



Oregon

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

Date: 09/19/2014
Jurisdiction: Clackamas County
Local file no.: ZDO-250
DLCD file no.: 002-14

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 09/19/2014. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD less than 35 days prior to the first evidentiary hearing.

Appeal Procedures

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

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

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

DLCD Contact

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



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

FOR DLCD USE	
File No.:	002-14
	{ 22261 }
Received:	9/19/2014

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

Jurisdiction: Clackamas County

Local file no.: **ZDO-250**

Date of adoption: 9/11/14

Date sent: 9/18/2014

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

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 5/5/14

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No
If yes, describe how the adoption differs from the proposal:

Yes, many edits were made. However, the scope of the amendments remains substantially similar.

Local contact (name and title): Jennifer Hughes

Phone: 503-742-4518

E-mail: jenniferh@clackamas.us

Street address: 150 Beaver Creek Rd

City: Oregon Cit7y

Zip: 97045-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

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

Chapters 4, 8 and 10; Goal 9

For a change to a comprehensive plan map:

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

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

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

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

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

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

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

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

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

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

Amended Sections 103, 315, 504, 601, 602, 827, 838, 839, 1001, 1005, 1007, 1009, 1010, 1011, 1012, 1015, 1016, 1102, 1104, 1202, 1203, 1204 and 1206; Adopted Sections 510, 511 and 512; and Repealed Sections 501, 502, 503, 507, 508, 509, 1600, 1602, 1606, 1607, 1608, 1700, 1701, 1702, 1703, 1704 and 1707

For a change to a zoning map:

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

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

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

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address):

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

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

Part of year two of a five-year "audit" of the zoning ordinance. Amends Comprehensive Plan and zoning ordinance provisions implementing 14 urban commercial and mixed-use zones. Addresses permitted uses, dimensional and development standards.

ORDINANCE NO. ZDO-250

An Ordinance amending Chapters 4, 8, and 10 of the Clackamas County Comprehensive Plan and Sections 103, 315, 504, 601, 602, 827, 838, 839, 1001, 1005, 1007, 1009, 1010, 1011, 1012, 1015, 1016, 1102, 1104, 1202, 1203, 1204 and 1206 of the Clackamas County Zoning and Development Ordinance(ZDO); adopting Sections 510, 511 and 512 of the ZDO; and repealing Sections 501, 502, 503, 507, 508, 509, 1600, 1602, 1606, 1607, 1608, 1700, 1701, 1702, 1703, 1704 and 1707 of the ZDO.

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

WHEREAS, the second year of the ZDO audit focused in part on the County's urban commercial and mixed-use zoning districts, resulting in a proposal to amend permitted uses, dimensional standards, and development standards in 13 such zoning districts, as well as a proposal to repeal the Village Commercial District provisions due to the annexation of the Village Commercial area to the City of Happy Valley; and

WHEREAS, amendments to the Comprehensive Plan are necessary to ensure continued consistency between the Comprehensive Plan and the ZDO; and

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

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

WHEREAS, after a duly-noticed public hearing on June 9, 2014, the Clackamas County Planning Commission recommended approval of amendments to the Comprehensive Plan and ZDO; and

WHEREAS, the Board of County Commissioners held a public hearing on July 16, 2014, and orally approved a modified version of the Planning Commission's recommendation; now therefore;

The Board of Commissioners of Clackamas County ordains as follows:

Section 1: Chapters 4, 8 and 10, including Map X-SV-1, of the Clackamas County Comprehensive Plan are hereby amended as shown in Exhibit A, hereto attached.

Section 2: Sections 103, 315, 504, 601, 602, 827, 838, 839, 1001, 1005, 1007, 1009, 1010, 1011, 1012, 1015, 1016, 1102, 1104, 1202, 1203, 1204 and 1206 of the Clackamas County Zoning and Development Ordinance(ZDO) are hereby amended; Sections 510, 511 and 512 of the ZDO are hereby adopted; and Sections 501, 502, 503, 507, 508, 509, 1600, 1602, 1606, 1607, 1608, 1700, 1701, 1702, 1703, 1704 and 1707 of the ZDO are hereby repealed, as shown in Exhibit B, hereto attached.

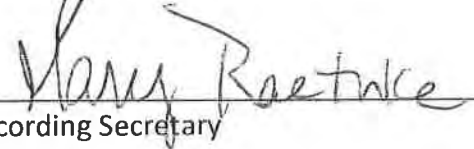
Section 3: This ordinance shall be effective on October 13, 2014.

ADOPTED this 11th day of September, 2014

BOARD OF COUNTY COMMISSIONERS



Chair



Recording Secretary

Clackamas County Comprehensive Plan

Ordinance ZDO-250 Comprehensive Plan Amendments

Text to be added is underlined. Text to be deleted is ~~strikethrough~~.

Chapter 4: LAND USE

When the pioneers settled Clackamas County, the land resource appeared infinite. They cleared forest, carved towns from the wilderness, and used waterways as the arterials of commerce. Some lands were valued for certain uses. The alluvial valley of the Willamette River was among the first areas to be cleared for agriculture. The falls at Oregon City was one of the first industrial sites. From the earliest days, the value of strategic location for various uses of the land was recognized and exploited for man's benefit. The best sites were usually used first.

Now we realize that not only is land finite, but also that sites with desirable characteristics for certain types of development are scarce. A growing population is increasing demand for land of all types. It is increasingly important to evaluate characteristics of remaining sites to determine their optimum use.

The Oregon Legislature has provided for land use to be determined at the local level through a rational process of balancing state and local goals, human needs, and the site characteristics of land. Generally, the factors for designating land use categories in this plan include the following:

- Physical site conditions such as soils, slope, and drainage
- Present and projected needs of the people
- Character of existing development
- Financial impacts on the County and its residents
- Community livability
- Capacities of streets, sewers, water systems, and other facilities
- Estimated market demand
- Parcel sizes
- Availability of transit
- Proximity to jobs, shopping and cultural activities
- Providing an adequate balance between various uses

The above factors alone are insufficient for planning a community. A planning process reflecting community values is needed to weigh various factors. This systematic approach involves identifying issues, developing alternative ways of dealing with the issues and choosing the most desirable alternative.

ISSUES

The major issues affecting future development in the County are:

[4-1]

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1. Supply and location of land for urban uses
2. Density of residential uses
3. Intensity of commercial and industrial uses
4. Proximity of mutually supporting land uses
5. The cost impacts of various land uses
6. Compatibility or conflict between land uses
7. Competing demands for land having certain characteristics
8. Compatibility of city and County plans
9. Supply and location of land for rural uses
10. Preservation of land for agricultural and forestry uses
11. The character and appearance of neighborhoods
12. Compatibility of land use with supportive systems such as transportation and sewerage
13. Protection of natural features and waterways from the impact of development
14. Provision of open spaces within the urban environment.

LAND USE DEFINITIONS

This Plan divides the County into six principal land use categories: Urban, Urban Reserve, Unincorporated Communities, Rural, Agriculture, and Forest. This ~~Plan~~[Plan](#) also establishes one or more land use plan designations within each of these categories. [Table 4-1 identifies all of the land use plan designations established by this Plan and the zoning districts that implement each designation.](#)

Urban

Urban areas include all land inside urban growth boundaries. Urban areas are either developed or planned to be developed with adequate supportive public services provided by cities or by special districts. Urban areas have concentrations of people, jobs, housing, and commercial activity.

Urban Growth Boundaries: Urban growth boundaries are designated on the land use plan maps. They separate Urban areas from Urban Reserve areas, Unincorporated Communities, and Rural, Agriculture, and Forest areas. An urban growth boundary encompasses existing urban development and lands to accommodate urban growth forecasted for a 20-year horizon.

Immediate Urban Areas: Immediate urban areas are lands that are within urban growth boundaries, are planned and zoned for urban uses, and meet at least one of the following conditions:

1. Served by public facilities, including sanitary sewage treatment, water, storm drainage, and transportation facilities;
2. Included within boundaries of cities or within special districts capable of providing public facilities and planned to be served in the near future; or

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3. Substantially developed or surrounded by development at urban densities.

Future Urban Areas: Future urban areas are lands within urban growth boundaries but outside immediate urban areas. Future urban areas are planned to be provided with public facilities, but currently lack providers of those facilities. Future urban areas are substantially underdeveloped and will be retained in their current use to ensure future availability for urban needs. Future urban areas are planned for urban uses but zoned for large-lot, limited development.

Future Urban Study Areas: Future urban study areas are lands that have been brought into an urban growth boundary but for which urban plan designations have not been applied. Planning will be conducted to determine urban plan designations and apply future urban zoning.

Urban Reserve

Urban Reserve areas lie outside an urban growth boundary and have been designated as highest priority for inclusion in an urban growth boundary when additional urban land is needed. Urban Reserve areas may be established pursuant to OAR Chapter 660, Division 21, or pursuant to OAR 660, Division 27. Metro designates Urban Reserve areas in the Portland metropolitan area. The cities of Sandy, Molalla, Estacada, and Canby, in coordination with the County, may designate other Urban Reserve areas.

Rural Reserve

Rural Reserve areas are intended to provide long-term protection for large blocks of agricultural land and forest land, and for important natural landscape features that limit urban development or define natural boundaries of urbanization. Rural Reserve areas shall not be included in an urban growth boundary or Urban Reserve area. Rural Reserves may be established pursuant to OAR Chapter 660, Division 27.

Unincorporated Communities

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

Rural

Rural lands are exception lands, as defined in Oregon Administrative Rules 660-004-0005(1), that are outside urban growth boundaries and Unincorporated Communities and are suitable for sparse settlement such as small farms, wood lots or acreage home sites. They lack public facilities or have limited facilities and are not suitable, necessary, or intended for urban, agricultural, or forest use.

Agriculture

Agriculture areas are those of predominantly Class I through IV soils as identified by the United States Natural Resources Conservation Service or as identified in more detailed data; and other lands that are suitable for farm use due to soil fertility, suitability for grazing, climatic conditions, existing or future potential for irrigation, land use patterns, or accepted farming practices or are necessary to permit farming practices to be undertaken on adjacent or nearby lands.

Forest

Forest areas are composed of existing and potential forestlands that are suitable for commercial forest uses. Also included are other forested lands needed for watershed protection, wildlife and fish habitat, and recreation, lands where extreme conditions of climate, soil, and topography require maintenance of vegetative cover, and forested lands in urban and agricultural areas which provide urban buffers, wind breaks, wildlife habitat, scenic corridors, and recreational use.

Land Use Maps Section

Map IV-1 displays the unincorporated land within the Portland Metropolitan Urban Growth Boundary. Map IV-2 provides an index for the land use plan maps. Maps IV-3, IV-4, and IV-5 are land use plan maps for areas where the county has adopted land use plan designations by agreement with adjoining cities. As these cities adopt amendments to their maps, the county will consider adoption. County land use plan designations are shown on Maps IV-6 and IV-7. Land use plan maps adopted as part of a Community Plan or Design Plan in Chapter 10 automatically amend Maps IV-6 and IV-7. Map IV-9 displays urban and rural reserves designated pursuant to OAR 660, Division 27, and urban and rural reserves are also illustrated in greater detail on Map IV-7.

No changes are made to the Urbanization, Urban Growth Concept, or Residential sections of Chapter 4.

COMMERCIAL

This section of ~~the Land Use~~ Chapter 4 addresses the location of commercial land and the physical development of commercial zoning districts. ~~The Economics~~ Chapter 8, Economics, establishes policies for other aspects of commerce, such as commercial growth, economic diversity, and employment.

The Neighborhood Commercial zoning district is intended to allow for uses that provide goods and services to residential neighborhoods in locations easily accessible to these neighborhoods with minimal negative impacts. Neighborhood Commercial uses include convenience retail and service establishments relying upon frequent purchases and having small trade areas. Neighborhood Commercial uses are compatible with residential areas and may be located in residential areas.

Community Commercial areas are designated for local shopping and services, including large grocery stores and other frequently patronized community services. Sale of a limited range of goods and services is allowed. Trade areas may encompass several neighborhoods. Uses are generally compatible with adjacent neighborhoods. ~~Small scale professional~~ Professional offices ~~are allowed may be included~~ in this land use category.

Office Commercial areas are designated for a mix of offices; clean, light manufacturing; multifamily residential uses; and other compatible uses. Commercial service and retail uses are allowed on a limited basis.

Office Apartment areas are intended to provide for: a mix of office uses and compatible uses, such as residential uses; a high standard of architectural design and landscaping; and pedestrian improvements and pedestrian-oriented site and building design to support non-auto trips. Office Apartment areas are designated as mixed-use areas with an emphasis on office and multifamily residential uses. Compatible land uses may be allowed on a limited basis. This land use category includes uses generally compatible with development within designated Corridors.

General Commercial areas are designated for sale of a wide range of goods and services. Trade areas for establishments within this district may be extensive. This category includes uses which may be incompatible with residential areas. Outdoor storage and display are permitted. Manufacturing (excluding primary processing of raw materials), pProfessional offices, and multifamily residential uses are allowed in this land use category.

Retail Commercial areas are also designated for sale of a wide range of goods and services. Trade areas for establishments within this district may be very extensive. This category provides for intensive retail development, with limits on some land extensive uses, and also limits on outdoor storage. Professional offices and multifamily residential uses are allowed in this land use category.

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~~Office Commercial areas are designated for professional office developments.~~

~~Office Apartment areas are designated as mixed use areas with an emphasis on office and apartment uses. Compatible land uses may be allowed on a limited basis. This category includes uses generally compatible with development within designated Corridors.~~

GOALS

- Provide opportunities for a wide range of commercial activity ranging from convenience establishments close to neighborhoods to major regional shopping centers.
- Ensure that access, siting, and design of commercial developments are suitable for the type of commercial activity.
- Provide for the efficient utilization of commercial areas while protecting adjacent properties and surrounding neighborhoods.
- Ensure that the minimum operational requirements of development are provided on-site.
- Encourage attractive, compact shopping areas offering a wide range of goods and services.
- Ensure that traffic attracted to commercial development will not adversely affect neighborhoods.
- Limit expansion of commercial strips and encourage better design of existing strips to make them more functional and attractive.
- Allow mixed use.

POLICIES

Neighborhood Commercial and All Urban Commercial Plan Designations

- 1.0 Determine permitted uses through zoning. Zoning of Commercial areas shall be consistent with this Plan. Timing of zoning district application shall be in accord with the orderly development of the County.
- 2.0 Require all developments to be subject to a design review process.
- 3.0 Implement dimensional and development standards to address compatibility, function, and aesthetics.

Neighborhood Commercial

44.0 Implement a Neighborhood Commercial zoning district, which may be applied to sites with a land use plan designation of Low Density Residential, Medium Density Residential, Medium High Density Residential, or High Density Residential. The Neighborhood Commercial zoning district may be applied to sites within residential areas which either have an historical commitment to neighborhood commercial uses, or satisfy all the following criteria:

44.1 The conditional use criteria of the Zoning and Development Ordinance.

44.2 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 policy, 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.

44.3 Each Neighborhood Commercial 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.

44.4 Sites shall have direct access to a street of at least a collector classification and preferably an arterial.

44.5 Sites should not include more than one quadrant of an intersection. If more than one quadrant is approved, it shall be shown that undue traffic congestion will not result.

~~1.6 Sites shall be developed with uses allowed by the Neighborhood Commercial district within two years of the action of the County tentatively approving the zone change, unless a time extension is granted.~~

~~2.0 Determine permitted uses by zoning. Zoning of Neighborhood Commercial areas shall be consistent with this Plan and the stated purpose of compatible zoning districts. Timing of zoning district application shall be in accord with the orderly development of the County.~~

53.0 Cluster buildings in Neighborhood Commercial areas to prevent strip development and require buildings to be compatible in design and scale with the

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surrounding neighborhood.

~~4.0—Require in all Neighborhood Commercial development and redevelopment a minimum of 15 percent of the total developed area to be in landscaping.~~

~~5.0—Require all Neighborhood Commercial developments to be subject to the design review process.~~

6.0 Require that improvements to streets be made when necessary prior to or concurrent with **Neighborhood Commercial** development. Bicycle/pedestrian facilities shall be provided.

Community Commercial

7.0 The following areas may be designated Community Commercial when the first criteria is met or all of the other criteria are met:

- a. Areas having an historical commitment to commercial uses.
- b. Areas which are separated from similar commercial uses by a least one-half mile. Each Community Commercial area should not exceed 10 acres.
- c. Areas having direct access to a street of at least a minor arterial classification. Siting should not result in significant traffic increase on local streets serving residential areas.
- d. Areas which do not increase an existing commercial strip.

~~8.0—Determine permitted uses through zoning. Zoning of Community Commercial areas shall be consistent with this Plan and the stated purpose of compatible zoning districts. Timing of zoning district application shall be in accord with the orderly development of the County.~~

~~9.0—Require in Community Commercial development and redevelopment a minimum of 15 percent of the total developed area to be in landscaping.~~

~~10.0—Require all developments to be subject to the design review process.~~

844.0 Require improvements to streets and/or transit access when necessary prior to or concurrent with development.

942.0 Require sidewalks and bicycle facilities.

1043.0 Limit and define access to facilitate efficient and safe traffic movements. Joint access and provisions for vehicular and pedestrian movement between developments shall be required when necessary.

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~~1144.0~~ Require curbs, drainage controls, underground utilities, and street lighting.

Office Commercial

~~1245.0~~ The following areas may be designated Office Commercial:

- a. Properties or areas currently developed with office commercial uses or committed to such uses, or which are adjacent to properties developed or committed to such uses, and are required in order to protect such uses from incompatible development.
- b. Properties offering high visibility from a major highway or arterial which will not draw traffic through single-family neighborhoods.
- c. Properties or areas which provide a buffer between residential and commercial or industrial properties.

