more than two voting members shall be engaged principally in the buying, selling, or developing of real estate for profit, as individuals, or be members of any partnership or officers or employees of any corporation that is engaged principally in the buying, selling, or developing of real estate for profit. No more than two voting members shall be engaged in the same kind of occupation, business, trade, or profession.

105.03 TERMS

- A. Unless otherwise provided for, members of the Planning Commission shall serve four-year terms, beginning on May 1st of the year in which they are appointed. Terms may be renewed by the Board of County Commissioners.

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- B. If a member of the Planning Commission does not complete his or her term, the Board of County Commissioners shall appoint a replacement to serve the remainder of that term.
- C. A member whose term has ended may continue to serve on the Planning Commission until the Board of County Commissioners renews that term or appoints a new member. The new term shall be considered to have begun on the date it would have under Subsection 105.03(A).

105.04 ORGANIZATION AND BYLAWS

- A. The Planning Commission shall adopt bylaws governing its proceedings and appoint a chair and vice chair to manage those proceedings according to those bylaws, and County, state, and federal law.
- B. In the event of a conflict between the bylaws and any provision of this Ordinance, this Ordinance shall govern. In the event of a conflict between the bylaws and a non-mandatory provision of state law, the bylaws shall govern.

106 AUTHORIZATION OF SIMILAR USES

106.01 APPLICABILITY

The sections of this Ordinance that regulate individual zoning districts identify the uses permitted in those districts. However, in the following zoning districts, uses similar to one or more of the listed uses for that zoning district may be authorized: Neighborhood Commercial, Community Commercial, General Commercial, Rural Tourist Commercial, Rural Commercial, Office Commercial, Retail Commercial, Office Apartment, Campus Industrial, Light Industrial, General Industrial, Rural Industrial, Business Park, Village Community Service, Village Office, Regional Center Office, Regional Center Commercial, Planned Mixed Use, Corridor Commercial, and Station Community Mixed Use.

106.02 PROCESS AND STANDARDS

Authorization of a similar use shall be subject to the following:

- A. A use similar to one or more of the listed uses for the applicable zoning district may be authorized by the Planning Director through an Interpretation processed pursuant to Subsection 1305.03.
- B. A use may not be authorized as a similar use if it is specifically listed as prohibited in the applicable zoning district. "Specifically listed" does not include general references to prohibited uses, such as "uses of structures and land not specifically allowed."

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- C. Similarity to a “preexisting” use may not serve as the basis for authorization of a similar use, even in zoning districts where “preexisting” uses are specifically listed as a primary, accessory, limited, or conditional use.
- D. If a use is found to be similar to a primary, accessory, limited, or conditional use, it shall be subject to the same approval criteria, review process, dimensional standards, and development standards as the use to which it is found to be most similar.

SECTION 500

COMMERCIAL DISTRICTS

501 NEIGHBORHOOD COMMERCIAL DISTRICT (NC)

[The title of Section 501 changed by Ord. ZDO-224, 5/31/11]

501.01 PURPOSE

This section is adopted to implement the policies of the Comprehensive Plan for Neighborhood Commercial areas. The intent of these provisions is to provide for convenience commercial needs of residential neighborhoods in locations easily accessible to these neighborhoods with minimal negative impacts.

501.02 AREA OF APPLICATION

Sites may be zoned Neighborhood Commercial District (NC) in areas planned for residential use, subject to Hearings Officer review under the provisions of Section 1300, when either Subsection 501.02(A) or Subsections 501.02(B) and (C) are satisfied:

- A. Preexisting Uses: The site, prior to the adoption of Section 501, was occupied by, and had an historical commitment to, neighborhood commercial uses. Additions of land area to a preexisting site shall be subject to Subsections 501.02(B) and (C).
- B. New Sites/Expansion of Preexisting Sites: New sites and property adjacent to any existing NC site may be tentatively zoned NC when all the following criteria are satisfied:
 - 1. Criteria under Subsections 1203.01(B) through (E) for conditional uses.
 - 2. The new site, or expanded site, is necessary to provide convenience commercial uses which are not currently available within the service area. "Service area," for purposes of this provision, shall be either:
 - a. The readily accessible area within 2,000 feet of the proposed site; or
 - b. A defined area with a minimum of 500 existing or potential dwelling units which are closer to the proposed site, and have as good or better access to the proposed site, than to existing commercial sites considering distance and topographical barriers. Potential dwelling units shall be determined on the basis of existing zoning.
 - 3. The site should be a maximum of one acre in size. To allow clustering of convenience uses, additional area may be added, up to a maximum total area of two acres.

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4. The site shall have access to a street of at least a collector classification.
5. The site should not include more than one quadrant of an intersection. If more than one quadrant is proposed, the applicant must show that undo traffic congestion will not result.
6. The site has a Comprehensive Plan designation of Low Density, Medium Density or High Density Residential.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-230, 9/26/11]

501.03 PRIMARY USES

The following are primary uses in the Neighborhood Commercial District, provided each is at a scale appropriate to serve the surrounding neighborhood, and does not attract substantial customer traffic from other areas. A mixture of small-scale uses within one building shall be encouraged.

A. Retail Commercial Uses:

1. Apparel stores and dressmaking shops;
2. Bakery shops;
3. Catering establishments;
4. Confectionery stores;
5. Delicatessen shops and restaurants, but not drive-in restaurants or drive-thru service;
6. Drug stores;
7. Fabric and dry goods stores;
8. Florist and gift shops;
9. Grocery and produce stores;
10. Hardware and garden supplies; and
11. Meat and fish markets.

B. Service Commercial Uses:

1. Barber and beauty shops;
2. Clothes pressing, alterations, and tailoring shops;

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3. Daycare facilities and other adult or child care facilities, operated during the daytime, subject to Section 807;
4. Dry cleaners; laundry agencies; self-service laundromats and dry cleaning facilities;
5. Exercise and tanning studios;
6. Offices for doctors, dentists, chiropractors, naturopathic treatment personnel, and other health service personnel; small clinics or community health care programs;
7. Photo finishing;
8. Shoe repair;
9. Veterinarian services and pet supplies;
10. Video rental stores;
11. Bed and breakfast residences and inns, subject to Section 832; and
12. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835; and

~~C. Retail or service commercial uses that the Planning Director finds to be similar to one or more of those specified above. A request for a determination under Subsection 501.03(C) shall be processed as an Interpretation pursuant to Subsection 1305.03; and~~

~~D.C.~~ Preexisting retail or service commercial uses.

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

501.04 ACCESSORY USES

The following are accessory uses in the Neighborhood 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 onsite reuse or removal by the generator or licensed or franchised collector to a user or broker;

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- D. Recyclable drop-off 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. Solar energy systems;
- I. Rainwater collection systems; and
- J. Electric vehicle charging stations.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-230, 9/26/11]

501.05 USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR

The Planning Director may approve the following use, pursuant to Subsection 1305.02:

- A. Wireless telecommunication facilities listed in Subsections 835.05(A)(2) and (3), subject to Section 835.

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

501.06 CONDITIONAL USES

- A. The Hearings Officer may approve conditional uses in the Neighborhood 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. In addition, the proposed use:
 - 1. Shall be needed to serve primarily the convenience commercial needs of the neighborhood, considering accessibility of similar uses;
 - 2. Shall not substantially increase traffic through the neighborhood; and
 - 3. Shall not diminish the amenities of the neighborhood.
- B. Uses allowed subject to Subsection 501.06(A) are any uses identified in Subsection 502.03, which are not identified in Subsection 501.03.

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

501.07 PROHIBITED AND PREEXISTING USES

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- A. Prohibited Uses: The following are prohibited uses in the Neighborhood Commercial District:
 - 1. Uses of structures and land not specifically allowed; and
 - 2. Dwellings, except when incidental to a primary use.
- B. Preexisting Uses:
 - 1. Except for dwellings, preexisting uses not otherwise allowed shall be considered nonconforming uses and shall be subject to Section 1206.
 - 2. Preexisting dwellings may be allowed to remodel or expand and shall not be subject to Section 1206.

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

501.08 SUBMITTAL REQUIREMENTS

- A. Information showing the request satisfies the criteria listed in Subsections 1203.01(B) through (E);
- B. A vicinity map, drawn to scale, showing the following:
 - 1. Uses and location of improvements on adjacent properties and properties across any private or public road;
 - 2. Location of all commercial uses within 2000 feet, identifying the uses; and
 - 3. Location of pedestrian and bicycle facilities;
- C. Site plan, drawn to scale, showing the following:
 - 1. Property dimensions and area of property;
 - 2. Roads adjacent to property identifying them by name and showing their width;
 - 3. Access to property;
 - 4. Location and size of existing and proposed improvements showing distance from property lines and distance between improvements;
 - 5. Location of existing and proposed parking; and
 - 6. Location of existing and proposed pedestrian and bicycle facilities, including pedestrian rest and gathering areas; and

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D. Building profiles.

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

501.09 DIMENSIONAL STANDARDS

A. Purpose: The dimensional standards are intended to:

1. Provide for the protection of adjacent properties and the surrounding neighborhood;
2. Establish the maximum limits of the development; and
3. Ensure that building scale is in character with the surrounding neighborhood.

B. Dimensional Standards:

1. Street Frontage: Street frontage requirements shall be the same as the requirements of the zoning district that existed on the property immediately prior to its designation as Neighborhood Commercial District.
2. 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.
3. Minimum Lot Size:
 - a. Low Density Residential Areas: The minimum lot size allowed by the zoning designation of the property immediately prior to its designation as Neighborhood Commercial.
 - b. Medium and High Density Residential Areas: 7,260 square feet.
4. Maximum Lot Size: One acre, except as approved under Subsection 501.02(B)(3).
5. Maximum Lot Coverage: 50 percent.
6. Maximum Building Height: 35 feet.
7. Minimum Landscaping Area: 15 percent of the lot.
8. Maximum Floor Area Per Use: Individual uses shall not exceed 5,000 square feet of gross floor area.

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- C. Variances: The requirements of Subsection 501.09(B) 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.

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

501.10 DEVELOPMENT STANDARDS

- A. Compliance with Approved Plans: Sites shall be developed in accordance with the site and development plan approved for the property at the time the zone change to Neighborhood Commercial was granted.
- B. General: Development is subject to the applicable provisions of Sections 1000 and 1100.
- C. 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.
- D. Signs: Only projecting, building, or low freestanding or ground-mounted signs, graphics, or symbols shall be used.
- E. Access and On-Site Circulation: The location, design, and development of access and onsite circulation shall comply with the following:
1. Joint street access for adjacent commercial developments shall be required.
 2. Circulation facilities, architectural features, signing, and landscaping shall be designed to achieve pedestrian scale.
 3. Landscaping, crosswalks, street lighting or signaling, or similar improvements may be required to create safe and inviting places to cross streets.
 4. Onsite sidewalks and pedestrian spaces shall be separated from automobile and truck circulation, parking, and loading whenever possible.
- F. Storage: All primary and accessory uses, including storage of materials, products, or waste, shall be wholly contained within an approved structure.
- G. 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-230, 9/26/11]

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

501.11 APPROVAL PERIOD AND TIME EXTENSION

- A. Approval Period: Approval of a zone change to Neighborhood Commercial District (NC) is valid for two 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 two-year period, the approval shall be implemented, or the approval will become void and the zoning of the property will revert to its designation immediately prior to the zone change approval. "Implemented" means either:
1. A building permit for a structure to house a use allowed in the NC zoning district has been approved and has not expired; or
 2. An existing building on the site has been occupied by a use allowed in the NC zoning district, and site improvements have been approved and installed as necessary to satisfy the development standards of this Ordinance.
- B. Time Extension: If the approval of a zone change to NC is not implemented within the initial approval period established by Subsection 501.11(A), a two-year time extension may be approved by the Planning Director, pursuant to Subsection 1305.02, and subject to Subsection 1305.05.

[Amended by Ord. ZDO-230, 9/26/11]

502 COMMUNITY COMMERCIAL DISTRICT (C-2)

[The title of Section 502 changed by Ord. ZDO-224, 5/31/11]

502.01 PURPOSE

Section 502 is adopted to implement the policies of the Comprehensive Plan for Community Commercial areas.

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

502.02 AREA OF APPLICATION

Property may be zoned Community Commercial District when:

- A. The site has a Comprehensive Plan designation of Community Commercial;
- B. The criteria in Section 1202 are satisfied; and
- C. The 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 concurrently with the development of the property.

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

502.03 PRIMARY USES

- A. The following are primary uses in the Community Commercial District:
 - 1. Uses listed in Subsections 501.03(A) and (B), including those uses that are too large in scale to be appropriate in the Neighborhood Commercial District;
 - 2. Antique shops;
 - 3. Art supply stores;
 - 4. Banks, savings and loan associations, and loan companies;
 - 5. Bed and breakfast residences and inns, subject to Section 832;
 - 6. Bicycle sales, repair services, supplies;
 - 7. Book and stationery stores;
 - 8. Commercial schools, such as business colleges;

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9. Dry cleaners requiring fireproof vaults for cleaning equipment;
10. Electrical and electronic equipment repair, sales and service shops;
11. Food lockers;
12. General merchandise stores;
13. Indoor health and recreation facilities such as racquetball courts, gymnasiums, health and exercise spas, swimming pools, and similar uses and associated facilities;
14. Indoor commercial amusements including bowling alleys with no more than 12 lanes, billiard halls with no more than six tables, and game rooms which provide no more than 20 mechanical or electric games of science and skill, or any combination thereof;
15. Jewelry stores;
16. Interior decorating shops, sales, and service;
17. Laundries;
18. Locksmiths;
19. Lodges and fraternal organizations;
20. Music shops, sales, and service;
21. Optometry and optical goods, sales, and service;
22. Offices and clinics for doctors, dentists, and other health services personnel;
23. Offices for professional, government, and business services;
24. Outdoor amusements, such as tennis clubs and miniature golf;
25. Pet shops, not including kennels or animal hospitals;
26. Plumbing shops, retail sales, repair, and services;
27. Printing and copying services;
28. Radio and television studios, excluding towers;
29. Rental stores;
30. Secondhand stores;

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31. Sign shops, repair, service, retail sales, production;
32. Small power equipment repairs, service, retail sales;
33. Sporting goods, sales, and services;
34. Supermarkets;
35. Taverns, bars, and cocktail lounges, if all activities and operations (except off-street parking and loading) are confined, contained, and conducted wholly within completely enclosed buildings and not located closer than 100 feet from a residential district or closer than 500 feet from a school;
36. Theaters, indoor type, or assembly halls;
37. Upholstery shops;
38. Vehicle supply stores;
- ~~39. Any use that the Planning Director finds to be similar to one or more of those specified above. A request for a determination under Subsection 502.03(A)(39) shall be processed as an Interpretation pursuant to Subsection 1305.03;~~
- 40.39. Utility carrier cabinets, subject to Section 830;
- 41.40. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835;
- 42.41. Auto and light truck repair and service;
- 43.42. Drive-thru window service in conjunction with any primary use;
- 44.43. Small animal medical and surgical clinics;
- 45.44. Service stations, subject to Section 820; and
- 46.45. Electric vehicle charging stations.

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

502.04 ACCESSORY USES

- A. The following are accessory uses in the Community Commercial District:
 1. Uses and structures customarily accessory and incidental to a primary use;

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2. Temporary buildings for uses incidental to construction work; such buildings shall be removed upon completion or abandonment of the construction work;
3. 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;
4. Recyclable drop-off sites, subject to Section 819;
5. Bus shelters subject to Section 823;
6. Signs, subject to Section 1010;
7. Bike racks, pedestrian amenities, and transit amenities;
8. Rainwater collection systems; and
9. Solar energy systems.

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

502.05 USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR

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

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

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

502.06 CONDITIONAL USES

- A. The Hearings Officer may approve the following conditional uses in the Community 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, and public utility structures including shops and garages; and
 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.

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

502.07 PROHIBITED AND PREEXISTING USES

The following are prohibited uses in the Community Commercial District:

- A. Uses of structures and land not specifically allowed; and
- B. New single- and two-family dwellings, except when incidental to a primary use. However, if such dwellings lawfully existed at the time of adoption of this Ordinance, they shall not be classified as nonconforming uses.

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

502.08 DIMENSIONAL STANDARDS

- A. Purpose: The dimensional standards are intended to:
 - 1. Provide for protection of adjacent properties;
 - 2. Provide for coordinated, pleasing and efficient utilization of Community Commercial areas;
 - 3. Ensure that the minimum operational requirements of the development are provided onsite; and
 - 4. Establish the maximum limits of development.
- B. Dimensional Standards:
 - 1. Minimum Front Yard Setback: 15 feet.
 - 2. 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.
 - 3. Minimum Rear Yard Setback: None required except when a rear yard abuts a more restrictive zoning district. When a rear yard abuts a more restrictive zoning district, the minimum setback shall be 15 feet.
 - 4. Minimum Side Yard Setback: None required except when a side yard abuts a more restrictive zoning district. When a side yard abuts a more restrictive zoning district, the minimum setback shall be 15 feet.
 - 5. Maximum Zoning District Size: 10 acres.
 - 6. Minimum Landscaping Area: 15 percent of the lot.

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7. **Maximum Building Height:** None, except when abutting a more restrictive zoning district. When abutting a more restrictive zoning district, the maximum building height shall be 35 feet.
- C. **Exceptions:** Dimensional standards are subject to modification pursuant to Section 900.
- D. **Variances:** The requirements of Subsections 502.08(B) 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.

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

502.09 DEVELOPMENT STANDARDS

- 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. **Building Siting and Design:**
 1. Buildings within a single and adjacent developments shall be clustered and oriented to provide usable open areas such as pedestrian plazas, courtyards, and entryways.
 2. A pedestrian environment shall be provided which encourages walking between stores and offices by providing safety, easy visual orientation, and careful location of attractions to walking shoppers within and between developments.
- D. **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.
- E. **Storage:** Storage of materials and merchandise shall be confined and contained within completely enclosed buildings.
- 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]

504 RURAL TOURIST COMMERCIAL DISTRICT (RTC)

504.01 PURPOSE

Section 504 is adopted to implement the policies of the Comprehensive Plan for Community Commercial areas regulated by the Mount Hood Community Plan.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-230, 9/26/11]

504.02 AREA OF APPLICATION

Property may be zoned Rural Tourist Commercial District when:

- A. The site has a Comprehensive Plan designation of Community Commercial;
- B. The site is regulated by the Mount Hood Community Plan; and
- C. The criteria in Section 1202 are satisfied.

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

504.03 PRIMARY USES

The following are primary uses in the Rural Tourist Commercial District to serve the surrounding community and tourists. A mixture of small-scale uses within a building or complex is encouraged:

- A. Uses listed in Subsections 501.03(A) and (B), at a scale appropriate to serve the surrounding community;
- B. Accounting and income tax service;
- C. Antique and second hand stores;
- D. Arts and crafts stores, including manufacturing of the crafts to be sold in that store, and craft classes;
- E. Auto and truck repair services, and sale of replacement parts;
- F. Banks, credit unions, savings and loans;
- G. Billiard halls and game rooms;
- H. Book and stationery stores;
- I. Building materials retailers and plumbing, electrical and building contractors;
- J. Clothing stores;

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- K. Community and government services such as community action agencies, extension services, fire stations, tourist information, forest service and post offices;
- L. Doctor and dentist offices;
- M. Firewood sale;
- N. Feed stores, including wholesale and retail sales and storage;
- O. Food lockers;
- P. Garden store, including wholesale and retail sales of seeds, seedlings and nursery stock, fertilizer and mulch;
- Q. Gunsmith;
- R. Houseware and household appliance and equipment sales and repair;
- S. Insurance agents;
- T. Leather goods and hides sales;
- U. Locksmith;
- V. Logging contractors;
- W. Liquor stores;
- X. Museums;
- Y. Offices, meeting rooms, rental and sales outlets and equipment storage for organizations related to farm or forestry uses such as water boards, farmers co-ops, granges, wholesalers or retailers of farm or forestry equipment, materials and products;
- Z. Pottery and ceramic goods, including manufacturing of pottery to be sold in that store, and classes;
- AA. Real Estate Agents;
- BB. Service stations, subject to Section 820;
- CC. Electric vehicle charging stations;
- DD. Taverns;
- EE. Upholstery shops, including retail sales;

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- FF. Veterinary services and clinics;
- GG. Churches, subject to Section 804;
- HH. Public utility installations;
- II. Recreational vehicle camping facilities, subject to Subsection 813.01(D);
- JJ. Motels, hotels, and resort accommodations are subject to the density provisions of Subsection 504.08(C). Commercial uses associated with hotel/motel facilities and resort accommodations (i.e. restaurants, gift shops, conference rooms) are allowed subject to the limitations of Subsection 504.08(B)(8);
- KK. Park and ride lots, facilities, and bus shelters, subject to Section 823;
- LL. Community parking structures in Government Camp, to the extent that they are consistent with an adopted community parking plan;
- MM. Public and private schools, and trade schools;
- NN. Detached single-family dwellings on lots of record existing on December 7, 1983. Such dwellings established in Government Camp are exempt from Government Camp specific standards, except for minimum setback standards;
- ~~OO. Any use that the Planning Director finds to be similar to one or more of those specified above. A request for a determination under Subsection 504.03(A)(41) shall be processed as an Interpretation pursuant to Subsection 1305.03;~~
- OOPP. Utility carrier cabinets, subject to Section 830;
- PPQQ. Sports equipment rental, sale, service, or repair;
- QORR. Other uses intended to serve the community and surrounding rural area or the travel needs of people passing through the area; and
- RRSS. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-230, 9/26/11]

504.04 ACCESSORY USES

The following are accessory uses in the Rural Tourist Commercial District:

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

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- B. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;
- C. Solar energy systems;
- D. Rainwater collection systems;
- E. Signs, subject to Section 1010;
- F. 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; and
- G. Recyclable drop-off sites, subject to Section 819.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-230, 9/26/11]

504.05 USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR

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

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

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

504.06 CONDITIONAL USES

The Hearings Officer may approve the following conditional uses in the Rural Tourist 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.

