



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

01/31/2012

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 004-11

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: Monday, February 13, 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: Linda Preisz, Clackamas County
Jon Jinings, DLCD Community Services Specialist
Jennifer Donnelly, DLCD Regional Representative

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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

DEPT OF

JAN 24 2012

LAND CONSERVATION AND DEVELOPMENT

For Office Use Only

Jurisdiction: **Clackamas County**

Local file number: **ZDO-231**

Date of Adoption: **1/19/2012**

Date Mailed: **1/23/2012**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 9/29/2011

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".

Allows on-street parking in certain areas of the RTC zone in Government Camp to count toward the minimum parking requirement for development. Adopts development standards and review processes for various types of mobile vending unit developments.

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

Includes conforming amendments to numerous sections of the ordinance. Expands levels of mobile vending unit developments from three to four. Revises the development standards and review processes applicable to each level. Adds sign standards for mobile vending units.

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. 004-11 (18990) [16913]

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-231

An Ordinance amending Sections

202, 306, 501, 502, 503, 504, 505, 507, 508, 509, 601, 602, 603, 604, 606, 1001, 1010, 1015, 1607, 1701, 1702, 1703, 1704 and 1707 and adopting a new Section 837 of the Clackamas County Zoning and Development Ordinance

WHEREAS, in April 2011, the Board of County Commissioners directed the Planning and Zoning Division staff to pursue public outreach on the issue of developing new Zoning and Development Ordinance standards to regulate mobile vending units; and

WHEREAS, following public outreach, Planning and Zoning Division staff prepared draft language for consideration of amendments to the Zoning and Development Ordinance to address mobile vending units, and presented it to the Board of County Commissioners at a study session in October 2011; and

WHEREAS, during the October 2011 study session, the Board of County Commissioners directed Planning and Zoning Division staff to proceed with public hearings and to continue outreach efforts; and

WHEREAS, amendments to the Zoning and Development Ordinance are necessary to clarify the applicability of development review processes and standards to mobile vending units and to provide for a streamlined approach to the permitting of small-scale mobile vending unit developments; and

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

WHEREAS, after a duly-noticed public hearing, the Clackamas County Planning Commission recommended approval of ZDO-231 on November 14, 2011; and

WHEREAS, the Board of County Commissioners held a public hearing on December 14, 2011, during which the BCC voted to make several revisions to the Planning Commission recommended draft amendments; now therefore;

The Board of Commissioners of Clackamas County ordains as follows:


Section 1: Sections 202, 306, 501, 502, 503, 504, 505, 507, 508, 509, 601, 602, 603, 604, 606, 1001, 1010, 1015, 1607, 1701, 1702, 1703, 1704 and 1707 of the Clackamas County Zoning and Development Ordinance are hereby

amended and a new Section 837 is added to the Clackamas County Zoning and Development Ordinance as shown in Exhibit A hereto.

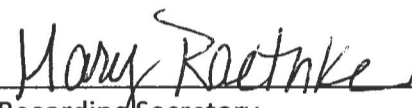
Section 2: This ordinance shall be effective on January 31, 2012.

ADOPTED this 19th day of January, 2012

BOARD OF COUNTY COMMISSIONERS



Chair



Recording Secretary

SECTION 1000
DEVELOPMENT STANDARDS

1001 GENERAL PROVISIONS

1001.01 PURPOSE

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

1001.01 APPLICABILITY

- A. Except where a different applicability standard is set forth elsewhere in Section 1000, Section 1000 shall apply to partitions; subdivisions; institutional, commercial, and industrial developments; manufactured dwelling parks; condominiums; multifamily dwellings; two- and three-family dwellings; and attached single-family dwellings where three or more dwelling units are attached to one another. Notwithstanding this provision, level one through three mobile vending units are not subject to Section 1000, except as set forth in Section 837.

- B. Except where a different applicability standard is set forth elsewhere in Section 1000, the following portions of Section 1000 shall apply to detached single-family dwellings, and attached single-family dwellings where two dwelling units are attached to one another:
 - 1. Subsection 1002.03, *Hillsides*;
 - 2. Subsection 1002.06, *River and Stream Corridors*;
 - 3. Subsection 1002.07, *Wildlife Habitats and Distinctive Resource Areas*;
 - 4. Section 1003, *Hazards to Safety*;
 - 5. Section 1004, *Historic Protection*;
 - 6. Section 1006, *Water Supply, Sanitary Sewer, Surface Water, and Utilities Concurrency*;
 - 7. Subsection 1007.06, *Pedestrian and Bicycle Facilities*;
 - 8. Subsection 1007.10, *Fee in Lieu of Construction*; and
 - 9. Subsection 1008.03, *General Standards*.

[Moved from Subsection 1001.02 and amended by Ord. ZDO-224, 5/31/11]

1001.02 CONFLICTS

1001-1

Ordinance ZDO-231, Exhibit A

ORDINANCE NO. ZDO-231 - EXHIBIT A

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

If standards in this Ordinance conflict with one another to the extent that it is not possible for development to comply with both, or all, of the conflicting standards, the conflicts shall be resolved by giving precedence as follows, in descending order of importance:

- A. Standards required in Section 700 for an overlay zoning district;
- B. Standards required in Section 800 for a special use;
- C. Standards required in Chapter 10 of the Comprehensive Plan or Sections 1600, 1602, or 1700 for a community or design plan area;
- D. Standards required in the section of this Ordinance that regulates the underlying zoning district in which the subject property is located; and
- E. Standards required in Section 1000. If conflicts arise in the application of the various standards in Section 1000, identification and resolution of such conflicts shall be a function of the development review process set forth in Section 1100, where applicable.

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

1001.03 OTHER CODES

Development shall be subject to the following codes, which are hereby incorporated into this Ordinance:

- A. Oregon Specialty Codes, including: Structural, Residential, Mechanical, Plumbing, Electrical, Manufactured Dwelling Installation, Energy Efficiency, and Solar Installation;
- B. Oregon Fire Code;
- C. Chapter 9.01 of the Clackamas County Code, *Uniform Code for the Abatement of Dangerous Buildings*;
- D. Chapter 9.02 of the Clackamas County Code, *Application and Enforcement of the Clackamas County Building Code*;
- E. Chapter 9.03 of the Clackamas County Code, *Excavation and Grading*;
- F. The Clackamas County Roadway Standards; and
- G. Any other code adopted by the Board of County Commissioners.

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

1010 SIGNS

1010.01 PURPOSE

The provisions of Section 1010 are intended to maintain a safe and pleasing environment for the people of Clackamas County by regulating the size, height, number, location, type, structure, design, lighting, and maintenance of signs.

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

1010.02 GENERAL PROVISIONS

- A. Permits Required: If a sign other than one named in Subsection 1010.03 is to be placed, constructed, erected, or modified, a sign permit shall be secured.
- B. Along State Highways: All off-premises signs which are visible from a state highway are subject to approval by the Oregon State Highway Division pursuant to the Motorists Information Act.
- C. Oregon State Structural Specialty Code Compliance: All signs shall comply with the applicable provisions of the Oregon State Structural Specialty Code, except as otherwise provided in Section 1010.
- D. Address Display: The signing program for a multifamily, commercial, or industrial development shall include the display of the street number(s) for the development on the sign or building where it can be seen from adjacent roads and meet fire district standards.
- E. Sign Clearances: A minimum of eight feet above sidewalks and 15 feet above driveways shall be provided under freestanding and projecting signs.
- F. Sight Distance: All signs shall comply with the intersection sight distance standards of the Department of Transportation and Development.
- G. Setbacks: Unless otherwise specified, all signs shall observe the yard setback requirements of the zoning districts in which they are located.
- H. Blanketing: No sign shall be situated in a manner which results in the visual obstruction from an adjoining roadway or pedestrian way of an existing sign on adjacent property.
- I. Illuminated Signs:
 - 1. Internally illuminated signs, or external lights used to illuminate signs, shall be placed, shielded, or deflected so they do not shine into dwellings or impair the vision of the driver of any vehicle.
 - 2. The light intensity of an illuminated sign shall conform to or be less than

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

the accepted standards of the sign industry, as provided by the Oregon Electric Sign Association.

3. The Design Review Committee may approve an electronic message center. No other sign or illuminating devices shall have blinking, flashing, or fluttering lights.
- J. Signs or displays containing any electrical components or parts or illuminated by electrical lighting must be approved under the National Electrical Code as modified by the State of Oregon Rules and Regulations. Lights and illuminated signs requiring an outside power source shall use a state-approved power outlet.
- K. Moving Signs: No sign, sign structure, or portion thereof, except flags (as per Subsection 1010.12) and temporary displays (as per Subsection 1010.13(B)) shall be designed to rotate, flutter, or appear to move.
- L. Maintenance: All signs, together with all of their supports, braces, guys, and anchors, shall be maintained in a safe condition, in compliance with all building and electrical codes, and in conformance with Section 1010, at all times.
- M. Preexisting Signs: Notwithstanding Section 1206, signs and sign structures existing prior to September 12, 1996, which complied with applicable regulations existing when the sign was established, but which do not comply with one or more of the requirements of Section 1010 shall be subject to the following provisions:
 1. Alterations to a nonconforming sign which reduce or do not increase its noncompliance with the provisions of this Ordinance, including changes in display surface, sign areas, height, and setback, may be allowed subject to review under Subsection 1010.05, and
 2. Failure to use the copy area of a nonconforming sign for purposes permitted under Section 1010 for a period of more than 12 consecutive months shall constitute a "discontinuation of use" as provided under Subsection 1206.02 and such sign shall be removed or modified to satisfy all applicable requirements of Section 1010 and the underlying zoning district.
- N. Hazards: No sign, light, electrical cord, streamer, flag, or other apparatus shall be situated or used in a manner which creates a hazard.
- O. Sign Structure: When visible, the supporting structure of the sign shall be incorporated into the overall sign design, and shall be in scale with the sign.
- P. Site: For purposes of Section 1010, a "site" shall be the entire "site area" of the development as it is defined in Subsection 601.09(B), and onsite signs

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

shall be those permanent signs which are oriented towards internal circulation roads, driveways, and walkways, or which direct the flow of traffic to and from the site from adjacent roads or walkways.

Q. Incidental signs shall not exceed three square feet per side.

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

1010.03 EXEMPT SIGNS:

- A. The following signs do not require a sign permit, but must meet other provisions of Section 1010:
 - 1. Signs having an area three square feet or less;
 - 2. Signs listed as temporary under Subsection 1010.13; and
 - 3. Government owned or posted signs in the public right-of-way.
- B. The following signs are not regulated by this Ordinance:
 - 1. Incidental signs;
 - 2. Product dispensers, such as beverage, newspaper, and recycling machines;
~~and~~
 - 3. Window signs;
 - 4. Signs painted on or attached to a level one mobile vending unit. A level one mobile vending unit is one that complies with Subsection 837.02.

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

1010.04 PROHIBITED SIGNS:

The following signs and sign characteristics are prohibited:

- A. Temporary signs, except as provided by Subsection 1010.13;
- B. Portable signs, except as provided by Subsection 1010.07(A)(2)(d), 1010.09(C)(2), or ~~Subsection 1010.13~~;
- C. Animated signs, except as provided by Subsection 1010.09(~~D~~);
- D. Roof signs, except integral roof signs in Commercial and Industrial zoning districts;
- E. Signs that obstruct free and clear vision of a traffic sign or signal from intended users, or otherwise constitute a traffic impediment;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- F. Signs imitating or resembling official traffic signs or signals;
- G. Any sign imitating or resembling an official county street or road sign, unless the sign is approved pursuant to Chapter 7.05, *Addressing and Road Naming*, of the Clackamas County Code;
- H. Colored lights which might in any way be confused with or construed to be traffic signals or lights on emergency vehicles;
- I. Strobe lights and signs containing strobe lights;
- J. Any sign that emits sound, odor, or visible matter; and
- K. Multiple reader signs designed to be read as a continued statement.

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

1010.05 DESIGN REVIEW

The size, materials, design, color, lighting, and location of signs and supporting structures for all permanent signs greater than 60 square feet in area, shall be subject to design review pursuant to Section 1102 and the following criteria:

- A. Design: Signs shall be designed to be compatible with other development on the site, other nearby signs, other elements of street and site furniture, and adjacent structures. Compatibility shall be determined by the relationships of the elements of form, proportion, scale, color, materials, surface treatment, overall sign size, and the size and style of lettering.
- B. Scale: The scale of the sign, letter size, and design shall be appropriate for roadway or walkway visibility.

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

1010.06 RESIDENTIAL SIGNS IN URBAN AND RURAL RESIDENTIAL DISTRICTS AND FUTURE URBAN DISTRICTS

- A. Residential Signs in Urban Low Density and Future Urban Districts:
 1. Shall not exceed three square feet.
 2. Shall be located inside the dwelling or located flat against the dwelling.
 3. Only one such sign shall be permitted upon the premises.
 4. May be illuminated by internal or external lighting subject to Subsections 1010.02(1)(1) and (2).
 5. No moving parts, noisemaking or musical devices, banners, or other

1010-4

Ordinance ZDO-231, Exhibit A

ORDINANCE NO. ZDO-231 - EXHIBIT A

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

attractions or displays shall be used, except as provided in Subsection 1010.13.

B. Signs in Rural Residential Districts:

1. Shall not exceed eight square feet per side or six feet in height.
2. Only one such sign shall be permitted upon the premises.
3. May be located within the required setback area of the district provided it is situated in a manner so as not to adversely affect safety, corner vision, or other similar conditions.
4. May be illuminated by internal or external lighting subject to Subsections 1010.02(I)(1) and (2).
5. No moving parts, noisemaking or musical devices, banners, flags, or other attractions or displays shall be used, except as provided in Subsection 1010.13.

C. Freestanding signs for multifamily developments or subdivisions:

1. Maximum total sign area: 32 square feet per side.
2. Maximum number: No more than one freestanding sign shall be allowed for a development or complex, even when more than one tax lot or ownership is included in the development, except as follows:
 - a. When an additional sign is located at a major public access point located on a different public road, or
 - b. When two single-faced signs oriented in two different directions are proposed in lieu of a two-sided identification sign, or
 - c. In mixed-use developments, a separate monument sign, not to exceed 32 square feet, may be allowed for the multifamily portion of the development.
 - d. In the case of signs permitted under Subsection 1010.06(C)(2)(a) or (b), neither sign shall exceed the maximum sign size allowed.
3. Maximum top-of-sign height: Five feet above the finished ground elevation (not including berms or mounds specifically created for the sign).
4. Setbacks: Behind property line.

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

1010-5

Ordinance ZDO-231, Exhibit A

ORDINANCE NO. ZDO-231 - EXHIBIT A

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

1010.07 SIGNS IN NATURAL RESOURCE DISTRICTS.

- A. Commercial signs:
 - 1. Shall not exceed 32 square feet. Signs may be two sided.
 - 2. Freestanding commercial signs:
 - a. Maximum top-of-sign height: Eight feet above finished ground elevation (not including berms or mounds specifically created for the sign).
 - b. Maximum number: The maximum number of signs shall be four. (11/6/97)
 - c. Setback: Behind front property line.
 - d. May include portable signs when anchored in accordance with Subsection 1010.13(A)(5).
 - e. May be illuminated by internal or external lighting, subject to Subsection 1010.02(1).
 - 3. Building commercial signs:
 - a. Maximum number: One
 - b. May be illuminated by internal or external lighting, subject to Subsection 1010.02(1).
- B. Residential signs as per Subsection 1010.06(B).
- C. Institutional uses as per Subsection 1010.08.

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

1010.08 SIGNS FOR SERVICE, RECREATIONAL, AND INSTITUTIONAL USES

The following standards shall apply to signs in urban residential, rural residential, future urban, and natural resource zoning districts for service and recreational uses regulated by Section 813, and for institutional uses.

- A. Maximum Area: 32 square feet per side. Neither a freestanding nor a building sign shall exceed this standard.
- B. Illumination: Signs may be illuminated by internal or external lighting, subject to Subsection 1010.02(1).
- C. Maximum Number: One freestanding and one building sign shall be

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

permitted upon the premises.

- D. Maximum Top-of-Sign Height: Five feet for a freestanding sign.