~~16.0 Determine permitted uses through zoning. Zoning of Office Commercial areas shall be consistent with this plan and the stated purposes of the Office Commercial district. Timing of zoning district application shall be in accord with the orderly development of the County.~~

~~1347.0 Allow, as primary uses, institutional and cultural facilities, high-density housing, and bed and breakfast establishments ~~as a permitted use in office commercial areas.~~~~

~~18.0 Require in Office Commercial development or redevelopment a minimum of twenty (20) percent of the total developed area to be in landscaping.~~

~~1449.0 Allow service commercial uses ~~within office commercial~~ with limits on the percent of floor area to be occupied.~~

~~20.0 Allow institutional and cultural facilities as permitted uses in the office commercial zoning district, with limits on the size of assembly or convention facilities. Provide for larger facilities through conditional use procedures.~~

~~21.0 Require development plan approval on sites prior to parcelization of existing ownerships in this district.~~

~~1522.0 Allow staff variances from dimensional standards up to twenty percent without public notice.~~

~~23.0 Require all developments to be subject to the design review process.~~

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- 1624.0 Require improvements to streets and/or pedestrian and transit access when necessary prior to or concurrent with development.
- 1725.0 Limit and define access to facilitate efficient and safe traffic movements. Joint access provisions for vehicular and pedestrian movement between developments shall be required when uses are ~~complimentary~~ complementary or compatible.
- 1826.0 Discourage the use of large semi-trailer trucks while providing for local delivery-sized vehicles.
- 1927.0 Provide for high-quality building and site design through the application of strict development standards.
- 2028.0 Protect and promote Office Commercial~~office-commercial~~ areas for developments which project a positive image.
- 2129.0 Require sidewalks, drainage controls, underground utilities, and street lighting.

Office Apartment

- 2230.0 Areas may be designated Office Apartment when they meet Policy 22.130.1 or 22.230.2 below:
- 2230.1 The area to be considered by the land use application is located in a Corridor ~~design type area~~ Design Type Area as defined in the Urban Growth Concepts section of ~~this~~ the Land Use Chapter of the Comprehensive Plan.
- 2230.2 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:
- Access to the site will meet transportation safety standards and not cause an unacceptable level of service on the Corridor street; and
 - The site can be developed consistent with access management plans that have been prepared for the Corridor street, e.g., Map X-SC-5, (for example in Sunnyside Corridor Community Plan Map X-22) and consistent with access management requirements implemented by the Zoning and Development Ordinance and the County Roadway Standards stated in the Clackamas County Comprehensive Plan Table V-5.

~~31.0—Determine permitted uses through zoning. Zoning of Office Apartment areas~~

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~~shall be consistent with this plan and the stated purposes of the Office Apartment district. Timing of zoning district application shall be in accordance with the orderly development of the County.~~

~~23.031.1~~ Allow multi-family or attached single-family ~~attached~~ dwelling uses in mixed-use buildings as part of developments that include office uses.

~~24.031.2~~ Allow ~~senior or~~ congregate ~~care~~ housing facilities and nursing homes as limited uses ~~in Office Apartment areas~~.

~~25.031.3~~ Allow compatible land uses as limited uses with limits on the amount of floor space used by the limited use.

~~2632.0~~ For each Office Apartment site area, a master plan for the entire contiguous site area designated Office Apartment shall be submitted for approval with any land use application. The master plan shall include a plan for consolidation of vehicular accesses for the entire site area. Master plan approval for Office Apartment site areas shall be required prior to allowing development or land divisions ~~in this district~~.

~~2733.0~~ Development ~~in Office Apartment areas~~ shall ~~be subject to Development Review, and shall~~ comply with the following design requirements:

- a. Developments shall be designed at a pedestrian scale, with pedestrian amenities provided and pedestrian-oriented design used to support non-auto trips to the facility.
- b. Developments shall be designed in a series of low-rise buildings.
- c. Buildings shall be oriented towards streets.
- d. Development shall be integrated with the neighborhood using secondary accesses or, at minimum, pedestrian-only access to adjacent residential areas.
- e. Strict development standards shall be applied to provide for high-quality building and site design.
- ~~f. Development or redevelopment of Office Apartment uses shall provide a minimum of twenty (20) percent of the total developed site area in landscaping.~~
- ~~fg.~~ Sidewalks, drainage controls, underground utilities, and street lighting shall be required.
- ~~gh.~~ Improvements to streets and/or pedestrian and transit access shall be

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required when necessary, prior to, or concurrent with development.

- hi. Access shall be limited and defined to facilitate efficient and safe traffic movements. Joint access provisions for vehicular and pedestrian movement between developments shall be required when uses are ~~complimentary~~ complementary or compatible.

General Commercial

~~2834.0~~ The following areas may be designated General Commercial when either the first criterion is met or all of the other criteria are met:

- a. Areas having an historical commitment to commercial uses.
- b. Areas necessary to serve the shopping needs of County residents.
- c. Areas having access to a street of at least a major arterial classification or to a high capacity transit corridor ~~transit trunk route~~. Siting should not result in significant traffic increase on local streets serving residential areas.
- d. Areas which do not increase an existing commercial strip or create new strips.
- e. Areas where adverse effects, such as traffic and noise, will have a minimal effect on adjacent neighborhoods or can be minimized through on-site improvements.
- f. Areas near employment centers.

~~35.0 Determine permitted uses through zoning. Zoning of General Commercial areas shall be consistent with this Plan and the stated purpose of compatible zoning districts. Timing of zoning district application shall be in accord with the orderly development of the County.~~

~~36.0 Require in General Commercial development and redevelopment a minimum of 15 percent of the total developed area to be in landscaping.~~

~~37.0 Require all developments to be subject to the design review process.~~

~~2938.0~~ Require improvements to streets and/or transit access when necessary prior to or concurrent with development.

~~3039.0~~ Require sidewalks and bicycle facilities.

~~3140.0~~ Limit and define access to facilitate efficient and safe traffic movements.

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Joint access and provisions for vehicular and pedestrian movement between developments shall be required when necessary.

~~3244.0~~ Require curbs, drainage controls, underground utilities, and street lighting.

~~33.0~~ Allow manufacturing (excluding primary processing of raw materials) and high-density housing within General Commercial areas.

Retail Commercial

~~3442.0~~ Provide for retail commercial areas incorporating high standards and an attractive image, to meet regional shopping needs for a wide range of goods and services accessible by transit and automobile in areas such as the Clackamas Town Center.

~~3543.0~~ Provide for development oriented toward mass transit and pedestrian amenities.

~~3644.0~~ The following areas may be designated Retail Commercial when either the first criterion is met or all of the other criteria are met:

- a. Areas having an historical commitment to commercial uses.
- b. Areas necessary to serve the shopping needs of County residents.
- c. Areas having access to a street of at least a major arterial classification or to a high capacity transit corridor-transit trunk route. Siting should not result in significant traffic increase on local streets serving residential areas.
- d. Areas which do not increase an existing commercial strip or create new strips.
- e. Areas where adverse effects, such as traffic and noise, will have a minimal ~~effect~~effect on adjacent neighborhoods or can be minimized through on-site improvements.
- f. Areas near employment centers.

~~45.0~~ Determine permitted uses through zoning. Zoning of Retail Commercial areas shall be consistent with this Plan and the stated purpose of compatible zoning districts. Timing of zoning district application shall be in accord with the orderly development of the County.

~~46.0~~ Require in Retail Commercial development and redevelopment a minimum of 15

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

~~47.0—Require all developments to be subject to the design review process.~~

~~3748.0~~ Require improvements to streets and/or transit access when necessary prior to or concurrent with development.

~~3849.0~~ Require sidewalks and bicycle facilities.

~~3950.0~~ Limit and define access to facilitate efficient and safe traffic movements. Joint access and provisions for vehicular and pedestrian movement between developments shall be required when necessary.

~~4051.0~~ Require curbs, drainage controls, underground utilities, and street lighting.

~~4152.0~~ Allow ~~high-density~~ ~~Medium~~, ~~Medium High~~ or ~~High Density~~ housing within Retail Commercial areas.

No changes are made to the remaining sections of Chapter 4.

Table 4-1: Land Use Plan Designations and Implementing Zoning Districts

<u>Land Use Plan Designation</u>	<u>Land Use Plan Designation Abbreviation</u>	<u>Implementing Zoning District</u>	<u>Implementing Zoning District Abbreviation</u>
<u>Agriculture</u>	<u>AG</u>	<u>Exclusive Farm Use</u>	<u>EFU</u>
<u>Buffer Open Space</u>	<u>BUF</u>	<u>Government Camp Open Space Management</u>	<u>GCOSM</u>
<u>Business Park</u>	<u>BP</u>	<u>Business Park</u>	<u>BP</u>
<u>Campus Industrial</u>	<u>CI</u>	<u>Campus Industrial</u>	<u>CI</u>
<u>Community Commercial</u>	<u>CC</u>	<u>Community Commercial</u> <u>Rural Tourist Commercial</u>	<u>C-2</u> <u>RTC</u>
<u>Corridor Commercial</u>	<u>COR</u>	<u>Corridor Commercial</u>	<u>CC</u>
<u>Forest</u>	<u>F</u>	<u>Timber</u> <u>Ag/Forest</u>	<u>TBR</u> <u>AG/F</u>
<u>General Commercial</u>	<u>GC</u>	<u>General Commercial</u>	<u>C-3</u>
<u>General Industrial</u>	<u>GI</u>	<u>General Industrial</u>	<u>GI</u>
<u>High Density Residential</u>	<u>HDR</u>	<u>High Density Residential</u> <u>Neighborhood Commercial</u>	<u>HDR</u> <u>NC</u>
<u>Light Industrial</u>	<u>LI</u>	<u>Light Industrial</u>	<u>LI</u>
<u>Low Density Residential</u>	<u>LDR</u>	<u>Hoodland Residential</u> <u>Neighborhood Commercial</u> <u>Urban Low Density Residential R-2.5</u> <u>Urban Low Density Residential R-5</u> <u>Urban Low Density Residential R-7</u> <u>Urban Low Density Residential R-8.5</u> <u>Urban Low Density Residential R-10</u> <u>Urban Low Density Residential R-15</u> <u>Urban Low Density Residential R-20</u> <u>Urban Low Density Residential R-30</u>	<u>HR</u> <u>NC</u> <u>R-2.5</u> <u>R-5</u> <u>R-7</u> <u>R-8.5</u> <u>R-10</u> <u>R-15</u> <u>R-20</u> <u>R-30</u>
<u>Medium Density Residential</u>	<u>MDR</u>	<u>Medium Density Residential</u> <u>Neighborhood Commercial</u> <u>Planned Medium Density</u>	<u>MR-1</u> <u>NC</u> <u>PMD</u>
<u>Medium High Density Residential</u>	<u>MHDR</u>	<u>Medium High Density Residential</u> <u>Neighborhood Commercial</u>	<u>MR-2</u> <u>NC</u>
<u>Mountain Recreation</u>	<u>MR</u>	<u>Mountain Recreational Resort</u>	<u>MRR</u>
<u>Office Apartment</u>	<u>OA</u>	<u>Office Apartment</u>	<u>OA</u>
<u>Office Commercial</u>	<u>OC</u>	<u>Office Commercial</u>	<u>OC</u>
<u>Planned Mixed Use</u>	<u>PMU¹</u>	<u>Planned Mixed Use</u>	<u>PMU¹</u>
<u>Public and Community Use Open Space</u>	<u>PCU</u>	<u>Open Space Management</u> <u>Government Camp Open Space Management</u>	<u>OSM</u> <u>GCOSM</u>
<u>Regional Center Commercial</u>	<u>RCC</u>	<u>Regional Center Commercial</u>	<u>RCC</u>
<u>Regional Center Office</u>	<u>RCO</u>	<u>Regional Center Office</u>	<u>RCO</u>
<u>Retail Commercial</u>	<u>RTL</u>	<u>Retail Commercial</u>	<u>RTL</u>

Table 4-1: Land Use Plan Designations and Implementing Zoning Districts

<u>Rural</u>	<u>R</u>	<u>Farm Forest 10-Acre</u> <u>Recreational Residential</u> <u>Rural Area Residential 2-Acre</u> <u>Rural Residential Farm Forest 5-Acre</u>	<u>FF-10</u> <u>RR</u> <u>RA-2</u> <u>RRFF-5</u>
<u>Rural Commercial</u>	<u>RC</u>	<u>Rural Commercial</u>	<u>RC</u>
<u>Rural Industrial</u>	<u>RI</u>	<u>Rural Industrial</u>	<u>RI</u>
<u>Small Lot Single Family</u>	<u>SMLSF</u>	<u>Village Small Lot Residential</u>	<u>VR-4/5</u>
<u>Special High Density Residential</u>	<u>SHD</u>	<u>Special High Density Residential</u>	<u>SHD</u>
<u>Standard Lot Single Family</u>	<u>STLSF</u>	<u>Village Standard Lot Residential</u>	<u>VR-5/7</u>
<u>Station Community Mixed Use</u>	<u>SCMU</u>	<u>Station Community Mixed Use</u>	<u>SCMU</u>
<u>Unincorporated Community Residential</u>	<u>UCR</u>	<u>Rural Area Residential 1-Acre</u>	<u>RA-1</u>
<u>Village Apartment</u>	<u>VA</u>	<u>Village Apartment</u>	<u>VA</u>
<u>Village Community Service</u>	<u>VCS</u>	<u>Village Community Service</u>	<u>VCS</u>
<u>Village Office</u>	<u>VO</u>	<u>Village Office</u>	<u>VO</u>
<u>Village Townhouse</u>	<u>VTH</u>	<u>Village Townhouse</u>	<u>VTH</u>
<u>Various²</u>	<u>Various²</u>	<u>Future Urban 10-Acre</u>	<u>FU-10</u>

Notes to Table 4-1:

¹ Planned Mixed Use sites are further designated by, and zoned with, a number, e.g., PMU-1.

² The FU-10 zoning district may be applied to future urban land, as provided for in the Urbanization section of this Chapter.

Chapter 8: ECONOMICS

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

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

ISSUES

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

SUMMARY OF FINDINGS AND CONCLUSIONS

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

County.

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

ECONOMIC GOALS

- Establish a broad-based, stable, and growing economy to provide employment opportunities to meet the needs of the County's residents.
- Retain and support the expansion of existing industries and businesses.
- Attract new industrial and commercial development that is consistent with environmental quality, community livability, and the needs of County residents.

POLICIES

8.A Existing Industry and Business Policies

~~8.A.1 Encourage retention and expansion of existing industry and business.~~

- 8.A.12 Protect established industrial and commercial areas from encroachment by incompatible land uses.
- 8.A.23 Encourage maintenance of sufficient vacant lands to provide room for the future expansion or relocation of the County's industry and business.
- 8.A.34 Facilitate the efficient operation of existing firms in the urban area by giving high priority to equality in public services including law enforcement, water service and fire protection, storm drainage, sewer, transit, pedestrian and bike access, road maintenance, and traffic access and circulation.

- 8.A.45 Develop and implement strategies to revitalize and/or maintain established commercial areas considering such things as parking needs, pedestrian/auto conflicts, traffic circulation, historic character, compatibility of activities, potential for new development, compatibility of new development, transit service, pedestrian and bike access, and merchant participation.
- 8.A.56 Encourage natural-resource-oriented industries by:
- 8.A.56.1 Encouraging timberland owners to use sound timber management practices and promote a sustained harvest.
 - 8.A.56.2 Identifying and recruiting firms doing secondary wood processing using wood products now underutilized or considered waste, i.e., hardwoods, slash materials, etc.
 - 8.A.56.3 Encouraging food processing industries and other support services for agriculture in the rural areas.
- 8.A.67 Consider impacts on established commercial areas prior to approving Comprehensive Plan changes for major new commercial areas. High priority should be given to retaining the viability of affected downtowns.

8.B New Industry and Business Policies

- ~~8.B.1 Encourage new industrial and commercial development which is consistent with environmental quality and community livability, and the needs of County residents.~~
- 8.B.12 Provide sufficient industrial land of the types identified in the Industrial section of Chapter 4, *Land Use*.
- 8.B.23 Provide sufficient commercial land of ~~four different the~~ types identified in the Commercial section of Chapter 4, *Land Use*, and in the Plans found in Chapter 10, *Community Plans and Design Plans*(see *Land Use Chapter, Commercial development policies*):
- ~~a. General Commercial for a broad mix of commercial uses including outdoor storage and display.~~
 - ~~b. Retail Commercial for a range of uses including retail, office, services, and multifamily which project a high-quality image.~~
 - ~~c. Office Commercial designations to provide for a mix of offices, clean, light manufacturing, and high density residential uses in campus-style complexes, which have less impact on~~

~~surrounding properties, and project a positive image.~~

~~d. Community Commercial for local shopping and services, including large grocery stores and other frequently patronized community services.~~

~~8.B.4 Allow in residential designations Neighborhood Commercial uses, through zoning, which provide goods or services to the surrounding neighborhood, and which do not attract traffic from other areas. Criteria for sites are listed in the Land Use Chapter, Residential policies.~~

8.B.35 Give high priority to provision of sewer, water, and road services to growing industrial areas.

8.B.46 Encourage the location of business and industry in areas that minimize the journey to work and/or facilitate mass transit usage for the journey to work.

8.B.57 Encourage Tri-Met to provide better transit service. Specifically, improve service to commercial centers, small city downtowns, and the Clackamas industrial area.

8.B.68 Provide for a broad range of types and sizes of industrial and commercial development to provide a broad cross section of employment opportunities for residents.

8.B.79 Encourage the retention of vacant industrial and commercial lands in large parcels until committed for development, at which time overall development plans should be prepared for the site.

8.B.840 Support the conversion and development of Camp Withycombe as it is designated in the Comprehensive Plan.