- A. Recycling centers and transfer stations, subject to Section 819;
- B. Hydroelectric facilities, subject to Section 829;
- C. Theme parks and amusement parks;
- D. Mini-storage facilities, consistent with the building design standards of Subsection 504.09(C)(4) and having a minimum 15-foot setback between the front property line and the developed portion of the site, excluding landscaping. No outside storage shall be permitted; and
- E. Recreational activities such as, but not limited to, ski areas and associated uses.

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[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-230, 9/26/11]

504.07 PROHIBITED AND PREEXISTING USES

The following are prohibited uses in the Rural Tourist Commercial District:

- A. Uses of structures and land not specifically allowed.
- B. New detached single-family dwellings on lots created after December 7, 1983, except when accessory to a primary use. However, a dwelling which lawfully existed on December 7, 1983, shall not be a nonconforming use, and may be altered or expanded without review under Section 1206.
- C. The use of a mobile home or residential trailer as a permanent dwelling or office except within a recreational vehicle or trailer park.
- D. All other preexisting uses and structures not specifically permitted in Section 504 shall be nonconforming uses subject to Section 1206.
- E. Pre-existing structures in Government Camp which lawfully existed prior to February 8, 2007, shall not be identified as a nonconforming use and may be altered or expanded in compliance with the standards of Sections 504 and 1102.

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

504.08 DIMENSIONAL STANDARDS

- A. Purpose: The dimensional standards are intended to:
 - 1. Provide for protection of surrounding properties and the historic character of the Mt. Hood Community;
 - 2. Ensure that the minimum operational requirements of the development are provided onsite;
 - 3. Establish the maximum limits of development;
 - 4. Provide for coordinated, pleasing and efficient utilization of Rural Tourist Commercial areas; and
 - 5. Provide a safe, pedestrian-oriented environment and community gathering areas in the Government Camp core commercial district that extends from E. Wy'East Trail to E. Union Street and E. Lige Lane (First Street) to Highway 26.
- B. Setback from National Forest: No setback is required where development abuts a National Forest.

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- C. Minimum Front Yard Setback: 25 feet, except:
1. In Government Camp Village, as identified on Comprehensive Plan Map X-MH-4, *Government Camp Village Plan, Land Use Plan & Boundary*, the minimum front yard setback from a property line abutting Government Camp Loop shall be four feet. However, there is no minimum setback from Government Camp Loop for a building cantilever. Structures shall be designed to include measures to protect the public and vehicles from snow slide incidents. These measures shall be implemented in compliance with the State of Oregon Structural Specialty Code and Subsection 504.08(G). A corner lot with frontage on Government Camp Loop shall comply with a minimum front yard setback of 10 feet from the property line abutting the other road.
 2. Except as established by Subsection 504.08(C)(1), in Government Camp Village, as identified on Comprehensive Plan Map X-MH-4, a corner lot shall comply with the 25-foot minimum front yard setback from one of the front lot lines and shall comply with a 10-foot minimum front yard setback from the other front lot line.
- D. Maximum Front Yard Setback: None, except in Government Camp Village, as identified on Comprehensive Plan Map X-MH-4, the maximum front yard setback from a property line abutting Government Camp Loop shall be 10 feet. An exception to this requirement is allowed to accommodate public plaza space.
- E. Minimum Rear Yard Setback: 10 feet. When a rear yard abuts a more restrictive zone, the minimum setback shall be 20 feet.
- F. Minimum Side Yard Setback: 10 feet. When a side yard abuts a more restrictive zone, the minimum setback shall be 20 feet. However, in Government Camp Village, as identified on Comprehensive Plan Map X-MH-4, there is no minimum side yard setback, except as may be required to comply with Subsection 504.08(G).
- G. Minimum Building Separation Requirement: A minimum of 10 feet shall be required between all buildings on- or off-site, except above 3,500 feet elevation, where the separation distance between buildings with contiguous snow slide areas shall be a minimum of 20 feet. "Snow slide area" means the area around a structure that may be subject to snow buildup as a result of snow sliding from the sloped roof of the structure.
- H. Minimum Landscaping Area: 15 percent of the lot. However, in Government Camp Village, as shown on Comprehensive Plan Map X-MH-4, the minimum shall be 10 percent, except that there shall be no minimum for properties with frontage on Government Camp Loop from Wy'East Trail to Olive Street and

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on Little Trail from Olive Street to Church Street, where public plazas are provided in compliance with Subsection 504.09(E).

- I. Government Camp Maximum Building Height: The maximum building height shall be 70 feet. This provision shall be modified to allow a height increase up to 25 percent when necessary to accommodate understructure parking, or to preserve natural features or views.
- J. Government Camp Commercial Development Floor Area Limitation: The maximum floor area allowed for commercial development is 8,000 square feet per use. A use shall be defined as a separate leaseable space. Commercial uses customarily associated with hotel, motel, or resort uses shall be allowed up to 8,000 square feet per use in addition to the area taken up by the hotel itself.
- K. Rhododendron Rural Service Center Floor Area Limitation: 4,000 square feet per building.
- L. Density: The maximum number of hotel, motel, or resort units per acre shall be as follows:
 - 1. Government Camp Village: Hotel/motel accommodations in Government Camp Village may be provided up to a maximum of 50 units per acre, with a limitation of 100 units per development.
 - 2. Other Villages: Units allowed per acre shall be determined on the basis of the unit size and village density, as specified on the following chart:

Unit Size (in square feet)	Maximum Number of Units per Acre in Wemme/Welches Resort Community	Maximum Number of Units per Acre in Rhododendron Rural Service Center
1,200 +	6	4
1,000-1,199	7	5
800-999	8	6
600-799	10	8
400-599	14	12
200-399	32	22

- M. Hotels/Motels: Hotels and motels are allowed if served by community sewer, up to a maximum of 35 units within Rural Community or Rural Service Center, and no limit within Resort Communities.
- N. Exceptions: Dimensional standards are subject to modification pursuant to Section 900.
- O. Variances: The standards of Subsection 504.08 may be modified pursuant to Section 1205.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-230, 9/26/11]

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504.09 DEVELOPMENT STANDARDS

- 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. Government Camp Design Standards: The following standards shall apply to Government Camp and shall govern where any standards are in conflict with other provisions of Section 504. These standards shall apply to all new development and, where reasonable, to remodels.
 - 1. Main Entrance Siting: Properties with street frontage on Government Camp Loop shall locate the main entrance and pedestrian amenities on Government Camp Loop.
 - 2. Loading and Delivery: Shall not be located on Government Camp Loop unless there is no other access.
 - 3. Walkways: Walkways parallel to Government Camp Loop are not required, however if a walkway is extended from the existing 10-foot-wide sidewalk fronting Government Camp Loop, it shall be constructed of materials consistent with the existing 10-foot-wide sidewalk. Covered walkways may be provided along the building frontage of development on properties with street frontage on Government Camp Loop from Wy'East Trail to Olive Street and on Little Trail from Olive Street to Church Street. When a covered walkway is constructed it shall be a permanent structure at a minimum of 8-feet in width and attached to the building, it shall not project beyond the property lines, and shall be consistent with the building design and materials and existing 10-foot sidewalk fronting Government Camp Loop. A covered walkway shall extend along the entire frontage of the building.
 - 4. Exterior Building Materials: Building and accessory structures shall use wood, stone, stone veneer, stucco, for exterior construction. Stucco and textured concrete may be used as secondary materials. Stucco must be acrylic based and be combined with heavy timber, wood, or stone cladding. A rock, rock veneer, or textured concrete base shall be provided around the building exteriors with street frontage. No exposed plywood, particle board, plain concrete, cinder block, or grooved T1-11 is permitted.
 - 5. Roofing Materials: No non-architectural composition shingles or galvanized or corrugated metal roofs are allowed.

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6. Design: Building design shall meet the design intent of mountain architecture styles as described in the Government Camp Village Design Guidelines Handbook. Examples of mountain architecture include "Cascadian", "Oregon Rustic", and the "National Park Style".
- D. Signs: In addition to the provisions of Section 1010, all signs in the Rural Tourist Commercial District (RTC) shall be complimentary to the unique historic character of the Mt. Hood corridor in the use of graphics, symbols, lighting and natural materials. In addition, identification and onsite directional signing shall be sensitive to the needs of tourists. Identification signing may be provided for each distinctive village or area designated in the Mt. Hood Community Plan subject to approval by the State Highway Division and the Design Review Committee. Government Camp signs shall comply with the sign provisions of Subsection 1010.09.
- E. Government Camp Landscaping and Plaza Space: Development with street frontage on Government Camp Loop from Wy'East Trail to Olive Street and on Little Trail from Olive Street to Church Street may provide a combination of landscaping and onsite public plaza space. Plaza space shall be permanent space open to the public. The plaza space shall be integrated into the development and be both accessible and visible from Government Camp Loop or Little Trail where there is no frontage on Government Camp Loop.

The following requirements shall apply along Government Camp Loop from Wy'East Trail to Olive Street and along Little Trail from Olive Street to Church Street, if plazas are established to comply with the landscape requirements.

1. Square footage required: A minimum of 100 square feet of plaza space may be provided for developments with up to 1999 square feet. Developments 2000 square feet and larger may provide a minimum of 150 square feet. This shall be developed as one contiguous space. Developments 5000 square feet and larger may develop the plaza as two separate plazas.
2. Plaza surface materials: Surface materials shall consist of textured concrete, concrete mixed with aggregate, rock, rock veneer, pavers, bricks, or wood. No asphalt is permitted.
3. Plaza landscaping: 10 percent of the total plaza area shall be landscaped with planters and/or hardy native vegetation.
4. Seating: A minimum of three permanent adult seating spaces shall be provided in the plaza for developments with up to 1999 square feet of floor area. One additional seating space shall be provided for each 1000 square feet of development. Seating spaces shall be constructed of wood, wrought iron, rock, rock veneer or textured concrete.

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5. Garbage receptacles: At least one garbage receptacle shall be provided in the plaza. Receptacles shall be clad in wood or stone.

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-230, 9/26/11]

505 RURAL COMMERCIAL DISTRICT (RC)

505.01 PURPOSE

This section is adopted to implement the policies of the Comprehensive Plan for Rural Commercial areas.

505.02 AREA OF APPLICATION

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

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

505.03 PRIMARY USES

- A. The following are primary uses in the Rural Commercial District:
1. Accounting and income tax services;
 2. Antique and second-hand stores;
 3. Apparel stores and dressmaking shops;
 4. Arts and crafts stores, including manufacturing of the crafts to be sold in that store and craft classes;
 5. Auto, truck, and equipment repair services, and sale of replacement parts;
 6. Bakeries;
 7. Banks, credit unions, and savings and loans;
 8. Barber and beauty shops;
 9. Bed and breakfast residences and inns, subject to Section 832;
 10. Billiard halls with no more than six tables and game rooms which provide no more than 20 mechanical or electronic games of science and skill;
 11. Book and stationery stores;
 12. Building materials retailers and plumbing, electrical, and building contractors;
 13. Catering establishments;
 14. Clothes pressing, alterations, and tailoring shops;

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15. Community and government services, such as community action agencies, extension services, fire stations, and post offices;
16. Confectionery stores;
17. Daycare facilities and other adult- or child-care facilities, operated during the daytime, subject to Section 807;
18. Delicatessens and restaurants, excluding drive-in restaurants;
19. Drug stores;
20. Dry cleaners, laundry agencies, and self-service laundromats;
21. Exercise and tanning studios;
22. Fabric and dry goods stores;
23. Firewood sales;
24. Feed stores, including wholesale and retail sales and storage;
25. Fertilizer and similar agricultural and forestry materials wholesale and retail sales and storage;
26. Florist and gift shops;
27. Food lockers;
28. Garden stores, including wholesale and retail sales of seeds, seedlings, and nursery stock;
29. Grocery and produce stores;
30. Gunsmiths;
31. Hardware and garden supply stores;
32. Housewares and household appliance and equipment sales and repair;
33. Insurance agents;
34. Leather goods and hides sales;
35. Locksmiths;
36. Logging contractors;
37. Liquor stores;

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38. Meat and fish markets;
39. Museums;
40. Offices for doctors, dentists, chiropractors, naturopathic treatment personnel, and other health service personnel; small clinics; and community healthcare programs;
41. Offices, meeting rooms, rental and sales outlets, and equipment storage for organizations related to farm or forestry uses such as water boards, farmers co-ops, granges, and wholesalers or retailers of farm or forestry equipment, materials, and products;
42. Photo finishing;
43. Pottery and ceramics stores, including manufacturing of pottery to be sold in that store, and classes;
44. Real estate agencies;
45. Service stations, subject to Section 820;
46. Electric vehicle charging stations;
47. Shoe repair;
48. Taverns;
49. Telephone co-ops;
50. Upholstery shops, including retail sales;
51. Utility carrier cabinets, subject to Section 830;
52. Veterinary services and pet supply stores;
53. Video rental stores; and
54. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835.04; ~~and~~
- ~~55. Any use that the Planning Director finds to be similar to one or more of those specified above. A request for a determination under this subsection shall be processed as an Interpretation pursuant to Subsection 1305.03.~~

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

505.04 ACCESSORY USES

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- A. The following are accessory uses in the Rural Commercial District:
1. Uses and structures customarily accessory and incidental to a primary use;
 2. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;
 3. Solar energy systems;
 4. Rainwater collection systems;
 5. 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;
 6. Recyclable dropoff sites, subject to Section 819;
 7. Drive-thru window service, subject to Subsections 827.02(C) through (E); and
 8. Signs, subject to Section 1010.

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

505.05 USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR

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

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

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

505.06 CONDITIONAL USES

- A. The Hearings Officer may approve the following conditional uses in the Rural 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. Churches, subject to Section 804;
 2. Primary and secondary schools and trade schools for trades associated with agriculture and forestry industries, subject to Sections 805, except as restricted by Subsection 505.07(A)(4);

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3. Service and recreational uses, excluding recreational vehicle camping facilities, subject to Section 813;
4. Recycling centers and transfer stations, subject to Section 819;
5. Hydroelectric facilities, subject to Section 829;
6. Mini-storage facilities, vehicle storage, and recreational vehicle storage;
and
7. The hosting of weddings, family reunions, class reunions, company picnics, and similar events.

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

505.07 PROHIBITED AND PREEXISTING USES

- A. The following are prohibited uses in the Rural Commercial District:
 1. Uses of structures and land not specifically allowed;
 2. New dwellings, except when accessory to a primary use;
 3. 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; and
 4. Schools within the areas identified as Employment, Industrial, and Regionally Significant Industrial on the Metro Region 2040 Growth Concept Map.
- B. Lawfully established dwellings shall not be nonconforming uses and shall be allowed to remodel or expand without review under Section 1206.
- C. Lawfully established commercial uses that existed on December 20, 2001, and are not otherwise provided for in this section, shall not be nonconforming uses and are allowed outright.

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

505.08 DIMENSIONAL STANDARDS

- A. Purpose: The dimensional standards are intended to:
 1. Provide for protection of surrounding properties and the historic character of unincorporated communities;
 2. Ensure that the minimum operational requirements of the development are provided on-site;

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3. Establish the maximum limits of development; and
 4. Ensure that the use and building scale are in character with the unincorporated community and appropriate to meet the needs of the unincorporated community and surrounding area residents.
- B. Minimum Front Yard Setback: 30 feet.
- C. Minimum Side Yard Setback: 10 feet; however, if the side yard abuts a more restricting zoning district, the minimum side yard setback shall be 20 feet.
- D. Minimum Rear Yard Setback: 10 feet; however, if the rear yard abuts a more restrictive zoning district, the minimum rear yard setback shall be 20 feet.
- E. Minimum Road Frontage: 50 feet.
- F. Minimum Lot Size: None, except as restricted by Subsection 505.07(A)(3).
- G. Minimum Landscaping Area: 15 percent of the lot.
- H. Maximum Building Floor Area:
1. For a commercial use within an unincorporated community, the maximum building floor area per use shall be 4,000 square feet. However, a lawfully established use that existed on December 20, 2001, and serves the community or the travel needs of people passing through the area, may expand to occupy a maximum of 4,000 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 a commercial use outside an unincorporated community, the maximum building floor area per use shall be 3,000 square feet. However, a lawfully established use that existed on December 20, 2001, may expand to occupy a maximum of 3,000 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.
- I. Exceptions: Dimensional standards are subject to modification pursuant to Section 900.
- J. Variances: The requirements of Subsections 505.08(B) through (E) and (G) 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.

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

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505.09 DEVELOPMENT STANDARDS

- A. General: Development shall be subject to the applicable provisions of Sections 1000 and 1100.
- B. Community Plans 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. Signs: Signs shall be complementary to the historic character and rural scale of the unincorporated community in the use of graphics symbols, lighting, and natural materials.
- 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]

507 OFFICE COMMERCIAL DISTRICT (OC)

[The title of Section 507 changed by Ord. ZDO-224, 5/31/11]

507.01 PURPOSE

Section 507 is adopted to implement the policies of the Comprehensive Plan for Office Commercial areas.

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

507.02 AREA OF APPLICATION

Property may be designated Office Commercial District when:

- A. The site has a Comprehensive Plan designation of Office Commercial;
- B. The criteria in Section 1202 are satisfied; and
- C. At least one of the following locational criteria is satisfied:
 - 1. The property or area is currently developed with office commercial uses or committed to such uses, or is adjacent to properties developed or committed to such uses, and is required in order to protect such uses from incompatible development;
 - 2. The property offers high visibility from a major highway or arterial and will not draw traffic through single-family neighborhoods; or
 - 3. The property or area provides a buffer between residential areas and commercial or industrial properties.

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

507.03 PRIMARY USES

The following are primary uses in the Office Commercial District (OC):

- A. The following uses shall occupy office-type structures:
 - 1. Business and professional offices, including legal, financial, architectural, engineering, governmental, manufacturer's representatives, property management, and corporate and administrative offices;
 - 2. Medical and dental services, clinics, counseling services, and associated pharmacies;

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3. Testing laboratories and facilities, provided no operation shall be conducted or equipment used which would create hazards and/or noxious or offensive conditions;
 4. Graphic arts, printing, blueprinting, photo processing or reproduction labs, publishing and bookbinding services;
 5. Light manufacturing, assembly, research and development uses that have physical and operational requirements which are similar to other office uses allowed in this district;
 6. Banks, credit unions, and savings and loan, brokerage, and other financial institutions; and
 7. Business services such as duplicating, photocopying, mailing and stenographic services, employment agencies, business management services, notary public, office and communications equipment and service, and real estate offices;
 - ~~8. Any use that the Planning Director finds to be similar to one or more of those specified above and consistent with the Comprehensive Plan and the purposes of Section 507. A request for a determination under Subsection 507.03(A)(8) shall be processed as an Interpretation pursuant to Subsection 1305.03.~~
- B. Colleges, educational institutes, and trade schools; art, music, or dance studios; radio and television studios, excluding transmission towers;
- C. Galleries and museums; small-scale (seating capacity up to 500) assembly or convention facilities, and theaters for performing arts; exhibition halls, libraries, senior centers and fraternal organizations;
- D. The following service commercial uses may be provided within an OC development, up to a maximum of 20 percent of the gross floor area of the development. Service commercial uses are allowed only in conjunction with another primary use and must be established concurrently with, or after, another primary use:
1. Personal services such as laundry, dry cleaning, tailor, barber and beauty salons, shoe repair, photo processing services, and tanning salons;
 2. Cafes and delicatessens which serve at least breakfast and/or lunch; and catering services. No drive-through window service shall be allowed;
 3. Video sales and rentals; and
 4. Bakeries; ~~and~~

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~~5. Any use that the Planning Director finds to be similar to one or more of those specified in Subsections 507.03(D)(1) through (4) and consistent with the Comprehensive Plan and the purposes of Section 507. A request for a determination under Subsection 507.03(D)(5) shall be processed as an Interpretation pursuant to Subsection 1305.03;~~

- E. High density residential, subject to Section 303;
- F. Bed and breakfast residences and inns, subject to Section 832;
- G. Parking structures and areas which serve developments located within the OC district or a park-and-ride; transit stations and bus shelters; and
- H. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835.