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

1010.09 COMMERCIAL SIGNS IN COMMERCIAL AND INDUSTRIAL DISTRICTS

- A. Commercial freestanding signs:

1. Number: Only one sign shall be allowed for a development or complex, even when more than one tax lot or ownership is included in the development, unless through design review pursuant to Section 1102, the following is determined:
 - a. An additional sign is needed to provide identification of the development at major public access points located on two different public roads, and/or
 - b. When two single-faced signs oriented in two different directions are proposed in lieu of a two-sided identification sign.
 - c. In mixed use developments a separate freestanding sign, not to exceed 32 square feet, may be allowed for the multifamily portion of the development.
 - d. In the case of signs permitted under Subsection 1010.09(A)(1)(a) or (b), neither sign shall exceed the maximum sign size allowed.
 - e. For General Commercial (C-3) and Retail Commercial (RTL) zoning districts, one additional freestanding sign may be allowed on a public, County, or State road when the frontage on that road exceeds 450 feet. In no case shall the number of freestanding signs exceed four for any development. The additional signs shall be a maximum of 60 square feet. This provision for an additional freestanding sign shall not allow an additional sign on any site located on a corner which qualifies for an additional sign by reason of that corner location under Subsection 1010.09 (A)(1)(a).
2. Maximum top-of-sign height:
 - a. Pole signs: In C-3 and RTL zoning districts, 25 feet. In all other Commercial zoning districts, 20 feet.
 - b. Monument signs: In all Commercial zoning districts, six feet. In all industrial zoning districts, five feet.
3. Maximum Sign Area: 60 square feet. Signs may be two sided. For

1010-7

Ordinance ZDO-231, Exhibit A

ORDINANCE NO. ZDO-231 - EXHIBIT A

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

developments of more than one use included on the same site, a sign area may be increased above this requirement an additional 10 square feet per tenant, up to a maximum of 200 square feet, subject to Subsection 1010.05. Additionally, multiple-tenant signs shall use a common background.

4. Setbacks: Behind property line.
5. The sign supporting structure shall not be counted for purposes of determining sign area.
6. Illumination: Such signs may be internally or externally illuminated, subject to Subsection 1010.02(I).

B. Building commercial signs:

1. Number: The maximum sign area may be distributed among any number of signs.
2. Maximum size:
 - a. If there is not a freestanding sign on the same site frontage, then one and one-half square feet of sign area per linear footage of the occupant's primary building wall.
 - b. If there is a freestanding sign on the same site frontage, then one square foot of sign area per linear footage of the occupant's primary building wall.
 - c. Wall signs based on the sign rights of a primary building wall may be placed on a secondary building wall; they may not be placed onto another primary building wall.
 - d. Each tenant shall be allowed a minimum 32 square feet of building sign area.
 - e. In no case shall a building sign exceed 200 square feet.
3. Design: Building signs shall be incorporated into the design of the building, and shall not be placed in locations which interrupt, detract from, or change the architectural lines of the building.
4. Illumination: Building signs may be internally or externally illuminated, subject to Subsection 1010.02(I).

C. Mobile Vending Unit Signs:

1. The number and area of signs on a mobile vending unit are unrestricted. However, such signs shall be located flat against the unit, and no portion

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

of any sign shall extend above the roof of the unit. These signs may be internally or externally illuminated, provided that any required utility connections for such illumination comply with Section 837.

2. Each mobile vending unit may have one portable menu or sandwich board sign a maximum of six square feet in area. This sign shall be located within 10 feet of the mobile vending unit and shall be located outside the unit only during unit operating hours.

~~C.D.~~ Electronic message center signs, and other changeable copy signs, may be incorporated into a permanent commercial sign in a Commercial or Industrial zoning district. Approval shall not be granted unless the following criteria are satisfied:

1. Only one such sign shall be used in a development.
2. The changeable copy sign or electronic message center shall be included in the maximum sign area allowed under Subsection 1010.09(A)(3) or 1010.09(B)(2), and shall not exceed 80 percent of the total sign area.
3. The electronic message center shall be integrated into the design of the sign.
4. All segments of a message shall be completed within 12 seconds.

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

1010.10 ONSITE TRAFFIC CONTROL AND IDENTIFICATION SIGNS

- A. Directory: A directory is an onsite sign which identifies and directs traffic to a number of tenants, uses, or buildings within a development.
- B. Directories oriented primarily toward vehicle circulation shall be limited in area to a maximum of two square feet per tenant, use, or building specifically identified, up to a maximum of 40 square feet.
- C. Directories, including those attached to buildings, that are oriented toward pedestrian circulation areas shall be a maximum of 24 square feet in area, and a maximum of eight feet in top-of-sign height.
- D. An onsite monument sign for an individual building within a development may be allowed as an alternative to a building sign, provided such sign shall:
 1. Be located adjacent to the building being identified.
 2. Not exceed 12 square feet in area.
 3. Not exceed four feet in top-of-sign height.

1010-9

Ordinance ZDO-231, Exhibit A

ORDINANCE NO. ZDO-231 - EXHIBIT A

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

4. Use materials and colors that are the same, or substantially the same, as those used on the building identified by the sign.

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

1010.11 OFFSITE TRAFFIC CONTROL AND IDENTIFICATION SIGNS IN NATURAL RESOURCE DISTRICTS

- A. A temporary permit may be approved, renewable after five years. Criteria for approval:
 1. Shall be allowed only in Natural Resource zoning districts.
 2. The sign shall provide the actual registered name of a business and directions to the business (e.g., left or right, an arrow, one-quarter mile, etc.).
 3. A maximum of three offsite traffic control identification signs are allowed for each business.
 4. Maximum distance of business from offsite traffic control identification sign: Five miles.
 5. A maximum of two offsite traffic control signs shall be located at any one site.
- B. Development Standards
 1. Maximum size: Shall not exceed four square feet per side.
 2. Setback: Behind the front property line.
 3. Illumination: Offsite traffic control and identification signs shall not be illuminated.

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

1010.12 FLAGS

Flags are allowed in all zoning districts, subject to the following:

- A. Number: Three flags per site.
- B. Maximum size: No flag shall exceed 40 square feet.
- C. Height: Top of pole supporting flag shall not exceed 35 feet above finished ground elevation (not including berms or mounds specifically created for the sign).

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- D. All flags shall be located on one pole.

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

1010.13 TEMPORARY DISPLAYS AND SIGNS

- A. Temporary signs may be displayed under the following conditions and limitations:
1. Number: Only one temporary sign shall be displayed for a site.
 2. Time Period and Duration: Shall not be displayed for a total time period exceeding 60 days in any calendar year.
 3. Size and Height Limits: Same size and height limits as a permanent sign for the same site.
 4. Setbacks: Behind front property line.
 5. Anchoring: All signs approved under this provision shall be physically attached to the premises in a manner which both prevents the sign from being moved or blown from its location, and allows the prompt removal of the sign.
 6. Exceptions: No temporary sign shall be allowed under this provision for any business or development which has a changeable copy sign incorporated into its permanent sign.
- B. Temporary displays (pennants, banners, streamers, strings of lights, and beacon lights) may be displayed according to Subsections 1010.13(A)(2) and (5) and 1010.02(N).

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

1010.14 GOVERNMENT CAMP SIGN STANDARDS

- A. Area of Application: Subsection 1010.14 shall apply to all permanent identification signs for commercial developments in the Rural Tourist Commercial (RTC) and Mountain Recreational Resort zoning districts in Government Camp and in the Hoodland Residential zoning district on properties with frontage on Government Camp Loop Road. The purpose of these sign standards is to provide a consistent design theme in the commercial areas.
- B. Conformance: Signs shall comply with the other applicable provisions of Section 1010, except as otherwise provided in Subsection 1010.14. Where there are conflicts, Subsection 1010.14 shall govern. A sign plan must be submitted to the Design Review Committee which shows:

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

1. Total signage allowed for the proposed sign frontage, face area of existing signage, and face area of proposed signage;
 2. The design of the sign and sign support including dimensions, materials, colors, sign copy, lighting, and graphics; and
 3. A site plan and building elevation showing placement of existing and proposed signs on the site.
- C. Preexisting Signs: Signs and sign structures existing prior to February 10, 1993, that complied with applicable regulations existing when the sign was established but do not comply with one or more of the requirements of Section 1010 shall be subject to the provisions of Section 1206 and Subsection 1010.02, Preexisting Signs, except:
1. Any permanent sign which is nonconforming in any manner other than individual size shall be brought into conformance with the provisions of this Ordinance prior to any expansion or change in use which requires design review or a conditional use permit. Total signage area of existing and new signs may not exceed the maximum established in these standards. No occupancy permit shall be issued until a sign plan is submitted.
 2. Should any permanent nonconforming sign be damaged by any means to an extent of more than 50 percent of its replacement costs at the time of damage, it shall be reconstructed or replaced in conformance with these sign standards.
 3. Placement of a new sign where existing signage is greater than the total allowed, or where the new sign will make the total greater, requires removal of an amount of existing signage to keep the total signage area under the limit.
 4. Where a Clackamas County Development Agency incentive program is in effect, all nonconforming signs, except those that are nonconforming in size alone, must be brought into conformance or removed by February 10, 1996.
- D. Design Standards: Signs shall comply with Subsection 1010.05 and the following conditions:
1. Design: Sign design and support structure shall uphold the rustic, mountain environment of Government Camp through a Cascadian design theme.
 2. Materials:
 - a. Signs and support structures are limited to wood or wood exterior,

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

stone, brick, etched or stained glass, wrought iron, or non-shiny metal. Plywood may be used for signs only if it is heavily painted and/or edged to obscure the plywood texture and the surface is sealed to keep it from delaminating.

- b. Neon signs are permitted inside windows only.
 - c. Plastic may be used only in the letters of sign copy or the portion of a sign with changeable copy.
 - d. Signs in the RTC-zoned properties at the east and west entries of Government Camp visible from U.S. Highway 26 or with frontage on U.S. Highway 26 may be constructed of plastic if the design intent is upheld.
- 3. Colors: No reflective or fluorescent colors shall be used on signs or support structures.
 - 4. Lighting: The source of the lighting shall be external and obscured from the pedestrian. Internally lit signs are permitted only where the letters of the copy are illuminated or in RTC-zoned properties at the east and west entries of Government Camp visible from U.S. Highway 26, or in signs on U.S. Highway 26 frontage.
 - 5. Changeable Copy: Electronic sign copy and changeable sign copy is limited to no more than 20 percent of total signage allowed.
 - 6. Scale: Signs shall be kept in scale with pedestrians and buildings.
 - 7. Placement: Signs shall be incorporated into the design of the building and shall not be placed in locations which interrupt, detract from, or change the architectural lines of the building.

E. Total Signage Area:

- 1. Developments less than three acres in size:
 - a. Total signage area shall be determined by the lineal feet of building frontage per street. This shall be a minimum of 30 square feet of signage plus one square foot for every five feet of building frontage greater than 30 lineal feet.
 - b. Buildings two stories or taller may increase the total signage allowed by 50 percent.
 - c. Only frontages on streets shall be used to determine total signage per frontage per development.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

d. Signage shall not be transferred between frontages.

2. Developments over three acres in size:

a. Total signage area shall be determined by lineal street frontage. This shall be a minimum of 30 square feet of signage plus one square foot of signage per five lineal feet of street frontage greater than 30 feet.

b. Internal signs not readily visible from the street shall not be subject to total signage area restrictions in Subsection 1010.14(E)(2).

3. Developments with U.S. Highway 26 frontage: Such signs serve a unique purpose in attracting high speed traffic from the Highway and are also subject to Oregon Department of Transportation sign regulations. One sign shall be allowed per development per U.S. Highway 26 frontage and will be handled on a case-by-case basis. Signage shall conform to the Government Camp design intent to the degree possible.

F. Types of Signs Permitted:

1. Freestanding or monument signs:

a. Shall be situated within setback.

b. Shall have a maximum of one ground mounted sign per 50 feet of lineal building frontage.

c. Shall have a maximum face area of 24 square feet.

d. Shall have a maximum top-of-sign height of 12 feet.

e. Shall be on a base or wooden supports; poles are permitted only if integrated into a base. Any metal poles must be free of peeling paint and rust.

2. Building signs:

a. Shall have a maximum face area of 24 square feet.

b. Shall not extend more than 10 inches from the wall.

c. Sign or components shall not exceed top of roofline or extend beyond the face area of the building.

3. Projecting signs:

a. Shall not extend more than two feet into the public right-of-way, project farther than five feet from the building, or exceed top of roofline immediately above.

1010-14

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- b. Shall not exceed one projecting sign per 25 feet of lineal building frontage.
 - c. Shall have a maximum face area of 12 square feet; buildings over two stories may have signs of up to 24 square feet.
 - d. Supporting structure may not exceed sign's height or width by more than two feet or extend higher than roofline.
4. Window signs readily visible from outside the building:
- a. Shall have a maximum face area of 30 percent of total window area per frontage; maximum sign size per individual window sign is 12 square feet.
 - b. Interior neon window signs readily visible from the street shall not exceed 10 percent of the total window area per street frontage. No more than 20 percent of an individual window should be covered with neon. Neon signs within these limits shall not be counted toward the total signage area.
5. Awning/overhead or walkway covering signs:
- a. Shall be completely positioned on awning, overhead, or covered walkway.
 - b. Shall have a maximum face area of 24 square feet.

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

1015 PARKING AND LOADING

1015.01 PURPOSE

Section 1015 is adopted to:

- A. Provide safe, efficient, and functional parking areas for automobiles and bicycles, and adequate loading areas for service vehicles;
- B. Provide parking and loading areas that complement the design of the development, the street, and the community, and support planned urban form in urban areas;
- C. Minimize disturbance of soils, impervious surfaces, and other negative environmental impacts of parking and loading areas; and
- D. Implement Title 4 of the Regional Transportation Functional Plan.

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

1015.02 APPLICABILITY

If there is a conflict between Section 1015 and the Clackamas County Roadway Standards, Section 1015 shall govern.