~~8.B.11 Allow business park uses in general commercial areas, subject to conditional standards, addressing:~~

~~a. Existing buildings~~

~~b. Compatibility with surrounding commercial areas~~

~~c. Minimum external storage, smoke or noise~~

~~d. Continuity of pedestrian flow within and between surrounding uses~~

8.B.129 Facilitate home occupations within the constraints of neighborhood quality, subject to standards, including:

- a. Visual compatibility with neighborhood and appropriate buffering
- b. No unsightly or distracting storage, smoke, dust, noise, etc.
- c. No excessive increase in traffic, especially truck traffic
- d. No excessive parking of vehicles on the property

8.B.103 Require design review approval for all industrial and commercial development, addressing:

- a. Compatibility with surrounding areas, including buffering, scale, and materials of buildings, and scale and type of plants
- b. Visual impact of landscaping and lot coverage
- c. Energy efficiency in site planning and building design
- d. Storm drainage retention and control
- e. Access, including internal truck and auto circulation in commercial developments
- f. Outdoor storage and location of parking and loading
- g. Identification and directional signing
- h. Noise abatement
- i. Pedestrian, bike, and carpool facilities
- j. Support of transit usage
- k. Site security

8.B.114 Gradually modify strip commercial areas into more functional and attractive development with consolidated access to the street where possible. Exempt clearly highway-oriented uses (such as gasoline stations).

8.B.125 Encourage design and circulation plans to be prepared for major industrial and commercial areas in the County, primarily aimed at providing a cohesive, integrated overall development pattern.

8.C Coordination Policies

- 8.C.1 Develop a working partnership with the cities, private sector, and various agencies and organizations to meet the economic needs of [the Clackamas County](#).
- 8.C.2 Encourage the County Economic Development Commission (~~EDC~~) to take a leading role in directing and coordinating economic development activities in the County.
- 8.C.3 Cooperate with the Metropolitan Service District, Portland Development Commission, Port of Portland, and Oregon Economic Development Division in economic development planning and implementation efforts.
- 8.C.4 Cooperate with the private sector to achieve economic development in the County.
- 8.C.5 Coordinate with local jurisdictions to obtain compatible policies, ordinances, and land-use designations for economic development.

8.D Target Industries Policies

- 8.D.1 Encourage the development of the following target industries in [Clackamas County](#) planning areas:
 - a. Metals and Machinery Manufacturing
 - b. Instruments and Electrical Equipment Manufacturing
 - c. Wholesale Trade, Distribution Centers, Warehousing
 - d. Business Centers
 - e. Destination Retail
 - f. Class "A" Offices
 - g. Destination Restaurants
 - h. Hotels/Motels/Conference Facilities
 - i. Tourism/Destination Attractions and [Accommodations](#)
 - j. Agriculture/Horticulture and Specialty Crops |

**Chapter 10: COMMUNITY PLANS
AND DESIGN PLANS**

The following Community Plans and Design Plans are included in Chapter 10:

- 1. Mount Hood Community Plan**
- 2. Kruse Way Design Plan** (*Repealed 03/01/2014, per Ordinance ZDO-246*)
- 3. Sunnyside Village Plan**
- 4. Clackamas Industrial Area and North Bank of the Clackamas River Design Plan**
- 5. Clackamas Regional Center Area Design Plan**
- 6. Sunnyside Corridor Community Plan**
- 7. McLoughlin Corridor Design Plan**

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No changes are made to the Mount Hood Community Plan.

[10-MH-1]

SUNNYSIDE VILLAGE PLAN

INTRODUCTION

The Sunnyside Road area of Clackamas County east of I-205 to 152nd Avenue has seen rapid residential growth during the past 10 years. This growth has raised several issues. A lack of parks, open space, and transit, as well as pedestrian and bicycle facilities, has been identified by many **residences residents** of the area. Also absent are a variety of housing types and range in housing prices. Along with these concerns, recent State **land useLand Use and transportation planningTransportation Planning** rules now require **theClackamas** County to implement development techniques to reduce per capita vehicle miles traveled. These requirements are intended to manage growth by increasing urban densities to facilitate transit usage, preserving open spaces, and integrating land uses with the transportation network, thus improving overall livability.

The Sunnyside Village Plan was developed through an extensive citizen involvement effort to address these issues. With the recent construction of the Sieben sewer line, development will soon occur in the last large undeveloped urban area of Clackamas County.

The focus of this plan is to address the issues described above through several planning and design elements. These elements include land use mix, density, street patterns, pedestrian circulation, open space, and architectural character, all directed towards the creation of a sense of community.

The **remainder of theClackamas County** Comprehensive Plan is applicable to the Sunnyside Village; however, the Sunnyside Village Plan takes **precedenceprecedent** where conflicts **between the two documents** exist. The Sunnyside Village Plan contains policies which are in addition to, or different than, the **remainder of theCounty** Comprehensive Plan, in five subject areas: Land Use, Public Facilities, Transportation, Parks and Open Space, and Planning **P**rocess.

GOALS

- Provide a strong sense of place through community design.
- Ensure the efficient use of land and urban services.
- Provide a mix of housing types and price ranges to accommodate neighborhood diversity.

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- Ensure adequate parks and the protection of sensitive natural areas.
- Provide the opportunity for jobs and services within the village to reduce trip lengths.
- Integrate land use and transportation to encourage transit, bicycle and pedestrian use.
- Provide a transportation network that emphasizes connections within the village.

POLICIES

I. Residential

- 1.0 Ensure a range of densities, which promotes an efficient use of the land and a variety of housing choices. For purposes of calculating individual lot sizes, areas within Resource Protection areas shall not be included.
 - a. The Standard Lot Single Family land use plan designation shall include a density between a minimum of six6 units per acre and a maximum of nine9 units per acre.
 - b. The Small Lot Single Family land use plan designation shall include a density between a minimum of nine9 units per acre and a maximum of 11 units per acre.
 - c. The Village Townhouse land use plan designation shall include a density between a minimum of 15 units per acre and a maximum of 22 units per acre.
 - d. The Village Apartment land use plan designation shall include a density between a minimum of 18 units per acre and a maximum of 30 units per acre.
- 2.0 All residential development including front doors and porches shall be oriented towards the street and have reduced setbacks.
- 3.0 Garages, driveways, and off-street parking areas shall be at a scale that is subordinate to the residence.
- 4.0 Building location and design shall consider pedestrian-scale orientation.
- 5.0 Provide opportunity for accessory dwelling units within the Standard Lot Single Family, Small Lot Single Family, and Village Townhouse

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designated areas. Density calculations shall not include accessory dwelling units.

- 6.0 Ensure higher residential densities close to the village core through the following locational criteria.
- a. [The Standard Lot Single Family land use plan designation](#) shall be located on the periphery of the village.
 - b. [The Small Lot Single Family land use plan designation](#) shall be located between the Standard Lot Single Family [designation](#) and the Village Townhouses and Village Apartments [designations](#).
 - c. [The Village Townhouses and Village Apartments land use plan designations](#) shall be located adjacent to, or within [a](#) convenient walking distance of [the](#) village core.

II. Village Office

- 1.0 The Village Office [land use plan](#) designation shall be adjacent to Sunnyside Road and 142nd Avenue and shall be within a convenient walking distance of the village core.
- 2.0 Ensure that development is designed to human scale in a series of low-rise buildings.
- 3.0 Require that office development is oriented towards the primary streets and the adjacent apartment and townhouse uses to better integrate with the neighborhood.
- 4.0 Provide incentives for employees to carpool, use transit, bike, or walk.

III. Village Community Service

- 1.0 [The Village Community Service land use plan designation shall be applied as shown on Map X-SV-1.](#)

~~**III. Village Commercial**~~

- ~~1.0 The Village Commercial is the heart of the village core and shall be easily accessible from the surrounding neighborhood by walking, biking or auto.~~
- ~~2.0 Ensure that the commercial buildings are designed to human scale in a series of low rise buildings.~~

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- ~~3.0 — Ensure that non-anchor, small ancillary shops are located adjacent to the street right-of-way; large anchor stores may be set back from the street to allow some parking adjacent to streets.~~
- ~~4.0 — Require that all anchor stores be located north of the east/west pedestrian connection. Front entries in this portion of the retail area shall be oriented toward the north/south extension of 147th Avenue.~~
- ~~5.0 — Permit residential units above commercial uses.~~
- ~~6.0 — Ensure the integration of transit service with the Village Commercial.~~

IV. **Resource Protection Area**

~~The protection of resource areas are provided by policies in Chapter 9 of the County's Comprehensive Plan and the following policies.~~

- 1.0 Apply a Resource Protection~~resource protection~~ designation to all land that is within high voltage power line easements.
- 2.0 Allow development within Resource Protection~~resource~~ areas not to exceed one ~~(1)~~ dwelling unit per net acre.
- 3.0 Allow the transfer of density from the Resource Protection area to more suitable building areas on the site. Transfer of density shall not exceed the next highest land use category, e.g., Small Lot Single Family to Village Townhouses.

V. **Parks**

The Sunnyside Village Plan provides for the acquisition, development, and maintenance of six ~~(6)~~ neighborhood parks. ~~The policies in Chapter 9 of the County's Comprehensive Plan and the following policies apply.~~

- 1.0 Provide a level of parks to adequately serve the demands of the village.
- 2.0 Provide parks that are equitably distributed and accessible throughout the village as depicted on Map X-SV-4.
- 3.0 Develop a mechanism to acquire these sites either through dedications or fee in lieu of dedication.
- 4.0 Parks depicted on Map X-SV-4 may be altered in their location and dimensions during the development review process. Modifying park location shall occur only when it can be shown that access, topographic conditions, the need to accommodate lotting patterns and site planning,

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or extreme engineering costs make the depicted location impractical to develop. Park sizes are shown as minimums.

- 5.0 Park ~~site #6~~, as depicted on Map X-SV-4, shall be split proportionally based upon the lot sizes of the two parcels that the park is to be located on.
- 6.0 All park land acquisitions shall be immediately included within the North Clackamas Parks and Recreation District (NCPRD) park land inventory. ~~NCPRD~~The District will be responsible for development and maintenance of these parks. ~~NCPRD~~The District will also be responsible for maintaining the center landscaped portion of the Village Circle north of the Village Green.
- 7.0 A connector or higher level street shall be located along one side of Park ~~site #2~~.

VI. Roads

The Sunnyside Village Plan provides for the integration of land use and the transportation network. ~~The policies in Chapter 5 of the County's Comprehensive Plan and the following policies apply.~~

- 1.0 All new developments shall build streets in the locations depicted on ~~the Sunnyside Village Plan~~ Map X-SV-1.
- 2.0 Streets depicted as cConnectors (with or without bikeway) on Map X-SV-3 may be altered in their location during the development review process. Modifying these streets must occur only when it can be shown that due to wetlands, topographic conditions, resource areas, the need to accommodate lotting patterns and site planning, or extreme engineering costs make the depicted street impractical to develop.
- 3.0 Alleys shall be allowed in all residential zoning districts.
- 4.0 All alleys shall be private streets and shall be constructed as depicted in Figure X-SV-6.
- 5.0 All public streets within the Sunnyside Village shall be constructed to the street standards depicted in Figures s X-SV-1 through X-SV-5.
- 6.0 Orient local streets whenever practical so that at least 50% percent of the lots face north/south taking advantage of solar access.

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- 7.0 All street intersections that do not connect with Sunnyside Road, 142nd Avenue, or 152nd Avenue shall be constructed to the standards depicted ~~in~~ Figure X-SV-7.
- 8.0 The traffic circle ~~north of located adjacent to~~ the Village ~~Green Commercial~~ shall comply with the design standards depicted ~~in~~ Figure X-SV-8.
- 9.0 The precise location of Summers Lane to 142nd Avenue shall be defined during preliminary engineering. The feasibility of partial alignment through the existing ~~Portland General Electric~~ ~~PGE~~ easement shall be considered.
- 10.0 Develop a mechanism to pay for the cost of ~~1/2 half-~~street improvements of all ~~c~~Connector and local streets adjacent to ~~Parksparks sites~~ 3, 4, and 5 and the east/west ~~c~~Connector road adjacent to the south property line of the school on ~~SE~~-152nd Avenue, as depicted on Map X-SV-4.
- 11.0 Reimbursements of costs for the realignment of 152nd Drive shall be granted to the extent that they are eligible under the ~~Transportation System Development Charge~~ ~~SDC~~ ordinance. For properties with frontage along ~~SE~~-152nd Drive, adjacent to the proposed realignment of ~~SE~~-152nd Drive, the applicant's share of costs associated with the realignment of 152nd Drive shall be limited to the dedication of required on-site right-of-way for the realignment of ~~SE~~-152nd Drive as a collector street, and the guarantee of financing for the required on-site improvements, to collector-street standards, according to the requirements of the County Engineer.
- 12.0 The County will develop a list of transportation projects for the village based on a comprehensive transportation analysis for the entire Sunnyside area. The County will seek additional funding for those projects as well as improvements to 142nd Avenue, 152nd Avenue, and Sunnyside Road.
- 13.0 An analysis of the present alignment of 147th and its connection to Sunnyside Road shall be considered. This project should be included in the County's Capital Improvement Plan as a "high priority" safety project.

VII. Trails and Pedestrian Connections

- 1.0 All pedestrian accessways and trails shall be constructed to standards established by the North Clackamas Parks ~~and Recreation~~ District ~~(NCPRD)~~ at the time of development.

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- 2.0 All pedestrian accessways and trails identified on Map X-SV-1 shall be either dedicated or an easement be granted to ~~NCPRD~~the North Clackamas Parks District.
- 3.0 ~~NCPRD~~The North Clackamas Parks District shall be responsible for the ongoing maintenance of all pedestrian accessways and trails.

VIII. Amendments to Village Boundary

The Sunnyside Village ~~b~~Boundary may be amended to include property within the Sunnyside Village ~~b~~Boundary when all of the following criteria are met:

- 1.0 The property is contiguous to the Sunnyside Village ~~b~~Boundary.
- 2.0 The property is designated by Metro as an urban reserve“Urban Reserve” or the property is located within the Portland Metropolitan~~Metro~~ Urban Growth Boundary.
- 3.0 The property has been under the same continuous ownership as adjacent land within the Sunnyside Village ~~b~~Boundary since prior to adoption of the Sunnyside Village ~~b~~Boundary by the Clackamas County Board of County Commissioners on August 26, 1993.
- 4.0 The public sewer system serving land within the Sunnyside Village ~~b~~Boundary is available to serve the property by gravity flow and is adequate to support the development potential of the property. In addition, the surface water requirements of Clackamas County Service District #1 shall be met.
- 5.0 The public water system serving land within the Sunnyside Village ~~b~~Boundary is available and adequate to support the development potential of the property.
- 6.0 The transportation facilities and roadway network within the Sunnyside Village ~~b~~Boundary are either available or acknowledged by the Clackamas County, through an approved master plan, as available in the future and are adequate to support the development potential of the property.
- 7.0 When property is proposed to be annexed, a neighborhood park site, shall be (or has been) adequately and proportionately increased in size within the existing Sunnyside Village ~~b~~Boundary or a new park(s) designated according to Subsection 1011.06(C) of the Zoning and Development Ordinance~~Section 1602.03 (Park Dedication or Fees in Lieu of Dedication)~~ within the property proposed to be annexed to the

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Sunnyside Village to compensate for the inclusion of the property within the Sunnyside Village bBoundary.

- 8.0 The proposed extended boundary shall not extend beyond a major topographical break such as a ravine, steep hillside, stream corridor, etc. The determination of the topographical break shall be determined by the County Department of Transportation and Development.

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No changes are made to the Clackamas Industrial Area and North Bank of the Clackamas River Design Plan.

[10-CR-1]

CLACKAMAS REGIONAL CENTER AREA DESIGN PLAN

INTRODUCTION

Moving Towards a Preferred Future

The Clackamas Regional Center area, comprising about 2,100 acres, is a vital and growing part of the County. It is a major hub for the residential and business communities in the southeast Portland metropolitan area. The area has grown rapidly as urban services have been provided, and is poised for even more growth. Forecasts indicate that there will be 36,500 jobs and 7,600 housing units within the study area ~~and 7,600 housing units~~ by the year 2017. This will about double the amounts present in 1994. As this change occurs over the next twenty years, the area is envisioned to transition to even more intensive uses, more mixes of land uses, better access for all modes of transportation and a more attractive visual character.

The Clackamas Regional Center Area Design Plan sets the framework for decision-making to meet the challenge of planning for growth and guiding the area to a preferred future identified by citizens, the business community, and public service providers.

The remainder of the overall Clackamas County Comprehensive Plan is applicable to the Clackamas Regional Center Area. The Clackamas Regional Center Area Design Plan~~This chapter of the Comprehensive Plan~~ describes the goals and policies that are specific to the Clackamas Regional Center Area. The Clackamas Regional Center Area Design Plan~~This chapter~~ takes precedence where conflicts exist between it and the remainder of the Comprehensive Plan.

The area of application for the Clackamas Regional Center Area Design Plan is shown on Map X-CRC-1.

REGION 2040 GROWTH CONCEPT PLAN DESIGN TYPES

The Clackamas Regional Center Area Design Plan focuses on three design-types identified in the Region 2040 Growth Concept Plan and Urban Growth Management Functional Plan: a “regional center,” segments of three “corridors” and a “station community.”

Regional Center

An area with the Clackamas Town Center as its focus point is designated a “regional center”. The boundary is shown on Map X-CRC-1. The Clackamas Regional Center is intended to be the focus of the most intense development and highest densities of employment and housing in unincorporated, urban Clackamas County, with high quality transit service and a multi-modal street network.