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

507.04 ACCESSORY USES

The following are accessory uses in the Office Commercial District:

- A. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;
- B. Utility carrier cabinets, subject to Section 830;
- C. Signs, subject to Section 1010;
- D. Solar energy systems;
- E. Cogeneration facilities;
- F. Rainwater collection systems;
- G. Electric vehicle charging stations;
- H. Meeting facilities, cafeterias, and recreation/exercise facilities provided for employees within the same structure with a primary use;
- I. 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;
- J. Building and landscape maintenance offices and enclosed storage areas for maintenance equipment;
- K. Satellite dishes; and

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- L. Signs identifying the developer, contractor, or real estate agency responsible for leasing or selling land or buildings within the site area, which signs shall be removed upon sale or lease of the premises advertised.

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

507.05 USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR

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

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

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

507.06 CONDITIONAL USES

- A. The Hearings Officer may approve the following conditional uses in the Office 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. Daycare facilities, subject to Section 807;
 2. Hospitals, subject to Section 809;
 3. Hotels, motels, guest lodges, and associated convention facilities, gift shops, newsstands, and eating and drinking establishments located within the same building with a hotel, motel, or guest lodge;
 4. Assembly or convention facilities that exceed a primary use under Subsection 507.03(C);
 5. Freestanding destination restaurants that satisfy at least five of the criteria listed in Subsection 1016.05(B)(4), and include lunch service;
 6. Heliports, when provided in conjunction with a primary or conditional use;
 7. Retail commercial uses, and service commercial uses not included in or exceeding the limits under Subsection 507.03(D), provided that the gross floor area of such uses shall not exceed 20 percent of the gross floor area of primary uses under Subsection 507.03(A) through (C), existing or approved within the site area;

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8. Health and recreational facilities, such as exercise spas, gymnasiums, tennis and racquetball courts, swimming pools, saunas, and similar uses that exceed an accessory use; and
9. Multi-use developments, subject to Section 1016.

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

507.07 PROHIBITED AND PREEXISTING USES

- A. The following uses are prohibited in the Office Commercial District:
 1. Uses of structures and land not specifically allowed;
 2. New single-family dwellings;
 3. Outdoor storage or display of materials or products; and
 4. Warehouses.
- B. Preexisting legally established dwellings may be allowed to remodel or expand and shall not be subject to Section 1206. In addition, the following provisions shall apply:
 1. Change of Use: A legally established dwelling may be converted to house any primary use in the district, subject to all requirements of this Ordinance for new development.
 2. Lot Divisions, Adjustments, and Setbacks: No minimum lot size shall be required for a lot containing a preexisting dwelling.
- C. Legally established nonconforming commercial or industrial uses may be allowed to remodel or upgrade the premises, subject to design review pursuant to Section 1102. Any change of use or alteration which expands the use shall be subject to Section 1206.

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

507.08 DIMENSIONAL STANDARDS

- A. Purpose: The dimensional standards are intended to:
 1. Encourage coordinated development and the most efficient use of Office Commercial (OC) districts.
 2. Provide for adequate structure separation to ensure adequate light and air access, fire safety, and protection for all developments and structures within the district and adjoining districts.

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3. Provide for the protection of adjacent properties from incompatible uses.
 4. Provide for an aesthetically pleasing appearance through the use of open space, landscaping, and pedestrian amenities.
- B. General Standards: The following dimensional standards shall apply to development:
1. Minimum Site Area: One acre.
 2. Undersized Lots. Primary and accessory uses may be established on smaller than one-acre sites that are physically separated from all other undeveloped or underdeveloped properties in the OC District.
 3. Minimum Front Yard Setback: 15 feet.
 4. 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.
 5. Minimum Side and Rear Yard Setbacks: 10 feet, except that when a side or rear yard abuts a residential district, the minimum shall be 35 feet.
 6. Minimum Street Frontage for a Site Area: 40 feet.
 7. Maximum Building Height: None, except when located within 100 feet of a single-family-residential district, in which case the height of the building shall be less than or equal to the setback distance from the low density residential district.
 8. Minimum Landscaping Area: 20 percent of the lot area.
- C. Modifications: The requirements of Subsection 507.08(B) may be modified pursuant to Section 1102 when such modification is consistent with the purposes set forth in Subsection 507.08(A) and the Comprehensive Plan. The effect of the proposed modification on the natural features of the site and the use and preservation of solar access shall be considered when applicable.

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

507.09 DEVELOPMENT STANDARDS

The following development standards shall apply to development:

- 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

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

- C. Building Siting and Design: The design and siting of structures shall:
 - 1. Control public access points into office buildings, utilizing a central lobby design, entrance courtyard, internal pedestrian walkway or mall, or similar designs which protect business/professional uses from the disturbances of direct public access.
 - 2. When more than one primary use is to be included in the site area, require structures and uses to be arranged and clustered to maximize opportunities for shared circulation, parking, loading, pedestrian walkways and plazas, recreation areas, transit-related facilities, and day and night surveillance.
- D. Vehicle Circulation and Parking: The design of parking and circulation shall discourage the use of large semitrailers, while providing for local delivery-sized vehicles.
- E. Landscaping and Pedestrian Amenities: Landscaping and pedestrian area design shall include benches, lighting, and occasional waste receptacles in entrance courtyards and along walkways or malls.
- 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]

509 OFFICE APARTMENT DISTRICT (OA)

509.01 PURPOSE

Section 509 is adopted to implement the goals and policies of the Comprehensive Plan. The intent of these provisions is to:

- A. Provide for a mix of office uses and compatible uses such as residential uses;
- B. Provide a high standard of architectural design and landscaping; and
- C. Provide for pedestrian improvements and pedestrian oriented site and building design to support non-auto trips.

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

509.02 AREA OF APPLICATION

Areas may be zoned Office Apartment District when they meet Subsection 509.02(A) or (B):

- A. The area to be considered by the land use application is located in a Corridor Design Type Area as defined in the Growth Concepts section of the Land Use Chapter of the Comprehensive Plan; or
- B. The area to be considered by the land use application is located on a Corridor Street and the majority of the area is within 150 feet of the Corridor Street right-of-way, and meets the following criteria:
 - 1. Access to the site will meet transportation safety standards and not cause an unacceptable level of service on the Corridor Street; and
 - 2. Access to the site is consistent with access management plans that have been prepared for the Corridor Street. (For example, see Comprehensive Plan Map X-SC-5, *Sunnyside Corridor Community Plan, Sunnyside Road Access Management Targets*.)

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

509.03 PRIMARY USES

A minimum of 60 percent of the total floor space of the buildings on a site shall be a primary use, as listed below.

- A. Office Uses:
 - 1. Business and professional offices, including legal, financial, architectural, engineering, governmental, manufacturer's representatives, property management, corporate and administrative offices;

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2. Medical and dental services, clinics or community health care programs, counseling services, and associated pharmacies;
 3. Testing laboratories and facilities, provided no operation shall be conducted or equipment used which would create hazards and/or noxious or offensive conditions;
 4. Graphic arts, printing, blueprinting, photo processing or reproduction labs, publishing and bookbinding services;
 5. Banks, credit unions, and savings and loan, brokerage, and other financial institutions, but not drive-in windows or drive through services;
 6. Business services such as duplicating, photocopying, mailing and stenographic services, fax and computer facilities, telecommuting uses, employment agencies, office management services, notary public, business and communications equipment and service, and real estate offices;
- B. Civic uses: Post office, recreation facilities, fire station, police station, libraries, and museums;
- C. Daycare facilities, and facilities that provide daycare for adults, subject to Section 807; and
- D. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835; ~~and~~
- ~~E. Any use that the Planning Director finds to be similar to one or more of those specified above and consistent with the Comprehensive Plan and the purposes of Section 509. A request for a determination under Subsection 509.03(E) shall be processed as an Interpretation pursuant to Subsection 1305.03.~~

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

509.04 ACCESSORY USES

The following uses may be provided on the same site area as any primary use in the Office Apartment District:

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

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- C. Bike racks, pedestrian amenities, and transit amenities;
- D. Solar energy systems;
- E. Cogeneration facilities;
- F. Rainwater collection systems;
- G. Electric vehicle charging stations;
- H. Meeting facilities;
- I. Cafeterias and recreation/exercise facilities provided for employees within the same structure of a primary use;
- J. Utility carrier cabinets, subject to Section 830;
- K. Building and landscape maintenance offices and enclosed storage areas for maintenance equipment; and
- L. Gyms and health clubs provided primarily for the use of employees.

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

509.05 LIMITED USES

- A. No more than 40 percent of the total floor space of the buildings on a site may be limited uses.
- B. The following uses may be allowed as part of a development when developed concurrently with, or after the primary use:
 - 1. Multifamily dwellings, subject to the density standards of Section 313, may be developed in the same building as a primary use.
 - 2. Attached single-family dwellings, subject to the density standards of Section 1604, may be developed in the same building as a primary use.
 - 3. Retail Uses: The following uses are allowed, limited to no more than 10 percent of the total floor space of the buildings on a site, with individual uses limited to no more than 2,500 square feet per use:
 - a. Bakeries;
 - b. Cafes and delicatessens, serving at least breakfast and/or lunch;
 - c. Catering services;
 - d. Video sales and rentals; and

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e. Personal services such as laundry, dry-cleaning, tailor, barber and beauty salons, shoe repair, photo processing services and tanning salons;

~~f. Any use that the Planning Director finds to be similar to one or more of those specified in Subsections 509.05(B)(3)(a) through (e) and consistent with the Comprehensive Plan and the purposes of Section 509. A request for a determination under Subsection 509.05(B)(3)(f) shall be processed as an Interpretation pursuant to Subsection 1305.03.~~

4. Parochial and private schools, business, performing arts, trade, technical or similar schools, limited to no more than 30 percent of the total floor space of the buildings on a site.

5. Senior housing, congregate care facilities and nursing and convalescent homes, limited to no more than 40 percent of the total floor space of the buildings on a site.

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

509.06 USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR

The Planning Director may approve the following use, pursuant to Subsection 1305.02:

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

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

509.07 PROHIBITED AND PREEXISTING USES

A. The following are prohibited uses in the Office Apartment District (OA):

1. Uses of structures and land not specifically allowed;
2. Drive-thru window service;
3. Service stations, or any auto-oriented use.

B. Preexisting lawfully established dwellings may be allowed to remodel or expand without review under Section 1206. In addition, a lawfully established dwelling may be converted to any use permitted in the OA District, subject to all requirements of this Ordinance for new development.

C. All other preexisting legally established structures and uses not specifically permitted in Section 509 shall be nonconforming uses subject to Section 1206.

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

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509.08 DIMENSIONAL REQUIREMENTS

- A. Building Height and Setbacks: All developments shall comply with the following minimum and maximum building height, setback, and landscaping requirements:
1. No structure shall exceed three stories.
 2. No structure shall exceed 45 feet in height.
 3. Front Lot Line Setback:
 - a. Minimum: 10 feet
 - b. Maximum: 20 feet
 4. Side Lot Line Setback: Minimum six feet, except the following requirements shall apply to any side lot line abutting a Low Density Residential zoning district:
 - a. The first story of a structure (25 feet or less in height) shall be set back at least six feet.
 - b. The second story of a structure (25 to 35 feet in height) shall be set back at least 16 feet.
 - c. The third story of a structure (35 to 45 feet in height) shall be set back at least 40 feet.
 5. Rear Lot Line Setback: Minimum 10 feet except where the rear lot line abuts a Low Density Residential zoning district, in which case the following requirements shall apply:
 - a. The first story of a structure (25 feet or less in height) shall be set back at least 10 feet.
 - b. The second story of a structure (25 to 35 feet in height) shall be set back at least 20 feet.
 - c. The third story of a structure (35 to 45 feet in height) shall be set back at least 40 feet.
 6. Minimum Landscaping Area: 20 percent of the lot.

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

509.09 DEVELOPMENT STANDARDS

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

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- B. Community and Design Plans: Development within a Community or Design Plan area identified in Chapter 10 of the Comprehensive Plan shall also comply with the specific policies and standards for the adopted Community or Design Plan.
- C. Master Plans: Upon application for development of any portion of the Office Apartment District, the applicant shall submit a master plan pursuant to Sections 1000 and 1100 for the site area consisting of all contiguous tax lots designated Office Apartment, to ensure compliance with the standards of Section 509 and Chapter 10 of the Comprehensive Plan.
- D. Traffic Management Plan: A traffic management plan shall be submitted with each development application. The plan shall address, but is not limited to, the following traffic management mechanisms:
1. Physical site controls on existing traffic, p.m. peak hour;
 2. Existing traffic limitations;
 3. Traffic monitoring;
 4. Restrictions on the number of parking spaces;
 5. Transportation/transit information center;
 6. Flextime, staggered working hours; and
 7. Carpool and vanpool spaces and similar ride share programs.
- E. Pedestrian Circulation: Landscaping, crosswalks, additional lighting, signaling, or similar improvements may be required to create safe and inviting places for pedestrians to cross streets.
- F. Facades:
1. Building facades facing public streets shall be designed with windows and entries or bays. Sides or rears of buildings shall not consist of an undifferentiated wall when facing a public street, accessway, or a residential area.
 2. Arcades are encouraged along public street rights-of-way or along walkways within the complex of buildings.
 3. Consistent design elements shall be used throughout the office area to ensure that the entire complex is visually and functionally unified.

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- G. Screening: All primary and accessory uses associated with office uses, including storage of materials, products, or waste, shall be wholly contained within an approved structure.
- H. 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]

SECTION 600
INDUSTRIAL DISTRICTS

601 CAMPUS INDUSTRIAL DISTRICT (CI)

[The title of Section 601 changed by Ord. ZDO-224, 5/31/11]

601.01 PURPOSE

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

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

601.02 AREA OF APPLICATION

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.

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

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.

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- 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.
4. Trade or community schools primarily serving the business community within the area.
5. Corporate headquarters or regional offices with 50 or more employees.
- ~~6. Any use that the Planning Director finds to be similar to one or more of those specified above. A request for a determination under this subsection shall be processed as an Interpretation pursuant to Subsection 1305.03.~~
- 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 601.09(F), except as provided under Subsection 601.09(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. Any use that the Planning Director finds to be similar to one or more of those specified above. A request for a determination under this subsection shall be processed as an Interpretation pursuant to Subsection 1305.03.~~
- ~~F.~~ F.E. Utility carrier cabinets, subject to Section 830.
- ~~G.~~ G.F. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835.

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

601.04 ACCESSORY USES

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

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- 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.

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

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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: $.10 \times \text{primary floor area} = \text{limited use floor area}$.

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. 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.

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

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.

601.07 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:

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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.
- B. Uses: Uses allowed subject to the above conditions are:
1. Conversion of multifamily dwellings into condominiums, subject to Section 803;
 2. Service and recreational uses that exceed a primary or accessory use, subject to Section 813;
 3. Hydroelectric facilities, subject to Section 829;
 4. Heliports, subject to Section 712 or 713;
 5. 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. 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.

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- c. It is not possible to develop the proposed use in conjunction with a primary use.
- D. 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 601.09(B).
 - 3. The purposes set forth under Subsection 601.09(A) are addressed and satisfied in the proposed use and design of the development.
- E. Multi-use developments, subject to Section 1016.

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

601.08 PROHIBITED AND PREEXISTING USES

- A. Uses of structures and land not specifically permitted in Section 601 shall be prohibited in the Campus Industrial District.
- 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).

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- G. All other preexisting uses and structures not specifically permitted in Section 601 shall be nonconforming uses subject to provisions of Section 1206.

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

601.09 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:

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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 601.07(D).
- 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 Subsection 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 on the following table.

Floor area limitations for primary use categories under Subsection 601.03

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

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.

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- G. Exceptions to Floor Area Requirements: The requirements under Subsection 601.09(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 601.09(G)(1) through (3), or Subsection 601.09(G)(4):
1. The modification or waiver is consistent with the purposes under Subsection 601.09(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 which fronts on a public, county or state road:
 - a. Landscaping;
 - b. Bikeways, trails, pedestrian walks and plazas;
 - c. Access driveways;
 - 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 which are adjacent to other site areas:
 - a. Landscaping;
 - b. Bikeways, trails, pedestrian walks, patios, courts;
 - c. Onsite directional signs;
 - d. Coordinated joint-use circulation drives, parking, loading, recreational activity areas, plazas, and

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- e. Coordinated joint-use structures.
- J. Minimum Street Frontage: 50 feet.
- K. Minimum Landscaping Area: 25 percent of the lot.
- L. Exceptions to Dimensional Requirements: The requirements of Section 601.09 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 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.

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

601.10 DEVELOPMENT STANDARDS

- 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. Outdoor Storage: No outdoor storage of materials shall be allowed.
- 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]

602 LIGHT INDUSTRIAL DISTRICT (I-2)

602.01 PURPOSE

Section 602 is adopted to implement the policies of the Comprehensive Plan for Light Industrial areas.

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

602.02 AREA OF APPLICATION

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

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

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:

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1. Maximize the use of level, clear land area for buildings and truck maneuvering areas;
 2. Preserve significant trees within parking and perimeter areas and near office buildings or areas;
 3. Avoid disturbance of slopes, stream corridors, and floodplains;
 4. Project a positive image as viewed from public, county, and state roads and freeways;
 5. Buffer adjacent residential or commercial areas; and
 6. 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);
 - 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);

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- 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; and
 - 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.
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);
 - b. Are designed to provide large indoor areas to accommodate storage, assembly, processing, or manufacturing activities;
 - c. Accessory office areas within the same structure have windows and are highlighted architecturally;
 - d. 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;
 - e. 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.
 - 2. Outdoor storage areas shall be located behind the building, to the rear of the site, and not adjacent to front property lines.
 - 3. 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.

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4. 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.
 5. 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.
 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 602.06.

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

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;

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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; and
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.

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

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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;
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 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;
2. Uses involving hazardous substances that exceed the standards of Subsection 602.03(G);
3. Outdoor storage areas that exceed the area limits of Subsection 602.03(D)(1);
4. 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).
5. Surface mining, subject to Section 818;
6. Daycare facilities, subject to Section 807;
7. Business or vocational schools and college or university extension facilities;
8. City, county, state, federal, or municipal corporation uses or buildings, telephone exchanges, railroad right-of-way, public utility facilities, fire stations, and associated uses;

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9. Indoor or outdoor arenas and stadiums;
10. 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;
11. Recycling centers and transfer stations, subject to Section 819; and
- ~~12. Any use that the Hearings Officer finds to be similar to one or more of those specified in Subsections 602.06(B)(1) through (11), but not a use listed as prohibited in Subsection 602.07;~~
- ~~13.~~ 12. Composting facilities, including retail sales and facilities that exceed the outdoor storage area limitations of this section, subject to Section 834.

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

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;
 2. Retail commercial uses;
 3. Service commercial uses catering to the general public on-site;
 4. Uses identified as conditional uses in the General Industrial District but not as conditional uses in the I-2 District;
 5. 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.
 2. Preexisting single-family dwellings shall be allowed to remodel or expand without review under Section 1206.

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3. 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.
4. No minimum lot size shall be required for a lot containing a preexisting dwelling. (4/13/06)
5. Preexisting dwellings and their accessory structures shall comply with the setback standards of Section 301.
6. Separate structures for industrial purposes may be approved on the same premises with an existing dwelling, subject to all provisions of Section 602.
7. Preexisting nonconforming commercial uses and all other preexisting uses and structures not allowed by Section 602 shall be subject to Section 1206.

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

602.08 DIMENSIONAL STANDARDS

- A. Purpose: The dimensional standards are intended to:
 1. Enhance the appearance of the development from public roads and from adjacent properties;
 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

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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.
2. 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.
3. 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.
 - b. 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.
 - c. 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 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.
 - b. Next to commercial districts: 15 feet.
 - c. Next to a Business Park district: 20 feet.
3. Setback Yard Landscaping: Within the required front yard setback area, a landscaped strip at least 15 feet wide shall be provided.