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

1015.03 GENERAL PROVISIONS

- A. The provision and maintenance of offstreet parking and loading facilities is a continuing obligation of the property owner. When any parking area for the parking of three or more cars is to be established, the standards set forth herein shall apply.
- B. Inside the Portland Metropolitan Urban Growth Boundary (UGB), parking, loading, and maneuvering areas shall be hard-surfaced, unless a permeable surface is required to reduce surface runoff, as determined by the Department of Transportation and Development.
- C. Outside the UGB, all areas used for parking, loading, and maneuvering of vehicles shall be surfaced with screened gravel or better, and shall provide for suitable drainage.
- D. Parking and loading requirements for types of uses and structures not specifically listed in Tables 1015-2, 1015-3, and 1015-4, or specified in other Sections of this Ordinance, shall be subject to the requirements for the most similar use, as determined by the Planning Director.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

[Moved from Section 1007 and amended by Ord. ZDO-224, 5/31/11]

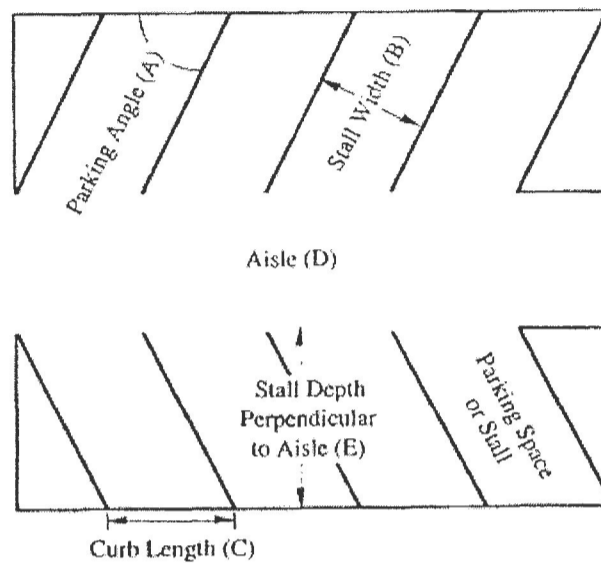
1015.04 AUTOMOBILE PARKING AREA STANDARDS

- A. Off-street parking areas shall be provided in defined areas of the subject property and shall meet the following requirements for location of the parking area on the site:
 - 1. No area shall be considered a parking space unless it can be shown that the area is accessible and usable for that purpose and has required maneuvering area for the vehicles.
 - 2. Automobile parking areas shall be separated from bicycle parking areas and from loading areas to the extent possible.
 - 3. Commercial or recreational vehicle storage areas shall be located in areas that are farther from building entrances than parking spaces for customers and employees.
- B. Off-street parking areas shall be designed to meet the following requirements:
 - 1. Parking areas must meet the requirements of the Americans with Disabilities Act.
 - 2. Except for parallel parking spaces, the minimum size for all standard parking spaces shall be 8.5 feet wide and 16 feet long.
 - 3. Minimum dimensions of curb length, stall depth, and parking lot aisles are based on the parking space orientation as follows:

Table 1015-1: Minimum Parking Space and Aisle Dimensions

Parking Space Orientation (A)	Curb Length (C)	Stall Depth (E)	One-Way Aisle (D)	Two-Way Aisle (D)
Parallel	22 feet	8 feet	12 feet	20 feet
30 degree angle	17 feet	15 feet	12 feet	20 feet
45 degree angle	12 feet	17 feet	12 feet	20 feet
60 degree angle	9.75 feet	17.5 feet	16 feet	20 feet
90 degree angle	8.5 feet	16 feet	24 feet	24 feet

Figure 1015-1 Parking Dimension Factors



4. Double-loaded, ninety-degree angle parking bays shall be utilized where possible.
5. A maximum of 50 percent of the parking spaces may be larger than 8.5 feet wide and 16 feet long, but not larger than 9 feet wide and 18 feet long, with the following exceptions:
 - a. Outside the Portland Metropolitan Urban Growth Boundary (UGB), more than 50 percent of parking spaces may be larger than 8.5 feet wide and 16 feet long, but not larger than 9 feet wide and 18 feet long.
 - b. For retail uses such as building supply stores, furniture stores, and other stores selling bulky items, more than 50 percent of parking spaces may be larger than 8.5 feet wide and 16 feet long, but not larger than 9 feet wide and 18 feet long.
 - c. More than 50 percent of parking spaces may be larger than 8.5 feet wide and 16 feet long, but not larger than 9 feet wide and 18 feet long, when the applicant demonstrates that a higher ratio of oversized vehicles are found in parking areas of similar developments and uses.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- d. More than 50 percent of parking spaces may be larger than 8.5 feet wide and 16 feet long, but not larger than 9 feet wide and 18 feet long, when porous pavement is used for all parking spaces.
6. A minimum of five percent, but at least one space, of the required parking spaces shall be marked and signed for use as carpool/vanpool spaces. These spaces shall be the closest employee automobile parking spaces to the building entrances normally used by employees, but shall not take priority over any spaces required for individuals with disabilities.
7. Required backing and maneuvering areas for on-site automobile parking spaces shall be located entirely onsite.
8. In parking lots greater than one acre, major onsite circulation drive aisles and lanes crossing to adjacent developments shall not have parking spaces accessing directly onto them.
9. Where feasible, shared driveway entrances, shared parking and maneuvering areas, and interior driveways between adjacent parking lots shall be required.
10. Except for parallel spaces, parking spaces heading into landscaped areas or along the perimeter of a parking lot shall be provided with a sturdy tire stop at least four inches high and located two feet within the space to prevent any portion of a car within the lot from extending over the property line.
11. For parking spaces heading into a landscaped area, the area in front of the tire stop that is included in the parking space dimension may be landscaped instead of paved or graveled according to the following standards:
 - a. Landscaping shall be ground cover plants only;
 - b. The area in front of the tire stop that is included in the parking space dimension shall be in addition to the required minimum dimension for a landscape planter; and
 - c. The landscaped area in front of the tire stop may count toward overall site landscaping requirements established in Table 1009-1. However, it may not count toward perimeter landscaping requirements established in Section 1009.04(B)(1).
12. Required parking spaces shall not be used for storing or accumulating goods or storing a commercial or recreational vehicle, camper, or boat, rendering it useless for parking.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- C. Uses located on transit service lines and that have days and hours of operation not in conflict with weekday use (e.g. churches, fraternal organizations, or nighttime amusements) may be required under Subsection 1007.07, to allow a portion of their parking area to be used for a park-and-ride lot.
- D. Parking Minimums: The minimum parking spaces listed in Table 1015-2 apply unless modified in Subsection 1015.04(F).
 - 1. In case of expansion of a building or use that, prior to the expansion, does not meet the minimum parking space requirements in Table 1015-2, the following provisions shall apply:
 - a. The minimum number of additional parking spaces required shall be based only on the floor area or capacity added and not the area or capacity existing prior to the expansion.
 - b. If the enlargement covers any of the pre-expansion parking spaces, lost parking spaces shall be replaced, in addition to any required additional spaces.
 - c. The maximum number of parking spaces allowed for the entire development after the expansion shall be based on Table 1015-2.
 - 2. In the event more than one use occupies a single structure or parcel, the total minimum requirement for parking shall be the sum of the minimum requirements of the several uses computed separately.
 - 3. Parking spaces fulfilling the minimum requirement for a specified use shall not be rented, leased, or assigned to any other person or organization, except as provided for under Subsection 1015.03(F)(2)(a) for shared parking.
 - 4. The conducting of any business activity, except for temporary uses (e.g., Farmers' Markets), shall not be permitted to occupy any of the required parking spaces.
- E. Parking Maximums:
 - 1. Within the UGB, the parking maximums listed in Table 1015-2, Urban Zone A, apply when an area has 20-minute peak hour transit service within one-quarter mile walking distance for bus transit or one-half mile walking distance for light rail transit;
 - 2. Within the UGB, areas not meeting the requirements of Subsection 1015.04(E)(1), are subject to the parking maximums listed in Table 1015-2, Urban Zone B.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

3. In case of expansion of a building or use with more parking spaces than the maximum allowed by Table 1015-2
 - a. Existing parking spaces may be retained, replaced, or eliminated, provided that after the expansion, the total number of remaining spaces complies with the minimum parking space requirement of Table 1015-2 for the entire development; and
 - b. Additional parking spaces are allowed only if required to comply with the minimum parking space requirement of Table 1015-2 for the entire development after the expansion.

Table 1015-2: Automobile Parking Space Requirements*

* Parking ratios are based on spaces per 1,000 square feet of gross leasable area, unless otherwise stated.

Land Use Category	Minimum Parking Spaces	Maximum Parking Spaces (Urban Zone A)	Maximum Parking Spaces (Urban Zone B)
Amusement Parks, Riding Academies, and Camps (per 1000 square feet of serving area)	0.8	None	None
Bank with Drive-in	4.3	5.4	6.5
Bowling Alleys (per alley)	3	None	None
Daycare Facilities	0.5 In addition, a passenger-loading area shall be provided on the site.	None	None
Hospitals	0.5	None	None
Hotels and Motels (per unit)	1	None	None
Industrial, Manufacturing, and Processing Facilities			
Zero to 24,999 square feet	1.5	None	None

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

Land Use Category	Minimum Parking Spaces	Maximum Parking Spaces (Urban Zone A)	Maximum Parking Spaces (Urban Zone B)
25,000 to 49,999 square feet	1.42	None	None
50,000 to 79,999 square feet	1.25	None	None
80,000 square feet and greater	1	None	None
Medical and Dental Clinics	3.5	4.9	5.9
Movie Theaters (per seat)	0.3	0.4	0.5
Nursing Homes, Welfare or Correctional Institutions, and Institutions for Children (per bed)	0.2	None	None
Office Uses (includes Office Park, "Flex-Space", Government Office and Miscellaneous Services)	2.7	3.4	4.1
Places of Worship (per seat located in main assembly room), unless a school, daycare, or similar facility is proposed in conjunction with primary use, in which case it shall have separate parking requirement	0.5, or 1 per 5.3 feet of bench length in main assembly room	0.6	0.8
Produce Stands (per stand)	4	None	None
Dwellings, including			
Single-Family Dwelling or Manufactured Dwelling in Urban Low Density, Village Small Lot, or Village Standard Lot Residential District, except in a Planned Unit Development (per dwelling unit)	1, located behind the front yard setback line	None	None
Planned Unit Development (per single-family dwelling unit)	2	None	None
Hoodland Residential District (per dwelling unit 800 square feet or less) ¹	1	None	None

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

Land Use Category	Minimum Parking Spaces	Maximum Parking Spaces (Urban Zone A)	Maximum Parking Spaces (Urban Zone B)
Hoodland Residential District (per dwelling unit greater than 800 square feet) ¹	2	None	None
Mountain Recreational Resort District, except congregate housing facilities (per 600 square feet of residential building area)	1	None	None
Attached Single-Family Dwelling in Medium or Medium High Density Residential District (per dwelling unit)	2	None	None
Attached Single-Family Dwelling in Station Community Mixed Use District (SCMU) District (per dwelling unit)	1 onsite	2 onsite	NA
Attached Single-Family Dwelling in Village Townhouse District (per dwelling unit)	1, located in a garage	None	None
Two- and Three-Family Dwellings (per dwelling unit)	1.5	None	None
Manufactured Dwelling Park (per dwelling unit)	2	None	None
Multifamily Dwelling (per one-bedroom dwelling unit)	1.25	None	None
Multifamily Dwelling (per two-bedroom dwelling unit)	1.5	None	None
Multifamily Dwelling (per three-bedroom dwelling unit)	1.75	None	None
Congregate Housing Facilities (per resident)	0.25	None	None

1015-8

Ordinance ZDO-231, Exhibit A

ORDINANCE NO. ZDO-231 - EXHIBIT A

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

Land Use Category	Minimum Parking Spaces	Maximum Parking Spaces (Urban Zone A)	Maximum Parking Spaces (Urban Zone B)
Accessory Dwelling Units (per dwelling unit)	1, located behind the front yard setback line	None	None
Restaurants: Fast Food with drive-thru window service	9.0	12.4	14.9
Restaurants: With no drive-thru window service, Taverns	15.0	19.1	23
Retail/Commercial, including shopping centers	4.1, except in the Clackamas Regional Center Area, 3.0	5.1	6.2
Retail stores with bulky merchandise, such as furniture, appliances, automobiles, service/repair shops	2	5.1	6.2
Schools: Colleges, Universities, and High Schools (per student or staff member)	0.2	0.3	0.3
Schools: Elementary and Junior High Schools (per school)	15, or 2 per classroom, whichever is less	None	None
Service Stations (per employee at peak employment period)	1	None	None
Sports Clubs/Recreation Facilities	4.3	5.4	6.5

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

Land Use Category	Minimum Parking Spaces	Maximum Parking Spaces (Urban Zone A)	Maximum Parking Spaces (Urban Zone B)
Surface Mining	On-site vehicular parking for employees, customers and visitors, determined through Conditional Use process.	None	None
Tennis and Racquetball Courts	1	1.3	1.5
Theaters, Dance Halls, Community Clubs, Skating Rinks, Public Meeting Places (per seat, or 1 per 100 sq. ft. exclusive of stage)	0.25	None	None
Warehouse and Storage Distribution, and Terminals (air, rail, truck, water, etc.) **Maximum parking requirements apply only to warehouses 150,000 gross square feet or greater.			
Zero to 49,999 square feet	0.3	None	None
50,000 square feet and over	0.2	0.4**	0.5**

On land above 3,500-foot elevation, covered parking shall be provided for structures containing three or more dwelling units.

F. Exceptions to Parking Requirements

1. Parking maximums in Table 1015-2 may be increased for the following:
 - a. Parking spaces in parking structures;
 - b. Fleet parking;
 - c. Designated employee carpool spaces;
 - d. User paid spaces;
 - e. Parking for vehicles for sale, lease, or rent; and

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- f. Structured parking.
2. Parking minimums in Table 1015-2 may be reduced for the following:
- a. The total minimum requirement for parking spaces may be reduced up to 20 percent per use when shared parking is utilized.
 - b. ~~Within the UGB, A~~ available permitted on-street parking spaces on a development's street frontage may be counted toward required parking as follows:
 - i. All on-street parking spaces may count towards required parking in the following zoning districts: Neighborhood Commercial, Community Commercial, General Commercial, Office Commercial, Retail Commercial, Campus Industrial, Light Industrial, General Industrial, Business Park, Village Office, Village Commercial, Regional Center Office, Regional Center Commercial, Corridor Commercial, and Station Community Mixed Use District.
 - ii. In Office Apartment and Planned Mixed Use zoning districts, each on-street parking space may count towards one-half a required parking space.
 - iii. All on-street parking spaces may count towards required parking in Government Camp Village, as identified on Comprehensive Plan Map X-MH-4, Government Camp Village Plan, Land Use Plan & Boundary, on Government Camp Loop between Wy'East Trail and Church Street and on Little Trail between Olive Street and Church Street. Corner lots with such street frontage also may count parking spaces on the intersecting street.
 - c. Motorcycle parking may substitute for vehicle parking spaces as follows:
 - i. Up to five spaces or five percent of required automobile parking, whichever is less, may be utilized.
 - ii. For every four motorcycle parking spaces provided, the automobile parking requirement is reduced by one space.
 - iii. Existing parking may be converted to take advantage of this provision.
 - iv. Each motorcycle space must be at least four feet wide and eight feet deep.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- d. Electric vehicle charging stations may be installed according to the following standards:
 - i. Two spaces or five percent of the minimum required parking spaces, whichever is greater, may be utilized for electric vehicle charging stations and identified exclusively for such use.
 - ii. Additional parking spaces of the minimum required parking may be utilized for electric vehicle charging stations, provided they are not identified exclusively for such use.
 - iii. Any portion of parking spaces provided that are beyond the required minimum number of parking spaces may be utilized for electric vehicle charging stations, regardless of whether they are identified exclusively for such use.

[Moved from Section 1007 and amended by Ord. ZDO-224, 5/31/11]

1015.05 BICYCLE PARKING STANDARDS

- A. Bicycle parking areas shall meet the following on-site locational requirements:
 - 1. Bicycle parking racks shall be located in close proximity to an entrance but shall not conflict with pedestrian needs.
 - 2. At least 75 percent of the bicycle parking spaces shall be located within 50 feet of a public entrance to the building.
 - 3. Bicycle parking areas shall be separated from automobile parking.
 - 4. Bicycle parking may be provided within a building, if the location is easily accessible for bicycles.
 - 5. Bicycle parking for multiple uses, or a facility with multiple structures, may be clustered in one or several locations within 50 feet of each building's entrance.
 - 6. If the bicycle parking is not easily visible from the street or main building entrance, then a sign must be posted near the building entrance indicating the location of the parking facilities.
- B. Bicycle parking shall be designed to meet the following requirements:
 - 1. When more than seven bicycle parking spaces are required, a minimum of 50 percent of the spaces shall be covered. All (100 percent) of the required bicycle spaces for schools, park-and-ride lots, congregate housing facilities, and multifamily dwellings shall be covered.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

2. Cover for bicycle parking may be provided by building or roof overhangs, awnings, bicycle lockers, bicycle storage within buildings, or freestanding shelters.
3. When more than 15 covered bicycle parking spaces are required, 50 percent of the required covered spaces shall be enclosed and offer a high level of security, e.g. bicycle lockers or a locked cage or room with locking facilities inside, to provide safe long-term parking.
4. Required bicycle parking spaces shall be illuminated.
5. Required bicycle parking areas shall be clearly marked and reserved for bicycle parking only.
6. Bicycle parking space dimensions and standards:
 - a. Bicycle parking spaces must be at least six feet long and two feet wide, and in covered situations the overhead clearance must be at least seven feet.
 - b. An aisle five feet wide for bicycle maneuvering must be provided.
 - c. Bicycle racks must hold bicycles securely by the frame and be securely anchored.
 - d. Hanging bicycle racks and/or enclosed, stackable bike lockers may be substituted for surface racks if, through design review pursuant to Section 1102, it is determined that comparable dimensions, maneuvering, and clearance are provided to the user.
 - e. Bicycle racks must accommodate both:
 - i. Locking the frame and one wheel to the rack with a high-security U-shaped shackle lock; and
 - ii. Locking the frame and both wheels without removal of wheels to the rack with a chain or cable not longer than six feet.
7. The minimum bicycle parking spaces listed in Table 1015-3 are required.
8. Notwithstanding Table 1015-3, all listed uses located within the Portland Metropolitan Urban Growth Boundary (UGB) shall have a minimum of two bicycle parking spaces.