Corridors

Corridors are less dense than ‘regional centers’ and are intended to feature a high-quality pedestrian environment and convenient access to transit, while continuing to meet the needs of the automobile. The ~~Corridors~~ ~~corridors~~ in the Clackamas Regional Center ~~Design Plan~~ Area are designated as Regional Streets ~~“regional streets”~~ in the Region 2040 Functional Plan, and as such are expected to continue to support high levels of through and local vehicular traffic. The ~~Corridors~~ ~~corridor~~ areas are expected to transition to higher densities through infill and redevelopment. Designated ~~Corridors~~ ~~corridors~~ are ~~SE~~ 82nd Avenue, Johnson Creek Boulevard, and Sunnyside Road.

Station Community

Station ~~Communities~~ ~~communities~~ are areas of development centered on a light-rail or high capacity transit station that feature housing, offices and other employment, and a variety of shops and services that are easily accessible to pedestrians, bicyclists and transit users, as well as vehicles. There are two light rail transit stations in the I-205 MAX line in the Clackamas Regional Center ~~Design Plan~~ Area; adjacent to I-205 near ~~SE~~ Fuller Road, between ~~SE~~ Johnson Creek Boulevard and ~~SE~~ Otty Road, and adjacent to I-205, between ~~SE~~ Monterey Avenue and ~~SE~~ Sunnyside Road. A Station Community has been designated in the area around the Fuller Road station.

VISION AND GOALS

A vision of how the area should look and function in 20 years was the first step in creating this plan. The vision established the foundation upon which the plan was built. The Clackamas Regional Center Area Task Force developed and endorsed the following vision for the Clackamas Regional Center Area in 1995:

Vision

Over the next 20 to 50 years the Clackamas Regional Center Area will be:

- The dominant commercial and business center for the east Portland metropolitan area;
- A cultural, civic and transportation center for the east Portland metropolitan area;
- An area of diverse residential neighborhoods, commercial districts, natural features, and public attractions and spaces that serve both the local community and the region.

Goals

To achieve this vision, the Clackamas Regional Center Area Design Plan describes policies to guide decisions on land use, transportation, housing and urban design that:

- Allow and promote compact development as a means to encourage efficient use of land, promote non-auto trips, and protect air quality.
- Promote development patterns which use land efficiently and support transportation investments.
- Transition towards more intensive use of land through infill and redevelopment, and phased development of infrastructure and urban design improvements.
- Accommodate and encourage appropriate land uses in the Regional Center, along Corridors, and in the Station Community.
- Balance growth with the preservation of existing neighborhoods and affordable housing.
- Create districts and neighborhoods.

[10-CRC-3]

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- Provide a range of housing types and density.
- Provide for more efficient parking.
- Provide or enhance public amenities such as open space, neighborhood parks, and public gathering places.
- Preserve and enhance natural features.
- Increase community attractions.
- Provide attractive streetscapes.
- Create civic spaces.
- Create a safe and pleasant environment.
- Incorporate design standards and guidelines that promote urban character.
- Increase visual identity.
- Provide a transportation network that provides for all modes of transportation.
- Improve circulation and connections for all modes of transportation.
- Maintain excellent regional access.

[10-CRC-4]

CLACKAMAS REGIONAL CENTER AREA DESIGN PLAN POLICIES

The following policies shall be applied in the Clackamas Regional Center ~~Design Plan~~ Area.

LAND USE POLICIES

I. GENERAL LAND USE POLICIES GENERALLY

The following uses are allowed within the Clackamas Regional Center ~~Design Plan~~ Area:

1.0 Mixed Use

Mixed uses shall be allowed in the Clackamas Regional Center ~~Design Plan~~ Area in areas designated Commercial, High Density Residential and Regional Center High Density Residential. A mix of uses will be required to be master planned in areas designated Planned Mixed Use designated areas. A mix of uses will be allowed in areas designated Station Community Mixed Use-designated areas, subject to transit-oriented-development building orientation and design requirements.

2.0 Commercial

The following Commercial land use plan primarily retail commercial designations shall be provided in the Clackamas Regional Center ~~Design Plan~~ Area: Regional Center Commercial, Retail Commercial, and Corridor Commercial, Regional Center Office, and Office Commercial.

~~The following primarily office commercial designations shall be provided in the Clackamas Regional Center Design Plan Area: Regional Center Office and Office Commercial.~~

Commercial areas within the Clackamas Regional Center ~~Design Plan~~ Area shall:

2.1 Allow a mix of land uses on the development site;

2.2 Create a district accessible by all modes of transportation;

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- 2.3 Create walkable districts by providing improvements and urban design features that encourage and support pedestrian use;
- 2.4 Allow land uses that generate pedestrian activity and transit ridership;
- 2.5 Require public or private street layouts that allow for future development of sites with redevelopment potential;
- 2.6 Maintain and improve pedestrian connections between commercial uses, transit corridors, recreation areas, open space, and adjacent residential areas;
- 2.7 Locate all buildings to maximize access by emergency vehicles;
- 2.8 Require design review ~~Design Review~~ for all development;
- 2.9 Implement dimensional and development standards to address compatibility, function, and aesthetics;
- 2.10 Provide for the efficient utilization of commercial areas while protecting adjacent properties and surrounding neighborhoods; and
- 2.11 Ensure that the minimum operational requirements of development are provided on-site.

3.0 Multifamily Residential

The following ~~primarily multifamily residential~~ Residential land use plan designations shall be provided in the Clackamas Regional Center Area ~~Design Plan area~~: Regional Center High Density Residential, High Density Residential, Medium High Density Residential, and Medium Density Residential.

These Residential ~~Multifamily~~ areas within the Clackamas Regional Center ~~Design Plan~~ Area shall:

- 3.1 Establish minimum densities to help meet local and regional housing needs;
- 3.2 Provide for multifamily residential uses within walking distance of public transportation, parks, schools, employment areas, and local shopping areas;
- 3.3 Create walkable districts by providing improvements and urban

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design features that encourage and support pedestrian use;

3.4 Locate all buildings to maximize access by emergency vehicles;
and

3.5 Require design review for all development.

4.0 Public and Community Use; Open Space

The Public and Community Use Open Space ~~use land use plan~~ designations ~~including open space~~ shall be provided in the Clackamas Regional Center Design Plan Area.

5.0 Low Density Residential

The Low Density ~~density Residential~~ Residential ~~residential~~ land use plan designations shall be provided in the Clackamas Regional Center Design Plan ~~Area~~ area.

6.0 Industrial

The following Industrial ~~industrial~~ land use plan designations shall be provided in the Clackamas Regional Center Design Plan Area: General Industrial, Light Industrial, and Business Park.

II. **LAND USE POLICIES FOR THE CLACKAMAS REGIONAL CENTER DESIGN TYPE AREA LAND USE POLICIES**

The following policies apply in the Regional Center shown on Map X-CRC-1.

1.0 Within the Regional Center boundary shown on Map X-CRC-1, areas ~~Areas~~ shall be planned to:

1.1 Provide for high-intensity development to accommodate projected regional increases in housing and employment, including mixed-use development;

1.2 Provide for and capitalize on high-quality transit service;

1.3 Allow for a mix of land uses to support public transportation and bicycle and pedestrian usage;

1.4 Provide for the open space and recreation needs of residents and employees of the area; and

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1.5 Support a multi-modal street network.

2.0 Planned Mixed Use

Apply the Planned Mixed Use land use plan designation. The Planned Mixed Use designation requires master planning forand development on key opportunity sites in areas designated for mixed use on the Region 2040 Growth Concept map. Generally, because of size, location, good access, and proximity to supportive land uses and existing or planned transportation improvements, these sites can accommodate more growth than other areas and sites within the plan boundary.

2.1 Create an area with a mix of land uses, both within the site itself (mix of uses) and within buildings (mixed uses), which:

- a. Provide for high employment and residential densities that support use of public transportation;;
- b. Protect key natural features;;
- c. Provide for essential public facilities and services, including parks and public spaces;;
- d. Provide for structured parking;; and
- e. Are accessible by all modes of transportation.

2.2 Establish through zoning required and allowed land uses, transportation improvements, and design standards that encourage and support pedestrian-oriented streets, buildings, and public places. Apply specific requirements to specific Planned Mixed Use sites through zoning. Number each Planned Mixed Use site to facilitate the application of these specific requirements.

~~2.3 Apply the Planned Mixed Use designation within the Regional Center as shown on Map X-CRC-1.~~

2.34 Sites with a land use plan designation of~~planned for~~ Planned Mixed Use but zoned something other than Planned Mixed Use~~for other uses~~ may be converted to Planned Mixed Use zoning when:

- a. Adequate transit services are provided to the site; and,
- b. Minimum site size requirements are satisfied.

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3.0 Regional Center Office

- 3.1 Apply the Regional Center Office land use plan designation ~~within the Regional Center boundary shown on Map X-CRC-1~~ to:
- a. Areas with an historical commitment to office use.
 - b. Areas served by high-capacity transit service.
 - c. Areas with high visibility from a freeway.
 - d. Areas generally within one-half mile of a freeway interchange.
- 3.2 Provide support services for office development.
- 3.3 Limit retail uses in order to maximize the land available for office uses and to provide for the highest employment density in the Regional Center.
- 3.4 Require a minimum density to help meet regional employment needs, support public transportation, and use land more efficiently.
- 3.5 Create walkable districts within the Regional Center~~regional center~~ with improvements, urban design features, and urban design standards that encourage and support pedestrian use.
- 3.6 Require master plans of large sites to allow for future development of sites with redevelopment potential.

4.0 Regional Center High Density Residential

~~Within the adopted Regional Center boundary, Apply the Regional Center High Density Residential land use plan designation~~ designate to areas suitable for the highest density multifamily uses ~~as Regional Center High Density Residential~~.

- 4.1 Determine the density of development through zoning.
- 4.2 Provide for multifamily residential uses within walking distance of public transportation, parks, schools, employment areas, and local shopping areas.

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- 4.3 Allow for a mix of land uses provided the minimum residential density is achieved for the entire development site prior to or concurrent with establishment of other allowed uses.
- 4.4 Implement dimensional and development standards to address compatibility, function, and aesthetics.

5.0 Regional Center Commercial

Apply the Regional Center Commercial land use plan designation zone to areas with an historic commitment to commercial uses ~~within the adopted Regional Center boundary as shown on Map X-CRC-1.~~

- 5.1 Provide areas for regional and local shopping.
- 5.2 Require a minimum floor area ratio to help meet regional employment needs, support public transportation, and use land more efficiently.
- 5.3 Create walkable districts within the Regional Center regional center with improvements, urban design features, and urban design standards that encourage and support pedestrian use.

6.0 Amendments to the Clackamas Regional Center Boundary

The Clackamas Regional Center boundary may be amended to include property within the Clackamas Regional Center when all of the following criteria are met:

- 6.1 The property is contiguous to the Clackamas Regional Center boundary.
- 6.2 The area is, or is planned to be, a focus of compact, high-density development with a mix of uses.
- 6.3 The area has, or is planned to have, high-quality transit service, and a multi-modal street network.
- 6.4 The area has, or is planned to have, a density of 60 persons per acre on lands developed or planned to be developed (not including open space, parks, plazas, or natural areas).

III. LAND USE POLICIES FOR CORRIDOR DESIGN TYPE AREAS LAND USE POLICIES

- 1.0 Land uses in Corridors shall be planned to:

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- 1.1 Provide for both employment and housing, including mixed use.
- 1.2 Emphasize providing for a high level of bus usage, with land uses and transportation facilities to support bus use.
- 1.3 Encourage and support pedestrian travel with supportive land uses, frequent street connections, and sidewalks and pedestrian-ways.
- 1.4 Provide for vehicular traffic and auto-oriented uses, while expanding the share of trips via transit and other modes.

2.0 Corridor Land Use Plan Designations

A range of land use plan designations may be applied within a designated Corridor identified on Map X-CRC-1. Each corridor shall include within its area ~~land use~~ designations ~~that~~ which provide primarily for employment and shopping, and ~~land use~~ designations that provide primarily for ~~dwelling~~ residences.

- 2.1 Commercial land use plan designations that may be applied include: Corridor Commercial, Retail Commercial, and Office Commercial. Any site designated for a commercial use shall be located adjacent to the ~~Corridor~~ corridor street.
- 2.2 ~~Residential~~ Multifamily land use plan designations that may be applied include: High Density Residential and Medium High Density Residential. ~~These Residential~~ Multifamily designations should generally be located so as to form a buffer between commercial uses adjacent to the ~~Corridor~~ corridor street and low density residential areas located outside the ~~Corridor~~ corridor.
- 2.3 Industrial land use plan designations that may be applied ~~in~~ corridors include: Light Industrial and Business Park.
- ~~2.42.3~~ Existing single-family neighborhoods and manufactured dwelling ~~mobile home~~ parks should be zoned to discourage redevelopment to other uses.

3.0 Corridor Commercial

- 3.1 The following areas may be designated Corridor Commercial when located within a ~~Corridor~~ transportation corridor as identified on Map X-CRC-1 and when all of the following criteria have been met:

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- a. The site has an historical commitment to commercial uses;
 - b. The designation will not cause a decrease in housing capacity in the County;
 - c. The designation will not cause a significant traffic increase on local streets serving residential areas;
 - d. Adverse effects, including, but not limited to, traffic and noise, will have a minimal effect on adjacent neighborhoods, or can be minimized through on-site improvements; and
 - e. The designation will not substantially increase an existing commercial strip or create new strips.
- 3.2 Provide commercial areas located in transportation corridors to meet local and regional needs for a wide range of goods and services.
- 3.3 Provide for the sale of large-scale items in areas with good transportation access and minimal conflict with other uses.
- 3.4 Allow mixed uses in the same building(s) or in a separate building(s) in the development.
- 3.5 Establish design and dimensional standards that encourage and support pedestrian use.

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IV. LAND USE POLICIES FOR THE STATION COMMUNITY DESIGN TYPE AREALAND USE POLICIES

- 1.0 The Regulating Plan Map, which will be incorporated in the Zoning and Development Ordinance, shall be the basis of the design and development standards for the Station Community and shall establish the requirements for street types, block pattern, existing and new streets, building frontage types, and landscaping types.
- 2.0 Within the Station Community boundary shown on Map X-CRC-1, future development and redevelopment shall conform to the Regulating Plan Map, and areas shall be planned to:
 - 2.1 Provide for development utilizing urban design elements that create and support a dynamic, safe, and convenient public realm made up of inter-connected streets, parking areas, parks, and plazas framed by buildings with facades and entrances facing the streets and meeting other requirements of transit-oriented design.
 - 2.2 Provide for a mix of retail, services, office, and high-intensity housing in buildings meeting the requirements of transit-oriented design, located on a street network with excellent pedestrian connectivity and supportive of local services, bicycle and pedestrian usage, and high-capacity transit ridership.
 - 2.3 Support a multi-modal street network with shared, public on-street parking on all but the most heavily traveled streets, building facades and entrances oriented to the street, and parking located to the side of and behind buildings.
 - 2.4 Provide for the open space and recreation needs of residents and employees of the area.
- 3.0 Corridor Commercial
 - 3.1 Apply the Corridor Commercial land use plan designation within the Station Community boundary shown on Map X-CRC-1 to:
 - a. Areas with an historical commitment to retail uses.
 - b. Areas with high visibility and access from a major arterial street.

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- c. Areas located within one-half mile of a high-capacity transit station, and providing actual or potential pedestrian connections between high capacity and bus transit.

3.2 Create an area with a mix of land uses, both within the site itself (mix of uses) and within buildings (mixed uses), which:

- a. Provide for high employment and residential densities that support use of public transportation.
- b. Provide for essential public facilities and services, including shared public parking on public and private streets, accessible and attractive walkways between and through developments, and public spaces.
- c. Are accessible by all modes of transportation.
- d. Orient buildings and parking areas to support and encourage pedestrian trips and utilization of high capacity transit.

3.34 Establish through zoning required and allowed land uses, transportation improvements, and design standards that encourage and support pedestrian-oriented streets, buildings, and public places.

- a. Require development and redevelopment to meet transit-oriented design requirements.

3.45 In designated sectors on the Regulating Plan Map, where substantial shopping center development exists, provide for a limited amount of redevelopment to occur without requiring full compliance with transit-oriented design and connectivity requirements.

- a. Ensure that such redevelopment does not reduce multimodal connectivity or hinder future development of additional planned connections.

4.0 Station Community Mixed Use

4.1 Apply the Station Community Mixed Use land use plan designation within the Station Community boundary shown on Map X-CRC-1 to:

- a. Areas with an historical commitment to residential, office,

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and employment uses.

- b. Areas in proximity to high-capacity transit service.
 - c. Areas with access to major and minor arterial and collector streets.
- 4.2 Create an area with a mix of residential, office, service, and service commercial uses within buildings and developments that meet transit-oriented development standards, which:
- a. Provide for high employment and residential densities that support use of public transportation.
 - b. Provide for essential public facilities and services, including shared public parking on public and private streets, accessible and attractive walkways between and through developments, and public spaces; and
 - c. Orient buildings and parking areas to support and encourage pedestrian trips and utilization of high-capacity transit.
- 4.3 Establish through zoning required and allowed land uses, transportation improvements, and design standards that encourage and support pedestrian-oriented streets, buildings, and public places.
- a. Require development and redevelopment to meet transit-oriented design requirements.
- 5.0 Build public and private streets within the Station Community to the standards illustrated in the [Street Type cross sections](#) (Figures X-CRC-8 through X-CRC-11).
- 6.0 Study providing on-street parking on 82nd Avenue, if future conditions warrant it.