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- 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.

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

602.09 DEVELOPMENT STANDARDS

- 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;
 - b. Shall not exceed five feet in height; and
 - c. Shall use materials and design elements that are complementary to those used in the development.
- 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]

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);

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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;
 2. Maximize the use of level, clear land area for buildings, processes, storage, and truck or equipment maneuvering areas;
 3. Preserve significant trees within perimeter areas and near office buildings or areas;
 4. Screen outdoor storage areas and buffer outdoor processes and equipment in compliance with Subsections 1009.05(C) and 603.03(D); and
 5. 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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2. 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.
 3. Equipment, stockpiles of materials, and other items located within outdoor storage and process areas shall be maintained in an orderly fashion.
 4. 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.
 5. 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;
 2. Be set back at least 10 feet from the front property line, behind the landscaped strip along the frontage;
 3. Be maintained to project an organized and neat appearance at all times;
 4. Not include signs, except those emblems painted on, or permanently attached to, items being displayed; and
 5. 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.

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2. 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; and

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.

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

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;
2. Uses involving hazardous substances that exceed the standards of Subsection 603.03(G);
3. Surface mining or rock crushing operations, subject to Section 818;
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 or outdoor arenas and stadiums;
7. 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;
8. Outdoor amusements, including amusement parks, circuses, carnivals, drive-in theatres, and racetracks for autos, dogs, horses, or motorcycles;
9. Wrecking and salvage yards for building materials, autos, trucks, and other equipment, except as prohibited by Subsection 603.07(B)(1)(d);
10. Electrical power production facilities that are not allowed as an accessory use;
11. 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;
12. Auto repairing, overhauling, painting, washing, body and fender work, and reconditioning;
13. Military reservations and associated uses; and

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~~14. Any use that the Hearings Officer finds to be similar to one or more of those specified in Subsections 603.06(B)(1) through (13), but not a use listed as prohibited in Subsection 603.07;~~

15.14. Composting facilities, including retail sales, subject to Section 834.

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

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;
2. Retail commercial uses;
3. Service commercial uses, except those specifically listed as a primary or conditional use;
4. Freestanding office buildings not in conjunction with a primary use on the same premises; and
5. 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;
 - b. Uses which use hazardous materials at the bulk plant quantity level;

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- c. Uses in the waste-related category and waste collection and transfer facilities that involve hazardous materials;
- d. Salvage and wrecking yards for building materials, autos, trucks, and other equipment;
- e. 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);
- f. Battery recycling or reprocessing operations;
- g. Operations that process, reprocess, collect, or store oils containing polychlorinated biphenyls (PCB);
- h. Manufacture/production of petroleum base construction materials (tars, creosote);
- i. Outdoor vehicle salvage, drum container recycling and cleaning, or cleaning operations for commercial truck tankers or rail tankers;
- j. Industrial and commercial dry cleaning plants that use solvents; and
- k. 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.
2. Preexisting single-family dwellings shall be allowed to remodel or expand without review under Section 1206.
3. 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.
4. No minimum lot size shall be required for a lot containing a preexisting dwelling.
5. Preexisting dwellings and their accessory structures shall comply with the setback standards of Section 301.

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6. Separate structures for industrial purposes may be approved on the same premises with an existing dwelling, subject to all provisions of Section 603.
7. Preexisting nonconforming 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;
 2. Mitigate potential adverse impacts associated with outdoor processes, storage areas, and other intensive industrial operations and characteristics;
 3. Encourage the coordinated, pleasing, and efficient development of sites;
 4. Ensure that the minimum operational requirements of the development are provided on-site; and
 5. 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:

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1. Minimum Site Area: one acre
 2. 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.
 3. 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.
 - b. 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.
 - c. 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]

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603.09 DEVELOPMENT STANDARDS

- A. General: Development is subject to the applicable provisions of Sections 1000 and 1100.
- B. 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.
- C. 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.
- 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;
 - b. Shall not exceed five feet in height; and
 - c. Shall use materials and design elements that are complementary to those used in the development.
- E. 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;
 - b. Uses that roll, draw, extrude, cast, forge, heat treat, electroplate, plate, anodize, or color ferrous and non-ferrous metals;

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- c. Manufacture and production of paving, roofing, and other construction materials, using asphaltic and petroleum-based coatings and preserving materials; and
 - d. Uses that utilize hazardous substances in less than bulk plant quantities.
- 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]

604 RURAL INDUSTRIAL DISTRICT (RI)

604.01 PURPOSE

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

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

604.02 AREA OF APPLICATION

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

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

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;

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- 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;
- 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

~~S. Any use that the Planning Director finds to be similar to one or more of those specified above. A request for a determination under Subsection 604.03(S) shall be processed as an Interpretation pursuant to Subsection 1305.03.~~

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

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;
- B. Offices in conjunction with a primary or conditional use;
- C. 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;

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- D. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;
- E. 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;
- F. Recyclable dropoff sites, subject to Section 819;
- G. Electric power cogeneration facilities;
- H. Pedestrian amenities;
- I. Bus shelters, subject to Section 823;
- J. Signs, subject to Section 1010;
- K. Solar energy systems;
- L. Rainwater collection systems;
- M. Electric vehicle charging stations; and
- N. Dwellings incidental to a primary or conditional use.

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

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
 - 2. 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:

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1. Animal or poultry slaughtering and rendering, distillation of bones, and leather tanning;
2. Incineration or reduction of garbage, offal, dead animals, or refuse;
3. Compost, fertilizer, and pesticides manufacturing, processing, packaging, bulk storage, and wholesale distribution;
4. Surface mining and aggregate extraction and processing, including concrete mixing plants, subject to Section 818;
5. Storage and processing of explosive materials and devices;
6. Petroleum, petroleum products, and natural gas storage and wholesale distribution;
7. Service and recreational uses, excluding recreational vehicle camping facilities, subject to Section 813;
8. Auto wrecking yards and junkyards, subject to Section 817;
9. Recycling centers and transfer stations, subject to Section 819;
10. Composting facilities, subject to Section 834; and
11. The hosting of weddings, family reunions, class reunions, company picnics, and similar events.

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

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
 2. 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.

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

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604.08 DIMENSIONAL STANDARDS

- 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. Minimum Front Yard Setback: 30 feet from the front lot line or 50 feet from the centerline of any public, county, or state road, whichever is greater.
- 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. Minimum Lot Size: None, except as restricted by Subsection 604.07(A)(2).
- G. 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:
 - a. No limit shall apply to uses 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:

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- a. No limit shall apply to the primary processing of raw material produced in rural areas or to uses 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% more building floor area than was occupied by the use on December 20, 2001, whichever is greater.
- 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.

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

604.09 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. 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 shall require compliance with Subsection 825.03.

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

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

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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);

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- 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;
 - 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]

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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.

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- 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; and
 4. ~~Any use that the Planning Director finds to be similar to one or more of those specified in Subsections 606.04(C)(1) through (3). A request for a determination under Subsection 606.04(C)(4) shall be processed as an Interpretation pursuant to Subsection 1305.03.~~

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

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:

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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, 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;

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[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]

606.08 DIMENSIONAL STANDARDS

A. Purpose: The dimensional standards are intended to:

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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

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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

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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.
- 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;
 - b. Shall not exceed five feet in height;
 - c. 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]

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707 HISTORIC LANDMARK (HL), HISTORIC DISTRICT (HD), AND HISTORIC CORRIDOR (HC)

707.01 PURPOSE

The intent and purpose of this overlay district is to implement the goals and policies of the Comprehensive Plan for Historic Landmarks, Districts, and Corridors and promote the public health, safety, and general welfare by safeguarding the County's heritage as embodied and reflected in its historic resources. The provisions of this section are intended to:

- A. Provide for the identification, protection, enhancement, and use of sites, structures, corridors, objects, and buildings within the County that reflect special elements of the County's architectural, archeological, artistic, cultural, engineering, aesthetic, historical, political, social, and other heritage;
- B. Facilitate restoration and upkeep of historic buildings, structures or other physical objects or geographical areas;
- C. Encourage public knowledge, understanding and appreciation of the County's history and culture;
- D. Foster community and neighborhood pride and sense of identity based on recognition and use of cultural resources;
- E. Promote the enjoyment and use of historic and cultural resources appropriate for the education and recreation of the people of the County;
- F. Preserve diverse architectural styles reflecting phases of the County's history; and encourage complimentary design and construction impacting cultural resources;
- G. Enhance property values and increase economic and financial benefits to the County and its inhabitants;
- H. Identify and resolve conflicts between the preservation of cultural resources and alternative land uses; and
- I. Integrate the management of cultural resources and relevant data into public and private land management and development processes.

707.02 AREA OF APPLICATION

- A. ~~The provisions of~~ Section 707 shall apply to all designated Historic Landmarks, Historic Districts, and Historic Corridors within the County.

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- B. Historic Landmark: A site, structure, or object may be zoned Historic Landmark if it is listed on the National Register of Historic Places, or if it is rated as "significant" under the County's procedure for evaluating historic resources under the specific architectural, environmental, and historic association criteria. A site or structure must receive a total of 40 or more points under the following criteria to be considered for Historic Landmark status:

ARCHITECTURAL SIGNIFICANCE

1. It is an early (50 years or older), or exceptional, example of a particular architectural style, building type, or convention. (up to 10 points)
2. It possesses a high quality of composition, detailing, and craftsmanship. (up to 4 points)
3. It is a good, or early, example of a particular material or method of construction. (up to 4 points)
4. It retains, with little or no change, its original design features, materials, and character. (up to 7 points)
5. It is the only remaining, or one of the few remaining, properties of a particular style, building type, design, material, or method of construction. (up to 10 points)

ENVIRONMENTAL SIGNIFICANCE

6. It is a conspicuous visual landmark in the neighborhood or community. (up to 10 points)
7. It is well-located considering the current land use surrounding the property, which contributes to the integrity of the pertinent historic period. (up to 4 points)
8. It consists of a grouping of interrelated elements including historic structures, plant materials and landscapes, viewsheds and natural features. (up to 10 points)
9. It is an important or critical element in establishing or contributing to the continuity or character of the street, neighborhood, or community. (up to 7 points)

HISTORICAL SIGNIFICANCE

10. It is associated with the life or activities of a person, group, organization,

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or institution that has made a significant contribution to the community, state, or nation. (up to 10 points)

11. It is associated with an event that has made a significant contribution to the community, state, or nation. (up to 10 points)
12. It is associated with, and illustrative of, broad patterns of cultural, social, political, economic, or industrial history in the community, state, or nation. (up to 10 points)
13. It possesses the potential for providing information of a prehistoric or historic nature. (up to 10 points)

C. Historic District: Designation of a Historic District on the County zoning and Comprehensive Plan maps may be initiated by the Historic Review Board, the Board of County Commissioners, or by petition of at least ~~sixty (60%)~~ percent of the property owners within the geographically defined area. Criteria for designation are as follows:

1. The area is listed as a National Register Historic District, or
2. The area includes a significant concentration or linkage of sites, buildings, structures, objects or landscapes which are unified visually by style, plan, or physical development and distinguished by association with historic periods, events, people, or cultural trends, and
3. The area is of sufficient size and scope, and the component parts are cohesive enough to adequately represent, demonstrate, or commemorate the significant historic period, event, people, or trend, and
4. A substantial number of the component parts within the area are exceptionally well preserved.

D. Historic Corridor: Designation of a Historic Corridor on the County zoning and Comprehensive Plan maps may be initiated by the Historic Review Board, the Board of County Commissioners, or by petition of at least ~~sixty (60%)~~ percent of the owners of property within a historic trail, roadway, or rail corridor. Property designated shall satisfy one or both of the following criteria:

1. The property, site, trail, roadway, or rail corridor is associated with events that have made a significant contribution to the broad patterns of our history or are likely to yield additional information in the future, categorized under one or more of the following theme areas:
 - a. archeology and prehistory;

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- b. exploration;
- c. western migration;
- d. settlement;
- e. agriculture;
- f. commerce and industry;
- g. transportation technology;
- h. government, politics, and military activities;
- i. culture.

- 2. The property or site is necessary to provide for the continuity of, or future use of, the historic trail, roadway, or rail corridor.

E. Contributing Resource:

- 1. In order to designate a site, object, structure or landscape features as a contributing resource, the Board shall find that:
 - a. The resource is or, at the time the designation becomes effective, will be within a Historic District or Historic Corridor; and
 - b. The resource is 50 years old or older, may have received alterations, but retains its overall physical integrity, or is of special architectural or environmental or cultural significance; and
 - c. The resource contributes to the integrity of the Historic District or Historic Corridor; and
 - d. The resource does not merit landmark designation; and
 - e. The resource is compatible with landmarks in the district or corridor considering overall proportions, scale, architectural detail and materials.
- 2. Contributing resources shall be identified upon the creation of a Historic District or Historic Corridor and a list shall be created containing the same information for each resource as is required for landmarks.

707.03 BARLOW ROAD HISTORIC CORRIDOR

- A. Intent: This Ordinance provision is intended to provide for the preservation and protection of the Barlow Road Historic Corridor. The intent of this Ordinance is to preserve the privacy of private property owners along the Barlow Road Historic Corridor. There is no intent by Clackamas County to condemn private property now or in the future.
- B. Barlow Road Historic Corridor is defined by the Barlow Road Background

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Report and Management Plan maps and shown in Chapter 3 of the Comprehensive Plan, Map III-2. Within the corridor, the following provisions shall apply:

1. The Barlow Road Historic Corridor is defined as a 40 foot wide historic corridor as shown on the Clackamas County assessor maps, identified through the Barlow Road Survey Project 1991-1992, and adopted through the historic corridor designation process within the provisions of this Ordinance. In the Government Camp area, north of Highway 26, the historic corridor width is 20 foot wide.
2. Third priority property segments shall be allowed to develop for primary uses allowed in the underlying zone. Significant development shall be reviewed as described in (3). Where physical evidence of the Barlow Road exists, property owners are encouraged to preserve the evidence.
3. The Historic Review Board shall review and make recommendations pertaining to proposed "significant development," within the historic corridor. "Significant development" shall include: zone change, conditional use, and subdivision application; commercial, industrial, and multifamily development application; and mining and gravel extraction. A site analysis shall be submitted for any "significant development" by the applicant indicating potential impacts to the historic corridor. To the maximum practicable extent, the historic corridor shall be protected as open space. Where physical evidence of the Barlow Road exists, such as wagon ruts, such evidence shall not be disturbed by development unless it is shown that the property can not be developed if the historic corridor is preserved.
4. Where road segments include portions of a County road, the Historic Review Board shall review and make recommendations to the County about any proposed right of way expansion or realignment to insure that original features of the Barlow Road are retained where possible.
5. Where State Highways are aligned with the Barlow Road Historic Corridor, proposed right of way expansion or realignment will be reviewed as outlined under Subsection 707.07, when historic resource sites identified in the Clackamas County Cultural Resources Inventory, Barlow Road Survey Project or other identified potential sites may be impacted.
6. Within the Highest and Secondary Priority Barlow Road Historic Corridor as defined on the Clackamas County assessor maps, the following activities are prohibited: structural development, mining, highway or road building, cultivation, utility line/pipeline development, vehicular use and other uses which would cause major surface disturbance to the road

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remains. Limited disturbance to the corridor shall be allowed when necessary to service the underlying use, such as sewer and utility lines.

Where the corridor has been used by vehicles, continued use is allowed. Maintaining driveways by repairing the driving surface is allowed. All attempts to preserve the historic road contour should be made when undergoing maintenance activities.

Where Highest and Secondary priority road segments include portions of a County or State road, the Historic Review Board shall review any proposed right of way expansion or realignment. To the maximum practicable extent, the Barlow Road alignment and historic landscape should be retained.

A variance application can be made to allow development in rare cases under ~~the provision of~~ Subsection 1205.02.

Normal maintenance activities are allowed such as clearing brush and fallen trees from the Historic Corridor and removing other objects foreign to the route.

707.04 INTERIM PROTECTION MEASURES FOR STRUCTURES LISTED ON THE CLACKAMAS COUNTY CULTURAL RESOURCES INVENTORY

- A. Intent: This Ordinance provision is intended to provide interim protective measures for structures listed on the Clackamas County Cultural Resources Inventory. After a complete survey and evaluation of significance and upon designation of significant properties as Historic Landmarks within each study area or Inventoried Book, the Interim Protection Measures will cease to apply.
- B. Cultural Resource Inventory properties: Review of "significant development," as defined below, shall occur for any property listed on the Clackamas County Cultural Resources Inventory as per provisions set forth in this Ordinance. "Significant development" shall include: zone change, conditional use, and subdivision applications; commercial, industrial, and multifamily development applications and demolition permit applications.

707.05 USES PERMITTED

- A. Primary Uses: A Historic Landmark or properties within a Historic District or Historic Corridor may be used for any use which is allowed in the underlying district, including home occupations, provided such use is not detrimental to the preservation of the historic resource, subject to the specific requirements for the use, and all other requirements of this Section.

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- B. Conditional Use Findings: In urban and rural districts, uses listed ~~below~~ underin Subsection 707.05(C), which are not otherwise allowed in the underlying district, may be allowed, subject to the specified review procedure. Approval shall not be granted unless the proposal satisfies the criteria under Section 1203 and the applicable provisions under Section 800, and the applicant demonstrates that the use, if allowed:
1. Will preserve or improve a resource which would probably not be preserved or improved otherwise;
 2. Will not require the extension or development of urban services in rural areas;
 3. Will not adversely affect surrounding natural resource uses; and
 4. Will utilize existing structures rather than new structures, except where new structures are determined by the Historic Review Board to be in the best interest of preserving the historic resource.
 5. All structures of any form or size, including new structures, shall satisfy ~~the provisions of Subsection 707.07.~~
- C. Public Hearing Review: The following uses may be permitted by the Hearings Officer after a public hearing conducted pursuant to Section 1300 when the proposal satisfies the requirements under Subsection 707.05(B), above:
1. Art and music studios
 2. Galleries
 3. Offices
 4. Craft shops
 5. Bed and Breakfast establishments
 6. Gift shops
 7. Museums
 8. Catering Services
 9. Book stores
 10. Boutiques
 11. Restaurants
 12. Antique shops
 13. Community Center for civic or cultural events
 14. Replacement of a historic landmark dwelling with an additional dwelling on the same site and continued use of the existing dwelling for Rural Residential purposes, provided: 1) the existing dwelling is listed individually on the National Register of Historic Places or on state and local registers as a Historic Landmark; 2) the existing dwelling is

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maintained under an approved plan for rehabilitation (e.g. Secretary of Interior guidelines); and 3) there is a recorded deed recognition statement with the County that the additional dwelling is authorized only for the duration of the historic resource and to inform subsequent purchasers. A lot with an additional dwelling approved subject to this provision may not be divided pursuant to Subsection 902.01(B)(3).

15. Any use that the Hearings Officer finds to be similar to one or more of those specified in Subsections 707.05(C)(1) through (14). However, in a zoning district listed in Subsection 106.01, Section 106 shall apply in lieu of Subsection 707.05(C)(15).

707.06 HISTORIC REVIEW BOARD

- A. Appointment and Composition: The Board of County Commissioners shall appoint a minimum of five (~~5~~) individuals who have demonstrated an interest in historic preservation and have experience and/or special expertise or knowledge in the field of historic preservation.

Three (~~3~~) positions shall be filled under the following designations: (1) Architect, with knowledge in historic restoration, (2) Contractor, with expertise in construction techniques applied to historic structures, (3) Representative from a historic group in the County.

Individuals from a city within the County may be appointed by the city to join the Historic Review Board to review permit applications within the city.

- B. Terms of Service: Except for initial appointment periods specified herein, all members of the Historic Review Board shall be appointed for three (~~3~~) years, and may be reappointed or removed at the discretion of the Board of County Commissioners.

- C. Duties and Responsibilities: It is the responsibility of the Historic Review Board to insure that the purposes of this Section are implemented and to perform the following duties:
1. Adopt rules to govern its deliberations and decisions, including a method of recording its proceedings.
 2. Carry out the duties described for it in this Ordinance and otherwise assist the Board of County Commissioners on historic preservation matters.
 3. Review and render decisions on proposals to alter the exterior of a Historic Landmark or primary, secondary, or contributing structure within a Historic District or Historic Corridor, subject to the procedures and criteria set forth in Subsection 707.07.