Table 1015-3: Minimum Required Bicycle Parking Spaces

Land Use Category	Minimum Bicycle Parking Spaces*
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CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

Land Use Category	Minimum Bicycle Parking Spaces*
Elementary Schools, Junior High Schools, Middle Schools, Senior High Schools, and Colleges (per classroom)	2 (maximum required spaces – 100)
Multifamily Dwellings (per dwelling unit)	0.5
Park-and-Ride Lots, Transit Centers, and Community Parks (per acre)	5
Preschools	4
Residential Care Facilities, Nursing Homes, and Hospitals (per 8 beds)	1
Retail and Commercial including offices and clinics	
Per 2,500 square feet, up to 50,000 square feet	1
Per each additional 5,000 square feet	1
Theaters, Places of Worship, Auditoriums, Dance Halls and other Public Assembly Places (per 40 seats or per 40 persons of design capacity, whichever is greater)	1
Warehouses and industrial buildings without attached offices, automotive service uses such as service stations and tire stores, and businesses selling large items such as major appliances, furniture, cars, or boats (per 10,000 square feet of building area)	1

* Minimums outside the UGB are 20 percent of the requirement listed in Table 1015-3.

[Moved from Section 1007 and amended by Ord. ZDO-224, 5/31/11]

1015.06 OFF-STREET LOADING STANDARDS

- A. Loading areas shall meet the following onsite locational requirements:
 - 1. No area shall be considered a loading berth unless it can be shown that the area is accessible and usable for that purpose, and has maneuvering area for vehicles.
 - 2. Loading areas shall be separated from vehicle and bicycle parking areas.
- B. Loading berths fulfilling the minimum requirement for a specified use shall not be rented, leased, or assigned to any other person or organization, except

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

as provided for under shared loading berths in Subsection 1015.06(F).

- C. The conducting of any business activity, except for permitted temporary uses (e.g., Farmers' Markets), shall not occupy any of the minimum required loading berths.
- D. No required loading berth shall be used for storing or accumulating goods or a commercial or recreational vehicle, camper, or boat, rendering it useless for loading operations.
- E. In cases of expansion of a building or use, that prior to the expansion, does not meet the minimum loading berth requirements in Table 1015-4, the following provisions shall apply:
 - 1. The minimum number of additional loading berths required shall be based only on the floor area or capacity added and not on the area or capacity existing prior to the expansion.
 - 2. If the expansion covers any pre-expansion loading berths, lost loading berths shall be replaced, in addition to any required additional berths.
- F. In the event several uses occupy a single structure or parcel of land and share the same loading berths, the total requirement for off-street loading shall be reduced by up to 25 percent of the sum of the requirements of the several uses computed separately.
- G. The minimum off-street loading berths listed in Table 1015-3 are required.

Table 1015-4: Minimum Required Off-Street Loading Berths

Land Use Category	Unit of Measurement	Number of Loading Berths	Minimum Required Dimension
Multifamily Dwellings	Number of Dwelling Units		25 feet x 12 feet x 14 feet high
	Below 50	None	
	50 to 100	1	
	101 to 200	2	
	201 or more	3	

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

Hotels and Motels	Square feet of floor area		35 feet x 12 feet x 14 feet high
	Under 5,000	None	
	5,000 to 50,000	1	
	50,001 to 150,000	2	
	150,001 to 300,000	3	
	300,001 to 500,000	4	
	For each additional 200,000	1 additional berth	
Institutional Uses			
Nursing Homes, Welfare or Correctional Institutions, and Institutions for Children	Number of beds		35 feet x 12 feet x 14 feet high
	Less than 25	0	
	More than 25	1	
Assisted Living Facilities			
	Square feet of floor area		
	Below 10,000	None	
	10,000 to 60,000	1	
	60,001 to 160,000	2	
	160,001 to 264,000	3	
	388,001 to 520,000	5	
	520,001 to 652,000	6	

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

	652,001 to 784,000	7	
	784,001 to 920,000	8	
	For each additional 140,000	1 additional berth	
Schools	Per each school bus	0.5	
Hospitals	Square feet of floor area		35 feet x 12 feet x 14 feet high
	Under 5,000	None	
	5,000 to 16,000	1	
	16,001 to 40,000	2	
	40,001 to 64,000	3	
	64,001 to 96,000	4	
	96,001 to 128,000	5	
	128,001 to 160,000	6	
	160,001 to 196,000	7	
	For each additional 36,000	1 additional berth	
Commercial Uses	Square feet of floor area		35 feet x 12 feet x 14 feet high
	Under 5,000	None	
	5,000 to 24,999	1	
	25,000 to 49,999	2	
	50,000 to 100,000	3	

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

	Each additional 50,000	1	
Industrial, Manufacturing, Warehousing, Storage, Processing, and Terminals	Square feet of floor area		60 feet x 12 feet x 14 feet high
	Under 5,000	None	
	5,000 to 16,000	1	
	16,001 to 40,000	2	
	40,001 to 64,000	3	
	64,001 to 96,000	4	
	96,001 to 128,000	5	
	128,001 to 160,000	6	
	160,001 to 196,000	7	
	For each additional 36,000	1 additional berth	

[Moved from Section 1007 and 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, office management services, notary public, business and communications equipment and service, and real estate offices;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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;
 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;
- 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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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;
- K. Electric vehicle charging stations; and
- L. Level one mobile vending units, subject to Section 837; and
- ~~L.M.~~ 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(~~ML~~) 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;
 - 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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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;
 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]

1607.08 DIMENSIONAL AND DEVELOPMENT STANDARDS

- A. General: Development shall be subject to the applicable provisions of Sections 1000, 1100, 1600, and 1602.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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.
 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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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.
- 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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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]

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;
 - 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 those 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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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; ~~and~~
- N. Level one mobile vending units, subject to Section 837.

[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:

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

1. The floor area of the freestanding restaurant shall not exceed 5,000 square feet.
 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).

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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]

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:

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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.
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:

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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
 - 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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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 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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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.
- 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]

1702 REGIONAL CENTER COMMERCIAL DISTRICT (RCC)

[The title of Section 1702 changed by Ord. ZDO-224, 5/31/11]

1702.01 PURPOSE

Section 1702 is adopted to:

- A. Implement the policies of the Comprehensive Plan for Regional Center Commercial areas;
- B. Provide for regional and local shopping;
- C. Provide higher densities to support public transportation;
- D. Allow a mix of land uses within a development;
- E. Create a district accessible by all modes of transportation;
- F. Create walkable districts within the Clackamas Regional Center by providing improvements and urban design features that encourage and support pedestrian use;
- G. Encourage land uses that generate pedestrian activity and transit ridership; and
- H. Implement the Clackamas Regional Center Area Design Plan.

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

1702.02 AREA OF APPLICATION

Property may be zoned Regional Center Commercial (RCC) when the site has a Comprehensive Plan designation of Regional Center Commercial, 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; or
- B. 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 commercial uses.

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

1702.03 PRIMARY USES

- A. Retail, service commercial, including hotels, and office uses provided that:

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

1. Outdoor display and storage is limited to no more than five percent of the building coverage.
 2. Uses with drive-through window service are subject to Sections 827 and 1700~~;~~
- B. Multifamily dwellings, subject to Section 1706~~;~~
 - C. Colleges, educational institutes, and trade schools; art, music or dance studios; radio and television studios, excluding transmission towers~~;~~
 - D. Cultural/Public Use: Galleries and museums, small-scale assembly or convention facilities (seating capacity up to 500), theaters for the performing arts, public parks, exhibition halls, libraries, senior centers, and fraternal organizations~~;~~
 - E. Transportation/Parking: Parking structures which serve developments within the Regional Center Commercial district, park-and-rides, transit stations, and bus shelters~~;~~
 - F. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835~~;~~ and
 - G. Mobile vending units, subject to Section 837.

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

1702. 04 ACCESSORY USES

The following are allowed as accessory uses in the Regional Center Commercial (RCC) District:

- A. Uses and structures customarily accessory and incidental to a primary use;
- B. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;
- C. The temporary storage within an enclosed structure of source-separated recyclable/reusable materials generated and/or used on-site prior to on-site reuse or removal by the generator or licensed or franchised collector to a user or broker;
- D. Bike racks, pedestrian amenities, and transit amenities;
- E. Solar energy systems;
- F. Cogeneration facilities;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- G. Accessory uses provided under Subsection 1706.04, in conjunction with any residential use;
- H. Private recreational facilities for employees or residents of a primary use;
- I. Private daycare facilities for employees, subject to Section 807;
- J. Signs, subject to Section 1010;
- K. Electric vehicle charging stations; and
- L. Rainwater collection systems.

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

1702.05 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.

1702.06 CONDITIONAL USES

- A. 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. In addition, the proposed use shall not interfere with, or intrude into or between, pedestrian-oriented uses or developments.
- B. Uses allowed subject to the above conditions are:
 - 1. Telephone exchanges, utility substations, radio and television transmission and receiving stations;
 - 2. Heliports in conjunction with a primary or conditional use, subject to Section 712 or 713;
 - 3. Convention facilities that exceed a seating capacity of 500.

1702.07 PROHIBITED AND PREEXISTING USES

The following uses are prohibited in the Regional Center Commercial (RCC) District:

- A. Car washes; outdoor sales and services, including sales or repair services for trucks, boats, recreational vehicles, residential trailers, manufactured dwellings, farm and construction equipment, lumber yards, fuel yards,

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

carpentry or sheet metal shops; mini-storage and vehicle storage facilities; moving equipment rental; gasoline service stations and similar uses.

- B. 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*.
- C. The use of a manufactured dwelling, except pursuant to Section 1204.
- D. Lawfully established dwellings may be remodeled or expanded without review under Section 1206. In addition, the following provisions shall apply:
 - 1. Change of Use: A lawfully established preexisting dwelling may be converted to house any use permitted in the district, subject to all requirements for new development.
 - 2. Density: A lawfully established single-family dwelling shall be one dwelling unit for purposes of calculating minimum density pursuant to Subsection 1702.09(C), unless:
 - a. The dwelling will be converted to another allowed use; or
 - b. The dwelling will be converted into more than one dwelling unit; or
 - c. The dwelling will be removed prior to occupancy of the new multifamily residential development located on the same property.
 - 3. Lot Divisions, Adjustments, and Setbacks: No minimum lot size shall be required for a lot containing a lawfully established preexisting dwelling.
- E. New single-family dwellings.

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

1702.08 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 an aesthetically pleasing urban character through open space, landscaping, building orientation and setbacks, and pedestrian amenities;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

4. Provide the urban design elements shown on Comprehensive Plan Map X-CRC-3, *Clackamas Regional Center Area Design Plan, Urban Design Elements*; and
 5. Implement the goals and policies of the Clackamas Regional Center Area Design Plan.
- B. The following dimensional standards apply:
1. Minimum Lot Size: One acre.
 2. 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.
 3. Maximum Front Yard Setback:
 - a. 20 feet from all streets, as defined in Section 1700, except from Main Streets designated on Comprehensive Plan Map X-CRC-3. 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.
 - b. 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.
 4. Minimum Rear Yard Setback: None, except when the rear lot line abuts a residential or Open Space Management (OSM) zoning district, in which case the minimum shall be 35 feet.
 5. 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.
 6. Minimum Landscaping Area: 10 percent of the lot.

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

1702.09 DEVELOPMENT STANDARDS

- A. General: Development shall be subject to the applicable provisions of Sections 1000, 1100, and 1700.
- B. Community and Design Plans: Development within a Community or Design Plan area identified in Chapter 10 of the Comprehensive Plan shall comply

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

- 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.
- D. Minimum Floor Area Ratio (FAR): The minimum FAR for a retail development is 0.3. The minimum FAR for an office development 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
 - 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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- E. Improvements: The County may require the provision of, or participation in, the development of public facility improvements needed to implement adopted design plans or special standards. Such improvements may 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, landscaping;
 10. Open space and parks; and
 11. Urban design elements shown on Comprehensive Plan Map X-CRC-3, *Clackamas Regional Center Area Design Plan, Urban Design Elements*.
- 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]

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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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. Mobile vending units, subject to Section 837; and
 32. 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)(32) 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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

3. Greenways as shown on Comprehensive Plan Map X-CRC-3, *Clackamas Regional Center Area Design Plan, Urban Design Elements*; and
 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;
 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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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;
- 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;
- 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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

1703.06 PROHIBITED USES

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

- 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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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 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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

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 façade 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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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:

- 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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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:
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);

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- c. General location of buildings, density (floor area ratio or units per acre), number of stories;
 - 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:

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- a. The specific location (footprints) of buildings, orientation, setbacks; and pedestrian amenities provided with buildings;
 - 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]

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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 acre—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 	<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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

	<p>accessible by all modes of transportation</p> <ul style="list-style-type: none"> • Create a walkable district • Provide for essential public facilities and services 			
<p>Toys R Us ODOT (PMU site 3)</p>	<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
<p>Southwest side of 82nd Avenue (PMU site 4)</p>	<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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

<p>Southgate (PMU site 5)</p>	<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 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"> • Conceptual master plan for entire site • 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 	<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 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]

1704 CORRIDOR COMMERCIAL DISTRICT (CC)

1704.01 PURPOSE

Section 1704 is adopted to implement the policies of the Comprehensive Plan for Corridor Commercial areas.

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

1704.02 AREA OF APPLICATION

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

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

1704.03 PRIMARY USES

The following are allowed as primary uses in the Corridor Commercial District:

- A. Any use permitted within the Retail Commercial District;
- B. Service and retail uses where there is a need for outdoor areas in order to conduct business activities and sales or storage areas are an integral part of the use, such as lumber yards or auto sales;
- C. Electric vehicle charging stations;
- D. Business Park District uses listed in Subsection 606.03(A), which are not otherwise listed as primary uses under Subsections 1704.03(A) and (B), subject to Subsection 606.03;
- E. Colleges, educational institutes, private schools, commercial schools, and trade schools; art, music, and dance studios; and radio and television studios, excluding transmission towers;
- F. Cultural/Public Uses: Galleries, museums, assembly or convention facilities, theaters for performing arts, exhibition halls, libraries, senior centers, and fraternal organizations;
- G. High Density Residential, subject to Section 303; ~~and~~
- H. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835; ~~and~~
- I. Mobile vending units, subject to Section 837.

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

1704.04 ACCESSORY USES

The following are allowed as accessory uses in the Corridor Commercial District:

- A. Uses and structures customarily accessory and incidental to a primary use;
- B. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;
- C. The temporary storage within an enclosed structure of source-separated recyclable/reusable materials generated and/or used on-site prior to on-site reuse or removal by the generator or licensed or franchised collector to a user or broker;
- D. Recyclable drop off sites, subject to Section 819;
- E. Bus shelters, subject to Section 823;
- F. Signs, subject to Section 1010;
- G. Park-and-ride lots;
- H. Bike racks, pedestrian amenities, and transit amenities;
- I. Solar energy systems;
- J. Rainwater collection systems; and
- K. Parking structures.

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

1704.05 USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR

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

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

1704.06 CONDITIONAL USES

The following conditional uses may be allowed subject to Hearings Officer review pursuant to Section 1300. Approval shall not be granted unless the proposal complies with Section 1203 and any applicable provisions of Section 800.

- A. Telephone exchanges, utility substations, railroad right-of-way, and public utility structures, including shops and garages;
- B. Radio and television transmission and receiving towers and earth stations provided that the base of such towers shall not be closer to the property line than a distance equal to the height of the tower; and
- C. Heliports.

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

1704.07 PROHIBITED AND PREEXISTING USES

- A. The following uses shall be prohibited:
 - 1. Uses of structures and land not specifically permitted;
 - 2. The use of a residential trailer or manufactured dwelling, except as an office in a commercial trailer or manufactured dwelling sales lot, unless specifically authorized pursuant to Section 1204;
 - 3. New single-family and two-family dwellings; and
 - 4. Retail uses larger than 60,000 square feet of gross leasable area per building or business in areas designated as Industrial on Comprehensive Plan Map IV-8, *Urban Growth Concept*.
- B. Lawfully established dwellings shall be allowed to remodel or expand without review under Section 1206.
- C. A lawfully established dwelling may be converted to any use permitted in the district, subject to all requirements of this Ordinance for new development.