[10-CRC-15]

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V. LAND USE POLICIES FOR OTHER AREAS WITHIN THE CLACKAMAS REGIONAL CENTER DESIGN PLAN AREA

- 1.0 A range of land use [plan](#) designations shall be provided in portions of the Clackamas Regional Center [Design Plan](#) Area located outside the Regional Center, Corridors, and Station Community.
- 1.1 Land use designations shall generally increase in level of intensity in areas close to the Regional Center and Corridors.
- 1.2 Land use designations shall maintain the character of existing neighborhoods by providing for uses and improvements that are consistent with the type and scale of existing development.
- 1.3 Employment uses shall be provided for in the Regional Center, Corridors, or Station Community, and/or in locations adjacent to streets that are at least minor arterials.

VI. LAND USE POLICIES: LAND USE DESIGNATIONS THAT MAY APPLY THROUGHOUT THE CLACKAMAS REGIONAL CENTER DESIGN PLAN AREA

1.0 High Density Residential

~~In the High Density Residential district, Allow~~allow for a mix of land uses as a limited use [in the High Density Residential land use plan designation](#).

2.0 Low Density Residential – 5,000- and 2,500-square-foot lots

In the Low Density Residential land use plan designation, include 5,000-square-foot- and 2,500-square-foot-lot-size low density residential zoning districts, subject to Policy 11.0 of the Residential section of Chapter 4, *Land Use*.

3.0 Low Density Residential – Attached Single-Family Dwellings

- 3.1 In Low Density Residential areas, areas may be zoned for attached single-family dwellings on lots that average 2,500 square feet when the area has access to a residential collector or higher functional class street.
- 3.2 The size of the site and adjoining properties zoned for 2,500-square-foot lots should generally not exceed 10 acres.

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- 3.3 Design dwellings to provide variation in architectural appearance.
- 3.4 Require design review for attached single-family dwellings.

[10-CRC-17]

URBAN DESIGN, PUBLIC AMENITIES, AND OPEN SPACE POLICIES

Design and development standards and physical improvements tie together land use and transportation to create a more “livable” community. Urban [design](#) elements have been identified that will improve access by all modes of transportation; provide public amenities such as parks and accessible trails for recreational use; create public gathering places, and protect key natural features such as stream corridors and forested hillsides.

VII. URBAN DESIGN ELEMENTS

- 1.0 Establish design and dimensional standards that provide pedestrian oriented streets, buildings, and public spaces.
- 2.0 Provide for the most intense development around public transportation routes.
- 3.0 Provide multi-modal connections that link neighborhoods with commercial areas, schools, parks, and greenways.
- 4.0 Increase the visual identity of the Regional Center Area through streetscape improvements, including pedestrian zones, landscaped strips between streets and sidewalks, lighting, street trees, landscaped medians, and gateways.
- 5.0 Protect natural features by directing development away from these areas and using remaining land more efficiently.
- 6.0 Provide public or private street layouts that support future development and increase connectivity for all modes of transportation.
- 7.0 The [urban design elements](#) shown on Map X-CRC-3 shall be provided in the Clackamas Regional Center [Design Plan](#) Area as development occurs and public improvements are provided.
 - 7.1 All new development or major modifications to existing approved development shall provide the [urban](#) design elements on Map X-CRC-3.
 - 7.2 For phased development, urban design [element](#) requirements will generally be roughly proportional to the amount of development occurring in a phase.

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- 7.3 Key urban design elements shown on Map X-CRC-3 are defined as follows:
- a. Boulevards: Streets characterized by landscaped medians and other pedestrian crossing improvements, a sidewalk separated from the street by landscape planting strips and street trees, and bike lanes.
 - b. Main Streets: Streets characterized by a pedestrian/furnishing zone that includes sidewalks, street trees, and space for street lights and other furnishings, on-street parking, more frequent pedestrian crossings, and buildings oriented to the street with storefronts close to the sidewalk.
 - c. Special Street Standards: Streets that are characterized by a landscaped planting strip separating the sidewalk from the curb, pedestrian lighting, and pedestrian amenities.
 - d. Street Connections: General locations for new or enhanced street connections to improve connectivity in the area have been identified on Map X-CRC-3. Street connections may be public or private streets and in some cases line up with important driveways to commercial areas.
 - e. Local Street Grid: An interconnected public or private street system that provides multi-modal access to all activities and uses.
 - f. Off-~~Street~~street Pedestrian Linkages: Street, bicycle and pedestrian paths, and greenway paths to link parks, civic spaces, retail centers, neighborhoods, and other points of interest.
 - g. Multi-Use Paths: Off-street pedestrian and bicycle paths. These paths may be developed primarily as a transportation facility, as an amenity, or may serve multiple purposes.

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- h. Parks and Open Space: The general locations of parks needed in the Clackamas Regional Center [Design-Plan Area](#) are shown on the Map X-CRC-3. Park locations are not site-specific.
 - i. Greenway Trails: Off-street trails within designated greenways (e.g., Phillips Creek and Mt. Scott Creek) that provide opportunities for environmental restoration, recreation, and education.
 - j. Plazas: Public gathering places are typically one acre or less and may be publicly or privately owned. Plazas are intended as public gathering places and community focal points.
 - k. Natural Features: Natural features to be protected include creeks, wetlands, steep slopes, and wooded bluffs.
 - l. Gateways: Key intersections to be reconstructed with special design and landscape treatments that are intended to provide a visual announcement that people are entering a special area.
- 8.0 Establish though zoning transit-oriented design standards to ensure that streets and buildings are supportive of pedestrian, bicycle, and transit trips.

VIII. STREETS AND GATEWAYS

- 1.0 Establish design and dimensional standards that provide pedestrian oriented streets and buildings.
- 2.0 Design and dimensional standards for streets and gateways are intended to:
 - a. Improve pedestrian safety at crossings.
 - b. Improve visual appeal of the streets.
 - c. Improve the pedestrian environment along sidewalks.
 - d. Provide on-street parking where appropriate to help provide a supply of public parking that supports reduced parking standards on private property, and separate pedestrians from auto traffic.

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- e. Provide strong visual identity to distinguish the Regional Center from adjacent areas.
 - f. Create a local block pattern for new roads to improve circulation for motor vehicles and pedestrians by providing shorter and more direct connections between uses.
- 3.0 Boulevards, Main Streets, Gateways, and streets planned for Special Street Standards have been identified on Map X-CRC-3. Figures X-CRC-1 through X-CRC-11 illustrate the intended standards for improvement.
- 3.1 Exceptions to these standards may be allowed subject to topography, environmental constraints, available right of way, safety considerations, and as follows:
- a. General elements of a gateway intersection are illustrated in Figures X-CRC-1 and X-CRC-7. Establish specific requirements through design.
 - b. Elements of the Main Street cross section may be modified to accommodate Light Rail Transit alignment.
- 3.2 When developing Boulevard improvements, the County should develop and implement a strategy to minimize adverse impacts to adjacent businesses.
- 4.0 New public and private streets should be designed to accommodate future development.
- 5.0 Encourage retention and development of a local street network as shown on Map X-CRC-4, and as otherwise required in the Clackamas Regional Center [Area](#) Design Plan.
- 6.0 Require new streets to connect uses within a development and to adjacent property, when applicable.
- 7.0 Allow new buildings to be oriented to private streets when these streets include sidewalks or raised walking surfaces, curbs, pedestrian-scale street lighting, and street trees.

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IX. PARKS, PLAZAS, CIVIC SPACES, OPEN SPACE, PATHS, AND LINKAGES

- 1.0 Add parks and enhance open space to meet community needs in the general locations shown on Map X-CRC-3. Coordinate park and open space efforts with the North Clackamas Parks and Recreation District. Provide additional parks as follows:
- *Golf Course Area Park*
 - *Windmill Area Park*
 - *Northeast Area Park*
 - *Fuller Area Park*
 - *Springwater Area Park*
 - *Overland Area Park*
 - *Bell Area Park*
 - *Causey Area Park*
 - *Price-Fuller Area Park*
- 2.0 Provide plazas at the general locations shown on Map X-CRC-3, as well as at major transit stops and stations, in high-intensity pedestrian areas, and near major employment facilities.
- 3.0 Provide off-street pedestrian linkages at key locations to connect residential areas, parks, and major employment areas and attractions.
- 4.0 Protect natural features such as wetlands, forested areas, and riparian habitat.
- 5.0 Conduct a feasibility study of the need for a multipurpose community/cultural facility. The study should be coordinated with the County Tourism Development Council and area business groups.

X. PHILLIPS CREEK GREENWAY

- 1.0 Work with the North Clackamas Parks and Recreation District, public agencies, the private sector, and the community to implement the Phillips Creek Greenway Framework Plan, adopted by reference.

XI. URBAN DESIGN STANDARDS

- 1.0 Urban design standards shall be implemented to meet the goals of the Clackamas Regional Center Area Design Plan through standards in the Zoning and Development Ordinance.
- 1.1 All new buildings in the Clackamas Regional Center shall be oriented to existing or new private or public streets.
- 1.2 Maximum front yard setbacks with pedestrian amenities are required in the Regional Center to further develop a high-quality pedestrian environment.

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- 1.3 Buildings on corner lots are encouraged to have entrances at the corner.
- 1.4 When feasible and practical, buildings shall be placed to allow future infill and intensification of the site.
- 1.5 Pedestrian amenities, as defined by the Zoning and Development Ordinance, may be used to satisfy specific percentages of landscape requirements.
- 1.6 Where appropriate, the County may allow developments to utilize regional storm water facilities and/or for multiple property owners to utilize joint facilities.
- 1.7 Drive-through facilities may be prohibited, limited, or conditioned to support the goal of creating high-quality pedestrian environments.
- 1.8 Architectural design shall support and promote urban character.

TRANSPORTATION POLICIES

XII. ROADS AND STREETS SYSTEM POLICIES

- 1.0 Construct all roadway improvements identified in Map X-CRC-4 to maintain regional accessibility to the Regional Center and provide a network for all transportation modes that interconnects neighborhoods and districts, the Station Community, commercial areas, community centers, parks, libraries, ~~and~~ employment places, other major activities, off-street pedestrian linkages, regional multi-use paths, and area ~~greenway~~ Greenway trails.
- 2.0 Street Connectivity Policies
- 2.1 Develop a block and grid street network that serves all transportation modes with short and direct public right-of-way routes.
- 2.2 In all new developments adjacent to corridor arterial streets, require public ~~street, or~~ private street, or private driveway connections to provide traffic flow parallel to the arterial.
- 2.3 On major arterial streets, encourage public or private street connections at intervals of no more than 660' ~~feet~~ feet. Encourage more frequent public or private connections on other streets, especially those in areas planned for mixed-use or dense development.
- 2.4 To reduce the number of local trips using 82nd Avenue, require and develop local street and commercial driveway connections on the east side of 82nd Avenue from Causey ~~Avenue~~ Blvd. to Otty Road. These public or private connections shall be open to public access, and may be indirect if appropriate direct routes are not feasible. This policy applies to all land use, transportation, ~~and~~ and development permits.
- 3.0 Require public local streets, private streets, and driveway connections between developments to provide public access and circulation between land uses and reduce local trips on collectors and arterials. This policy applies to all land use, transportation, ~~and~~ and development permits.

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- 4.0 In the Station Community, a network of public and private streets, including arterial, collector, and local streets, will provide excellent connectivity and pedestrian access to support transit access and utilization. Generally blocks will be no more than 450 feet in length.
- 5.0 Performance evaluation measures for portions of streets located within the Regional Center boundary or Fuller Road Station Community boundary (consistent with Metro Regional Transportation Plan standards for Centers and Station Communities) shall be as follows:

**Performance Evaluation Measures
Clackamas Regional Center or Fuller Station Community
Weekday Mid-day and PM Peak Periods**

	Maximum Volume to Capacity (V/C) Ratio by Weekday Peak Periods		
	Mid-day, One-Hour Peak	1 st Hour, PM Peak Period	2 nd Hour, PM Peak Period
All street segments and intersections	0.99	1.1	0.99

- 6.0 Performance evaluation measures for portions of streets located within the Clackamas Regional Center Design Plan Area, but outside the Regional Center boundary and the Fuller Road Station Community boundary, shall be as follows:

**Performance Evaluation Measures
Clackamas Regional Center Design Plan Area (outside the Center and Station Community)
Weekday Mid-day and PM Peak Periods**

	Maximum Volume to Capacity (V/C) Ratio by Weekday Peak Periods		
	Mid-day, One-Hour Peak	1 st Hour, PM Peak Period	2 nd Hour, PM Peak Period
All street segments and intersections	0.90	0.99	0.99

- 7.0 Monitor transportation conditions in the SE-82nd Avenue Corridor to determine if Comprehensive Plan strategies are contributing to the

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attainment of performance evaluation measures as identified in Policies 5.0 and 6.0, above.

- 8.0 Provide for roadway and infrastructure improvements sufficient to support minimum planned development intensity and density.
- 8.1 The [Clackamas Regional Center Area Design](#) Plan includes transportation and infrastructure planning that identifies certain needed roadway and infrastructure improvements necessary to support future development in the Regional Center.
- 8.2 These improvements, in conjunction with frontage improvements normally and legally exacted concurrent with development, are sufficient to support the minimum planned development intensity and density within the Regional Center. Developers in the Regional Center are entitled to rely on the improvements that are listed as funded in the Five-~~(5)~~ Year Capital Improvement Plan, as if they are already in place when submitting a master plan at the minimum densities and for approval of each phase of a multi-phase development project.
- 8.3 Amendments to the Comprehensive Plan or Zoning and Development Ordinance or changes in the [Comprehensive Plan Mapland use plan designation](#) or zoning [district](#) designation for property within the Regional Center shall not be authorized unless it is demonstrated that the improvements described in Policies 8.1 and 8.2 will remain adequate to support planned development intensity and density for the Regional Center.

XIII. TRANSIT POLICIES

- 1.0 Coordinate with Tri-Met to implement Clackamas Regional Center [Design](#)-Area transit service improvements planned in the Tri-Met Primary Transit Network and Tri-Met Choices for Livability, and implement additional transit improvements identified on Map X-CRC-6.
- 2.0 Coordinate with Tri-Met, Metro, [the Oregon Department of Transportation](#)~~ODOT~~, and other agencies in funding and implementing the planned Clackamas Regional Center [Design](#)-Area transportation improvements identified on Map X-CRC-6.
- 3.0 Coordinate with Tri-Met in evaluating a fareless square for the Clackamas Regional Center [Design](#)-Area.
- 4.0 Coordinate with a Transportation Management Association (TMA) to develop and operate a frequent, fareless or low-~~fare~~ Loop Shuttle

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Service. A conceptual alignment for the shuttle service is indicated on Map X-CRC-6; the actual alignment is to be determined by Tri-Met and the TMA.

- 5.0 Establish park-and-ride lots at the periphery of the ~~Clackamas~~ Regional Center. Future shuttle bus routes should include stops at potential park-and-ride sites and employer locations.
- 6.0 To improve transit speed and the capacity of 82nd Avenue, add bus queue by-pass lanes which allow ~~buses~~ to by-pass auto traffic at traffic signals.
- 7.0 Coordinate with Tri-Met to encourage and support development of structured park-and-ride lots at high-capacity transit stations. When surface parking facilities are provided, encourage TriMet to re-use these sites for transit-oriented development.

XIV. PEDESTRIAN AND BIKEWAY NETWORK POLICIES

- 1.0 Construct all pedestrian and bikeway network improvements identified on Maps X-CRC-3, X-CRC-7, and X-CRC-7a, and in the Clackamas Regional Center Pedestrian/Bicycle Plan adopted by reference in Appendix A, in order to provide a network connecting Clackamas Regional Center Area ~~Design Plan~~ neighborhoods and districts with transit stops, commercial areas, community centers, parks, libraries, employment places, other major activities, off-street pedestrian linkages, regional multi-use paths, and area greenway trails. Other local pedestrian and bikeway network improvements may be identified and developed during land use review and as part of public improvements.
- 2.0 Collaborate with public agencies and private property owners, as appropriate, to implement the sign plan element of the Clackamas Regional Center Pedestrian/Bicycle Plan adopted by reference in Appendix A.
- 3.0 Consider the prioritized list of projects identified in the Clackamas Regional Center Pedestrian/Bicycle Plan adopted by reference in Appendix A, when allocating public funds for pedestrian and bicycle network improvements in the ~~Clackamas~~ Regional Center.
- 4.0 In the development review process, new residential and mixed-use developments within the Station Community, Corridors, and Regional Center shall encourage pedestrian and bicycle travel by:

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- 4.1 Providing direct and convenient public right-of-way routes connecting residential uses with planned commercial uses, schools, parks, and other neighborhood facilities.
- 4.2 Providing bike and pedestrian connections on public easements or right-of-way when full street connections are not possible, with connection spacing of no more than 330' feet, except where topography, barriers such as freeways, railroads, or environmental constraints such as streams, rivers, slopes, or environmentally sensitive areas prevent street extension.
- 5.0 Sidewalks shall be constructed on all public and private streets in the Clackamas Regional Center Design Plan Area, subject to topography and environmental constraints.

XV. TRANSPORTATION DEMAND MANAGEMENT (TDM)

- 1.0 Work with Clackamas Regional Center Design Area employers and businesses to develop strategies that will reduce vehicle miles traveled to decrease congestion and improve air quality. Strategies to be considered include, but are not limited to, the following:
- 1.1 Employer strategies that increase vehicle occupancy, encourage work trips outside peak travel times, and promote telecommuting.
- 1.2 Facility improvements to encourage non-auto transportation modes, including:
- building the area bike/pedestrian network;
 - implementing transit preference systems that give buses advantage over other vehicles;
 - providing transit and pedestrian amenities such as covered bus stops and lighting; and
 - providing on-site shower and dressing areas.
- 1.3 Identifying County resources and incentives needed to promote and develop transportation demand management (TDM) programs for 82nd Avenue employers, and monitor the performance of 82nd Avenue corridor TDM programs conducted by employers.
- 2.0 Develop a Transportation Management Association (TMA) with businesses within the Clackamas Regional Center Design Plan Area and Tri-Met to manage TDM strategies and operate a Loop Shuttle Service.