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4. Review and render decisions on all proposed new construction within a Historic District or Corridor, or on property on which a Historic Landmark is located, subject to the procedures and criteria set forth in Subsection 707.07.
5. Review and make recommendations on all applications referred by the Board of County Commissioners, Hearings Officer, Planning Commission or Design Review Committee.
6. Review and make recommendations on all applications for zoning of a Historic Landmark, a Historic District, or a Historic Corridor, as provided under Subsection 707.06.
7. Review all requests for demolition or removal of a Historic Landmark, as provided under Subsection 707.09.
8. Review and make recommendations to the Hearings Officer on all Conditional Use applications under Subsection 707.05(B).
9. Review and make recommendations on all partitions and subdivisions of designated properties.
10. Disseminate information to educate the public as to State and Federal laws protecting antiquities and historic places.
11. Act as a coordinator for local preservation groups, educational workshops, signing and monumentation projects, and other similar programs.
12. Advise interest groups, agencies, boards, commissions, and citizens on matters relating to historic preservation within the County.
13. Insure that information on inventoried historic properties is updated and maintained.
14. Continue to add to the Clackamas County Cultural Resources Inventory when appropriate.

707.07 THE REVIEW PROCESS

This section shall apply to all Historic Landmarks, properties within Historic Districts and Historic Corridors and contributing resources therein.

A. Designation of a Historic Landmark, Historic District or Historic Corridor:

1. County Initiated Action: The Historic Review Board or Board of County

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Commissioners may initiate the process for designation of a Historic Landmark or Historic District or Historic Corridor. If the Historic Review Board or Board of County Commissioners initiates the process, notice shall be provided pursuant to Section 1302.

2. Quasi-Judicial Application: The owner(s) of property, or properties, may request the zoning of their property, or properties, as a Historic Landmark(s), Historic District, or Historic Corridor by making application at the Planning Division. Notice shall be provided pursuant to Section 1302.
3. Historic Review Board Evaluation: The Historic Review Board shall evaluate the proposed zoning action and shall enter findings and make a written recommendation to the Board of County Commissioners.
4. Board of County Commissioners Public Hearing: The Board of County Commissioners shall conduct a public hearing to consider the proposed zoning action and shall either approve or deny the request. The Board shall enter written findings supporting its decision.
5. Pending Permits: No building permit for altering or moving any proposed Historic Landmark or any building within an area proposed for designation as a Historic Landmark, Historic District or Historic Corridor, shall be issued while any advertised public hearing or any appeal affecting the proposed designation of the area or building is pending. In addition, demolition of a building affected by a pending public hearing or appeal under this Section shall be a violation of this Ordinance.

B. Application Requirements:

1. Prior to formal application submission, a preapplication conference between the applicant and Planning Director or Historic Review Board shall occur.
2. Standard Requirements: All applications for alteration and development made pursuant to this Section shall include:
 - a. The applicant's name and address.
 - b. The owner's name(s) and address(s);
 - c. An explanation of what review process the applicant wishes to initiate and why.
 - d. A written description of the boundaries of the proposed Historic District, if applicable, or the location of the site;

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- e. A map illustrating the boundaries of the proposed district, if applicable, or the location of the site;
- f. A list of exterior materials pertinent to the application request.
- g. Drawings:
 - 1. Side elevation for each side of any affected structure.
 - 2. Drawings shall indicate dimensions and be to scale.
 - 3. Photographs may be used in lieu of drawings for small projects.
- h. Floor plans of affected structure(s).
- i. Site plan showing relationship of structure(s) to roadways, parking areas, access drives, landscape features, plant materials, fences and other pertinent elements drawn to scale.

C. Alteration and Development:

- 1. Purpose: It is the intent of this subsection to provide for the appropriate level of review for proposed alterations and development affecting properties within *Historic Districts* or *Historic Corridors*, or those affecting *Historic Landmarks*, and to provide criteria for review.
- 2. Maintenance: The normal responsibilities of the property owner to care, repair and replace with like materials can be done without formal review. Normal maintenance may include but not be limited to:
 - a. Painting and related preparation of the structure. Original paint colors or colors appropriate to the historic period should be used on *Historic Landmark* buildings.
 - b. Repair and/or replacement of roofing materials with the same kind of roof materials existing.
 - c. Grounds care and maintenance required or the permitted use on the property.
 - d. Replacement of fences, shrubs, or other yard fixtures or landscaping with like type and/or style.
 - e. Existing materials may be replaced in kind for a small portion of either building or grounds because of damage or decay of materials.

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- f. Installation and maintenance of irrigation systems.
3. Minor Alterations: The Planning Director shall determine the status of a proposed alteration. Minor alterations shall be reviewed and approved by the Planning Director, who may consult with the Historic Review Board, or any member thereof, in applying the provisions of this Section. An alteration shall be considered "minor" when the result of the proposed action is to restore portions of the exterior to the original historic appearance while performing repairs, such as:
- a. Addition of gutters and downspouts.
 - b. Repairing or providing a compatible new foundation that does not result in raising or lowering the building elevation.
 - c. Change in material to match original type of material on the structure or grounds.
 - d. Change in type of roof material in character with the original roofing material.
 - e. Replacement of storm windows or doors.
4. Alterations Criteria: The Historic Review Board shall review all proposed alterations which exceed a "minor" status under Subsection 707.07B(C)(3), above. A request for an alteration permit under this provision shall be made on the appropriate application form provided by the Planning Division. Review and approval of an application shall be based on findings of adherence to the following standards for rehabilitation:
- a. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
 - b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
 - c. Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
 - d. Most properties change over time; those changes that have acquired

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historic significance in their own right shall be retained and preserved.

- e. Distinctive features, finished, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
 - f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
 - g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the least damaging or gentlest means possible.
 - h. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
 - i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
 - j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property, including historic plant materials, and its environment would be unimpaired.
5. New Construction: The Historic Review Board shall review all building permits for proposed structures on a landmark site or within a Historic District or Historic Corridor. Review and approval of an application shall be based on the following criteria:
- a. The design of the proposed structure is compatible with the design of the landmark building(s) on the site or in the district or corridor considering scale, style, height, and architectural detail, materials, and colors.
 - b. The location and orientation of the new structure on the site is consistent with the typical location and orientation of similar structures on the site or within the district or corridor, considering setbacks,

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distances between structures, location of entrances, and similar siting considerations.

- c. Changes to yard areas including planters, fences ponds, walkways and landscape materials should be compatible with the overall historic setting.
 - d. Scale of commercial use: Individual permitted uses shall be of a scale appropriate to serve properties surrounding the historic overlay.
6. Maximum Building Floor Area:
- a. For a commercial use within an unincorporated community, the maximum building floor area per use shall be 4,000 square feet. However, a lawfully established use that existed on December 20, 2001, and serves the community or the travel needs of people passing through the area, may expand to occupy a maximum of 4,000 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.
 - b. For a commercial use in a non-urban area outside an unincorporated community, the maximum building floor area per use shall be 3,000 square feet. However, a lawfully established use that existed on December 20, 2001, may expand to occupy a maximum of 3,000 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.
 - c. Preexisting Commercial Uses: Lawfully established commercial uses that are located on land with a Comprehensive Plan designation of Unincorporated Community Residential or Rural, existed on December 20, 2001, and are not otherwise provided for in the underlying zoning district or this overlay zone shall not be nonconforming uses and are allowed outright.
7. Partitions and Subdivisions: The Historic Review Board shall review and make recommendations on all proposed partitions or subdivisions of sites designated as a Landmark site or located within a Historic District or Historic Corridor. Review of proposed subdivisions or partitions shall be based on the following criteria:
- a. The partition or subdivision does not allow a significant feature of the original site, as identified in the designation action and Inventory, to be located on a separate site from the landmark.
 - b. The partition or subdivision allows adequate setbacks from landmark

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improvements to provide for buffering and mitigation of impacts associated with development of the new parcels.

- c. Yard and landscaped areas including large trees and shrubs associated with the Historic Landmark structure shall be retained with the structure whenever possible.

8. Appeals:

- a. Any person may appeal a decision of the Planning Director to the Historic Review Board. The appeal must be in writing and must be filed within 12 days of the date of mailing of the written decision of the Planning Director, or if the 12th day falls on a day on which the County is not open for business, by the next day on which the County is open for business.
- b. Any person may appeal a decision of the Historic Review Board to the Hearings Officer. The appeal must be in writing and must be filed within 12 days of the date of mailing of the written decision of the Historic Review Board, or if the 12th day falls on a day on which the County is not open for business, by the next day on which the County is open for business. The appeal will be heard by the Hearings Officer pursuant to Section 1300.

9. Building Code Requirements:

- a. Permits Required: Any alteration or relocation of a Historic Landmark shall be subject to the applicable regulations under the Uniform Building Code.
- b. Waivers: As provided in Section 104(f) of the Uniform Building Code, repairs, alterations, and additions necessary for the preservation, restoration, rehabilitation, or continued use of a Historic Landmark, or building within a Historic District or Historic Corridor, may be made without conformance to all the requirements of the Uniform Building Code when authorized by the building official, provided:
 1. Any unsafe conditions as described in the Uniform Building Code are corrected;
 2. The restored building or structure will be no more hazardous, based on life safety, fire safety, and sanitation, than the existing building; and
 3. The building official seeks the advice of the Oregon State Historic Preservation Officer, or designee.

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- c. Modifications to certain regulations: The Historic Review Board may modify regulations pertaining to signs, fence and wall provisions, general provisions regarding height, yards, area, lot width, frontage, depth, coverage, number of offstreet parking spaces required, and regulations prescribing setbacks, if the modifications:
 - 1. Are necessary to preserve the historic character, appearance or integrity of the proposed Historic Landmark, Historic District or Historic Corridor and
 - 2. Are in accordance with the purposes of the zoning and sign regulations.
 - d. Appeals: In the case of appeals related to the application of the Uniform Building Code to a Historic Landmark, or building within a Historic District or Historic Corridor, the County appeals board or the appropriate State appeals board shall seek the advice of the State historic preservation officer.
- D. Moving or Demolition of a Historic Landmark or Contributing Resource:
- 1. Purpose: The intent of this Subsection is to protect Historic Landmarks and Historic Districts and Corridors from destructive acts and to provide the citizens of the County time to review the significance of a Historic Landmark or building within a Historic District or Corridor, and to pursue options to preserve such building(s) if historic preservation is deemed in the best interest of the community.
 - 2. Preapplication Preservation Plan Required:
 - a. Preapplication preservation plan to be submitted: If an applicant requests to move or to demolish a Historic Landmark, the applicant shall prepare and submit a plan for preservation of the Historic Landmark prior to said application.

A preapplication conference shall be scheduled to allow the applicant and staff to discuss the proposal, the preservation plan requirements and the applicable criteria.

The preservation plan may be submitted to the County after the preapplication conference and shall be reviewed and approved by staff or the Historic Review Board.
 - b. The preservation plan shall include a narrative describing how the applicant will accomplish all of the following:

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1. The applicant or applicant's agent shall advertise the resource in local, regional and historic preservation newspapers of general circulation in the area once per week during the preapplication period and shall provide evidence of such advertising.
 2. Give public notice by placing a sign on the property informing the public of intended action which will remove or demolish the structure. The sign shall remain on the property until a permit is issued. It should also state the County department and telephone number to call for further information.
 3. Prepare and make available information related to the history and sale of the property to all who inquire.
 4. Provide information regarding the proposed use for the Historic Landmark site.
 5. Keep a record of the parties who have expressed an interest in purchasing and/or relocating the structure. To ensure that an adequate effort has been made to secure a relocation site, the applicant shall provide a list of property locations and owners who were contacted regarding purchase of a relocation site.
- c. Following receipt of the preservation plan, the Planning Director shall issue a media release to local and state newspapers of general circulation in the County.

The media release shall include, but not be limited to, a description of the significance of the Historic Landmark, the reasons for the proposed demolition or removal, and the possible options for preserving the Historic Landmark.

3. Review Required: No building identified as a primary, secondary, or contributing structure within a Historic District or Corridor, or building designated as a Historic Landmark, shall be intentionally moved, or demolished unless such action is approved by the Historic Review Board. Application for permit to move or demolish such building shall be made to the Planning Division, and to the Building Services Division when applicable.
4. Public Hearing Review: The Historic Review Board shall hold a public hearing, under the provisions and procedures in Subsections 1302.01(A) and (B) and Section 1303, to review the request to move, demolish or destroy a Historic Landmark, or building within a Historic District or Corridor, and shall make written findings supporting its decision to

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approve or suspend the request.

5. Moving a Historic Landmark or Contributing Resource:

- a. In order to allow the moving of a Historic Landmark or contributing resource, the Historic Review Board shall consider the following:
 1. Relocation is the only alternative for preservation of the Historic Landmark or contributing resource; and,
 2. The proposed relocation site will not greatly reduce the historical and/or architectural significance of the Historic Landmark or contributing resource; the site is a contextually appropriate setting; it is within the County and preferably within the neighborhood within which it is currently located; and
 3. The designated resource cannot reasonably be used in conjunction with the proposed use; and,
 4. The continued location of the landmark or contributing resource on the proposed development site precludes development on the site which would provide a greater community benefit; and,
 5. The designated landmark or contributing resource is structurally capable of relocation; and
 6. If the landmark or contributing resource is relocated within the County, the owner of the relocation site agrees, as a condition of the purchase agreement, to apply within 90 days of relocation to the County for designation as a Historic Landmark, to be protected under the provisions of this Ordinance.
 7. The loss of the landmark or contributing resource will not affect the integrity of the Historic District or Historic Corridor; and adequate effort has been made to seek a relocation site within the Historic District or Corridor.

6. Demolition of a Historic Landmark or Contributing Resource: In order to allow the demolition of a landmark or contributing resource within a Historic District or Corridor, the Historic Review Board shall consider the following:

- a. All plans, drawings, and photographs submitted by the applicant; and,
- b. Information presented at the public hearing concerning the proposed work; proposal; and,

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- c. The Clackamas County Comprehensive Plan; and,
 - d. The purposes of this Ordinance as set forth in Subsection~~Section~~ 707.01; and,
 - e. The criteria used in the original designation of the Historic Landmark or Historic District or Corridor in which the property under consideration is situated; and,
 - f. The historical and architectural style, the general design, arrangement, materials of the structure in question, or its appurtenant fixtures; the relationship of such features to the other buildings within the district or corridor; and the position of the building in relation to public rights-of-way and to other buildings and structures in the area; and,
 - g. The effects of the proposed work upon the protection, enhancement, perpetuation and use of the district or corridor which cause it to possess a special character or special historical or aesthetic interest or value; and,
 - h. Whether suspension of the permit will involve substantial hardship to the applicant, and whether approval of the request would act to the substantial detriment of the public welfare and would be contrary to the intent and purposes of this Ordinance; and,
 - i. When applicable, the findings of the building official in determining the status of the subject building as a "dangerous building" under the most recent Uniform Code for the Abatement of Dangerous Buildings, and the feasibility of correcting the deficiencies to meet the requirements of the building official rather than demolishing the building.
7. Approval of Moving or Demolition Request/Appeals: The Historic Review Board may approve the moving or demolition request in consideration of the provisions under Subsections 707.07(D)(5) and (6). The action of the Historic Review Board shall be transmitted to the applicant in writing within 10 days of the decision on the request, and shall be final after a period of 12 days from the date of the letter and findings approving the request, or if the 12th day falls on a day on which the County is not open for business, on the next day on which the County is open for business, unless a notice of appeal is filed by any aggrieved party, pursuant to Section 1304.
8. Suspension of Moving or Demolition Permit Request: The Historic Review Board may suspend the request for moving or demolition of an

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Historic Landmark or contributing resource building within a Historic District or Historic Corridor if it determines that in the interest of preserving historic values for public benefit, the building should not be moved or demolished. Written findings supporting the suspension of the request shall be transmitted to the applicant within seven (~~7~~) days of the final public hearing on the request.

9. Stay of Moving or Demolition: If the moving or demolition request is suspended by the Historic Review Board, the written finding supporting the action to suspend the request shall be transmitted to the building official along with a request that the enforcement of any applicable Notice and Order of the building official be stayed during the pendency of an appeal, or for a period of not more than ~~sixty~~ (60) days from the date of the letter and findings supporting the suspension. During this stay of demolition period, the following actions may be taken:
 - a. The building official may require the owner or other party responsible for the subject building to take appropriate actions, other than demolition, to protect the public from hazardous conditions associated with the building.
 - b. The applicant may be required to continue to carry out the preapplication plan activities through the entire stay of moving or demolition.
 - c. The Historic Review Board may research programs or projects underway which could result in public or private acquisition of the subject building and site, and assess the potential for the success of these programs or projects.
 1. If the Board determines that there is reasonable grounds to believe that such program or project may be successful, it may extend the suspension period up to ~~thirty~~ (30) additional days per extension, not to exceed more than a total of 120 days from the date of the letter and finding suspending the request.
 2. If the Board determines that all such programs or projects are unlikely to be successful, and the applicant has not withdrawn his application for a demolition permit or taken appropriate alternative action to correct the hazards associated with the subject building as provided in a Notice and Order of the building official, then, at the end of the stay of demolition period, the Planning Director and building official may issue such permit, subject to all other applicable codes and ordinances.
10. Appeal of Stay of Demolition: Action of the Historic Review Board in

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suspending issuance of the permit for demolition may be appealed by the applicant to the Board of County Commissioners, within 15 days of the date of the written findings suspending the demolition permit, or if the 15th day falls on a day on which the County is not open for business, by the next day on which the County is open for business, by filing a notice of appeal as provided in Section 1304.

11. Documentation Required: When moving or demolition is eminent, whether by direct approval or if efforts during the preapplication preservation plan and Stay of Demolition are unsuccessful, the following complete documentation of the structure(s) is required to be submitted to the County by the applicant:
 - a. Floor plans to scale of the structure(s) and related structures.
 - b. Site plan to scale showing surrounding roadways, landscaping, natural features, structure(s), and related structures.
 - c. Drawings to scale or photographs of all exterior elevations.
 - d. Photographs of architectural detail not shown in elevation photographs.
 - e. The Historic Preservation League of Oregon or local preservation group to be given opportunity to salvage and record the resource.
12. Moving or Demolition Permit Issuance: A moving or demolition permit for a landmark found to comply with all provisions set forth in Subsection 707.09 of this Ordinance shall not be issued until all development permit applications for the new use or development have been approved by the County.

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813 SERVICE AND RECREATIONAL USES

813.01 ALLOWED USES

Service and recreational uses include the following:

- A. 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;
- B. City, county, state, federal, service district, and municipal corporation uses or buildings. These do not include uses or buildings otherwise specifically listed as conditional uses in individual zoning districts or identified in Subsections 813.01(C) or (D);
- C. Telephone exchanges, railroad rights-of-way, and public utility structures without shops, garages, or general administrative offices. 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. Wireless telecommunication facilities, amateur (Ham) radio towers, citizen band transmitters and antennas, and essential public communication services are excluded from this subsection;
- D. Recreational vehicle camping facilities, subject to the following standards:
 - 1. Locational Standards:
 - a. Within an urban area, recreational vehicle camping facilities shall be located on a road with a functional classification of minor arterial or higher, and shall be no more than 1/2 mile from a major arterial or freeway/expressway.
 - b. Outside an urban area, recreational vehicle camping facilities shall be located no more than 1 mile from a major arterial or freeway/expressway.
 - 2. Campsite/Area Requirements:
 - a. In areas served by public sewer, the maximum number of campsites shall not exceed 1 per 1,500 square feet of net site area.
 - b. In areas not served by public sewer, the maximum number of campsites allowed shall be subject to review and approval by the Soils Section of Water Environment Services.