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

1704.08 DIMENSIONAL STANDARDS

- A. Purpose: The dimensional standards are intended to:
 - 1. Provide for protection of adjacent properties;
 - 2. Provide for efficient utilization of Corridor Commercial areas;
 - 3. Ensure that the minimum operational requirements of the development are provided on-site; and
 - 4. Site buildings to encourage and support pedestrian and transit access.

- B. Minimum Front Yard Setback: 15 feet.
- C. Maximum Front Yard Setback: 20 feet for buildings at or near a transit stop along a major transit street, as more specifically set forth in Section 1005.
- D. Minimum Rear Yard Setback: None, except when the rear yard abuts a more restrictive zoning district, in which case the minimum rear yard setback shall be 15 feet. Ten feet shall be added to the rear yard setback for each 10-foot increment in building height over 35 feet.
- E. Minimum Side Yard Setback: None, except when the side yard abuts a more restrictive zoning district, in which case the minimum side yard setback shall be 15 feet. Ten feet shall be added to the side yard setback for each 10-foot increment in building height over 35 feet.
- F. Minimum Landscaping Area: 10 percent of the lot.

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

1704.09 DEVELOPMENT STANDARDS

- A. General: Development shall be subject to the applicable provisions of Sections 1000, 1100, and 1700.
- B. Community and Design Plans: Development within a Community or Design Plan area identified in Chapter 10 of the Comprehensive Plan shall comply with the specific policies and standards for the adopted Community or Design Plan.
- C. Improvements: The County shall require the provision of, or participation in the development of, public facility improvements to implement adopted design plans or special standards. Such improvements include, but are not limited to, the following:
 - 1. Road dedications and improvements;
 - 2. Signalization;
 - 3. Sidewalks;
 - 4. Crosswalks;
 - 5. Storm drainage facilities;
 - 6. Sewer and water service lines and improvements;
 - 7. Underground utilities;

8. Street lights;
 9. Street trees and landscaping;
 10. Parks and open space; and
 11. The urban design elements shown on Comprehensive Plan Map X-CRC-3, *Clackamas Regional Center Area Design Plan, Urban Design Elements*.
- D. Road and Access Easement Vacations: Road vacations shall be prohibited in developments unless replaced with a new road or walkway that serves the same function. The replacement does not have to be in the same alignment as long as it provides access to the same areas the vacated road would have if constructed.
- E. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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

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;
- G. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835; ~~and~~
- H. Mobile vending units, subject to Section 837; and
- H.I. 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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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:

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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

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:

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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;

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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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]

Ordinance ZDO-231
Zoning and Development Ordinance Amendments

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

202 **DEFINITIONS**

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

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

ACCESS DRIVE: A private way, with a travel surface generally no more than twelve (12) ft. in width, created by deed or easement to provide vehicular ingress to, or egress from not more than two (2) lots or parcels.

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

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

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

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

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

"Adult arcade" is an establishment offering viewing booths or rooms for one or more persons in which twenty-five (25) percent, or more, of the material presented (either live, closed circuit, or reproduced) is characterized by an emphasis on nudity and/or specified sexual activities, as defined in this ordinance.

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

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

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

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

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

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

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

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

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

state of preservation or are restorable to their original conditions.

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

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

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

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

BASEMENT: A portion of a building which has less than one-half (1/2) of its height measured from finished floor to finished ceiling above the average elevation of the adjoining ground, but not an "underground structure" as defined in this ordinance.

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

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

"Bed and Breakfast Homestay" provides overnight accommodations plus breakfast in an owner-occupied dwelling that provides 1-2 guest rooms for occasional bed and breakfast guests, not exceeding 5 guests at one time. Primary use of the dwelling remains as a dwelling, not as a lodging establishment. All reservations are made in advance. Income derived from bed and breakfast activity does not generally represent a primary source of income. Bed and breakfast homestays are major home occupations, subject to Section 822.

"Bed and Breakfast Residence" provides overnight accommodations plus

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

breakfast and occasional family-style meals for guests, in an operator- or owner-occupied dwelling that provides up to 5 rooms on an occasional or regular basis. Income derived from the bed and breakfast activity may represent a primary source of income. Bed and breakfast residences are subject to Section 832, and all requirements of the underlying district.

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

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

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

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

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

Bike Lane: A section of roadway designated for exclusive bicycle use.

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

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

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

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

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

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

BUILDING OR STRUCTURE HEIGHT: The term "height of building" shall be calculated by the methods identified in the State of Oregon Structural Specialty Code

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

or the State of Oregon One and the Two Family Dwelling Specialty Code, as applicable.

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

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

COGENERATION FACILITY: A facility that produces energy as a by-product of its normal industrial process and the energy produced can be used for industrial, commercial, heating or cooling purposes; and such facility is more than 50 percent owned by a person who is not a public utility, an electric utility holding company or an affiliated interest. When this definition differs from that in ORS 758.500, the definition in ORS 758.500 shall prevail.

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

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

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

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

CONDITIONAL USE: A use addressing a limited or specific need but generally secondary to a primary use and, due to a potential adverse effect upon primary uses or

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

public services and facilities, is only allowed subject to review and the use standards of the district and Section 800 and the criteria of Section 1203.

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

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

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

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

DAYCARE FACILITY: A facility that provides regular daycare services to children under 13 years of age, including a day nursery, nursery school group or similar unit operating under any name. A daycare facility shall not include services provided by a physician or nurse, or facilities operated primarily for education or supervised training or instruction, or daycare provided by a "babysitter" or "family daycare provider" as defined in this Section. A daycare facility caring for seven or more children shall satisfy the certification requirements of the Children's Services Division.

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

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

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

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

DISTINCTIVE URBAN FOREST: Forested or woodland areas which are visually prominent or contain unique or rare tree and plant communities. These areas are

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

usually found in association with other open space resources within the urban area.

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

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

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

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

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

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

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

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

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

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

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

EASEMENT: A right of usage of real property granted by an owner to the public or

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

to specific persons, firms, and corporations.

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

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

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

FAMILY DAYCARE PROVIDER: A daycare provider who regularly provides daycare to fewer than 13 children, including the children of the provider, regardless of full-time or part-time status, in the provider's home in the family living quarters. Provision of daycare to 13 or more children in the home of the provider shall constitute the operation of a "daycare facility," as defined in this section, and shall be subject to the requirements of this Ordinance for daycare facilities. A family daycare provider to seven or more children shall satisfy the certification requirements of the Children's Services Division.

FARM, COMMERCIAL: A farm unit with all of the following characteristics:

- A. The land is used for the primary purpose of obtaining a profit in money from activities described in Sections 401.04(A);
- B. The net income derived from farm products is significant; and
- C. Products from the farm unit contribute substantially to the agricultural economy, to agricultural processors and to farm markets.

FARM, NONCOMMERCIAL: A parcel where all or part of the land is used for production of farm products for use or consumption by the owners or residents of the property, or which provides insignificant income.

FARM OPERATOR: A person who resides on and actively manages a "farm unit".

FARM UNIT: The contiguous and noncontiguous tracts within the county or a contiguous county held in common ownership and used by the farm operator for farm use as defined in 401.03(B).

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

FARMWORKER: Any person who, for an agreed remuneration or rate of pay, performs temporary or permanent labor for another in production of farm products or in the planting, cultivating or harvesting of seasonal agricultural crops or in

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

reforestation of lands, including but not limited to, the planting, transplanting, tubing, pre-commercial thinning, and thinning of trees and seedlings, the clearing, piling and disposal of brush and slash and other related activities.

FARMWORKER HOUSING: Housing limited to occupancy by farmworkers and their immediate families and no dwelling unit of which is occupied by a relative of the owner or operator of the farmworker housing.

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

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

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

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

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

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

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

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

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

GREEN FEEDSTOCKS: Are defined as including yard debris, non-treated wood waste, vegetative food waste, produce waste, vegetative restaurant waste, vegetative

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

food processor by-products, crop waste and livestock manure. For the purpose of these provisions, "non-treated wood waste" excludes wood waste treated with paint, varnish or other chemicals or preservatives.

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

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

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

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

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

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

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

HOME OCCUPATION: An occupation or business activity which results in a product or service; is conducted, in whole or in part, in a dwelling and/or an accessory building normally associated with primary uses allowed in the underlying zoning district; is conducted by at least one family member occupying the dwelling; and is clearly subordinate to the residential use of the subject property. Home occupations do not include garage sales, yard sales, holiday bazaars, or home parties which are held for the purpose of the sale or distribution of goods or services unless such sales and/or parties are held more than 6 times in a calendar year or operate in excess of 24 total days in a calendar year.

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

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

HOTEL: A building which is designed or used to offer short-term lodging for compensation, with or without meals, for six (6) or more people. A facility that is operated for the purpose of providing care beyond that of room and board is not a "hotel".

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

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

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

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

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

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

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

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

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

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

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

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

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

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

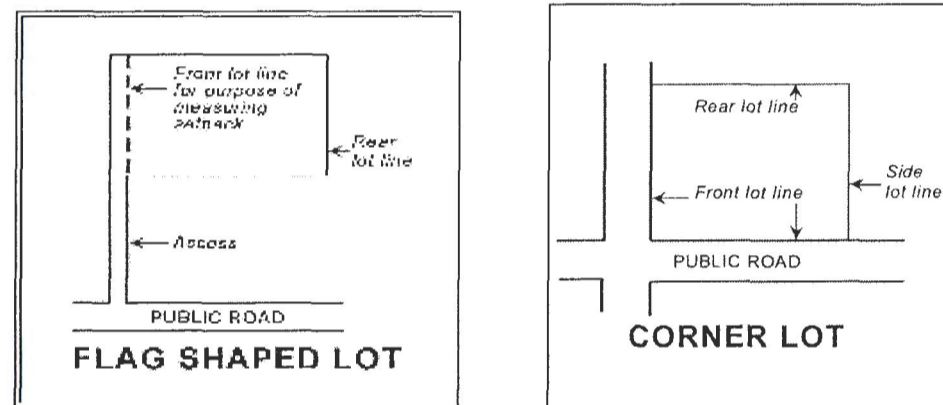
LOT COVERAGE: The area of a lot covered by a building or buildings expressed as a percentage of the total lot area.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

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

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



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

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

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

- A. Contiguous lots under the same ownership when initially zoned shall be combined when any of these lots, parcels or units of land did not satisfy the lot size requirements of the initial zoning district, excluding lots in a recorded plat.
- B. A unit of land created solely to establish a separate tax account, or for mortgage purposes, that does not conform to all zoning and Subdivision

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

Ordinance requirements and applicable Comprehensive Plan provisions, in effect on the date when a recorded separate deed, tax account or contract creating it was signed by the parties to the deed or contract, unless it is sold under the foreclosure provisions of Chapter 88 of the Oregon Revised Statutes.

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

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

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

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

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

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

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

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

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

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

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

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

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

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

MOTEL: A building or series of buildings in which lodging only is offered for compensation and which may have more than five (5) sleeping rooms or units for this purpose and which is distinguished from a hotel primarily by reason of providing direct independent access to and adjoining parking for each rental unit designed primarily for automobile tourists and transient persons. The term includes auto courts, tourist courts, tourist homes, and motor lodges.

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

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

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

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

NONFARM USE: A dwelling, or the creation of a lot for a dwelling, not provided in conjunction with a farm use in an agricultural district.

NUDITY OR NUDE: Being devoid of a covering for the male or female genitalia consisting of an opaque material which does not simulate the organ covered and, in the case of a female, exposing to view one or both breasts without a covering over the nipple that is at least three (3) inches in diameter and does not simulate the organ covered.

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

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

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

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

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

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

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

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

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

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

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

PENNANT: Any lightweight plastic, fabric, or other material, whether or not

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

containing a message of any kind, suspended, usually in series, from a rope, wire, or string, and designed to move in the wind.

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

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

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

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

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

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

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

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

PRINCIPAL DWELLING, NATURAL RESOURCE: A dwelling provided in conjunction with a farm or forest use in an agricultural or forest district which is occupied by the owner or primary operator of the farm or forest use on the property.

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

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

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

PUBLIC WATER SYSTEM: A system for the provision to the public of piped water for human consumption, if such system has more than three service connections and is a facility licensed by the State of Oregon Health Division.

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

RECORDER'S PLAT SHEET: A standard "recorder's plat sheet" shall be a good quality, white, cold-pressed, double-mounted drawing paper eighteen (18) inches by twenty-four (24) inches in size with the muslin extending three (3) inches at one end for binding purposes. No portion of the map or drafting shall be closer than one (1) inch of the edge of the board.

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

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

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

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

Environmental Quality.

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

RESERVE STRIP: A strip of land, usually one (1) foot in width, across the end of a street or alley which shall be under the ownership of the County to insure street extensions where needed.

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

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

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

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

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

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

ROAD, PRIVATE: A private way created by deed or easement to provide vehicular ingress to, or egress from, three (3) or more lots or parcels. (11/5/98)

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

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

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

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

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

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

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

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

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

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

SIGHT-OBSCURING PLANTING: A dense perennial evergreen planting with sufficient foliage to obscure vision and which will reach a height of at least six (6) feet within thirty (30) months after planting.

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

marquees, awnings, canopies, street clocks and furniture and includes the surface upon which the presentation or representation is displayed.

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

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

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

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

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

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

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

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

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

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

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

SIGN, MONUMENT: A sign which extends from the ground or which has a support

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

which places the bottom thereof less than two (2) feet from the ground.

SIGN, OFF-PREMISES: A sign which advertises goods, products or services which are not sold, manufactured, or distributed on or from the premises or facilities on which the sign is located.

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

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

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

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

SIGN, RESIDENTIAL: Any sign associated with a dwelling.

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

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

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

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

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

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

the window.

SIGNIFICANT NATURAL AREAS: Natural areas as defined in "Oregon National Areas - Clackamas County Data Summary" published by The Nature Conservancy. This list of natural areas may be amended by the County as additional areas are identified.

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

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

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

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

- A. Environmentally hazardous wastes as defined in ORS 466.055;
- B. Materials used for fertilizer or for other productive purposes on land in agricultural operations in the growing and harvesting of crops or the raising of

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

fowl or animals. This exception does not apply to the keeping of animals on land which has been zoned for residential non-agricultural purposes;

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

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

STABLE, BOARDING OR RIDING: Premises that are used by the public for the training, riding, boarding, public exhibition or display of livestock for commercial or noncommercial purposes. An agricultural building, as defined in Chapter 4 of the Uniform Building Code, or premises used for the boarding, training or riding of three (3) or less livestock other than those of the operator of the premises shall not be a "stable" for the purposes of this Ordinance.

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

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

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

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

STREET: See "ROAD".

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

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

SUBDIVIDE: To divide an area or tract of land into four (4) or more lots within a calendar year when such area or tract exists as a unit or contiguous units, under a single ownership at the beginning of such year, whether or not that area or tract of land is divided by a water course or a road right-of-way.

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

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

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

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

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

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

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

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

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

TRANSIT STOP: Any posted bus or light rail stop.

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

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

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

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

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

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

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

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

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

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

WETLANDS: Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. (1/5/09)

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

YARD, FRONT: Any yard abutting a state highway, County road, public road, private road, or access drive, except as modified by Subsections 903.01 and 903.07 of this Ordinance. (11/5/98)

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

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

306 MOUNTAIN RECREATIONAL RESORT DISTRICT (MRR)

306.01 PURPOSE

Section 306 is adopted to implement the policies of the Comprehensive Plan for Mountain Recreation areas.

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

306.02 AREA OF APPLICATION

Property may be zoned Mountain Recreational Resort if:

- A. The site has a Comprehensive Plan designation of Mountain Recreation; and
- B. The criteria in Section 1202 are satisfied.