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- 3.0 Work with employers and businesses within the Regional Center ~~boundary~~[Boundary](#) and other targeted TDM areas to initiate a ~~Transportation Management Association (TMA)~~ to manage area TDM strategies and operate a Loop Shuttle Service.

XVI. ACCESS MANAGEMENT

- 1.0 Implement the following access management standards on 82nd Avenue within the Clackamas Regional Center ~~Design Plan~~ Area.
- 1.1 Consolidate driveways/accesses to the targets shown on Map X-CRC-8.
- 1.2 Reduce signal spacing requirements from 1,320 ~~feet~~¹ to 500 ~~feet~~¹, contingent on maintaining adequate signal progression.
- 1.3 Coordinate with [the Oregon Department of Transportation](#) ~~ODOT~~ to reassess 82nd Avenue [access management standards](#) ~~Access Management Standards~~ if the balance of efficient traffic flow with local access needs changes ~~s~~ as adjacent land uses develop to the Corridor and Boulevard ~~designs~~ [Designs](#).
- 2.0 Develop Clackamas Regional Center ~~Design~~ Area [access management standards](#) ~~Access Management Standards~~ for the other areas of the Clackamas Regional Center ~~Design Plan~~ Area that:
- 2.1 Require driveway/access spacing to support the County functional classification of the road.
- 2.2 Require new driveways/accesses to line up with driveways/accesses or public streets on the opposite side of the Corridor to promote safety and efficient access and egress.
- 2.3 Encourage shared driveways/accesses with adjacent properties to meet minimum driveway access spacing standards ~~s~~ that support the functional classification of the road.
- 2.4 Encourage connecting driveways/accesses with adjacent properties.
- 2.5 Require developments to provide rear access to public streets whenever feasible.

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- 3.0 Other than the new public street access identified ~~on~~ Map X-CRC-8, do not allow additional access on Johnson Creek Boulevard between 82nd Avenue and I-205.

XVII. PARKING STANDARDS

- 1.0 Encourage more efficient land use, promote non-auto trips, and improve air quality within the Clackamas Regional Center ~~Design Plan~~ Area by establishing, by zoning, minimum and maximum parking ratios.
- 2.0 Encourage parking on all local and collector street classifications to provide a buffer between pedestrians and vehicle traffic, and provide public shared parking.

HOUSING

XVIII. HOUSING POLICIES

~~In addition to the policies in Chapter 4, the following policies apply to the Clackamas Regional Center Design Plan Area:~~

- 1.0 Provide for a range and variety of housing types (size and density) and variety of ownership and rental opportunities, in a range of prices.
- 2.0 Encourage housing opportunities for employees in the Clackamas Regional Center ~~Design Plan~~ Area by investigating partnerships to develop housing for workers in the area.
- 3.0 Limit expansion of commercial zoning into residential neighborhoods along the 82nd Avenue corridor.
- 4.0 Preserve existing ~~manufactured dwellingmobile home~~ parks by requiring a relocation plan to be developed and implemented by the developer for residents of ~~manufactured dwellingmobile home~~ parks whenever the ~~zoning districtzone~~ designation on a ~~manufactured dwellingmobile home~~ park is changed to ~~onea zone~~ other than MR-1. The County must approve the relocation plan as part of the zone change application.
- 5.0 Replace housing capacity lost in the study area by future Comprehensive Plan ~~amendments~~ or zone changes. Any application for a change in ~~land use Comprehensive~~ plan designation within the Clackamas Regional Center ~~Design Plan~~ Area will be accompanied by a demonstration of how an equal amount of housing capacity is replaced on another site, or constructed on the site as part of a mixed-~~use~~ development.
 - 5.1 The purpose of this policy is to maintain the potential for the amount of housing identified in the Clackamas Regional Center Area ~~Design~~ Plan.
 - 5.2 This policy would apply to ~~Comprehensive Planplan~~ ~~amendments~~ or zone changes made subsequent to adoption of the Clackamas Regional Center Area ~~Design~~ Plan.
 - 5.3 This policy would apply to quasi-judicial changes from residential to a non-residential use.

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- 5.4 Replacement housing capacity could be located anywhere within unincorporated Clackamas County located within the Urban Growth Boundary.
 - 5.5 Approval of a design review application and any other applicable land use permit for the required amount of replacement housing on a site in a commercial or office district, not including PMU sites, will meet the requirements of policy 5.0.
- 6.0 Form a County Housing Advisory Committee to counsel and advise the Board of County Commissioners on housing issues.
- 6.1. Clackamas County shall review its policies and ordinances regarding affordable housing and develop an affordable housing strategy with a series of tools to provide for a mix of housing types and prices in the County.

SUNNYSIDE CORRIDOR COMMUNITY PLAN

The Sunnyside Corridor Community Plan Area is one of the most rapidly urbanizing areas of Clackamas County. Most of the development has occurred in the last 20 years, and there is capacity for additional growth. The Sunnyside Village area has developed rapidly since adoption of the Sunnyside Village Plan in 1993, and has provided many lessons about integrating land use and transportation, mixing uses, and accommodating higher density housing types. New planning rules affect the ways the remaining areas must be planned. These include:

- The Region 2040 Urban Growth Management Functional Plan. Sunnyside Road was identified by regional planning efforts as appropriate for designation as a Corridor design type. Corridors are planned to be areas featuring a high-quality pedestrian environment, convenient access to transit, and higher employment concentrations and housing densities than surrounding areas. In order to support high-quality transit service, they are planned to be developed at densities that are somewhat higher than today (2000). Typical new development would include [attached single-family dwellings](#), [rowhouses](#), and one- to three-story office, [multifamily apartment](#), and retail buildings.
- The National Marine Fisheries Service has listed several runs of Chinook Salmon and Steelhead in the Clackamas River as “threatened” under the Endangered Species Act. The Region 2040 Urban Growth Management Functional Plan, and the [County](#) water quality plans are responding to the listings. The listings may require additional protection of riparian corridors and area streams.

In addition, the recently completed Environmental Assessment for widening Sunnyside Road identifies opportunities and limits for the types of development that are feasible and prudent in the area. The Sunnyside Corridor Community Plan is designed to support the transportation improvements planned for Sunnyside Road by limiting land uses and thus traffic generation on Sunnyside Road, limiting accesses on Sunnyside Road, and increasing the connectivity within the neighborhood so that local trips won’t have to use Sunnyside Road.

The Sunnyside Corridor Community Plan is designed to promote an urban form that will support alternative modes of transportation, such as walking, bicycling, and transit. Permitted land uses, the transportation network, and development standards are all designed to support alternative modes as well as auto use, and create a development pattern conducive to face-to-face community interaction. Designations for employment and higher density housing are located to support adopted public policy for the development of the regional transportation system.

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The Sunnyside Corridor Community Plan is designed to focus the most intense development in two “development nodes” centered on SE-122nd Avenue and Sunnyside Road and on SE-132nd Avenue and Sunnyside Road. SE-122nd Avenue and SE-132nd Avenue must be improved to support the levels of traffic projected. There are three schools in the vicinity of SE-132nd Avenue, and it is heavily used by school children. A street design to promote safety, convenience, and comfort is of utmost importance.

The ~~remainder of the overall Clackamas County~~ Comprehensive Plan applies to the Sunnyside Corridor Community Plan Area. [The Sunnyside Corridor Community Plan](#) ~~This section of the Comprehensive Plan~~ describes the goals and policies that are specific to the Sunnyside Corridor Community Plan Area. [The Sunnyside Corridor Community Plan](#) ~~This section~~ takes precedence where conflicts exist between it and the remainder of the Comprehensive Plan.

The Sunnyside Corridor Community Plan applies to the area shown on Map X-SC-1, from SE-117th Avenue to the western boundaries of the Sunnyside Village. The primary focus of the Plan is the area immediately adjacent to Sunnyside Road and other areas with vacant and redevelopable land, especially the future urban areas east of SE-132nd Avenue.

GOALS

- Ensure the efficient use of land and urban services.
- Provide a mix of housing types, densities and price ranges to accommodate the diverse housing needs of the projected population.
- Encourage jobs and services along the Sunnyside Corridor to be concentrated at major intersections.
- Provide a transportation network that emphasizes an interconnection of streets, alleys and pedestrian ways that encourage transit, bicycle and pedestrian trips and provide opportunities for neighborhood circulation that avoids having to use Sunnyside Road.
- Reduce access points along Sunnyside Road.
- Facilitate development of sub-regional storm drainage detention and sediment control facilities that enhance water quality in area streams and provide adequate storm water detention.
- Provide adequate infrastructure.

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- Provide for joint-use public facilities to reduce the land area committed to public uses.
- Protect the character of existing neighborhoods.

POLICIES

I. LAND USE

- 1.0 Map X-SC-2 illustrates the ~~land use plan~~Land Use Plan designations for the Sunnyside Corridor Community Plan Area. The following ~~designations~~uses may be allowed: Low Density Residential, Medium High Density Residential, Office Apartment, Community Commercial, and Public and Community Use. Policies directing the application of these ~~land use~~ plan designations are located in Chapter 4 ~~of this Plan~~. In addition, policies establishing special standards for these ~~plan~~ designations when applied in the Sunnyside Corridor Community Plan Area are set out in ~~Policies~~policies 2.0 to 5.0, below.
- 2.0 The ~~Growth Concept Design Type~~ Corridor design type, as defined in Chapter 4, shall be applied along Sunnyside Road from approximately ~~SE~~ 117th Avenue to ~~SE~~ 138th Avenue. The Corridor ~~design type~~Design Type location shall be defined within the Sunnyside Corridor Community Plan Area as development nodes, which are delineated on Map X-SC-1.
 - 2.1 The development nodes will contain concentrations of higher intensity development, separated by Office Apartment or Low Density Residential uses.
 - 2.2 Corridor Policies 2.1 ~~-through~~ 2.5 ~~of the stated in Chapter 4:~~ Urban Growth Concept section of Chapter 4 shall be applicable to the development nodes.
 - 2.3 The development nodes will include a complementary mix of land uses. The following uses are expected to be found in the Corridor design type area: retail, services, offices, schools, religious facilities, community facilities, and multifamily residential. The following ~~Plan~~land use plan designations may be located within the development nodes: Community Commercial, Office Apartment, Medium High Density Residential and Low Density Residential.
 - 2.4 The Corridor design type development nodes shall not be expanded to include additional land area.

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Residential

- 3.0 Residential [land use plan](#) designations shall be allowed in the Sunnyside Corridor Community Plan Area to provide for a variety of housing choices that are compatible with the character of the area, support current and projected demographics and ensure a range of densities to promote an efficient use of the land and urban services.
- 3.1 ~~Urban-The~~ Low Density Residential (~~LDR~~) designations shall be applied in many locations in the Sunnyside Corridor Community Plan Area, including locations on Sunnyside Road between development nodes. R-7 zoning shall be applied to areas designated ~~Urban~~-Low Density Residential that are located east of ~~SE~~-132nd Avenue, south of ~~SE~~-Sunnyside Road and west of the Sunnyside Village.

Office ApartmentCommercial

- 4.0 The Office Apartment [land use plan](#) designation shall be applied in the Sunnyside Corridor Community Plan Area to provide for employment and limited housing uses. ~~The~~ Office Apartment designations shall be applied as depicted on Map X-SC-2 and may be applied in other locations when the [Chapter 4 criteria for designation of Office Apartment Area of Application criteria areas](#) are met.

Commercial

- 5.0 ~~Within the Sunnyside Corridor Community Plan Area, The~~ Community Commercial [land use](#) plan designation shall be allowed only on the south side of ~~SE~~-Sunnyside Road within the development node at the intersection of ~~SE~~-122nd Avenue. This designation is provided to meet the retail needs of the Sunnyside Corridor Community Plan Area.

II. STREETS, ALLEYS AND PEDESTRIAN CONNECTIONS

- 1.0 Integrate land use with the transportation network in the Sunnyside Corridor Community Plan.
- 2.0 All new developments shall provide streets, vehicular connections and pedestrian connections as shown on the Map X-SC-3 and Map 5-4a.
- 2.1 New streets and connections identified on Map X-SC-3 as “location determined” may be modified only when it can be shown that the depicted street or connection is impractical to develop due to

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wetlands, topographic conditions, resource protection, or pre-existing lotting patterns.

- 2.2 The precise location for new streets and connections depicted as “location flexible” will be determined during the development review process.
- 3.0 In addition to the vehicular and pedestrian connections required on Map X-SC-3, safe and convenient pedestrian connections shall be used to enhance access between residential and commercial developments, public facilities, activity centers, and streets when public streets are not feasible.
 - 3.1 A system of pedestrian connections shall be provided from subdivisions and multifamily developments to the following commercial or public facilities: existing or planned transit facility, school, park, outdoor activity area, plaza, day care center, children's play area, library, church, or similar facility; and
 - 3.2 Pedestrian access shall be provided from a dead-end street, cul-de-sac, or mid-block where the block is longer than 330 feet; and
 - 3.3 Commercial developments shall be integrated with the neighborhood. If direct pedestrian access is not provided between commercial developments and adjacent residential areas via public streets and sidewalks, additional pedestrian and bicycle access shall be provided.
- 4.0 ~~Southeast~~ 132nd Avenue south of Sunnyside Road shall be constructed to the street standards as depicted in Figure X-SC-1.
 - 4.1 No new residential driveway accesses shall be allowed on ~~SE~~ 132nd Avenue south of Sunnyside Road.
 - 4.2 The fronts or sides of primary dwelling units shall be oriented to ~~SE~~ 132nd Avenue. Back yards shall not line ~~SE~~ 132nd Avenue.
 - 4.3 Facades facing ~~SE~~ 132nd Avenue shall not consist of a blank wall.
- 5.0 New local streets and new connector streets shall comply with the following design standards:
 - 5.1 Orient local streets whenever practical so that at least 50% percent of the lots front north or south to take advantage of solar access.
 - 5.2 Provide on-street parking, landscapeplanting strips between

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sidewalk and street, sidewalks on both sides of the street, street trees, and short pedestrian crossing distances at intersections. Figure X-SC-2 illustrates a typical street cross section.

- 6.0 Street trees listed as prohibited in Section 1007 of the Zoning and Development Ordinance shall not be approved as street trees in the Sunnyside Corridor Community Plan Area.
- 7.0 Provide vehicular and/or pedestrian connections between residential developments, public facilities, neighborhood services, and the collector and arterial street system.
- 8.0 Alleys shall be allowed in all residential [zoning](#) districts. All alleys shall be private streets and shall be constructed as depicted in Figure X-SC-3.
- 9.0 Access controls on Sunnyside Road shall be consistent with the preliminary design for Sunnyside Road as shown in the Sunnyside Road Environmental Assessment or more detailed design and engineering work undertaken for Sunnyside Road. In addition, the following shall be applied:
 - 9.1 Consolidate driveways to the targets shown on Map X-SC-5, Access Management Targets for Sunnyside Road.
 - 9.2 Whenever possible, driveway accesses shall be consolidated as development and re-development occurs. Temporary accesses may be allowed when Office Apartment sites develop incrementally, but only if a master plan has been approved demonstrating how and when further driveway consolidation shall occur.
 - 9.3 To maintain the flow of traffic on Sunnyside Road, driveways may be restricted to right-in, right-out only.
 - 9.4 Office Apartment and Commercial developments shall minimize vehicular access to Sunnyside Road, with primary access provided on side streets whenever possible.

III. NATURAL RESOURCE PROTECTION

- 1.0 Restrict development of natural resource areas, including: [slopes](#)~~Slopes~~ greater than 20% [percent](#), confirmed landslide hazard areas, flood hazard areas, stream buffers, wetlands, and significant natural areas.
- 2.0 Except in stream corridor and wetland buffers, residential development may be allowed within restricted areas when it is consistent with the

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~~policies~~[Policies](#) in the Natural Hazards section of Chapter 3, and the Open Space and Floodplains section of Chapter 4 ~~of the Comprehensive Plan.~~

- 3.0 Allow the transfer of residential development density from restricted areas to other areas on the site, subject to the following standards:
 - 3.1 Resulting density on the developed portion of a Low-Density Residential site shall not exceed 15 dwelling units per acre.
 - 3.2 If the density on the developed portion of the site exceeds the next highest residential [land use plan designation](#)~~Plan category~~, buffering from adjacent low-density residential uses shall be considered in the development review process.

IV. PARKS, OPEN SPACE, AND RECREATION TRAILS

- 1.0 Provide parks that are equitably distributed and accessible from throughout the Sunnyside Corridor Community Plan Area.
- 2.0 Facilitate park and recreation and storm water detention and treatment providers to cooperate in the development of facilities that meet the needs of both agencies.
- 3.0 At the time of site development, trails shown on Map X-SC-6 shall be constructed to standards established by the North Clackamas Parks and Recreation District [\(NCPRD\)](#).
- 4.0 Map X-SC-6 depicts the general location of a trail that will connect to an adjacent trail in the Sunnyside Village. The final location of this trail will be determined as development occurs.
- 5.0 All designated trails identified on Map X-SC-6 shall be either dedicated to, or granted as an easement to, [NCPRD](#)~~the North Clackamas Parks District~~, which will be responsible for their maintenance

McLOUGHLIN CORRIDOR DESIGN PLAN

The Portland metropolitan area has changed significantly in the past 20 years, and will likely experience more changes in the future. McLoughlin Boulevard, and the business and residential areas that surround it, have also changed – reflecting population and traffic changes, shifts in retail market and development types, and infill and maturation of the nearby residential neighborhoods.