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- c. Each campsite shall be at least 1,000 square feet, exclusive of roadways.
3. Improvements: Each recreational vehicle campsite shall include the following:
- a. Electrical service hookup;
 - b. Potable water hookup;
 - c. Sewage disposal service; and
 - d. Landscaping in areas that are not intended to be occupied by the recreational vehicle or used for a parking space.
4. Parking Requirements:
- a. Each recreational vehicle campsite shall include 1 recreational vehicle parking space with minimum dimensions of 12 feet by 20 feet.
 - b. Parking spaces shall be provided for the manager and employees of the camping facility.
 - c. A minimum of 1 parking space per campsite shall be provided in addition to the space required for parking of a recreational vehicle. The additional space need not be located on the same site as the recreational vehicle space.
 - d. Within an urban area, parking spaces shall be hard-surfaced. Outside an urban area, a graveled surface with a minimum base of 3 inches of crushed rock or better may be substituted for hard surfacing.
5. Dimensional Standards: The dimensional standards shall be the same as those required in the zoning district in which the subject property is located.
6. Accessory Uses: The following accessory uses and structures may be provided at a scale intended to serve the tenants of the recreational vehicle camping facility:
- a. A caretaker's/manager's dwelling or office;
 - b. Recreational areas and equipment;
 - c. Clubhouses;

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- d. Tourist information centers;
 - e. Laundry, restroom and shower facilities;
 - f. Storage and/or maintenance buildings;
 - g. Any use that the Hearings Officer finds to be similar to one or more of those specified in Subsection 813.01(D)(6). Where a recreational vehicle camping facility is a primary use, this determination shall be made by the Planning Director and shall be processed as an Interpretation pursuant to Subsection 1305.03.
7. Access and Circulation:
- a. The location of access driveways shall be subject to approval by the Department of Transportation and Development.
 - b. Any driveway, or portion thereof, which does not provide for continuous circulation shall not exceed 600 feet in length and shall terminate with a turnaround having a minimum diameter of 60 feet.
 - c. The minimum driveway width for two-way traffic shall be 24 feet, except that if parking is permitted on the margins of the driveway, the minimum driveway width shall be 32 feet. The minimum driveway width for one-way traffic shall be 16 feet, except that if parking is permitted on the margins of the driveway, the minimum driveway width shall be 24 feet.
 - d. Driveways shall be hard-surfaced.
8. Screening: Except as necessary to accommodate access driveways and corner vision requirements, the facility shall be screened on all sides by sight-obscuring plant materials or fencing, or a combination thereof, with a minimum height of 6 feet.
9. Maintenance: Storage of materials or equipment shall be within enclosed structures. Trash receptacles shall be provided in convenient locations for use by guests of the camping facility and in such number and of such capacity that there is no uncovered accumulation of trash at any time.
10. Other Regulations: Recreational vehicle camping facilities shall comply with all applicable rules and regulations of the Public Health Department and state agencies governing such facilities.
- E. Any use that the Hearings Officer finds to be similar to one or more of those specified above. However, in a zoning district listed in Subsection 106.01,

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| Section 106 shall apply in lieu of Subsection 813.01(E).

1606 VILLAGE COMMUNITY SERVICE DISTRICT (VCS)

1606.01 PURPOSE

Section 1606 is adopted to implement the policies of the Comprehensive Plan for Village Community Service areas.

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

1606.02 AREA OF APPLICATION

The Village Community Service zoning district applies to the area shown as Village Community Service on Comprehensive Plan Map X-SV-1.

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

1606.03 PRIMARY USES

The following are primary uses in the Village Community Service District:

- A. Auditoriums;
- B. Schools;
- C. Public recreation facilities;
- D. Daycare centers;
- E. Community/Senior centers
- F. Fire stations;
- G. Police stations;
- H. Government offices;
- I. Libraries;
- J. Museums;
- K. Postal services;
- L. Utility offices;
- M. Telecommuting uses (copy centers with fax and computer facilities);
- N. Community gardens; and

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- O. Wireless telecommunication facilities listed in Subsections 835.04(B) and (C), subject to Section 835.

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

1606.04 ACCESSORY USES

The following are accessory uses in the Village Community Service District:

- A. Temporary buildings for uses incidental to construction work; such buildings shall be removed upon completion or abandonment of the construction work;
- B. 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;
- C. Recyclable drop-off sites, subject to Section 819;
- D. Bus shelters, subject to Section 823; bike racks, pedestrian amenities, and transit amenities;
- E. Solar energy systems;
- F. Rainwater collection facilities; and
- G. Electric vehicle charging stations; ~~and~~
- H. ~~Any accessory use or structure, not otherwise prohibited, that the Planning Director finds to be customarily accessory and incidental to a permitted use. A request for a determination under Subsection 1606.04(H) shall be processed as an Interpretation pursuant to Subsection 1305.03.~~

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

1606.05 USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR

The Planning Director may approve the following use in the Village Community Service District, pursuant to Subsection 1305.02:

- A. Wireless telecommunication facilities listed in Subsections 835.05(A)(2) and (3), subject to Section 835.

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

1606.06 CONDITIONAL USES

- A. The Hearings Officer may approve conditional uses in the Village Community Service District, pursuant to Section 1300. Approval shall not be granted

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unless the proposal complies with Section 1203, any applicable provisions of Section 800, and the following criteria:

1. The use shall provide community facilities, including meeting rooms, recreation rooms (gymnasiums), performance facilities, or similar space;
 2. Community facilities shall be made available on an ongoing basis to the whole community for little or no cost; and
 3. Community facilities shall be a minimum of 3,000 square feet or one-third of the usable floor area built, whichever is more.
- B. Uses allowed subject to Subsection 1606.06(A) are:
1. Art galleries;
 2. Athletic clubs;
 3. Developer sales offices;
 4. Professional offices; and
 5. Wireless telecommunication facilities listed in Subsection 835.06(A), subject to Section 835. Wireless telecommunication facilities shall not be subject to Subsection 1606.06(A)(1) through (3).

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

1606.07 PROHIBITED AND PREEXISTING USES

- A. Prohibited Uses: Uses of structures and land not specifically permitted are prohibited in the Village Community Service District.
- B. Preexisting Uses: Except for dwellings, preexisting uses not otherwise allowed shall be considered nonconforming uses and shall be subject to Section 1206. Preexisting dwellings may be allowed to remodel or expand and shall not be subject to Section 1206.

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

1606.08 DIMENSIONAL AND DEVELOPMENT STANDARDS

- A. General: Development shall be subject to the applicable provisions of Sections 1000, 1100, 1600, and 1602.
- B. Maximum Lot Coverage: 50 percent.

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- C. Maximum Building Height: 35 feet, except that the maximum height of tower elements is 60 feet, provided that such elements do not have a footprint exceeding 400 square feet.
- D. Setbacks and Configuration: The buildings occupying the Village Community Service (VCS) areas adjacent to the Village Green shall face the Village Green and circle to better integrate with the surrounding neighborhood. Parking shall be to the rear of the buildings. Setback from the east-west collector and the diagonal connectors shall be zero. All buildings shall be set back at least five feet from property lines abutting residential areas.
- E. Pedestrian Circulation: Circulation facilities, architectural features, signing, and landscaping shall be designed for pedestrian safety and convenience. Landscaping, crosswalks, street lighting, signalization, or similar improvements may be required to create safe and inviting places to cross streets.
- F. Motor Vehicle Access: Each VCS area adjacent to the Village Green shall be permitted one curb cut on the east-west collector and one on the diagonal connector. Curb cuts shall not exceed a width of 20 feet at the street right-of-way.
- G. Facades:
1. Building facades shall be designed with windows, entries, and/or bays. Sides or rears of buildings shall not consist of an undifferentiated wall when facing a public street.
 2. Windows shall be placed with no more than six feet of blank non-window wall space in every 25 feet of frontage and shall be coordinated with bays and balconies. Square or vertical proportions are preferred.
 3. Window trim shall not be flush with exterior wall treatment. Windows shall be provided with an architectural surround at the jamb, head, and sill. All windows shall be placed so that their sills are at least two feet above floor level.
 4. Glass walls and reflective glass are prohibited.
 5. Towers, or other special vertical elements, may be used in a limited fashion to focus views to the area from surrounding streets.
 6. Consistent design elements shall be used throughout the VCS area to ensure that the entire complex is visually and functionally unified.
 7. Awnings shall have clearance of a minimum eight feet above sidewalks and walkways for pedestrian access.

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- H. Roofs: Hipped, gambrel or gabled roofs are required. Flat roofs are not permitted except for mechanical equipment areas.
- I. Materials: Exterior finishes of buildings shall be primarily of materials such as masonry, wood siding or shingles, stucco, or similar material. Sheet metal, cinder block, and T1-11 are prohibited as exterior wall material.
- J. Minimum Landscaping Area: 15 percent of the lot.
- K. Screening: All primary and accessory uses, including storage of materials, products, or waste, shall be wholly contained within an approved structure.
- L. Signs:
 - 1. Signs shall have a maximum of two colors in addition to black and white.
 - 2. Only hanging, on-building, or monument signs shall be used.
 - 3. Signs shall not exceed 24 square feet in size.
- M. Master Plans: Upon application for development of any portion of the VCS district, the applicant shall submit a master plan for the entire site to ensure compliance with Section 1606.
- N. 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]

1607 VILLAGE OFFICE DISTRICT (VO)

1607.01 PURPOSE

Section 1607 is adopted to implement the policies of the Comprehensive Plan for Village Office areas.

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

1607.02 AREA OF APPLICATION

The Village Office District applies to the area shown as Village Office on Comprehensive Plan Map X-SV-1.

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

1607.03 PRIMARY USES

The following are primary uses in the Village Office District:

A. Office Uses:

1. Business and professional offices, including legal, financial, architectural, engineering, governmental, manufacturer's representatives, property management, corporate and administrative offices;
2. Medical and dental services, clinics or community health care programs, counseling services, and associated pharmacies;
3. Testing laboratories and facilities, provided no operation shall be conducted or equipment used which would create hazards and/or noxious or offensive conditions;
4. Graphic arts, printing, blueprinting, photo processing or reproduction labs, publishing and bookbinding services;
5. Light manufacturing, assembly, artisan, research and development uses which have physical and operational requirements which are similar to other office uses allowed in this district;
6. Banks, credit unions, and savings and loan, brokerage, and other financial institutions, but not drive-in windows or drive through services;
7. Business services such as duplicating, photocopying, mailing and stenographic services, fax and computer facilities, employment agencies,

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office management services, notary public, business and communications equipment and service, and real estate offices; and

8. Personal services: answering service, travel agent; ~~and~~

~~9. Any use that the Planning Director finds to be similar to one or more of those specified above. A request for a determination under Subsection 1607.03(A)(9) shall be processed as an Interpretation pursuant to Subsection 1305.03.~~

B. Service Commercial Uses: The following service commercial uses may be provided within an office development, up to a maximum of 20 percent of the gross floor area of the development:

1. Coffee shops; cafes and delicatessens which serve at least breakfast and/or lunch; and catering services. No drive-through window service shall be allowed; and

2. Daycare facilities, provided they are integrated within office buildings and do not exceed 1500 square feet or serve more than 13 children each; ~~and~~

~~3. Any use that the Planning Director finds to be similar to one or both of those listed in Subsections 1607.03(B)(1) and (2). A request for a determination under Subsection 1607.03(B)(3) shall be processed as an Interpretation pursuant to Subsection 1305.03.~~

C. Wireless telecommunication facilities listed in Subsections 835.04(B) and (C), subject to Section 835.

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

1607.04 ACCESSORY USES

The following uses are accessory uses in the Village Office District:

A. Bus shelters, subject to Section 823; bike racks, pedestrian amenities, and transit amenities;

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

C. Utility carrier cabinets, subject to Section 830;

D. Meeting facilities, cafeterias, and recreation/exercise facilities provided for employees within the same structure with a primary use;

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- E. 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;
- F. Building and landscape maintenance offices and enclosed storage areas for maintenance equipment;
- G. Satellite dishes;
- H. Recyclable drop-off sites, subject to Section 819;
- I. Solar energy systems;
- J. Rainwater collection facilities; and
- K. Electric vehicle charging stations; ~~and~~
- ~~L. Any accessory use or structure, not otherwise prohibited, that the Planning Director finds to be customarily accessory and incidental to a permitted use. A request for a determination under Subsection 1607.04(L) shall be processed as an Interpretation pursuant to Subsection 1305.03.~~

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

1607.05 USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR (3/14/02)

The Planning Director may approve the following use, pursuant to Subsection 1305.02:

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

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

1607.06 CONDITIONAL USES

- A. The Hearings Officer may approve the following conditional uses, pursuant to Section 1300. Approval shall not be granted unless the proposal complies with Section 1203 and any applicable provisions of Section 800. In addition, the proposed use shall:
 - 1. Address an existing neighborhood need, considering proximity of similar uses;

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2. Not substantially increase traffic through the neighborhood, require an additional curb cut, or create greater noise or congestion than a permitted use;
 3. Not diminish the amenities of the neighborhood; and
 4. Be compatible in size, scale, general appearance, and building materials with surrounding buildings.
- B. Uses allowed subject to Subsection 1607.06(A) are:
1. Daycare facilities, subject to Section 807, and providing that the facility is located in the southern half of the zoning district and oriented toward the adjacent residential neighborhood;
 2. Health and recreational facilities, such as exercise spas, gymnasiums, tennis and racquetball courts, swimming pools, saunas, and similar uses that exceed an accessory use;
 3. Educational institutes and trade schools; art, music, or dance studios; radio and television studios, excluding transmission towers. These uses are permitted only if there is no opportunity to locate them in the Village Commercial District; and
 4. Galleries and museums; small-scale (seating capacity up to 500) assembly or convention facilities and theaters for performing arts; exhibition halls; libraries; senior centers; and fraternal organizations. These uses are permitted only if there is no opportunity to locate them in the Village Community Service District.

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

1607.07 PROHIBITED AND PREEXISTING USES

- A. Prohibited Uses: Uses of structures and land not specifically allowed are prohibited in the Village Office District.
- B. Preexisting Uses:
1. Except for dwellings, preexisting uses not otherwise allowed shall be considered nonconforming uses and shall be subject to Section 1206.2.
 2. Preexisting dwellings may be allowed to remodel or expand and shall not be subject to Section 1206.
 3. A preexisting dwelling may be converted to house a primary use, subject to all requirements of this Ordinance for new development

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

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1607.08 DIMENSIONAL AND DEVELOPMENT STANDARDS

- A. General: Development shall be subject to the applicable provisions of Sections 1000, 1100, 1600, and 1602.
- B. Maximum Lot Coverage: 50 percent.
- C. Maximum Building Height: 45 feet, except that the maximum height of tower elements is 60 feet, provided that such elements do not have a footprint exceeding 400 square feet.
- D. Setbacks and Configuration:
 - 1. A group of small low-rise buildings shall be required, oriented toward the primary surrounding streets and the adjacent multifamily dwellings and townhouses, to better integrate with the neighborhood.
 - 2. Building setback from 142nd Avenue shall be a minimum of 40 feet and a maximum of 50 feet from the center line. Building setback from Sunnyside Road shall be a minimum of 65 feet and a maximum of 75 feet from the center line.
 - 3. Setbacks to other streets and pedestrian accessways shall be between five feet and 10 feet.
 - 4. Awnings or other overhangs may extend up to four feet into this setback. Awnings shall have clearance of a minimum eight feet for pedestrian access.
 - 5. Additional setbacks may be provided for small plazas and outdoor seating.
- E. Pedestrian Circulation: Circulation facilities, architectural features, signing, and landscaping shall be designed for pedestrian safety and convenience. Landscaping, crosswalks, street lighting, signalizing, or similar improvements may be required to create safe and inviting places to cross streets.
- F. Motor Vehicle Access: The maximum width for a single-use driveway shall be 12 feet; the maximum width for a shared driveway shall be 20 feet. Driveway access from 142nd Avenue and Sunnyside Road is prohibited. Access shall be off of the streets which abut the Village Office District on the east and the south, as shown on Comprehensive Plan Map X-SV-1.
- G. Facades:
 - 1. Building facades shall be designed with windows, entries, or bays. Sides or rears of buildings shall not consist of an undifferentiated wall when facing a public street, accessway, or a residential area.

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2. Towers, or other special vertical elements, may be used in a limited fashion to focus views to the area from surrounding streets.
 3. Arcades may be used along public street rights-of-way or along walkways within the complex of buildings.
 4. Consistent design elements shall be used throughout the office area to ensure that the entire complex is visually and functionally unified.
 5. There shall be no more than six feet of blank non-window wall space in every 25 feet of frontage. Windows shall be coordinated with bays and balconies. Square or vertical proportions are preferred. Windows shall not be flush with exterior wall treatment. Windows shall be provided with an architectural surround at the jamb, head, and sill. All windows shall be placed so that their sills are at least two feet above floor level. Glass walls and reflective glass are prohibited.
- H. Roofs: Hipped, gambrel or gabled roofs are required. Flat roofs are not permitted except for mechanical equipment areas.
- I. Materials: Exterior finishes of buildings shall be primarily of materials such as masonry, wood siding or shingles, stucco, or similar material. Sheet metal, cinder block, and T1-11 are prohibited as exterior wall material.
- J. Minimum Landscaping Area: 15 percent of the lot.
- K. Screening: Primary and accessory uses, including storage of materials, products, or waste, shall be wholly contained within an approved structure.
- L. Signs:
1. Signs shall have a maximum of two colors in addition to black and white.
 2. Only hanging, onbuilding, or monument signs shall be used.
 3. Hanging signs shall not exceed eight square feet in size, and shall have eight-foot pedestrian clearance.
 4. Monument and on-building signs shall not exceed 24 square feet in size.
 5. Except for neon signs, all illumination shall be external.
- M. Master Plans: Upon application for development of any portion of the Village Office District, the applicant shall submit a master plan for the entire district, to ensure compliance with Section 1607.

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- N. Traffic Management Plans: A traffic management plan shall be submitted with each development application. The plan shall address, but is not limited to, the following traffic management mechanisms: physical site controls on existing traffic, p.m. peak hour existing traffic limitations, traffic monitoring, restrictions on the number of parking spaces, transportation/transit information center, flex time, staggered working hours, car and van pool spaces, and similar ride share programs.
- O. 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]

1701 REGIONAL CENTER OFFICE DISTRICT (RCO)

[The title of Section 1701 changed by Ord. ZDO-224, 5/31/11]

1701.01 PURPOSE

Section 1701 is adopted to:

- A. Implement the policies of the Comprehensive Plan for Regional Center Office areas;
- B. Provide for high employment densities to accommodate expected growth in the region and support public transportation;
- C. Provide support services for office development;
- D. Allow a mix of land uses within a development;
- E. Create a district accessible by all means of transportation;
- F. Create walkable districts in the Clackamas Regional Center by providing improvements and urban design features that encourage and support pedestrian use; and
- G. Encourage land uses that generate pedestrian activity and transit ridership.

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

1701.02 AREA OF APPLICATION

Property may be zoned Regional Center Office (RCO) when the site has a Comprehensive Plan designation of Regional Center Office, the criteria in Section 1202 are satisfied, and at least one of the following criteria is satisfied:

- A. The property is in a high-capacity transit service corridor, as identified in the Comprehensive Plan;
- B. The property offers high visibility from a road with a functional classification of minor arterial or higher and will not draw traffic through residential zoning districts; or
- C. The property is within the Clackamas Regional Center boundary shown on Comprehensive Plan Map X-CRC-1, *Clackamas Regional Center Area Design Plan, Regional Center, Corridors and Station Community*, and has a historical commitment to office uses.

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

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1701.03 PRIMARY USES

- A. Office uses, including:
1. Business and professional offices, including legal, financial, architectural, engineering, governmental, manufacturer's representatives, property management, and corporate and administrative offices;
 2. Medical and dental services, clinics, counseling services, and associated pharmacies;
 3. Graphic arts, printing, blueprinting, photo processing or reproduction labs, publishing, and bookbinding services;
 4. Research and development uses which have physical and operational requirements which are similar to other office uses allowed in this district;
 5. Banks, credit unions, savings and loans, brokerages, and other financial institutions. Uses with drive-through window services are subject to Section 827; and
 6. Business services such as duplicating, photocopying, mailing and stenography, fax and computer facilities, employment agencies, business management, notary public, office and communications equipment and service, and real estate offices;
 - ~~7. Any use that the Planning Director finds to be similar to one or more of these specified above and consistent with the Comprehensive Plan and the purposes of this section. A request for a determination under this subsection shall be processed as an Interpretation pursuant to Subsection 1305.03;~~
- B. Multifamily dwellings, subject to Section 1706;
- C. Colleges, educational institutes, and trade schools; art, music, or dance studios; and radio and television studios, excluding transmission towers;
- D. Cultural and public uses, including galleries and museums; small-scale (seating capacity up to 500) assembly or convention facilities, and theaters for performing arts; exhibition halls, libraries, senior centers, and fraternal organizations;
- E. Parking structures which serve developments located within the Regional Center Office District, park-and-ride lots, transit stations, and bus shelters;
- F. Hotels, including associated convention facilities, gift shops, restaurants, and newsstands located within the same building as the hotel; and

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- G. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835.

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

1701.04 ACCESSORY USES

- A. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;
- B. 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;
- C. Bike racks, pedestrian amenities, and transit amenities;
- D. Solar energy systems;
- E. Cogeneration facilities;
- F. Meeting facilities;
- G. Daycare facilities, subject to Section 807;
- H. Signs, subject to Section 1010;
- I. Cafeterias and recreation/exercise facilities provided for employees within the same structure as a primary use;
- J. Utility carrier cabinets, subject to Section 830;
- K. Building and landscape maintenance offices and enclosed storage areas for maintenance equipment;
- L. Electric vehicle charging stations; and
- M. Rainwater collection systems.