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

306.03 PRIMARY USES

The following are primary uses in the Mountain Recreational Resort District:

- A. Multifamily dwellings;
- B. Three-family dwellings;
- C. Two-family dwellings;
- D. One detached single-family dwelling, residential home, or manufactured home. A manufactured home is subject to Section 824;
- E. Congregate housing facilities;
- F. Condominiums, subject to Section 803;
- G. Nursing homes, subject to Section 810;
- H. Bus shelters, subject to Section 823;
- I. Utility carrier cabinets, subject to Section 830;
- J. Bed and breakfast residences and inns, subject to Section 832;
- K. Wireless telecommunication facilities listed in Subsections 835.04(B) and (C), subject to Section 835;
- L. Lodging, boarding, and rooming houses for any number of guests;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- M. Public parks, playgrounds, recreational and community buildings and grounds, community gardens, public golf courses, tennis courts, and similar recreational uses, all of a noncommercial nature, provided that any principal building or swimming pool shall be located a minimum of 30 feet from any other lot in a residential district;
- N. Park-and-ride facilities; and
- O. Hotels, motels, and associated convention facilities, except that a new hotel or motel in Rhododendron shall be limited to a maximum of 35 units.

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

306.04 ACCESSORY USES

The following are accessory uses in the Mountain Recreational Resort District:

- A. Uses and structures customarily accessory and incidental to a primary use;
- 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. Offices, buildings, and facilities required for the operation, administration, and maintenance of any planned recreational resort development;
- D. Parking structures;
- E. Repair and maintenance services;
- F. 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;
- G. Self-service laundry facilities;
- H. Solar energy systems;
- I. Rainwater collection systems;
- J. Electric vehicle charging stations;
- K. Produce stands, subject to Section 815;
- L. Livestock, subject to Section 821;
- M. Home occupations, subject to Section 822;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- N. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;
- O. Family daycare providers; and
- P. Signs, subject to Subsection 306.10(E).

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

306.05 LIMITED USES

- A. Uses incidental to a primary use, including level three and four mobile vending units, subject to Section 837; eating and drinking establishments; sports equipment rental, sale, service, or repair; specialty shops; arts and crafts galleries; personal service establishments; campgrounds; and similar recreational operations are permitted provided:
 - 1. Limited uses are provided for as an integral part of the general plan of the development;
 - 2. Limited uses will not by reason of their location, construction, manner or timing of operations, signs, lighting, parking arrangements, or other characteristics have adverse effects on residential uses within or adjoining the zoning district or create traffic congestion or hazards to vehicular or pedestrian traffic; and
 - 3. Any application for a limited use is approved in conjunction with or after building permits for the primary use.

306.06 USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR

The Planning Director may approve the following use in the Mountain Recreational Resort 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]

306.07 CONDITIONAL USES

- A. The Hearings Officer may approve the following conditional uses in the Mountain Recreational Resort 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. Schools, subject to Section 805;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

3. Daycare facilities, subject to Section 807;
4. Service and recreational uses, subject to Section 813, except that associated shops, garages, and general administrative offices may be included with public or private utility services, water storage facilities, and sanitary sewerage treatment systems;
5. Quarry activities or uses: rock, gravel, sand, soil, aggregates, and similar extractive activities and uses, but none within any stream corridor area or within 100 feet of the average annual high water mark of any stream, river, or other body of water, whichever is greater, subject to Section 818;
6. Sanitary landfills, debris fills, and solid waste transfer or processing stations, subject to Section 819;
7. Manufactured dwelling parks, subject to Section 825;
8. Public or private energy source development. Hydroelectric facilities shall be subject to Section 829;
9. Wireless telecommunication facilities listed in Subsection 835.06(A), subject to Section 835;
10. Personal use airports and helistops;
11. Recreational uses, including, but not limited to, ski areas and associated uses;
12. Multi-use developments, subject to Section 1016; and
13. The hosting of weddings, family reunions, class reunions, company picnics, and similar events.

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

306.08 PROHIBITED AND PREEXISTING USES

- A. Prohibited Uses: The following uses shall be prohibited:
 1. Uses of structures and land not specifically permitted;
 2. The use of a residential trailer or mobile home as a dwelling, except within a lawfully established preexisting manufactured dwelling park or as authorized under Section 1204.
- B. Preexisting Uses:
 1. The minimum lot size for a new lot created for a preexisting dwelling shall be calculated pursuant to Subsection 306.09(B).

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

2. A lot created for a preexisting dwelling shall not be included in the gross site area used to determine the maximum density for the remaining lot.

306.09 DIMENSIONAL STANDARDS

A. Purpose: The dimensional standards are intended to:

1. Provide for the protection of the natural environment and the surrounding areas from potentially adverse influences;
2. Provide for and protect the unique character, livability, and scenic quality of the Mount Hood community;
3. Provide for fire safety and protection of all structures;
4. Protect the privacy and livability of on- and offsite dwellings and yard areas;
5. Provide for adequate light and air circulation between structures;
6. Provide for adequate snow slide area between structures above the 3,500-foot elevation;
7. Ensure consistency in the scale of structures, both vertically and horizontally; and
8. Provide for adequate open space within a development.

B. Density: The district land area for purposes of calculating density pursuant to Section 1012 is 1,980 square feet per dwelling unit in Government Camp. In Wemme/Welches and Rhododendron, the district land area is based on dwelling unit size as follows:

Dwelling Unit Size (in square feet)	District Land Area in Wemme/Welches	District Land Area in Rhododendron
1200+	7,260	10,890
1000-1199	6,223	8,712
800-999	5,445	7,260
600-799	4,356	5,445
Less than 600	3,111	3,630

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- C. Scenic Roads: Structures built on lots adjacent to roads designated as scenic roads on Comprehensive Plan Map V-5 should be set back a sufficient distance from the right-of-way to permit a landscaped or natural buffer area.
- D. Minimum Perimeter Yard Setbacks: 10 feet to 30 feet depending on the following criteria:
 - 1. Yard setback requirements in the abutting zoning district; and
 - 2. Adjacent land use.
- E. Setback Exception: No perimeter yard setback is required from property lines that abut a national forest.
- F. Minimum Structure Separation: A minimum of 10 feet shall be required between all buildings, on- or off-site. Above 3,500 feet in elevation, the separation distance between buildings with contiguous snowslide areas shall be a minimum of 20 feet. "Snowslide 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.
- G. Maximum Building Height: 40 feet. This provision may be modified to allow a maximum height of 50 feet when necessary to accommodate understructure parking.
- H. Building Height Exception: The maximum building height for hotel developments in Government Camp shall be 70 feet. This provision shall be modified to allow a maximum height of 87.5 feet when necessary to accommodate understructure parking or where a higher structure will preserve significant natural features or views.
- I. Minimum Landscaping Area: 25 percent of the lot.
- J. Exceptions: Dimensional standards are subject to modification pursuant to Section 900.
- K. Variances: Dimensional standards may be modified pursuant to Section 1205.

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

306.10 DEVELOPMENT STANDARDS

- A. General: Development shall be subject to the applicable provisions of Sections 1000 and 1100. In addition, except as otherwise indicated below, the standards applicable to the Medium Density Residential District shall apply.
- B. Community and Design Plans: Development within a Community or Design Plan area identified in Chapter 10 of the Comprehensive Plan shall comply

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

- C. Restricted Areas: Generally residential development is prohibited in the Floodplain Management District regulated by Section 703, river and stream corridors, wetlands, mass movement hazard areas regulated by Section 1003, and slopes greater than 25 percent. However, a single-family dwelling may be developed in a restricted area on a lot of record created prior to the adoption of this standard, subject to compliance with the applicable criteria in this Ordinance for such development. In the case of a land division, density accruing to restricted areas may be eligible for transfer to unrestricted areas as provided in Section 1012.
- D. Building Design: The following standards shall apply to commercial developments in Government Camp. These are recommended for all other developments.
 - 1. Exterior Building Materials: Primary and accessory structures shall use wood, stone, stone veneer, or stucco for exterior construction. Stucco and textured concrete may be used as secondary materials. Stucco must be acrylic-based and combined with heavy timber, wood, or stone cladding. A rock, rock veneer, or textured concrete base shall be provided around building exteriors visible from roadways. No exposed plywood, particle board, plain concrete, cinder block, or grooved T1-11 is permitted.
 - 2. Roofing Materials: No composition shingles or galvanized or corrugated metal roofs are allowed.
 - 3. Design: Building design shall meet the design intent of mountain architecture as described in the Government Camp Design Guidelines Handbook. Examples of mountain architecture include "Cascadian", "Oregon Rustic", and the "National Park Style".
- E. Signs: Permanent identification signs shall be subject to Subsections 1010.09(A)(1) through (5). Signs may be indirectly illuminated and shall be complementary to the unique character of the Mount Hood Community in the use of graphics, symbols, and natural materials. On-site directional signing shall be sensitive to the needs of tourists. Government Camp signs shall comply with Section 1010.
- 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]

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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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;
- 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. Preexisting retail or service commercial uses; and
- E. Mobile vending units, subject to Section 837.

[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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

reuse or removal by the generator or licensed or franchised collector to a user or broker;

- D. Recyclable drop-off sites, subject to Section 819;
- E. Bus shelters, subject to Section 823;
- F. Signs, subject to Section 1010;
- G. 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

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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

8. Maximum Floor Area Per Use: Individual uses shall not exceed 5,000 square feet of gross floor area.

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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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. Utility carrier cabinets, subject to Section 830;
41. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835;
42. Auto and light truck repair and service;
43. Drive-thru window service in conjunction with any primary use;
44. Small animal medical and surgical clinics;
45. Service stations, subject to Section 820; ~~and~~
46. Electric vehicle charging stations; and
47. Mobile vending units, subject to Section 837.

[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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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.

[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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

5. Maximum Zoning District Size: 10 acres.
 6. Minimum Landscaping Area: 15 percent of the lot.
 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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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]

503 GENERAL COMMERCIAL DISTRICT (C-3)

503.01 PURPOSE

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

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

503.02 AREA OF APPLICATION

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

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

503.03 PRIMARY USES

The following are primary uses in the General Commercial District:

- A. Any use permitted in the Retail Commercial District;
- B. Service and retail uses where there is a need for outdoor areas in order to conduct business activities and sales or storage areas are an integral part of the use, such as lumber yards or auto sales;
- C. Business Park District uses listed in Subsection 606.03(A), which are not otherwise listed as primary uses under Subsections 503.03(A) and (B), subject to Subsection 606.03 and provided no smoke, noise, or odors shall be emitted that detract from the character of a commercial district;
- D. Housing facilities for senior citizens or handicapped persons;
- E. Colleges, educational institutes, private schools, commercial schools, and trade schools; art, music, and dance studios; and radio and television studios, excluding transmission towers;
- F. Galleries, museums, assembly or convention facilities, theaters for performing arts, exhibition halls, libraries, senior centers, and fraternal organizations; ~~and~~
- G. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835; ~~and~~
- H. Mobile vending units, subject to Section 837.

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

503.04 ACCESSORY USES

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

The following are accessory uses in the General Commercial District:

- A. Uses and structures customarily accessory and incidental to a primary use;
- B. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;
- C. The temporary storage within an enclosed structure of source-separated recyclable/reusable materials generated and/or used on-site prior to on-site reuse or removal by the generator or licensed or franchised collector to a user or broker;
- D. Recyclable dropoff sites, subject to Section 819;
- E. Bus shelters, subject to Section 823;
- F. Signs, subject to Section 1010;
- G. Bike racks, pedestrian amenities, and transit amenities;
- H. Rainwater collection systems; and
- I. Solar energy systems.

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

503.05 USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR

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

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

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

503.06 CONDITIONAL USES

- A. The Hearings Officer may approve the following conditional uses in the General Commercial District, pursuant to Section 1300. Approval shall not be granted unless the proposal complies with Section 1203 and any applicable provisions of Section 800.
 - 1. Hydroelectric facilities, subject to Section 829;
 - 2. Telephone exchanges, utility substations, railroad rights-of-way, and public utility structures including shops and garages;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

3. Radio and television transmission and receiving towers and earth stations, provided that the base of such towers shall not be closer to the property line than a distance equal to the height of the tower;
4. Heliport landing areas;
5. Outdoor stadiums and race tracks; and
6. Multi-use developments, subject to Section 1016.

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

503.07 PROHIBITED AND PREEXISTING USES

- A. Prohibited Uses: The following uses are prohibited in the General Commercial District (C-3):
 1. Uses of structures and land not specifically allowed;
 2. The use of a manufactured dwelling, except as an office in a manufactured dwelling or recreational vehicle sales lot, unless authorized pursuant to Section 1204;
 3. New single- and two-family dwellings, except when incidental to a primary use; and
 4. Retail uses larger than 60,000 square feet of gross leasable area per building or business in areas designated as Industrial on Comprehensive Plan Map IV-8, *Urban Growth Concept*.
- B. Preexisting Uses:
 1. Lawfully established dwellings shall be allowed to remodel or expand without review under Section 1206.
 2. A lawfully established dwelling may be converted to any use permitted in the C-3 District, subject to all requirements of this Ordinance for new development.
 3. No minimum lot size shall be required for a lot containing a preexisting dwelling.

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

503.08 DIMENSIONAL STANDARDS

- A. Purpose: The dimensional standards are intended to:
 1. Provide for protection of adjacent properties;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

2. Provide for efficient utilization of General Commercial areas;
 3. Ensure that the minimum operational requirements of the development are provided on-site; and
 4. Establish the maximum limits of the development.
- B. Minimum Site Area: None, except a two-acre minimum for the area defined as Hinckley Avenue on the north, Cleo Battin on the south, and between 82nd Avenue and I-205.
- C. Minimum Front Yard Setback: 15 feet.
- D. Maximum Front Yard Setback: 20 feet for buildings at or near a transit stop along a major transit street, as set forth more specifically in Section 1005.
- E. Minimum Rear Yard Setback: None, except when the rear yard abuts a more restrictive district, in which case the minimum shall be 15 feet. Ten feet shall be added to the minimum rear yard setback for each 10-foot increment in building height over 35 feet.
- F. Minimum Side Yard Setback: None, except when the side yard abuts a more restrictive district, in which case the minimum shall be 15 feet. Ten feet shall be added to the side yard setback for each 10-foot increment in building height over 35 feet.
- G. Minimum Road Frontage: 50 feet.
- H. Minimum Landscaping Area: 15 percent of the lot.
- I. Exceptions: Dimensional standards are subject to modification pursuant to Section 900.
- J. Variances: The requirements of Subsections 503.08(B) through (I) may be modified pursuant to Section 1102 when such modification is consistent with Section 1205. A proposed reduction that exceeds 20 percent of the requirement shall be processed as a separate variance application pursuant to Section 1205.

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

503.09 DEVELOPMENT STANDARDS

- A. General: Development shall be subject to the applicable provisions of Sections 1000 and 1100.
- B. Community and Design Plans: Development within a Community or Design Plan area identified in Chapter 10 of the Comprehensive Plan shall comply

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

- C. Operational Impacts: Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter, or water-carried wastes.
- D. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.

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

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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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;
- PP. Utility carrier cabinets, subject to Section 830;
- QQ. Sports equipment rental, sale, service, or repair;
- RR. Other uses intended to serve the community and surrounding rural area or the travel needs of people passing through the area; ~~and~~
- SS. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835; and
- TT. Mobile vending units, subject to Section 837.