A number of issues affect the future of the McLoughlin Corridor, which provided the impetus for a special study of the area in 1998-99, including:

- McLoughlin [Boulevard](#) has been identified as a “Regional Street” in the Region 2040 Urban Growth Management Functional Plan, and is expected to continue to support high levels of through and local vehicular traffic.
- The area along McLoughlin is designated a “Corridor” in the Region 2040 Urban Growth Management Functional Plan. A [Corridor](#) is intended to feature a high-quality pedestrian environment and convenient access to transit, while continuing to meet the needs of the automobile. Corridor areas are expected to transition to higher residential and employment densities through infill and redevelopment.
- The Oregon Highway Plan designates McLoughlin [Boulevard](#) as a District Highway. As a District Highway, McLoughlin [Boulevard](#) provides a link between urbanized areas and also serves local access and traffic. The management objective is to provide for safe and efficient, low-to-moderate-speed traffic flow and for pedestrian and bicycle movements.
- McLoughlin [Boulevard](#) has been designated for frequent bus service.
- The Oregon Department of Transportation (ODOT) needs to evolve policies and standards for state highways in urban areas such as the McLoughlin Corridor.

[The Clackamas](#) County worked with state and local agencies, a [Citizen’s](#) [Workgroup](#), and the general public through a series of open houses, to develop a plan in response to these issues.

The focus of the McLoughlin Corridor Study became the design of the street itself. McLoughlin Boulevard was the first four-lane highway constructed in the State. It was constructed in the 1930s, and [has been](#) improved incrementally since then. It generally has 120 feet of right-of-way, with an improved width of 80 [to](#)- 90 feet. Several of the State and County policies that describe how a District Highway or [Major](#) [Arterial](#) is to be designed and constructed remain to be implemented.

[10-MC-1]

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The McLoughlin Corridor Design Plan is not intended to repeat policies that cover issues already addressed by other State and County plans, such as the need for continuous sidewalks, bike lanes, street lighting, and transit improvements. The Design Plan also does not attempt to modify existing [State](#) or [County](#) policies for access control. [Instead, the Design Plan](#) focuses on designing aspects of the street for greater safety, aesthetics, and utility, especially including a [landscaping](#) strip between the curb and sidewalk. Both safety and appearance will be improved by consistent design, including continuous bike lanes, landscaped strips, sidewalks, street lights, transit amenities, fewer driveways, and no on-street parking. The Design Plan includes typical cross sections, with strategies to apply them in the context of design work leading up to a reconstruction of McLoughlin [Boulevard](#) and in the context of development review.

Land [uses](#) in the McLoughlin Corridor were reviewed. A market analysis addressed the market for a range of land uses, and the types of employment and housing densities that are suitable for the [Corridor](#). It was determined that the employment and housing uses and densities appropriate to a [Corridor](#) are already feasible under the existing [land use](#) plan designations provided for in the Comprehensive Plan.

Land uses would be better served in terms of access and circulation if there were better connectivity between parking lots, and between parking lots and streets to the side or rear of the development. The image of McLoughlin [Boulevard](#) would be improved if the existing sign ordinance were better enforced. An improved appearance may lead to more investment, more patronage of businesses, and more job creation.

The [remainder of the overall Clackamas County](#) Comprehensive Plan is applicable to the McLoughlin Corridor ~~area~~. [The McLoughlin Corridor Design Plan](#) ~~This chapter of the Comprehensive Plan~~ describes the goals and policies that are specific to the McLoughlin Corridor. This [Design Plan](#) ~~chapter~~ takes precedence where conflicts exist between it and the remainder of the Comprehensive Plan.

GOALS

- Design and improve McLoughlin [Boulevard](#) to serve the needs of travelers by all modes of transportation along and across the roadway.
- Design McLoughlin [Boulevard](#) to serve a balance between regional through traffic and local access for [businesses](#) and residents.
- Design McLoughlin [Boulevard](#) to serve regional and local traffic, including public transportation, [bicycles](#) and [pedestrians](#) ~~travel~~.

[10-MC-2]

Clackamas County Comprehensive Plan

- Enhance safety for all travel modes and improve the aesthetic appeal of McLoughlin Boulevard.
- Create a high-quality pedestrian environment, convenient access to transit, and a mix of land uses that implement the “Corridor” design type.
- Enhance pedestrian safety, especially pedestrian crossings near schools.

POLICIES

Land Use

- 1.0 The Corridor Growth Concept design type “Corridor”, as defined in Chapter 4 and displayed on Map X-MC-1, shall be applied along McLoughlin Boulevard.
- 2.0 The Corridor design type is applied to properties within the McLoughlin Corridor study area that have the following Comprehensive Plan land use designations: GC-General Commercial, SHD-Special High Density Residential, HDR-High Density Residential, MHDR-Medium High Density Residential, and MDR-Medium Density Residential, and are no more than 650 feet from the McLoughlin Boulevard right-of-way.
- 3.0 Corridor Policies 2.1- through 2.5 of the Urban Growth Concept section of Chapter 4: Urban Growth Concept shall be applicable within the Corridor design type area.
- 4.0 Office and Commercial developments shall integrate with adjacent neighborhoods by providing, at minimum, excellent pedestrian access.
- 5.0 A range of land use designations may be applied within the designated Corridor design type area. Land use designations that provide primarily for employment and shopping, and land use designations that provide primarily for multifamily dwellings shall be considered. Land use designations applicable in the Corridor design type area are:
 - 5.1 Commercial land use designations that may be applied include: General Commercial, Retail Commercial, Office Commercial, and Office Apartment. Any site designated for a commercial use shall be located adjacent to McLoughlin Boulevard.

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- 5.2 [Residential land useMultifamily](#) designations that may be applied include: Special High Density [Residential](#), High Density [Residential](#), Medium High Density [Residential](#), and Medium Density Residential. [Residential land useMultifamily](#) designations should generally be located so as to form a buffer between commercial uses adjacent to McLoughlin [Boulevard](#) and low density residential areas.
- 5.3 When applying for a Comprehensive Plan map amendment to a [Residentialmulti-family land use](#) designation in the McLoughlin Corridor, the applicant's property shall have access to a street designated as a major or minor arterial, collector, connector, or local. Siting should not result in significant traffic increase on local streets serving low density residential areas.

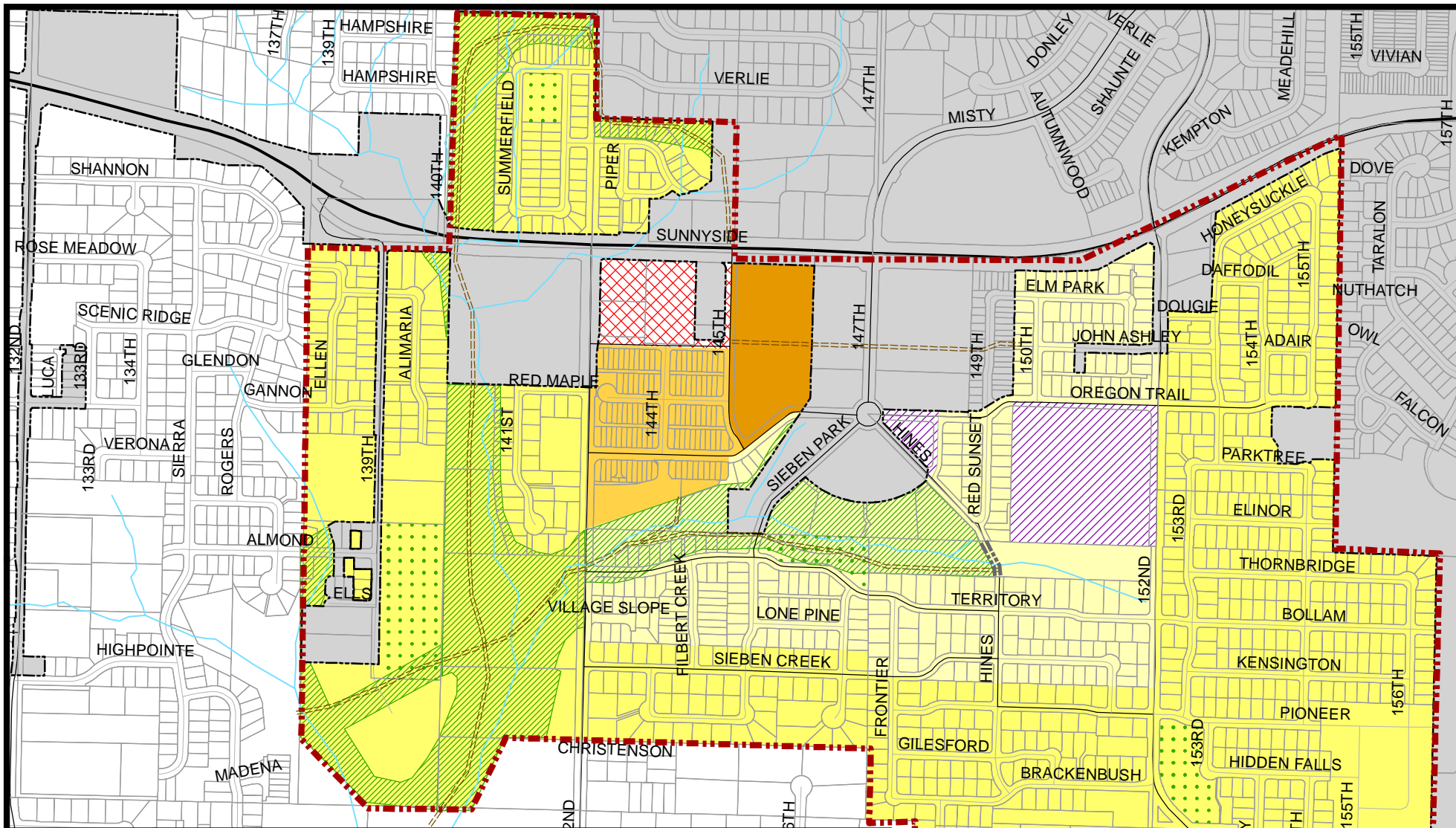
Transportation

- 6.0 Encourage circulation to occur between businesses by requiring that adjacent parking lots be connected to each other or to a street at the side or rear of the development.
- 7.0 Develop a program for enforcement of the County's sign ordinance on McLoughlin Boulevard. Potential strategies include: providing additional funding and establishing priority with the County's Code Enforcement Section; and setting up a "Corridor Committee" of property owners and business owners who would work toward compliance by setting a good example, discussion, persuasion, and soliciting compliance in a friendly way.
- 8.0 ODOT's access standards are applicable to McLoughlin Boulevard, as are their roadway standards between the curbs.
- 9.0 Apply the typical cross sections as shown on Figures X-MC-1a and [X-MC-1b](#). Map X-MC-2 shows where the various cross sections generally apply. These cross sections for the area of the roadway adjacent to a development (generally sidewalks and [landscapelandscaping](#) strips) shall be required during development review.
- 9.1 The standard arterial segment cross section is preferred at locations between intersections. In areas where the topography adjacent to the outside of the sidewalk slopes so that a retaining wall higher than [three3](#) feet would be required, the landscaped buffer may be reduced in width. The topographically constrained cross section on Figure X-MC-1a, portrays the maximum reduction in the improved width (landscaped buffer reduced to zero, but no reduction is allowed in sidewalk width). Reduction in the width of

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the landscaped buffer shall be the minimum necessary, considering a retaining wall [three](#)3 feet high.

- 10.0 The typical cross sections as shown on Figures [X-MC-1a](#) and [X-MC-1b](#), and indexed on Map X-MC-2 shall be used as guidelines for specific designs for reconstruction of McLoughlin Boulevard. More specific design work produced in preparation of a reconstruction of McLoughlin [Boulevard](#) may replace the typical cross sections in regard to requirements for development and redevelopment. Design work for road reconstruction should start with the Final Report of the McLoughlin Corridor Land Use and Transportation Study as a guide.
- 11.0 Transit improvements in the McLoughlin Corridor should include a transit shuttle through the McLoughlin Corridor area.














Sunnyside Village Plan
Land Use Plan Map

Clackamas County Comprehensive Plan

MAP X-SV-1

Last Amended October 13, 2014

- | | | | | | |
|--|---------------------------|---|----------------------------|---|--------------------------------|
|  | Village Office |  | Village Townhouse |  | Pedestrian Accessways & Trails |
|  | Village Community Service |  | Small Lot Single Family |  | Required Streets |
|  | Village Apartment |  | Standard Lot Single Family |  | City Limits |
|  | Resource Protection |  | Parks | | |

Ordinance ZDO-250, Exhibit A



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



Ordinance ZDO-250
Zoning and Development Ordinance Amendments

Text to be added is underlined. Text to be deleted is ~~strikethrough~~.

103 ZONING DISTRICTS

103.01 ZONING DISTRICT DESIGNATION

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

103.02 ZONING DISTRICT BOUNDARIES

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

[Amended by Ord. ZDO-235, 5/14/12]

315 URBAN LOW DENSITY RESIDENTIAL (R-2.5, R-5, R-7, R-8.5, R-10, R-15, R-20, AND R-30), VILLAGE STANDARD LOT RESIDENTIAL (VR-5/7), VILLAGE SMALL LOT RESIDENTIAL (VR-4/5), VILLAGE TOWNHOUSE (VTH), PLANNED MEDIUM DENSITY RESIDENTIAL (PMD), MEDIUM DENSITY RESIDENTIAL (MR-1), MEDIUM HIGH DENSITY RESIDENTIAL (MR-2), HIGH DENSITY RESIDENTIAL (HDR), VILLAGE APARTMENT (VA), SPECIAL HIGH DENSITY RESIDENTIAL (SHD), AND REGIONAL CENTER HIGH DENSITY RESIDENTIAL (RCHDR) DISTRICTS

315.01 PURPOSE

Section 315 is adopted to implement the policies of the Comprehensive Plan for Low Density Residential, Village Standard Lot Residential, Village Small Lot Residential, Village Townhouse, Medium Density Residential, Medium High Density Residential, High Density Residential, Special High Density Residential, Village Apartment, and Regional Center High Density Residential areas.

315.02 APPLICABILITY

Section 315 applies to land in the Urban Low Density Residential (R-2.5, R-5, R-7, R-8.5, R-10, R-15, R-20, and R-30), Village Standard Lot Residential (VR-5/7), Village Small Lot Residential (VR-4/5), Village Townhouse (VTH), Planned Medium Density Residential (PMD), Medium Density Residential (MR-1), Medium High Density Residential (MR-2), High Density Residential (HDR), Village Apartment (VA), Special High Density Residential (SHD), and Regional Center High Density Residential (RCHDR) Districts, hereinafter collectively referred to as the urban residential zoning districts.

315.03 USES PERMITTED

A. Uses permitted in each urban residential zoning district are listed in Table 315-1, *Permitted Uses in the Urban Residential Zoning Districts*. Uses not listed are prohibited, except:

1. In the PMD District, uses similar to one or more of the listed uses for the PMD District may be authorized pursuant to Section 106, *Authorization of Similar Uses*; and
2. In the HDR, SHD, and RCHDR Districts, uses similar to one or more of the listed limited uses for the applicable zoning district may be authorized pursuant to Section 106, *Authorization of Similar Uses*.

B. As used in Table 315-1:

1. "P" means the use is a primary use.
2. "A" means the use is an accessory use.

3. “L” means the use is a limited use and shall be developed concurrently with or after a primary use is developed on the same site.
 4. “C” means the use is a conditional use, approval of which is subject to Section 1203, *Conditional Use*.
 5. “X” means the use is prohibited.
 6. Numbers in superscript correspond to the notes that follow Table 315-1.
- C. Permitted uses are subject to the applicable provisions of Subsection 315.04, *Dimensional Standards*; Subsection 315.05, *Development Standards*; Section 1000, *Development Standards*; and Section 1100, *Development Review Process*; ~~Section 1600, *Village General Provisions*; Section 1602, *Village Park Provisions*; and Section 1700, *Clackamas Regional Center Area General Provisions*.~~

315.04 DIMENSIONAL STANDARDS

- A. General: Dimensional standards applicable in the urban residential zoning districts are listed in Tables 315-2, *Dimensional Standards in the Urban Low Density Residential Zoning Districts*; 315-3, *Minimum Side and Rear Yard Depths for Certain Accessory Buildings in the Urban Low Density Residential Districts*; 315-4, *Dimensional Standards in the VR-4/5, VR-5/7, and VTH Districts*; and 315-5, *Dimensional Standards in the PMD, MR-1, MR-2, HDR, VA, SHD, and RCHDR Districts*; and in Subsections 315.04(C) and (D). As used in Tables 315-2 through 315-5, numbers in superscript correspond to the notes that follow each table.
- B. Modifications: The standards in Tables 315-2 through 315-5 may be modified pursuant to Section 800, *Special Use Requirements*; Section 902, *Lot Size Exceptions*; Section 1013, *Planned Unit Developments*; Section 1014, *Design Standards for Land Divisions*; Section 1107, *Property Line Adjustments*; and Section 1205, *Variance*. Except in the HDR, SHD, and RCHDR Districts, the standards in these tables also may be modified pursuant to Section 903, *Setback Exceptions*; and Section 904, *Other Exceptions*.
- C. Exceptions in the Urban Low Density Residential Districts: In the Urban Low Density Residential Districts, exceptions apply to the dimensional standards of Table 315-2 as follows:
1. Maximum lot coverage does not apply to swimming pools.
 2. Maximum lot coverage is 50 percent for a lot of record that is 6,000 square feet or less in area, was created prior to the application of an Urban Low Density Residential District to the subject lot of record, and is developed with a detached single-family dwelling.
 3. For a detached single-family dwelling, minimum rear yard depth is 10 feet and there is no minimum side yard depth from one side lot line if:

- a. The dwelling is developed on a lot of record that is 6,000 square feet or less in area and was created prior to the application of an Urban Low Density Residential District to the subject lot of record; and
 - b. The portion of the dwelling sited within the minimum yard depth area ordinarily required by Table 315-2 does not block solar access to an existing window or solar energy system located on the adjacent properties.
4. The minimum front yard depth for an accessory swimming pool shall be 10 feet. The minimum side and rear yard depths for an accessory swimming pool shall be three feet.
 5. The minimum yard depths shown in Table 315-3 apply to accessory buildings that comply with the following criteria:
 - a. The accessory building shall be located behind the building line of the main building; and
 - b. The accessory building shall be detached from any other building.
 6. An accessory building that is larger than 500 square feet in area—and does not share a common wall with the primary dwelling—shall be subject to the following standards:
 - a. The maximum building height shall be 20 feet or the height of the primary dwelling, whichever is greater.
 - b. The square footage shall not exceed that of the ground floor of the primary dwelling and any non-residential space that shares a common wall with the primary dwelling (e.g., an attached garage).
- D. Exceptions in the MR-1 District: In the MR-1 District, the following exceptions apply to the dimensional standards of Table 315-5:
1. Maximum lot coverage does not apply to swimming pools.
 2. The minimum front yard depth for an accessory swimming pool shall be 10 feet. The minimum side and rear yard depths for an accessory swimming pool shall be five feet, unless the side or rear lot line abuts a VR-4/5, VR-5/7, or Urban Low Density Residential District, in which case the minimum yard depth shall be 15 feet from the abutting lot line.
 3. The minimum yard depths shown in Table 315-3 apply, where indicated by Note 1 to Table 315-3, to accessory buildings that comply with the following criteria:
 - a. The accessory building shall be located behind the building line of the main building, if the side or rear yard depth is less than three feet; and

- b. The accessory building shall be detached from any other building.