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

1701.05 LIMITED USES

- A. A freestanding restaurant may be allowed in conjunction with a primary use on the site, subject to the following criteria:
 - 1. The floor area of the freestanding restaurant shall not exceed 5,000 square feet.

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2. If the primary use on the site is an office use, the floor area ratio of the development, including the restaurant, shall comply with Subsection 1701.09(D).
 3. If the primary use on the site is a multifamily dwelling, the site area developed with the restaurant and any parking or accessory structures used exclusively for the restaurant may be subtracted from the total acreage when calculating net acreage pursuant to Subsection 1701.09(C).
 4. The restaurant shall be developed concurrently with or after a primary use is developed on the site;
- B. The following retail uses may be provided in a multistory building with a primary use in an amount equal to the square footage of the first floor, or on the ground-level floor of a freestanding parking structure:
1. Any retail use listed in the Regional Center Commercial District except those requiring outside storage or display, or drive-through window service in conjunction with a business serving food and beverages; ~~and~~
 2. ~~Any use that the Planning Director finds to be similar to one or more of those specified in Subsection 1701.05(B)(1) and consistent with the Comprehensive Plan and the purposes of this section. A request for a determination under this subsection shall be processed as an Interpretation pursuant to Subsection 1305.03;~~
- C. A health club may be allowed in conjunction with a primary use on the site, subject to the following criteria:
1. If the primary use on the site is an office use, the minimum floor area ratio (FAR) standard of Subsection 1701.09(D) may be modified as follows for a lot of greater than two and one-half acres in size:
 - a. The minimum FAR for the office use shall be 0.75; and
 - b. The minimum FAR for the health club and the office use combined shall be 1.0.
 2. If the primary use on the site is a multifamily dwelling, the site area developed with the health club and any parking or accessory structures used exclusively for the health club shall be included in the net acreage when calculating minimum density pursuant to Subsection 1701.09(C).
 3. The health club shall be developed concurrently with or after a primary use is developed on the site.

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

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1701.06 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.

1701.07 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. Daycare facilities that do not qualify as an accessory use pursuant to Subsection 1701.04(G), subject to Section 807;
- B. Hospitals, subject to Section 809;
- C. Assembly or convention facilities that exceed a seating capacity of 500;
- D. Heliports in conjunction with a primary or conditional use.

1701.08 PROHIBITED AND PREEXISTING USES

- A. Prohibited Uses: The following uses shall be prohibited:
 - 1. Uses of structures and land not specifically permitted;
 - 2. Retail or service commercial uses listed in Subsection 1702.07(A), except as provided in Subsection 1701.05;
 - 3. Drive-through window facilities in conjunction with a primary use on streets designated Main Streets on Comprehensive Plan Map X-CRC-3, *Clackamas Regional Center Area Design Plan, Urban Design Elements*;
 - 4. New single-family dwellings;
 - 5. Outdoor sales, storage, or display of materials or products.
- B. Preexisting uses:
 - 1. Lawfully established dwellings may be remodeled or expanded without review under Section 1206.
 - 2. A lawfully established dwelling may be converted to house any primary use in the district, subject to all requirements for new development.

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3. No minimum lot size shall be required for lots created for lawfully established preexisting dwellings. However, parking requirements shall be satisfied.
4. Preexisting lawfully established commercial or industrial uses may remodel or upgrade the premises, subject to design review approval pursuant to Section 1102. Any change of use or alteration which expands the use shall be subject to Section 1206.

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

1701.09 DIMENSIONAL STANDARDS

- A. Purpose: The dimensional standards are intended to:
 1. Encourage coordinated development and the most efficient use of land;
 2. Provide for adequate structure separation to ensure adequate light and air access, fire safety, and protection for all developments and structures;
 3. Provide the urban design elements shown on Comprehensive Plan Map X-CRC-3, *Clackamas Regional Center Area Design Plan, Urban Design Elements* ; and
 4. Implement the goals and policies of the Clackamas Regional Center Area Design Plan.
- B. Minimum Lot Size: Two and one-half acres for the creation of new lots.
- C. Minimum Density: The minimum density for a freestanding multifamily residential use is 30 units per net acre. Net acreage shall be determined by completing the steps set forth in Subsections 1012.08(A) and (B). There is no minimum density for residential uses in a building with another primary use or with a limited use under Subsection 1701.05(B).
- D. Minimum Floor Area Ratio (FAR): The minimum FAR for primary office uses on lots of two and one-half acres or less in size is 0.5. The minimum FAR for primary office uses on lots greater than two and one-half acres in size is 1.0 for the entire lot area. However, with an approved master plan, the site can be developed in phases provided that the minimum FAR of the first phase is 0.5. FAR shall be calculated as follows:
 1. Calculate the building floor area by determining the square footage of all buildings in the proposed development, including:
 - a. Gross floor area of all commercial structures (except parking structures), including storage and mechanical equipment; and

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- b. Square footage of commercial uses in a parking structure; and
 - c. Square footage of the footprint of a multifamily residential structure.
2. Calculate the net site area by subtracting from the gross site area the following:
- a. Right-of-way dedications;
 - b. Off-road (except sidewalks) trails, bikeways, or multi-purpose trails;
 - c. Stormwater detention facilities;
 - d. Design elements (plazas, greenways, transit stations, etc.);
 - e. Parks;
 - f. Civic spaces;
 - g. Stream buffers;
 - h. Wetlands; and
 - i. 100-year floodplain (undeveloped portion)
3. Divide the building floor area by the net site area. The result is expressed as a percent. For example, if the building floor area is 20,000 square feet and the net site area is 40,000 square feet, the FAR is 0.5.
- E. Minimum Front Yard Setback: five feet, except from Main Streets identified on Comprehensive Plan Map X-CRC-3, where there is no minimum front yard setback.
- F. Maximum Front Yard Setback:
- 1. 20 feet from all streets, as defined in Section 1700, except from Main Streets identified on Comprehensive Plan Map X-CRC-3. However, the 20-foot maximum setback may be exceeded to accommodate plazas designated on Comprehensive Plan Map X-CRC-3, and freestanding parking structures are exempt.
 - 2. 10 feet from Main Streets identified on Comprehensive Plan Map X-CRC-3, except the 10-foot maximum setback may be exceeded to accommodate plazas identified on Comprehensive Plan Map X-CRC-3.
- G. Minimum Rear Yard Setback: None, except when the rear lot line abuts a residential or Open Space Management (OSM) zoning district, in which case

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the minimum shall be 35 feet plus 10 feet for each 10-foot increment in building height over 35 feet.

- H. Minimum Side Yard Setback: None, except when a side lot line abuts a residential or OSM zoning district, in which case the minimum shall be 15 feet.
- I. Minimum Landscaping Area: 10 percent of the lot.

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

1701. 10 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. Open space and parks; and
 - 11. The urban design elements shown on Comprehensive Plan Map X-CRC-3, *Clackamas Regional Center Area Design Plan, Urban Design Elements*.

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- 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]

1703 PLANNED MIXED USE DISTRICT (PMU)

[The title of Section 1703 changed by Ord. ZDO-224, 5/31/11]

1703.01 PURPOSE

Section 1703 is adopted to implement the policies of the Comprehensive Plan for Planned Mixed Use areas.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-230, 9/26/11]

1703.02 AREA OF APPLICATION

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

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-230, 9/26/11]

1703.03 SPECIFIC REQUIREMENTS FOR PMU SITES

[Amended by Ord. ZDO-224, 5/31/11; Repealed by Ord. ZDO-230, 9/26/11]

1703.03 PRIMARY USES

Allowed and required primary uses for each Planned Mixed Use (PMU) site are listed in Table 1703-1. The following are primary uses in the PMU District:

- A. Office uses, including:
1. Business and professional offices, including legal, financial, architectural, engineering, governmental, manufacturing representatives, property management, and corporate and administrative offices;
 2. Medical and dental services, clinics, counseling services, and associated pharmacies;
 3. Graphic arts, printing, blueprinting, photo processing or reproduction labs, publishing and bookbinding services;
 4. Research and development uses that have physical and operational requirements that are similar to other office uses allowed in the PMU District;
 5. Banks, credit unions, and savings and loan, brokerage, and other financial institutions when located in buildings of at least two stories. Drive-thru window services are allowed subject to Sections 827 and 1700;

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6. Business services such as duplicating, photocopying, mailing and stenographic services, fax and computer facilities;
7. Employment agencies, business management services, notary public, office and communications equipment and service, and real estate offices;
8. Colleges, educational institutes, and trade schools; art, music, or dance studios; radio and television studios, excluding transmission towers;
9. Galleries and museums; small-scale (seating capacity up to 500) assembly or convention facilities, and theaters for performing arts; exhibition halls, libraries, senior centers, and fraternal organizations; and

~~10. Any use that the Planning Director finds to be similar to one or more of those specified above and consistent with the Comprehensive Plan and the purposes of Section 1703. A request for a determination under Subsection 1703.03(A)(10) shall be processed as an Interpretation pursuant to Subsection 1305.03.~~

B. Retail uses, including:

1. Any retail use listed in Section 1702, except those requiring outside storage or display.

~~2. Any use that the Planning Director finds to be similar to one or more of those specified above and consistent with the Comprehensive Plan and the purposes of Section 1703. A request for a determination under this Subsection 1703.03(B)(2) shall be processed as an Interpretation pursuant to Subsection 1305.03.~~

C. Residential uses, including:

1. Multifamily dwellings;
2. Condominiums, subject to Section 803;
3. Congregate housing facilities; and
4. Nursing homes, subject to Section 810;

D. Open space uses, including:

1. Open space uses as defined in Subsection 702.03;
2. Public and private plazas;
3. Greenways as shown on Comprehensive Plan Map X-CRC-3, *Clackamas Regional Center Area Design Plan, Urban Design Elements*; and

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4. Natural areas, including tree stands, wetlands, waterways, and riparian habitat;
- E. Hospitality and entertainment uses, including:
 1. Hotels, including associated convention facilities, gift shops, restaurants, and newsstands located within the same building as the hotel;
 2. Civic facilities, including: small to mid-size convention and exposition facilities, theaters, auditoriums, libraries, business and fraternal organization facilities, visitor centers;
 3. Health and exercise facilities and clubs;
 4. Ice rinks; and
 5. Movie theaters; ~~and~~
 6. ~~Any use that the Planning Director finds to be similar to one or more of those specified in Subsections 1703.03(E)(5) and consistent with the Comprehensive Plan and the purposes of Section 1703. A request for a determination under Subsection 1703.03(E)(6) shall be processed as an Interpretation pursuant to Subsection 1305.03.~~
- F. Freestanding transit facilities, including transit stations or stops, transfer areas, and park-and-ride facilities; and
- G. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835.

[Amended by Ord. ZDO-224, 5/31/11; Renumbered and amended by Ord. ZDO-230, 9/26/11]

1703.04 ACCESSORY USES

The following are accessory uses in the Planned Mixed Use District:

- A. Bike racks, pedestrian amenities, and transit amenities;
- B. Temporary signs identifying the developer, contractor, or real estate agency responsible for leasing or selling land or buildings within the site area, which signs shall be removed upon sale or lease of the premises advertised;
- C. Parking structures;
- D. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;
- E. Utility carrier cabinets, subject to the Section 830;

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- F. Signs, subject to Section 1010;
- G. Solar energy systems;
- H. Cogeneration facilities;
- I. Radio and television earth stations and dishes;
- J. Daycare facilities for employees or residents of a primary use;
- K. Cafeterias, delicatessens, and other such facilities provided for employees of a primary use;
- L. 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;
- M. Accessory uses listed in Subsection 1706.04, provided they are accessory to a residential use listed in Subsection 1703.03(C);
- N. Helistops;
- O. Private recreational facilities for employees or residents of a primary use;
- P. Electric vehicle charging stations; and
- Q. Rainwater collection systems; ~~and~~
- ~~R. Any use or structure that the Planning Director finds to be customarily accessory and incidental to a primary use. A request for a determination under Subsection 1703.04(R) shall be processed as an Interpretation pursuant to Subsection 1305.03.~~

[Amended by Ord. ZDO-224, 5/31/11; Renumbered and amended by Ord. ZDO-230, 9/26/11]

1703.05 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.

[Renumbered by Ord. ZDO-230, 9/26/11]

1703.06 PROHIBITED USES

The following uses are prohibited in the Planned Mix Use District:

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- A. Uses of structures and land not specifically permitted;
- B. Sales lots and repair services for automobiles, trucks, boats, motorcycles, recreational vehicles, residential trailers, manufactured dwellings, farm or construction equipment and other heavy machinery;
- C. Lumber yards, fuel yards, mini-storage, moving equipment rental, and service stations;
- D. Permanent outdoor storage of materials or products, outdoor sales except temporary sidewalk sales and sidewalk cafes and food vendors;
- E. Drive-thru window service on Main Streets identified on Comprehensive Plan Map X-CRC-3, *Clackamas Regional Center Area Design Plan, Urban Design Elements*; and
- F. Industrial uses.

[Amended by Ord. ZDO-224, 5/31/11; Renumbered and amended by Ord. ZDO-230, 9/26/11]

1703.07 DIMENSIONAL STANDARDS

The following dimensional standards shall apply to development in the Planned Mixed Use (PMU) District:

- A. Purpose: The dimensional standards are intended to:
 - 1. Ensure coordinated master planning and development, and the most efficient use of PMU sites;
 - 2. Encourage the consolidation of larger sites and greater compatibility between new developments and existing uses in an area;
 - 3. Ensure that the minimum operational requirements of the development are provided onsite; and
 - 4. Provide for adequate structure separation to ensure adequate light and air access, fire safety, and protection for all developments and structures within the PMU District and adjoining districts.
- B. Minimum Site Size: Site size requirements for each PMU site are listed in Table 1703-1.
- C. Maximum Front Yard Setback:
 - 1. 20 feet from all streets, including private streets as defined in Subsection 1700.03(I)(1), except from Main Streets identified on Comprehensive Plan Map X-CRC-3, *Clackamas Regional Center Area Design Plan, Urban*

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Design Elements. However, the 20-foot maximum setback may be exceeded to accommodate plazas identified on Comprehensive Plan Map X-CRC-3, and freestanding parking structures are exempt.

2. 10 feet from Main Streets identified on Comprehensive Plan Map X-CRC-3, except the 10-foot maximum setback may be exceeded to accommodate plazas identified on Comprehensive Plan Map X-CRC-3.
 3. There shall be no on-site vehicular parking or circulation within the front yard setback.
- D. Minimum Rear Yard Setback: None, except when the rear lot line abuts a residential or Open Space Management (OSM) District, in which case the minimum shall be 15 feet.
- E. Minimum Side Yard Setback: None, except when the side lot line abuts a residential or OSM zoning district, in which case the minimum shall be 15 feet.
- F. In lieu of complying with Subsections 1703.07(C) through (E), an applicant for approval on a site of 25 acres or larger may submit for approval alternate setback requirements which will be reviewed as part of the application. The alternative standards, or any part thereof, shall be approved if they are found to be equally effective as Subsections 1703.07(C) through (E) in establishing a visual image, sense of place, and quality pedestrian environment for the area, and if they comply with the specific purpose statements for the applicable site listed in Table 1703-1.
- G. Minimum Landscaping Area: 10 percent of the lot.

[Amended by Ord. ZDO-224, 5/31/11; Renumbered and amended by Ord. ZDO-230, 9/26/11]

1703.08 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. Each Planned Mixed Use site shall comply with the specific requirements for that site identified in Table 1703-1.

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- D. Access and Circulation: Onsite circulation shall meet the minimum requirements shown on Comprehensive Plan Map X-CRC-3, *Clackamas Regional Center Area Design Plan, Urban Design Elements*, and in addition:
1. An internal circulation system shall include a network of public, private, and internal streets subject to Subsection 1700.03(I). Private streets shall function like local streets, with curbs, sidewalks, or raised walking surfaces on both sides, street trees, pedestrian scale lighting, and connections to state, county, or public streets. This internal street network shall create developable sites defined by streets.

In addition, the internal circulation system may include a range of secondary facilities, including service roads, driveways, drive aisles, and other similar facilities. The overall intent is to provide a pattern of access and circulation that provides a clear and logical network of primary streets that have pedestrian orientation and amenities. A secondary network of pedestrian ways and vehicular circulation will supplement this system.
 2. Internal driveways shall not be located between buildings and the streets to which building entrances are oriented.
- E. Building Siting and Design:
1. New buildings shall have at least one public entrance oriented to a state, county, public, or private street.

Buildings shall have first floor windows with views of internal activity or display cases, and the major entrance on the building façade facing the street the building is oriented to. Entrances and windows on the street-side facade shall not be blocked, or entrances locked during operation hours. Additional major entrances may also be allowed facing minor streets and parking areas.
 2. Buildings on street corners shall have corner entrances or other architectural features to enhance the pedestrian environment at the intersection.
 3. First floor windows or display cases are required on building facades facing and adjacent to public and private streets, plazas, walkways, and pedestrian areas. Windows and doorways shall not be blocked or entrances locked during operation hours.
 4. Parking structures located within 20 feet of pedestrian facilities including public or private streets, pedestrian ways, greenways, a transit station or shelter, or plaza, shall provide a quality pedestrian environment on the façade facing the pedestrian facility. Techniques to use include, but are not limited to:

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- a. Provide retail, office or similar uses on the ground floor of the parking structure with windows and activity facing the pedestrian facility; or,
 - b. Provide architectural features that enhance the first floor of the parking structure adjacent to the pedestrian facility, such as building articulation, awnings, canopies, building ornamentation, and art; or,
 - c. Provide pedestrian amenities in the transition area between the parking structure and the pedestrian facility, including landscaping, trellises, trees, seating areas, kiosks, water features with a sitting area, plazas, outdoor eating areas, and drinking fountains.
 - d. The above listed techniques and features, and others of similar nature, must be used so that blank walls are not created.
- F. Buffering: When existing residential uses are located adjacent to a PMU site, such uses shall be buffered from the PMU site with landscaped buffers or by the location of streets, parks, plazas, greenways, or low density residential uses in the PMU District.
- G. Public Facilities: The County may require the provision of, or participation in, the development of public facility improvements to implement the Clackamas Regional Center Area Plan. Such improvements include, but are not limited to, the following:
- 1. Road dedications and improvements;
 - 2. Traffic Signals;
 - 3. Transit facilities;
 - 4. Sidewalks, crosswalks, bump-outs and other pedestrian improvements;
 - 5. Storm drainage facilities;
 - 6. Sewer and water service lines and improvements;
 - 7. Underground utilities;
 - 8. Street lights;
 - 9. Street trees, landscaping; and
 - 10. Open space, greenways, plazas, and parks.
- H. Maintenance Mechanisms: The County may require the formation of a maintenance agreement or other suitable mechanism to assure that the following maintenance responsibilities are adequately addressed:

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1. To improve, operate, and maintain common facilities, including open space, landscaping, parking and service areas, streets, recreation areas, signing, and lighting; and
 2. To maintain landscaping, street furniture, storm drainage, and similar streetscape improvements developed in the public right-of-way.
- I. 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; Renumbered and amended by Ord. ZDO-230, 9/26/11]

1703.09 PROCEDURE FOR REVIEW

All developments in the Planned Mixed Use (PMU) District are subject to the procedures listed below:

- A. PMU Permit: Development in this district requires approval of a PMU permit, which consists of two distinct elements—a master plan and design review.
1. A master plan is subject to Hearings Officer review pursuant to Section 1300.
 2. Design review is subject to Section 1102; however, at the applicant's discretion, the design review application may be reviewed by the Hearings Officer along with the master plan.
- B. Preapplication Conference: A preapplication conference is required, pursuant to Subsection 1301.04, prior to the filing of a master plan or design review application.
- C. Submittal Requirements: An application for a PMU permit shall include:
1. Master Plan: A master plan is required for the entire property for which the PMU permit is requested and shall address the standards and requirements of Sections 1000, 1700, and 1703. The master plan shall include:
 - a. General location of all proposed uses and improvements;
 - b. Estimated square feet or number of units of required uses, and density (floor area ratio or units per acre);
 - c. General location of buildings, density (floor area ratio or units per acre), number of stories;

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- d. Proposed area phasing of the development. Each phase must demonstrate compliance with the requirements of this zoning district;
 - e. A traffic impact study;
 - f. Proposed transportation improvements consistent with the Clackamas Regional Center Area Design Plan, including:
 - i. Internal circulation, including auto, transit, pedestrian, and freight service;
 - ii. Transportation connections to the external street system, including off-site circulation, site access, and traffic impacts of development on the overall street system based on the traffic impact study;
 - iii. Private streets, as defined in Subsection 1700.03(I)(1), to be used to meet building orientation requirements; and
 - iv. Phasing of streets in coordination with phased development;
 - g. Parking ratios for surface parking, total number of parking spaces, type; if structured, location and feasibility (dimensions);
 - h. Open space and significant natural features to be protected, including designated greenways, wetlands, creeks and streams, riparian habitat, and wooded areas;
 - i. Existing or proposed parks;
 - j. Urban Design Elements shown on Comprehensive Plan Map X-CRC-3, *Clackamas Regional Center Area Design Plan, Urban Design Elements*;
 - k. Public facilities and private utilities, including storm detention facilities and water treatment facilities, and general locations; and
 - l. A development narrative that demonstrates compliance with the requirements of the PMU District and with the traffic impact study.
2. Design Review: A detailed site plan is required for each phase of development. The detailed site plan shall meet the requirements under Subsections 1102.05(A)(7) through (12). In addition to the requirements in these subsections, the site plan shall include:
- a. The specific location (footprints) of buildings, orientation, setbacks; and pedestrian amenities provided with buildings;

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- b. Specific square feet or number of units for each use, floor area ratios or site coverage, as required in Table 1703-1;
 - c. Transportation improvements necessary to meet the conditions of the approved master plan;
 - d. Parking areas, parking ratios, number of spaces, dimensions, and circulation for structure parking;
 - e. Location of public amenities, including the urban design elements required on Comprehensive Plan Map X-CRC-3;
 - f. Specific internal traffic circulation improvements for all modes of transportation to accommodate projected traffic needs based on the traffic impact study;
 - g. Public facilities and private utilities needs and location; and
 - h. A development narrative that demonstrates compliance with the requirements of the PMU District and with the traffic impact study.
- D. Master Plan Approval Period: Approval of a master plan is valid for 10 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 ten-year period, the approval shall be implemented, or the approval will become void. "Implemented" means all necessary County development permits shall be obtained and maintained for the development contemplated by the approved master plan.
- E. Master Plan Approval Period Time Extension: If the approval of a master plan is not implemented within the initial approval period established by Subsection 1703.09(D), a five-year time extension may be approved by the Planning Director, pursuant to Subsection 1305.02, and subject to Subsection 1305.05.