[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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

[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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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]

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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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. Electric vehicle charging stations;
- ~~21.~~22. Exercise and tanning studios;
- ~~22.~~23. Fabric and dry goods stores;
- ~~23.~~24. Firewood sales;
- ~~24.~~25. Feed stores, including wholesale and retail sales and storage;
- ~~25.~~26. Fertilizer and similar agricultural and forestry materials wholesale and retail sales and storage;
- ~~26.~~27. Florist and gift shops;
- ~~27.~~28. Food lockers;
- ~~28.~~29. Garden stores, including wholesale and retail sales of seeds, seedlings, and nursery stock;
- ~~29.~~30. Grocery and produce stores;
- ~~30.~~31. Gunsmiths;
- ~~31.~~32. Hardware and garden supply stores;
- ~~32.~~33. Housewares and household appliance and equipment sales and repair;
- ~~33.~~34. Insurance agents;
- ~~34.~~35. Leather goods and hides sales;
- ~~35.~~36. Locksmiths;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 36.37. ___ Logging contractors;
- 37.38. ___ Liquor stores;
- 38.39. ___ Meat and fish markets;
- 40. Mobile vending units;
- 39.41. ___ Museums;
- 40.42. ___ Offices for doctors, dentists, chiropractors, naturopathic treatment personnel, and other health service personnel; small clinics; and community healthcare programs;
- 41.43. ___ 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;
- 42.44. ___ Photo finishing;
- 43.45. ___ Pottery and ceramics stores, including manufacturing of pottery to be sold in that store, and classes;
- 44.46. ___ Real estate agencies;
- 45.47. ___ Service stations, subject to Section 820;
- 46. ~~Electric vehicle charging stations;~~
- 47.48. ___ Shoe repair;
- 48.49. ___ Taverns;
- 49.50. ___ Telephone co-ops;
- 50.51. ___ Upholstery shops, including retail sales;
- 51.52. ___ Utility carrier cabinets, subject to Section 830;
- 52.53. ___ Veterinary services and pet supply stores;
- 53.54. ___ Video rental stores;
- 54.55. ___ Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835; and
- 55.56. ___ 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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

subsection shall be processed as an Interpretation pursuant to Subsection 1305.03.

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

505.04 ACCESSORY USES

- 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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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);
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:

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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;
 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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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]

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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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;
 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;
 4. Bakeries; and

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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; and

M. Level one mobile vending units, subject to Section 837.

[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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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]

508 RETAIL COMMERCIAL DISTRICT (RTL)

508.01 PURPOSE

Section 508 is adopted to implement the policies of the Comprehensive Plan for Retail Commercial areas.

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

508.02 AREA OF APPLICATION

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

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

508.03 PRIMARY USES

The following are primary uses in the Retail Commercial District:

- A. Office, retail, and service commercial uses provided that:
 - 1. Outdoor display and storage shall be limited to less than five percent of the building coverage. (See the exception in Subsection 508.03(A)(4).)
 - 2. Most activities shall be conducted within a completely enclosed structure.
 - 3. Uses with drive-thru window service shall be subject to Section 827. Within the Clackamas Regional Center Area shown on Comprehensive Plan Map X-CRC-1, *Clackamas Regional Center Area Design Plan, Regional Center, Corridors and Station Community*, drive-thru window service also shall be subject to Section 1700.
 - 4. Auto body, recreational vehicle, and boat repair businesses shall store within a completely enclosed structure those vehicles and equipment that are damaged or being repaired;
- B. Multifamily residential uses, subject to Section 303;
- C. Colleges, educational institutes, private schools, commercial schools, and trade schools; art, music, and dance studios; and radio and television studios, excluding transmission towers;
- D. Galleries, museums, assembly or convention facilities, theaters for performing arts, exhibition halls, libraries, senior centers, and fraternal organizations; and
- E. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835; ~~and~~

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

F. Mobile vending units, subject to Section 837.

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

508.04 ACCESSORY USES

The following are accessory uses in the Retail Commercial District:

- A. Uses and structures customarily accessory and incidental to a primary use;
- B. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;
- C. The temporary storage within an enclosed structure of source-separated recyclable/reusable materials generated and/or used on-site prior to on-site reuse or removal by the generator or licensed or franchised collector to a user or broker;
- D. Bus shelters, subject to Section 823;
- E. Bike racks, pedestrian amenities, and transit amenities;
- F. Solar energy systems;
- G. Rainwater collection systems;
- H. Electric vehicle charging stations;
- I. Accessory uses listed in Subsection 303.04 in conjunction with any residential use;
- J. Parking structures; and
- K. Park-and-ride lots.

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

508.05 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 Subsection 835.05, subject to Section 835.

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

508.06 CONDITIONAL USES

- A. The Hearings Officer may approve 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:
1. Shall not interfere with, or intrude into or between, pedestrian-oriented uses or developments;
 2. Shall provide pedestrian and landscaping amenities which are comparable to those provided in conjunction with primary uses listed in Subsection 508.03;
 3. Shall not require, or result in a demand for, additional traffic signals or street improvements beyond those planned for the area without the proposed use;
 4. Shall use buildings and building materials which are comparable to those used for primary use developments; and
 5. Shall limit outdoor display/storage areas to five percent of the building coverage area.
- B. Uses allowed subject to the above conditions are:
1. Service stations, subject to Section 820;
 2. Electric vehicle charging stations that exceed an accessory use;
 3. Telephone exchanges, utility substations, radio and television transmission and receiving earth stations;
 4. Heliports;
 5. Car washes;
 6. Mini-storage facilities; and
 7. Hydroelectric facilities, subject to Section 829, and not subject to Subsections 508.06(A)(1) through (5).

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

508.07 PROHIBITED AND PREEXISTING USES

- A. The following uses shall be prohibited:
1. Uses of structures and land not specifically allowed in Sections 501, 502, and 508;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

2. The use of a residential trailer or mobile home, except as an office in a recreational vehicle or mobile home sales lot, unless authorized pursuant to Section 1204; and
 3. New single-family dwellings, except when incidental to a primary use;
- B. Lawfully established dwellings shall be allowed to remodel or expand without review under Section 1206.
 - C. A lawfully established dwelling may be converted to any use permitted in the district, subject to all requirements of this Ordinance for new development.
 - D. No minimum lot size shall be required for a lot containing a preexisting dwelling.

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

508.08 DIMENSIONAL STANDARDS

- A. Purpose: The dimensional standards are intended to:
 1. Provide for protection of adjacent properties;
 2. Provide for efficient utilization of Retail Commercial (RTL) 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 Lot Size: One-half acre. However, primary and accessory uses may be established on sites smaller than one-half acre, provided such sites are physically separated from all other undeveloped or underdeveloped properties in the RTL District.
- C. Minimum Front Yard Setback: 15 feet.
- D. Maximum Front Yard Setback: 20 feet for buildings at or near a transit stop along a major transit street, as more specifically set forth in Section 1005.
- E. Minimum Side and Rear Yard Setbacks: None, except when a side or rear yard abuts a more restrictive district, in which case the minimum shall be 15 feet. The minimum setback shall increase 10 feet for each 10-foot increment in building height over 35 feet.
- F. Minimum Landscaping Area: 10 percent of the lot.
- G. Modifications: The requirements of Subsections 508.08(B) through (F) may be modified pursuant to Section 1102 when such modification is consistent

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

with the purposes set forth under Subsection 508.08(A) and with 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]

508.09 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 Plan or Design Plan.
- C. Master Plans: A master plan shall be required for phased development and shall be submitted for design review with the application for the first phase of development.
- D. Improvements: The County may require the provision of, or participation in the development of, public facility improvements to implement adopted design plans or special standards. Such improvements may include, but are not limited to, the following:
 - 1. Road dedications and improvements;
 - 2. Signalization;
 - 3. Sidewalks;
 - 4. Crosswalks;
 - 5. Storm drainage facilities;
 - 6. Sewer and water service lines and improvements;
 - 7. Underground utilities;
 - 8. Street lights;
 - 9. Street trees and landscaping;
 - 10. Parks and open space; and
 - 11. The Urban Design Elements shown on Comprehensive Plan Map X-CRC-3, *Clackamas Regional Center Area Design Plan, Urban Design Elements*, for sites within the Clackamas Regional Center Area shown on

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

Comprehensive Plan Map X-CRC-1, *Clackamas Regional Center Area Design Plan, Regional Center, Corridors and Station Community.*

- E. Road and Access Easement Vacations: Road vacations shall be prohibited in developments unless replaced with a new road or walkway that serves the same function. The replacement does not have to be in the same alignment as long as it provides access to the same areas the vacated road would have if constructed.
- 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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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;
- 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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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; and
- M. Level one mobile vending units, subject to Section 837.

[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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- d. Video sales and rentals;
 - 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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- A. 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 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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- b. The use is not of a type or intensity which produces odor, smoke, fumes, noise, glare, heat or vibrations which are incompatible with other primary uses allowed in this district.
 - c. The physical and operational requirements of the use, including type of structure used and volume of heavy truck traffic generated, are similar to other industrial and office uses allowed in this district.
- 3. Printing, publishing, bookbinding, graphic or photographic reproduction, blueprinting or photo processing.
 - 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. Utility carrier cabinets, subject to Section 830.
 - G. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835.

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

601.04 ACCESSORY USES

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

- A. Uses and structures customarily accessory and incidental to a primary use;
- B. Employee lounges and dining rooms, conference rooms for tenant use, newsstands, central mail room and self-service postal and banking facilities, and products information and display areas which are included within the primary use structures;
- C. Warehouse or storage structures provided in conjunction with a primary use under Subsection 601.03 on the same site;
- D. Indoor and outdoor recreational facilities, such as swimming pools, saunas, game and craft rooms, exercise and dance studios, community meeting rooms, lounges, playgrounds, tennis and other courts, bike and walking trails, and pedestrian plazas and courts, which are provided in association with a primary use within the same development;
- E. Parking structures;
- F. Bus shelters, subject to Section 823;
- G. Signs, subject to Section 1010;
- H. Bicycle racks, pedestrian amenities, and transit amenities;
- I. Rental and development information offices;
- J. Handyman and maintenance services in association with primary, accessory or limited uses in the development;
- K. The temporary storage within an enclosed structure of source-separated recyclable/reusable materials generated and/or used on site prior to onsite reuse or removal by the generator or licensed or franchised collector to a user or broker;
- L. Self-service laundry facilities;
- M. Solar energy systems;
- N. Rainwater collection systems;
- O. Electric vehicle charging stations;
- P. Temporary buildings for uses incidental to construction. Such buildings shall be removed upon completion or abandonment of the construction work;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

Q. Daycare facilities, subject to Section 807~~3~~ and

R. Level one mobile vending units, subject to Section 837.

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

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:

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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:
 - 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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- E. Lawfully established preexisting dwellings shall comply with the setback standards of Section 301.
- F. Any lot less than two acres in size resulting from a property line adjustment is not buildable, except for recreational uses under Subsection 601.03(D) on a lot a minimum of one acre in size, unless combined with other property as provided under Subsection 601.09(B).
- G. All other preexisting uses and structures not specifically permitted in Section 601 shall be nonconforming uses subject to provisions of Section 1206.

[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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

individual tax lots or ownerships to the development plan for the site area as approved by the County. No permit shall be issued on any separate tax lot or ownership for any structure or use not indicated on the County approved development plan for the site area.

C. Minimum Site Area:

1. Developments which include uses under at least two of the primary use categories under Subsection 601.03(A) through (D), shall require a minimum site area of three acres.
2. Developments which include only uses under Subsection 601.03(A) and accessory uses, shall require a minimum site area of two acres.
3. Developments which include only uses under Subsection 601.03(D) shall require a minimum site area of one acre.

D. Undersized Lots: Any primary use under Subsection 601.03, and its associated accessory and limited uses, may be established on a lot smaller than the minimum site area that is physically separated from all other underdeveloped properties in this district, or that is approved as a conditional use under Subsection 601.07(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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- c. The entire area may be used to calculate the allowed density under Subsection 303.09(D) and Section 1012, subject to the floor area limitation of this district.
2. Limited Uses: Only primary use floor area may be included for purposes of calculating the allowed limited use floor area for a development.
- G. Exceptions to Floor Area Requirements: The requirements under Subsection 601.09(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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- b. Bikeways, trails, pedestrian walks, patios, courts;
 - c. Onsite directional signs;
 - d. Coordinated joint-use circulation drives, parking, loading, recreational activity areas, plazas, and
 - 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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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:

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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);

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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; ~~and~~
19. Level one mobile vending units, subject to Section 837.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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;
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;
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. 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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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. (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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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. 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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

3. Setback Yard Landscaping: Within the required front yard setback area, a landscaped strip at least 15 feet wide shall be provided.
- E. Minimum Street Frontage: A site area shall have a minimum of 100 feet of street frontage on a public, county, or state access road, except as provided under Subsection 904.02(A).
- F. Minimum Landscaping Area: 15 percent of the lot.
- G. Exceptions to General Requirements: The requirements of Subsection 602.08 are not subject to modification under Section 900, except where specifically referenced. However, these requirements may be modified pursuant to Section 1205.

[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);

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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.
 - 2. Warehouse and manufacturing buildings having the following characteristics:
 - a. Are designed for the specific site to accomplish the objectives under Subsection 603.03(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.
 - 3. Silos, towers, and other specialized storage or processing structures typically associated with the use, including metal-sided structures, which have the following characteristics:
 - a. Provide windows and canopies, awnings, wood or masonry siding, or other exterior treatment to highlight accessory office areas within the same building, when applicable;
 - b. Use exterior colors which blend with the landscape, such as brown, green, tan, or, in the case of tall structures, such as silos or towers, use light colors that blend with the sky;
 - c. Do not use bright colors, white, or multiple colors, except as specifically approved pursuant to Section 1102 for signs, trim, accents, or to provide visual interest to equipment or structures that are unique to the particular use;
 - d. May be used entirely or partially for storage.
- D. Outdoor Storage and Process Areas: Outdoor storage and process areas shall be allowed subject to the following criteria:
- 1. Outdoor storage and process areas shall comply with Subsection 603.08(D).

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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; and

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

[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:
 - I. 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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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. 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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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:

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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]

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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; and
- O. Level one mobile vending units, subject to Section 837.

[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:

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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]

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:

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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 interpretation under this provision shall include a detailed description of

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

the use and operational requirements of the use, approximate number of employees, estimated volume of truck traffic to be generated, a site plan, building elevations, and preliminary landscaping plans.

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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]

606.04 ACCESSORY USES

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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;
 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.
- D. Level one mobile vending units, subject to Section 837.

[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:
 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;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

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

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

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

606.07 PROHIBITED AND PREEXISTING USES

- A. Prohibited Uses: The following uses are prohibited in the Business Park District (BP):
1. Uses that do not comply with Subsections 606.03(B) through (G), except as approved pursuant to Subsection 606.06;
 2. Separate warehouse and distribution structures and activities, except as allowed in Subsection 606.04(B);
 3. Motor freight terminals;
 4. Auto or truck storage or repair;
 5. Uses identified as conditional uses in the Light Industrial or General Industrial Districts but not as a conditional use in the BP District;
 6. Retail and service commercial uses except as allowed in Subsections 606.04(C) or 606.06(B).
- 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:
1. Assure that developments have a positive image and attractive appearance from within the site, from public roads, and from adjacent properties;

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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

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

606.09 DEVELOPMENT STANDARDS

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

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

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- 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]

837 MOBILE VENDING UNITS

837.01 APPLICABILITY

Section 837 shall apply to mobile vending units, except mobile vending units that are part of a farmer's market. Except as set forth in Section 837, mobile vending units are exempt from Sections 1000 and 1102.

837.02 LEVEL ONE MOBILE VENDING UNITS

Except as established by Subsection 837.02, level one mobile vending units are exempt from regulation under this Ordinance. No permit to operate a level one mobile vending unit is required under this Ordinance. A level one mobile vending unit is one that complies with the following standards:

- A. The mobile vending unit shall operate on a designated route and not stop at a fixed location for more than two hours during the workday. Storage of such a unit during hours outside the workday is not regulated by Section 837, but remains subject to any other applicable provisions of this Ordinance, which may include compliance with Sections 1000 and 1102.
- B. The mobile vending unit shall be entirely self-contained with no connections to onsite utilities; no outdoor seating; and no storage outside the unit. Attachments to the mobile vending unit, such as awnings or canopies, are permitted only if they are supported entirely by the unit and do not touch the ground.

837.03 LEVEL TWO MOBILE VENDING UNITS

Approval of a level two mobile vending unit is a ministerial action and is not subject to review as set forth in Subsection 104.01. A level two mobile vending unit permit shall be approved, subject to the following standards:

- A. Qualifying Site: The mobile vending unit shall be located on a developed site. A developed site is one that has previously received design review approval and where that approval has been implemented. Alternatively, if not located on a developed site, the mobile vending unit shall remain on the subject property for no more than 120 days in a calendar year. For the purpose of this standard:
 - 1. If a mobile vending unit is replaced by another, the number of days shall be calculated by adding the days spent onsite by each unit.
 - 2. If a mobile vending unit spends any portion of a day on the subject property, it shall count as one day.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- B. Maximum Number: Except as allowed under Subsection 837.02, no more than two mobile vending units may be located on a single lot of record, or on two or more lots of record that are part of a single development.
- C. Accessory Items and Structures: Portable accessory items, such as picnic tables and trash cans, are permitted. Attachments to the mobile vending unit, such as awnings or canopies, are permitted only if they are supported entirely by the unit and do not touch the ground. Neither the mobile vending unit nor any item relating to the unit shall lean against or hang from any structure or utility pole. No structure shall be attached to the mobile vending unit. New structures, such as restroom buildings, trash enclosures, and gazebos, are prohibited, except that a fence may be constructed pursuant to Subsection 837.03(Q).
- D. Accessory Storage: Except as specifically allowed by Section 837, items relating to the mobile vending unit shall be stored in, on, or under the unit.
- E. Interior Seating or Vending: Customer seating or vending inside the mobile vending unit is prohibited.
- F. Maximum Size: The mobile vending unit shall not exceed 200 square feet, measured by the outside dimensions of the unit. Attachments to the mobile vending unit, such as awnings or canopies, shall be excluded when calculating the square footage.
- G. Minimum Setbacks and Separation Distance: The mobile vending unit shall be located a minimum of:
1. Five feet from any structure or mobile vending unit;
 2. Ten feet from any front lot line, except in the Rural Tourist Commercial District in Government Camp Village, as identified on Comprehensive Plan Map X-MH-4, *Government Camp Village Plan, Land Use Plan & Boundary*, where the minimum front yard setback from a property line abutting Government Camp Loop shall be four feet, and 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; and
 3. Five feet from any side or rear lot line, except if such lot line abuts one of the following zoning districts, in which case the minimum shall be 15 feet: any urban or rural residential zoning district regulated by Section 300, Village Standard Lot Residential District (VR-5/7), Village Small Lot Residential District (VR-4/5), Village Townhouse District (VTH), and Village Apartment District (VA).
- H. Utilities: To the extent that utilities are desired by the applicant or required by applicable regulations, the mobile vending unit shall have self-contained utilities, or if onsite utility connections are proposed, such utilities shall be

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

installed underground, except where prohibited by the utility district or company. Notwithstanding this requirement:

1. If allowed by the utility district or company and any applicable Oregon Specialty Code, aboveground utility connections are permitted, when a mobile vending unit will remain on the subject property for no more than 120 days in a calendar year. For the purpose of this exception:
 - a. If a mobile vending unit is replaced by another, the number of days shall be calculated by adding the days spent onsite by each unit.
 - b. If a mobile vending unit spends any portion of a day on the subject property, it shall count as one day.
 2. If allowed by the utility district or company and the Oregon Electrical Specialty Code, aboveground power cords are permitted to connect the mobile vending unit to an approved electricity source.
 3. If allowed by the utility district or company and the Oregon Plumbing Specialty Code, aboveground hoses are permitted to connect the mobile vending unit to an approved water source.
- I. Portable Sanitation Facilities: Portable toilets are prohibited. Portable hand-washing facilities are permitted but may not drain to the surface.
- J. Sewage Disposal: Inside the Portland Metropolitan Urban Growth Boundary (UGB) and the Mount Hood urban area, subsurface sewage disposal is prohibited unless allowed by Subsection 1006.07(B).
- K. Obstruction of Vehicular and Pedestrian Use Areas: Neither the mobile vending unit nor any elements associated with the mobile vending unit, such as aboveground power cords, seating areas, trash receptacles, signs, and customer queuing areas, shall occupy bicycle parking spaces, loading areas, driveways, onsite circulation drives, parking lot aisles, or walkways. However, occupying existing onsite automobile parking spaces is permitted, provided that such spaces are not simultaneously used for parking.
- L. Setback from Vehicular and Pedestrian Use Areas: Windows and doors used for service to customers shall be located a minimum of 10 feet from loading areas, driveways, onsite circulation drives, and parking lot aisles, and a minimum of five feet from bicycle parking spaces and walkways.
- M. Driveway Access: No new or modified driveway access is permitted.
- N. Intersection Sight Distance and Roadside Clear Zones: The mobile vending unit and any attachments or accessory items shall comply with the intersection sight distance and roadside clear zone standards of the Clackamas County Roadway Standards.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- O. Surfacing: Inside the UGB, the mobile vending unit shall be placed on an existing hard-surfaced area, and any associated parking, loading, and maneuvering areas for vehicles shall be on existing hard-surfaced areas, unless a permeable parking, loading, or maneuvering area surface was authorized as part of a previously implemented design review approval for the site. Outside the UGB, the mobile vending unit shall be placed on an area surfaced with screened gravel or better, and any associated parking, loading, and maneuvering areas for vehicles shall be surfaced with screened gravel or better.
- P. Drive-thru Service: Drive-thru service is prohibited.
- Q. Screening: If the mobile vending unit is located less than 20 feet from one of the following zoning districts, the unit shall be screened from the lot line abutting that zoning district: any zoning district regulated by Section 300, VR-5/7, VR-4/5, VTH, and VA. Required screening:
1. May be provided by an existing structure, a fence, or a hedge;
 2. Shall be sight-obscuring; and
 3. Shall have a minimum height of six feet.
- R. Obstruction of Existing Landscaping: The mobile vending unit shall not occupy landscaping areas approved as part of a prior design review or other land use application. Other elements associated with the mobile vending unit, such as seating areas, also shall not occupy such landscaping areas, unless such elements are permitted as pedestrian amenities under Subsection 1009.03(G).
- S. Signs: Signs are permitted pursuant to Section 1010.
- T. Trash Receptacle: A trash receptacle for customer use shall be maintained no more than 10 feet from the mobile vending unit.
- U. Skirting: Skirting shall be placed around the perimeter of the mobile vending unit.

837.04 LEVEL THREE MOBILE VENDING UNITS

The Planning Director may approve a level three mobile vending unit, pursuant to Subsection 1305.02, if the applicant provides evidence substantiating the following:

- A. Maximum Number: Except as allowed under Subsection 837.02, no more than four mobile vending units may be located on a single lot of record, or on two or more lots of record that are part of a single development.
- B. Accessory Items and Structures: Portable accessory items, such as picnic tables and trash cans, are permitted. Attachments to the mobile vending unit,

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

such as awnings or canopies, are permitted only if they are supported entirely by the unit and do not touch the ground. Neither the mobile vending unit nor any item relating to the unit shall lean against or hang from any structure or utility pole. No structure shall be attached to the mobile vending unit. New accessory structures may be constructed, as follows:

1. A maximum of two restroom structures, provided that the combined square footage does not exceed 200;
 2. A maximum of two storage buildings, provided that the combined square footage does not exceed 200;
 3. One trash enclosure; and
 4. Outdoor seating areas, which may have roofs, floors, and railings, but no walls (e.g. decks, picnic shelters), provided that the combined square footage does not exceed 200 square feet per mobile vending unit and that no single structure exceeds 200 square feet.
- C. Accessory Storage: Except as specifically allowed by Section 837, items relating to the mobile vending unit shall be stored in, on, or under the unit.
- D. Interior Seating or Vending: Customer seating or vending inside the mobile vending unit is prohibited.
- E. Maximum Size: The mobile vending unit shall not exceed 200 square feet, measured by the outside dimensions of the unit. Attachments to the mobile vending unit that are supported entirely by the unit and do not touch the ground shall be excluded when calculating the square footage.
- F. Minimum Setbacks and Separation Distance: The mobile vending unit shall be located a minimum of:
1. Five feet from any structure or another mobile vending unit;
 2. Ten feet from any front lot line, except in the Rural Tourist Commercial District in Government Camp Village, as identified on Comprehensive Plan Map X-MH-4, Government Camp Village Plan, Land Use Plan & Boundary, where the minimum front yard setback from a property line abutting Government Camp Loop shall be four feet, and 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; and
 3. Five feet from any side or rear lot line, except if such lot line abuts one of the following zoning districts, in which case the minimum shall be 15 feet: any zoning district regulated by Section 300, Village Standard Lot Residential District (VR-5/7), Village Small Lot Residential District (VR-

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

4/5), Village Townhouse District (VTH), and Village Apartment District (VA).

- G. Structure Setbacks: Structures allowed under Subsection 837.04(B) shall comply with the setback standards of the zoning district in which the subject property is located.
- H. Hillsides, Significant Trees or Wooded Areas, and Mass Movement Hazard Areas: The development shall be subject to Subsections 1002.03, 1002.05 and 1003.02, as applicable.
- I. Utilities: To the extent that utilities are desired by the applicant or required by applicable regulations, the mobile vending unit shall have self-contained utilities, or if onsite utility connections are proposed, such utilities shall be installed underground, except where prohibited by the utility district or company. Notwithstanding this requirement:
1. If allowed by the utility district or company and any applicable Oregon Specialty Code, aboveground utility connections are permitted, when a mobile vending unit will remain on the subject property for no more than 120 days in a calendar year. For the purpose of this exception:
 - a. If a mobile vending unit is replaced by another, the number of days shall be calculated by adding the days spent onsite by each unit.
 - b. If a mobile vending unit spends any portion of a day on the subject property, it shall count as one day.
 2. If allowed by the utility district or company and the Oregon Electrical Specialty Code, aboveground power cords are permitted to connect the mobile vending unit to an approved electricity source.
 3. If allowed by the utility district or company and the Oregon Plumbing Specialty Code, aboveground hoses are permitted to connect the mobile vending unit to an approved water source.
- J. Portable Sanitation Facilities: Portable toilets are prohibited, unless they are connected to a sanitary sewer system or a subsurface sewage disposal system. Portable hand-washing facilities are permitted but may not drain to the surface.
- K. Sewage Disposal: Inside the Portland Metropolitan Urban Growth Boundary (UGB) and the Mount Hood urban area, subsurface sewage disposal is prohibited unless allowed by Subsection 1006.07(B).
- L. Lighting: Outdoor lighting shall be subject to Subsection 1005.05.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- M. Obstruction of Vehicular and Pedestrian Use Areas: Neither the mobile vending unit nor any elements associated with the mobile vending unit, such as aboveground power cords, seating areas, trash receptacles, signs, and customer queuing areas, shall occupy bicycle parking spaces, loading areas, driveways, onsite circulation drives, parking lot aisles, or walkways.
- N. Setback from Vehicular and Pedestrian Use Areas: Windows and doors used for service to customers shall be located a minimum of 10 feet from loading areas, driveways, onsite circulation drives, and parking lot aisles, and a minimum of five feet from bicycle parking spaces and walkways.
- O. Driveway Access: Approval of driveway access shall be subject to the Clackamas County Roadway Standards.
- P. Intersection Sight Distance and Roadside Clear Zones: The mobile vending unit and any attachments or accessory items or structures shall comply with the intersection sight distance and roadside clear zone standards of the Clackamas County Roadway Standards.
- Q. Surfacing: Inside the UGB, the mobile vending unit shall be placed on a hard-surfaced area, and any associated parking, loading, and maneuvering areas for vehicles shall be on hard-surfaced areas, unless a permeable parking, loading, or maneuvering area surface unless a permeable surface is required to reduce surface runoff, as determined by the Department of Transportation and Development. Outside the UGB, the mobile vending unit shall be placed on an area surfaced with screened gravel or better, and any associated parking, loading, and maneuvering areas for vehicles shall be surfaced with screened gravel or better, and shall provide for suitable drainage.
- R. Drive-thru Service: A mobile vending unit may include drive-thru service only if drive-thru service is allowed as a primary or accessory use in the zoning district in which the subject property is located. Drive-thru service shall be subject to Section 827 and if applicable, Section 1700.
- S. Screening and Buffering: The proposed development shall be subject to the screening and buffering provisions of Subsection 1009.05.
- T. Obstruction of Existing Landscaping: The mobile vending unit shall not occupy landscaping areas approved as part of a prior design review or other land use application. Other elements associated with the mobile vending unit, such as seating areas, also shall not occupy such landscaping areas, unless such elements are permitted as pedestrian amenities under Subsection 1009.03(G).
- U. Landscaping Requirements: If the subject property does not have a previously approved landscape plan, compliance with Subsections 1009.02 (A) through (E), 1009.04(B), and 1009.08 shall be required.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

- V. Signs: Signs are permitted pursuant to Section 1010.
- W. Off-street Automobile Parking Spaces on a Developed Site: On a developed site, the mobile vending unit, attachments to the mobile vending unit, customer queuing areas, and portable accessory items may occupy existing off-street automobile parking spaces, provided that such spaces are not simultaneously used for parking. A developed site is one that has previously received design review approval and where that approval has been implemented. In addition, no new off-street parking spaces are required. However, new structures may be located in existing off-street automobile parking spaces only if such spaces are in excess of the minimum number required for existing development.
- X. Off-street Automobile Parking Spaces on an Undeveloped Site: On an undeveloped site, a minimum of two off-street parking spaces per mobile vending unit is required. An undeveloped site is one that does not have an implemented design review approval.
- Y. Automobile Parking Area Requirements: The development of new automobile parking areas shall comply with Section 1015.
- Z. Refuse and Recycling Standards: A trash receptacle for customer use shall be maintained no more than 10 feet from the mobile vending unit. In addition, compliance with Section 1021 shall be required.
- AA. Skirting: Skirting shall be placed around the perimeter of the mobile vending unit.

837.05 LEVEL FOUR MOBILE VENDING UNITS

If a proposed mobile vending unit exceeds the standards of both a level two and a level three mobile vending unit, it may be approved as a level four mobile vending unit, subject to Sections 1000 and 1102, as well as the standards applicable to the zoning district in which the subject property is located. In addition, compliance with Subsection 837.04 shall be required, except where a more restrictive standard is applicable pursuant to other provisions of this Ordinance.

837.06 SUBMITTAL REQUIREMENTS

The following submittal requirements shall apply to applications for level two and three mobile vending units:

- A. An application for a level two mobile vending unit permit shall include the following:
1. A completed level two mobile vending unit application form on a form provided by the Planning Director;
 2. Information sufficient to address the approval criteria in Subsection 837.03; and

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

3. A site plan of the subject property drawn to scale and including:
 - a. The lot lines;
 - b. The location of existing structures and mobile vending units on the development site;
 - c. The proposed location of the mobile vending unit and any portable accessory items, such as picnic tables and trash cans;
 - d. The dimensions of the proposed mobile vending unit;
 - e. The proposed distance between the mobile vending unit and adjacent lot lines, as well as the proposed separation distance between the unit and other onsite structures or mobile vending units;
 - f. The type and location of any proposed onsite utility connections for the mobile vending unit;
 - g. The location of existing loading areas, driveways, onsite circulation drives, parking lot aisles, bicycle and automobile parking spaces, and walkways;
 - h. The location of windows and doors on the mobile vending unit that are proposed to be used for service to customers;
 - i. The location of existing landscaping; and
 - j. The dimensions, height, location, and lighting (if any) of proposed signs.
- B. An application for a level three mobile vending unit permit shall include:
 1. A completed level three mobile vending unit application form on a form provided by the Planning Director; and
 2. The applicable items identified in Subsection 1102.05.

837.07 PREAPPLICATION CONFERENCE

A preapplication conference is required, pursuant to Subsection 1301.04, prior to the filing of an application for a level three or four mobile vending unit.

837.08 APPROVAL PERIOD AND TIME EXTENSION

- A. A level two or three mobile vending unit approval is valid for four years from the date of the final written decision. If the County's final written decision is appealed, the approval period shall commence on the date of the final appellate decision. During this four-year period, the approval shall be implemented, or the approval will become void. "Implemented" means all necessary County development permits shall be obtained and maintained for the approved development.
- B. If a level three mobile vending unit approval is not implemented within the initial approval period established by Subsection 837.08(A), a two-year time

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

extension may be approved by the Planning Director, pursuant to Subsection 1305.02, and subject to Subsection 1305.05.

C. A level four mobile vending unit approval is subject to the approval period and time extension provisions of Subsection 1102.02.



DEPT OF

JAN 24 2012

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-231 was deposited in the mail on January 23, 2012

Signed: _____

Cheryl J. Cornelison

Cheryl J. Cornelison, Administrative Assistant
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