[Renumbered and amended by Ord. ZDO-230, 9/26/11]

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TABLE 1703-1
SPECIFIC REQUIREMENTS FOR PLANNED MIXED USE (PMU) SITES

PMU Site	Purpose	Master Plan Requirements	Uses Allowed but Not Required	Other Requirements
Clackamas Town Center (PMU site 1)	<ul style="list-style-type: none"> • Achieve the highest employment densities in the Clackamas Regional Center area • Provide for development of structured parking • Create a mix of uses, while expanding the site's role as a major retail center • Complement the planned LRT facilities • Create a district accessible by all modes of transportation • Assure that the district is pedestrian accessible and a quality pedestrian environment is created • Protect key natural features • Provide necessary infrastructure for development • Provide for housing opportunities 	<ul style="list-style-type: none"> • Conceptual master plan for the entire site, detailed site plan for any area to be developed • Master plan for a minimum of 525,000 sf of office • Master plan for at least 200 housing units, demonstrate the ability to build a minimum of 600 units • Master plan for a minimum of 500,000 sf of retail, theater, entertainment, hotel or the equivalent • Public plaza of 0.5 to 1.0 acrea—may be adjacent to transit facilities • Transit facilities • Entertainment/recreational facility • Preserve Phillips Creek and enhance Phillips Creek Greenway • Accommodate and provide proportionate share of streetscape improvements on Monterey, 82nd, Sunnyside and the internal circulation network • Coordinate internal circulation network with the street and transit system 	<ul style="list-style-type: none"> • Expand the mall with retail or other uses • Office: freestanding or mixed use • Housing: freestanding or mixed use • Retail in built in a mixed use facility, or accessory to structure parking • Hotels • Parking structures and surface parking lots • Freestanding retail if integrated either structurally or through the use of a quality pedestrian environment with the mall 	
Clackamas Corner (PMU site 2)	<ul style="list-style-type: none"> • Create a mixed use area with high employment and housing densities, structured parking, and high amenities in urban design • Complement the light rail transit facilities planned adjacent to the site • Create a district accessible by all modes of 	<ul style="list-style-type: none"> • Conceptual master plan for the entire site, detailed site plan for entire site. Minimum site size: two acres • 50% of the site area must be developed in housing or office • Comply with Urban Design Elements map 	<ul style="list-style-type: none"> • 50% of the site area may be developed in freestanding or mixed use retail (RCC retail uses) 	<ul style="list-style-type: none"> • Retail FAR same as RCC • Office FAR same as RCO • Residential densities same as RCHD

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	<p>transportation</p> <ul style="list-style-type: none"> • Create a walkable district • Provide for essential public facilities and services 			
Toys R Us ODOT (PMU site 3)	<ul style="list-style-type: none"> • Create a mixed use area with high employment and housing densities, structured parking and high amenities in urban design • Complement the light rail transit facilities planned adjacent to the site • Create a district accessible by all modes of transportation • Create a walkable district • Provide for essential public facilities and services 	<ul style="list-style-type: none"> • Conceptual master plan for the entire site, detailed site plan for any area to be developed. Minimum site size: three acres • 50% of the site area must be developed in housing or office • Comply with Urban Design Elements map 	<ul style="list-style-type: none"> • 50% of the site area may be developed in freestanding or mixed use retail 	<ul style="list-style-type: none"> • Retail FAR same as RCC • Office FAR same as RCO • Residential densities same as RCHD
Southwest side of 82 nd Avenue (PMU site 4)	<ul style="list-style-type: none"> • Create a mixed use area with high employment and housing densities, structured parking, and high amenities in urban design • Complement the Light Rail Transit facilities planned adjacent to the site • Create a district accessible by all modes of transportation • Assure that the district is pedestrian accessible and a quality pedestrian environment is created • Provide for essential public facilities and services 	<ul style="list-style-type: none"> • Conceptual master plan for the entire site, detailed site plan for any area to be developed. Minimum site size: one-half acre • 50% of the site area must be developed in housing or office • Comply with Urban Design Elements map 	<ul style="list-style-type: none"> • 50% of the site area may be developed in freestanding or mixed use retail (RCC retail uses). 	<ul style="list-style-type: none"> • Retail FAR same as RCC • Office FAR same as RCO • Residential densities same as RCHD
Southgate (PMU site)	<ul style="list-style-type: none"> • Create a mixed use area with high 	<ul style="list-style-type: none"> • Conceptual master plan for entire site 	<ul style="list-style-type: none"> • 50% of the site area may be developed in 	<ul style="list-style-type: none"> • Retail FAR same as RCC

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5)	<p>employment and housing densities, structured parking and high amenities in urban design</p> <ul style="list-style-type: none"> • Complement the LRT facilities planned adjacent to the site • Create a district accessible by all modes of transportation • Create a walkable district • Provide for essential public facilities and services 	<ul style="list-style-type: none"> • Detailed site plan for any area to be developed. Minimum site size: 10 acres • 50% of the site area must be developed in housing or office. If a mixed use building, must be the equivalent of 50% of the site • Develop local streets, parks and plaza as per Urban Design Elements map of the site 	<p>freestanding or mixed use retail (RCC retail uses)</p>	<ul style="list-style-type: none"> • Office FAR same as ROC • Residential densities same as RCHD
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[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-230, 9/26/11]

1707 STATION COMMUNITY MIXED USE DISTRICT (SCMU)

1707.01 PURPOSE

Section 1707 is adopted to implement the policies of the Comprehensive Plan for Station Community Mixed Use areas.

[Added by Ord. ZDO-226, 3/7/11]

1707.02 AREA OF APPLICATION

Property may be zoned Station Community Mixed Use District when the site has a Comprehensive Plan designation of Station Community Mixed Use and the criteria in Section 1202 are satisfied.

[Added by Ord. ZDO-226, 3/7/11; Amended by Ord. ZDO-224, 5/31/11]

1707.03 PRIMARY USES

Except where prohibited by Subsection 1707.05, the following shall be allowed as primary uses:

- A. Residential Uses: Attached single-family dwellings; three-family dwellings; multifamily dwellings; congregate housing facilities; and nursing homes, subject to Section 810;
- B. Office Uses: These uses are characterized by activities conducted in an office setting and focused on business, government, professional, health, or financial services. Examples include photocopy and mailing services; employment agencies; legal, financial, architectural, and engineering services; banks and credit unions; medical, dental, acupuncture, physical therapy, or similar clinics; and counseling services;
- C. Retail and Personal Service Uses with less than 40,000 square feet of gross leasable ground floor area per building or business: These uses involve the sale, lease or rent of new or used products to the public. They also may provide personal services, hospitality, or product repair or services for consumer and business goods. Examples include retail stores for clothing, furniture, groceries, books, home improvement and home decorating goods, and office or home business supplies; pharmacies; restaurants, cafes, and retail bakeries; and services such as travel agents, barber and beauty salons, and dry cleaners;
- D. Institutional/Civic/Cultural Uses: These uses involve activities of a public, nonprofit, or charitable nature. (For-profit ventures similar to those covered under Subsection 1707.03(D) are not necessarily prohibited in the Station

Community Mixed Use District, but would have to be consistent with Subsection 1707.03(C).) They provide the service on the site or have employees at the site on a regular basis. The service is ongoing, not just for special events. Examples of permitted Institutional/Civic/Cultural uses include daycare, preschools, and nursery schools; adult daycare; public and private schools and colleges; senior centers; community centers; religious institutions; libraries; postal services; transit facilities and park-and-ride facilities; fire stations, police stations and other structures providing necessary municipal services. Schools are not subject to Section 805, and churches are not subject to Section 804;

- E. Manufacturing uses with less than 10,000 square feet of gross leasable area per building if part of a mixed use development and if the total amount of manufacturing use represents less than 25 percent of the mixed use development: These uses involve the manufacturing, processing, fabrication, packaging, or assembling of goods; natural, man-made, raw, secondary, or partially completed materials may be used. Products are made for the wholesale market, transfer to other plants, or to order for firms or consumers. Examples include ceramics, pottery, stained glass, leatherwork, jewelry, and similar crafts manufacturing; upholstery shops; carpentry, and other woodcraft manufacturing; research offices and laboratories, including testing facilities;
- F. Parks and Open Space Uses: These uses include natural areas with mostly vegetative landscaping or outdoor recreation features or facilities, community gardens, or public squares. These elements are used for public recreation or for preservation or enhancement of areas with scenic or ecological significance; and
- G. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835.04; and
- ~~H. Any use that the Planning Director finds to be similar to one or more of those listed in Subsections 1707.03(A) through (H). A request for a determination under Subsection 1707.03(H) shall be processed as an Interpretation pursuant to Subsection 1305.03.~~

[Added by Ord. ZDO-226, 3/7/11]

1707.04 ACCESSORY USES

The following shall be allowed as accessory uses:

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

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- B. Indoor and outdoor recreational facilities, such as swimming pools, saunas, game and craft rooms, exercise rooms, community meeting rooms, lounges, playgrounds, tennis and other courts, bike and walking trails, and pedestrian plazas and courts;
- C. Repair and maintenance services;
- D. Home occupations, subject to Section 822;
- E. Family daycare providers;
- F. Self-service laundry facilities;
- G. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;
- H. 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;
- I. Bus shelters, subject to Section 823;
- J. Park-and-ride lots;
- K. Bike racks, street furniture, plazas, drinking fountains, and other pedestrian and transit amenities;
- L. Utility carrier cabinets, subject to Section 830;
- M. Satellite dishes;
- N. Solar energy systems;
- O. Rainwater collection systems;
- P. Electric vehicle charging stations; and
- Q. Parking structures.

[Added by Ord. ZDO-226, 3/7/11; Amended by Ord. ZDO-224, 5/31/11]

1707.05 PROHIBITED USES

The following uses shall be prohibited:

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- A. Uses of structures and land that are not within one of the primary use categories in Subsection 1707.03 or identified as an accessory use in Subsection 1707.04; and
- B. The following uses, even if part of a primary use category in Subsection 1707.03:
 - 1. Detached single-family dwellings;
 - 2. Two-family dwellings;
 - 3. The use of a residential trailer or manufactured dwelling, unless authorized pursuant to Section 1204;
 - 4. Businesses involving storage, display, or sale of explosive or incendiary devices;
 - 5. Drive-thru window service or drive-up facilities;
 - 6. Outdoor displays, processes, or storage, except for the storage of solid waste and recyclables either as required by Section 1021 or as an accessory use to an attached single-family dwelling;
 - 7. Service stations or fuel yards;
 - 8. Industrial service firms engaged in repair or service of industrial or business machinery, equipment, products, or by-products;
 - 9. Truck stops, including hotels, restaurants, and other services that are part of a truck stop;
 - 10. Mini-storage facilities;
 - 11. Moving equipment rental;
 - 12. Storage, sales, repair, and service of equipment, machinery, and materials associated with farm and forest uses, logging, road maintenance, mineral extraction, construction, or similar activities, and for automobiles, trucks, boats, motorcycles, recreational vehicles, residential trailers, and manufactured dwellings;
 - 13. Commercial parking facilities which are not accessory to a primary use. A facility that provides both accessory parking for a primary use and regular fee parking for people not connected to the use is also classified as a commercial parking facility. Examples include short- and long-term fee

parking facilities, commercial shuttle parking, and mixed parking lots (partly for a specific use, partly for rent to others);

14. Sheet metal and machine shops;
15. Warehouse, freight movement, and distribution firms involving the storage or movement of goods for themselves or other firms;
16. Waste-related uses characterized by receiving solid or liquid wastes from others for disposal on the site or for transfer to another location, collection of sanitary wastes, manufacture or production of goods or energy from the biological decomposition of organic material (composting), or receiving hazardous wastes from others subject to regulations of Oregon Administrative Rules 340.100 through 340.110, *Hazardous Waste Management*. Recyclable drop off sites are included in this category; and
17. Power production facilities, including electrical power cogeneration, or production of renewable fuel resources such as alcohol, methanol, and biomass for retail or wholesale distribution.

[Added by Ord. ZDO-226, 3/7/11; Amended by Ord. ZDO-224, 5/31/11]

1707.06 NONCONFORMING DWELLINGS AND CONVERSION OF DWELLINGS

- A. Dwellings classified as nonconforming uses shall be allowed to remodel or expand without review under Section 1206.
- B. A lawfully established dwelling may be converted to any use permitted in the Station Community Mixed Use District, subject to all requirements of this Ordinance for new development.
- C. All other lawfully established structures and uses not specifically permitted in Section 1707 shall be nonconforming uses subject to Section 1206.

[Added by Ord. ZDO-226, 3/7/11; Amended by Ord. ZDO-224, 5/31/11]

1707.07 DIMENSIONAL STANDARDS

The following dimensional standards shall apply:

- A. Minimum Lot Size: New lots of record shall be a minimum of one-half acre, except that the minimum shall be 2,000 square feet for a lot developed with an attached single-family dwelling.
- B. Minimum Street Frontage: 100 feet for a new lot of record, except that the minimum for a lot developed with an attached single-family dwelling shall be

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20 feet. A new lot of record with frontage on more than one street shall meet the minimum on each street.

- C. Minimum Driveway Spacing: Driveways shall be spaced no closer to one another than 35 feet, measured from the outer edge of the curb cut, unless compliance with this standard would preclude adequate access to the subject property as a result of existing off-site development or compliance with the *Clackamas County Roadway Standards*.
- D. Minimum Density: The minimum density for residential development shall be 20 dwelling units per net acre. Net acreage shall be determined by completing the steps set forth in Subsections 1012.08(A) and (B). However, there is no minimum density standard applicable to mixed-use development.

[Added by Ord. ZDO-226, 3/7/11; Amended by Ord. ZDO-224, 5/31/11]

1707.08 DEVELOPMENT STANDARDS

- A. General: Development shall be subject to the applicable provisions of Sections 1000, 1100, and 1700.
- B. Clackamas Regional Center Area: Development within the boundary of the Clackamas Regional Center Area shown on Comprehensive Plan Map X-CRC-1, *Regional Center, Corridors, and Station Community*, shall be subject to Section 1700.
- C. 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.
- D. Landscaping: In developments of three-family or multifamily dwellings, including mixed-use developments that include these uses, outdoor recreational areas shall be provided pursuant to Subsection 1009.06.
 - 1. The requirement shall apply only to the first 20 dwelling units per acre, or prorated equivalent thereof.
 - 2. The amount of required outdoor recreational area may be reduced, to the minimum extent necessary, if—when combined with the minimum landscaping requirements of Subsections 1009.04, 1009.05, and 1700.05(L)—full compliance would result in landscaping more than 15 percent of the lot.
- E. Motor Vehicle Parking shall comply with Section 1015 and the following:

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1. The total amount of parking provided for non-residential development (either onsite or offsite) shall not exceed the parking cap pursuant to Subsections 1707.08(E)(1)(a) and (b), regardless of the size of the proposed development or the number of pre-existing parking spaces.
 - a. The parking cap for a development site shall be based on the gross site size.
 - b. The parking cap shall be determined as follows:

Total gross acres of the development site x 67 parking spaces = Parking Cap

2. On-street parking may be counted toward compliance with the minimum number of parking spaces required pursuant to Subsection 1015.04 or Subsection 1707.08(E), subject to the following standards:
 - a. The following constitutes one on-street parking space:
 - i. Parallel parking, each 22 feet of uninterrupted curb;
 - ii. Diagonal parking (45/60 degree), each 12 feet of uninterrupted curb; or
 - iii. Perpendicular (90 degree) parking, each 12 feet of uninterrupted curb.
 - b. On-street parking spaces counted toward meeting the parking requirements of a specific use may not be used exclusively by that use, but shall be available for general public use at all times. Signs or other actions that limit general public use of on-street spaces are prohibited.

F. Public Facilities: The County shall require the provision of, or participation in, the development of public facility improvements to implement the Clackamas Regional Center Area Plan. Such improvements include, but are not limited to, the following:

1. Road dedications and improvements;
2. Traffic signals;
3. Transit facilities;
4. Sidewalks, crosswalks, bump-outs, and other pedestrian improvements;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

5. Storm drainage facilities;
 6. Sewer and water service lines and improvements;
 7. Underground utilities;
 8. Street lights;
 9. Street trees and other landscaping; and
 10. Open space, greenways, plazas, and parks.
- G. Hazardous Materials: 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.
- H. Maintenance Mechanisms: The County may require the formation of a maintenance agreement or other suitable mechanism, to be recorded in the deed of the subject property, to ensure that the following maintenance responsibilities 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; and
 2. To maintain landscaping, street furniture, storm drainage, and similar streetscape improvements developed in the public right of way.
- I. Signs: The standards in Section 1010 that apply generally in all zoning districts are applicable in the Station Community Mixed Use Zone. In addition:
1. Attached single-family dwellings and three family dwellings are subject to Subsection 1010.06(A).
 2. Developments of multifamily dwellings are subject to Subsection 1010.06(C).
 3. All other developments, including mixed-use developments, are subject to Subsection 1010.09, except:
 - a. Pole signs, electronic message center signs, and other changeable copy signs are prohibited.
 - b. Monument signs shall not exceed a height of six feet or an area of 60 square feet, regardless of the number of tenants.

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- c. Building signs may be projecting signs, and projecting signs are subject to the following standards:
 - i. A maximum of one projecting sign per entrance per tenant is permitted.
 - ii. A projecting sign shall project no more than four feet from the building or one-third the width of an abutting sidewalk or walkway, whichever is less. However, if there is no wall sign on the same building façade, the sign shall project no more than six feet from the building.
 - iii. A projecting sign shall not exceed 12 square feet per side, excluding the support brackets. However, if there is no wall sign on the same building façade, the sign shall not exceed 24 square feet per side, excluding the support brackets.

[Added by Ord. ZDO-226, 3/7/11; Amended by Ord. ZDO-224, 5/31/11]



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LAND CONSERVATION
AND DEVELOPMENT

OFFICE OF COUNTY COUNSEL

PUBLIC SERVICES BUILDING

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CERTIFICATE OF MAILING

I hereby certify that the enclosed Ordinance No. ZDO-235 was deposited in the mail on May 7, 2012

Signed: _____

Cheryl J. Cornelison, Administrative Assistant
Clackamas County Counsel's Office
(503) 655-8619



CLATSOP COUNTY

PUBLIC SERVICES BUILDING
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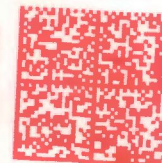
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Dept. of Land Conservation & Development
635 Capitol Street NE, Ste. 150
Salem, OR 97301-2540

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