315.05 DEVELOPMENT STANDARDS

The following development standards apply:

- A. Condominiums: Except in the VR-5/7 and VR-4/5 Districts, any of the following types of dwellings, if permitted in the subject zoning district, may be platted as condominiums, pursuant to Section 803: detached single-family dwellings, attached single-family dwellings, two-family dwellings, three-family dwellings, and multifamily dwellings. In the case of attached single-family dwellings, condominium platting supersedes the requirement that each dwelling unit be on a separate lot of record.
- B. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use is subject to Subsection 825.03.
- C. Structure and Façade Design in the Urban Low Density Residential Districts: In the Urban Low Density Residential Districts, all dwellings, except temporary dwellings approved pursuant to Section 1204, shall include at least three of the following features visible to the street (if on a corner lot, visible to the street where the dwelling takes access):
 - 1. A covered porch at least two feet deep;
 - 2. An entry area recessed at least two feet from the exterior wall to the door;
 - 3. A bay or bow window (not flush with the siding);
 - 4. An offset on the building face of at least 16 inches from one exterior wall surface to the other;
 - 5. A dormer;
 - 6. A gable;
 - 7. Roof eaves with a minimum projection of 12 inches from the intersection of the roof and the exterior walls;
 - 8. A roofline offset of at least 16 inches from the top surface of one roof to the top surface of the other;
 - 9. An attached garage;
 - 10. Orientation of the long axis and front door to the street;
 - 11. A cupola;

12. A tile, shake, or composition roof; and
 13. Horizontal lap siding.
- D. Shipping Containers: Freight shipping containers used as accessory buildings shall be located behind the building line of the main building, and the exterior shall be painted similar in color to that of the main building.
- E. Metal Accessory Buildings in the Urban Low Density Residential Districts: In the Urban Low Density Residential Districts, metal accessory buildings greater than 500 square feet in area shall include roof overhangs, gutters, and downspouts, and the exterior shall be painted similar in color to that of the dwelling.
- F. Recreational Facilities in the SHD and RCHDR Districts: In the SHD and RCHDR Districts, a residential development shall provide a least one of the following recreational facilities for the first 60 dwelling units, or portion thereof, and at least one additional facility for every additional 120 dwelling units, or portion thereof.
1. An 800-square-foot or larger heated swimming pool;
 2. A minimum 1,000-square-foot exercise room with exercise equipment and mats;
 3. Two handball/racquetball courts;
 4. Whirlpool and sauna or steam bath rooms;
 5. Minimum 1,200-square-foot game room with pool and ping pong tables, folding tables and chairs, and kitchenette;
 6. An 800-square-foot shop equipped with hand tools, work benches, storage shelves, lockers, and ventilation;
 7. A 400-square-foot greenhouse with all-season solar exposure, equipped with benches, water, ventilation, summer shading materials, and storage areas for pots, tools, potting soil, fertilizers, etc;
 8. 3,000 square feet of hard-surface play area, such as a tennis court, basketball court, or roller-skating area;
 9. 4,200 square feet of soft surface play area with equipment provided for lawn games such as volleyball, badminton, croquet, and horseshoes; and
 10. Any other similar facility, as determined by the Planning Director.

- G. Parks in the VR-4/5 and VR-5/7 Districts: Streets, public paths, or open space shall abut the entire perimeter of all parks. In no case shall the rear of a building face a park. Street alignments and lot design shall ensure that building fronts or sides face parks, with building sides acceptable along not more than one-third of a park's perimeter.
- H. Resource Protection Areas in the VR 4/5 and VR 5/7 Districts: On lots recorded after November 29, 1995, development of primary dwellings and accessory structures within a Resource Protection Area shown on Comprehensive Plan Map X-SV-1, *Sunnyside Village Plan, Land Use Plan Map*, shall be subject to design review, pursuant to Section 1102, and the following criteria:
1. Disturbance of natural features, including slopes in excess of 20 percent, trees and treed areas, wetlands, and stream corridors, shall be minimized.
 2. Compliance with Subsections 1002.02 and 1002.04 shall be demonstrated.
 3. The maximum disturbed area shall be 5,000 square feet. All buildings and yard areas shall be contained within this area. Driveways and required trails and utility construction shall be excluded from calculation of the disturbed area.
 4. Shared driveways are encouraged and shall be designed to be as narrow as possible, consistent with the requirements of the fire district.
- I. Single-Family Dwellings in the VR-4/5 and VR-5/7 Districts: In the VR-4/5 and VR-5/7 Districts, the following standards apply to attached single-family dwellings and detached single-family dwellings:
1. Front facades shall be designed with balconies and/or bays. Facades facing a street right-of-way shall not consist of a blank wall.
 2. Window trim shall not be flush with exterior wall treatment. Windows shall be provided with an architectural surround at the jamb, head, and sill.
 3. Hipped, gambrel, or gabled roofs are required. Flat roofs are prohibited.
 4. The following standards shall apply in all subdivisions that receive final plat approval after November 29, 1995.
 - a. If a lot has frontage on a local or connector street or a private street which meets local or connector street design standards, then the primary entry shall be accessed directly from and visible from one of those streets.
 - b. A minimum of 50 percent of the single-family dwellings shall have porches. A covered porch or patio shall be placed immediately adjacent to

the primary entry. The porch shall have a minimum net depth of six feet and a minimum net width of 10 feet.

- J. Driveways in the VR-4/5 and VR-5/7 Districts: The following standards apply in the VR-4/5 and VR-5/7 Districts:
1. Driveways shall not exceed a width of 16 feet at the front lot line, unless the subject property is developed with a garage that has at least three side-by-side (as opposed to tandem) garage bays, in which case the maximum driveway width shall be 24 feet at the front lot line.
 2. For subdivisions that receive final plat approval after November 29, 1995, a minimum of 50 percent of lots developed on alleys shall have alley access only.
- K. Garages in the VR-4/5 District: In the VR-4/5 District, all garages shall have a front yard depth to the garage door that is a minimum of five feet greater than the front yard depth to the front façade of the primary dwelling (not including porches, bays, and architectural features).
- L. Garages in the VR 5/7 District: In the VR-5/7 District, a minimum of 50 percent of the primary dwellings in a development shall have a garage with a front yard depth to the garage door that is a minimum of five feet greater than the front yard depth to the front façade of the primary dwelling (not including porches, bays, and architectural features). The remaining 50 percent of the primary dwellings in a development may have a garage with a front yard depth to the garage door that is a maximum of five feet less than the front yard depth to the front facade of the primary dwelling (not including porches, bays, and architectural features).
- M. Accessory Structures in the VR-4/5, VR-5/7, and VTH Districts: In the VR-4/5, VR-5/7, and VTH Districts, accessory buildings greater than 100 square feet in area shall be constructed with similar exterior building materials to those of the primary dwelling.
- N. Exemptions in the VR-4/5 and VR-5/7 Districts:
1. Neither the dimensional standards for primary dwellings in the VR-4/5 and VR-5/7 Districts listed in Table 315-4, nor the requirements of Subsections 315.05(G) through (M), apply to new homes developed in subdivisions which have received final plat approval prior to August 26, 1993, if there are homes developed or under construction on existing lots within the subdivision.
 2. In the VR-4/5 District, new homes developed within subdivisions which have received preliminary plat approval prior to August 26, 1993, may comply with Subsection 315.05(L) in lieu of Subsection 315.05(K).

No changes are made to Tables 315-1, 315-2, 315-3 or 315-5.

Table 315-4: Dimensional Standards in the VR-5/7, VR-4-5, and VTH Districts

Standard	VR-5/7	VR-4/5	VTH
General Standards			
Minimum Lot Size ¹	5,000 square feet	4,000 square feet	2,000 square feet ^{2,3}
Maximum Lot Size ¹	7,000 square feet	5,000 square feet	3,000 square feet ^{2,4}
Maximum Lot Coverage	50 percent	50 percent	65 percent
Maximum Building Height for Primary Dwellings	35 feet		
Maximum Height for Fences and Sight-Obscuring Plantings	6 feet at or behind the building line of the main building; 4 feet forward of the building line of the main building		
Minimum Front Yard Depth for Primary Dwellings ⁵	10 feet for a dwelling with a recessed garage; 19½ feet to the garage door for a dwelling with a non-recessed garage ⁶		10 feet ^{7,8,9,10}
Maximum Front Yard Depth for Primary Dwellings ⁵	18 feet for a dwelling with a recessed garage; 20½ feet to the garage door for a dwelling with a non-recessed garage ^{11,12,13}		18 feet ^{7,8}
Minimum Rear Yard Depth for Primary Dwellings ⁵	15 feet		
Minimum Side Yard Depth for Primary Dwellings ⁵	0 on one side; 5 feet on all other sides		5 feet ^{7,14}
Standard	VR-5/7	VR-4/5	VTH
Accessory Building Standards			
Maximum Number of Accessory Buildings	Two		
Minimum Separation Distance Between an Accessory Building and any other Building	3 feet		
Maximum Building Height ¹⁵	25 feet or the building height of the primary dwelling, whichever is less		

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

Maximum Building Area	Only one accessory building may exceed 100 square feet, and it shall have a maximum ground floor area of 600 square feet, or the square footage of the ground floor of the primary dwelling, whichever is less.	Only one accessory building may exceed 100 square feet, and it shall have a maximum ground floor area of 500 square feet, or the square footage of the ground floor of the primary dwelling, whichever is less.	
Minimum Front Yard Depth ⁵	Greater than or equal to the front yard depth of the front facade of the primary dwelling (not including porches, bays, garages, and architectural features) ¹⁶		
Accessory Building Minimum Rear and Side Yard Depth Standards in the VR-4/5, VR-5/7, and VTH Districts⁵			
Building Height			
Building Area	≤ 8 feet	> 8 feet and ≤ 20 feet	> 20 feet
≤ 100 square feet	None	No minimum on one side, 3 feet on all other sides; 3 feet rear if rear lot line does not abut an alley, 6 feet rear if rear lot line does abut an alley ¹⁷	No minimum on one side, 5 feet on all other sides; 5 feet rear if rear lot line does not abut an alley, 6 feet rear if rear lot line does abut an alley ¹⁷
> 100 square feet	No minimum on one side, 3 feet on all other sides; 3 feet rear if rear lot line does not abut an alley, 6 feet rear if rear lot line does abut an alley ¹⁷	No minimum on one side, 5 feet on all other sides; 5 feet rear if rear lot line does not abut an alley, 6 feet rear if rear lot line does abut an alley ^{17,18}	

¹ The minimum and maximum lot size standards, as modified pursuant to Sections 800, Special Use Requirements, 902, Lot Size Exceptions, 1013, Planned Unit Developments, 1014, Design Standards for Land Divisions, 1107, Property Line Adjustments, and 1205, Variance, apply to subdivisions, partitions, and property line adjustments. Notwithstanding the minimum and maximum lot size standards, a lot of record may be developed subject to other applicable standards of this Ordinance, except as limited by minimum lot size standards of Section 800 and Subsection 902.02.

- 2 The minimum and maximum lot size standards apply only to lots developed with
attached single-family dwellings.
- 3 The minimum lot size for a lot developed with a detached single-family dwelling
classified as a nonconforming use shall be 3,000 square feet.
- 4 The maximum lot size for a lot developed with a detached single-family dwelling
classified as a nonconforming use shall be 5,000 square feet.
- 5 In the VR-4/5 and VR-5/7 Districts, the minimum yard depth standards do not apply
in a Resource Protection Area shown on Comprehensive Plan Map X-SV-1,
Sunnyside Village Plan Land Use Plan Map.
- 6 A porch may extend a maximum of four feet into the minimum front yard depth.
- 7 The yard depth standards of the VR-4/5 District shall apply to detached single-family
dwellings that are nonconforming uses, as well as to buildings that are accessory to
such dwellings.
- 8 For the purposes of the minimum and maximum front yard depth standards, frontage
on a designated accessway shall be considered a front lot line.
- 9 On a corner lot, the minimum depth of one front yard shall be eight feet, provided that
the yard abuts a road with a functional classification of local or connector.
- 10 Awnings, porches, bays, and overhangs may extend a maximum of four feet into the
minimum front yard depth.
- 11 If a public utility easement precludes compliance with the maximum front yard depth
standard, the maximum shall be as close to the front lot line as possible.
- 12 Dwellings located on lots with less than 35 feet of street frontage shall be exempt
from the maximum front yard depth standard.
- 13 If a lot has more than one front lot line, compliance with the maximum front yard
depth standard is required from only two intersecting front lot lines.
- 14 For the purposes of the minimum side yard depth standard, frontage on a pedestrian
connection shall be considered a side lot line.
- 15 The maximum building height standard applies only to accessory buildings larger
than 100 square feet.
- 16 Except as modified by Subsection 315.05(N), garages in the VR-4/5, VR-5-7, and
VTH Districts shall comply with Subsection 315.05(K), 315.05(L), or 1005.1209(B),
respectively.
- 17 If a rear or side lot line abuts a pedestrian pathway, sidewalk, or accessway, the
minimum yard depth shall be five feet.
- 18 If the rear lot line abuts an alley, a second-story accessory dwelling unit may
cantilever a maximum of four feet into the rear yard.

~~501 NEIGHBORHOOD COMMERCIAL DISTRICT (NC)~~

~~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.~~
 - ~~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.~~

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

~~501.04 ACCESSORY USES~~

~~The following are accessory uses in the Neighborhood Commercial District:~~

- ~~A. Uses and structures customarily accessory and incidental to a primary use;~~
- ~~B. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;~~
- ~~C. The temporary storage within an enclosed structure of source-separated recyclable/reusable materials generated and/or used on site prior to onsite reuse or removal by the generator or licensed or franchised collector to a user or broker;~~
- ~~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.~~

~~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.~~

~~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.~~

~~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.~~

~~501.08 SUBMITTAL REQUIREMENTS~~

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

~~501.09 DIMENSIONAL STANDARDS~~

- ~~A. Purpose: The dimensional standards are intended to:
 - ~~1. Provide for the protection of adjacent properties and the surrounding neighborhood;~~
 - ~~2. Establish the maximum limits of the development; and~~
 - ~~3. Ensure that building scale is in character with the surrounding neighborhood.~~~~
- ~~B. Dimensional Standards:~~

- ~~1. Street Frontage: Street frontage requirements shall be the same as the requirements of the zoning district that existed on the property immediately prior to its designation as Neighborhood Commercial District.~~
 - ~~2. Maximum Front Yard Setback: 20 feet for buildings at or near a transit stop along a major transit street, as set forth more specifically in Section 1005.~~
 - ~~3. Minimum Lot Size:
 - ~~a. Low Density Residential Areas: The minimum lot size allowed by the zoning designation of the property immediately prior to its designation as Neighborhood Commercial.~~
 - ~~b. Medium and High Density Residential Areas: 7,260 square feet.~~~~
 - ~~4. Maximum Lot Size: One acre, except as approved under Subsection 501.02(B)(3).~~
 - ~~5. Maximum Lot Coverage: 50 percent.~~
 - ~~6. Maximum Building Height: 35 feet.~~
 - ~~7. Minimum Landscaping Area: 15 percent of the lot.~~
 - ~~8. Maximum Floor Area Per Use: Individual uses shall not exceed 5,000 square feet of gross floor area.~~
- ~~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.~~

~~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.~~

~~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.~~

~~502 COMMUNITY COMMERCIAL DISTRICT (C-2)~~

~~502.01 PURPOSE~~

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

~~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.~~

~~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;~~
- ~~9. Dry cleaners requiring fireproof vaults for cleaning equipment;~~
- ~~10. Electrical and electronic equipment repair, sales and service shops;~~
- ~~11. Food lockers;~~

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- ~~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;~~
- ~~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. Utility carrier cabinets, subject to Section 830;~~
- ~~40. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835;~~
- ~~41. Auto and light truck repair and service;~~
- ~~42. Drive-thru window service in conjunction with any primary use;~~
- ~~43. Small animal medical and surgical clinics;~~
- ~~44. Service stations, subject to Section 820;~~
- ~~45. Electric vehicle charging stations; and~~
- ~~46. Mobile vending units, subject to Section 837.~~

~~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;~~
- ~~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.~~

~~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.~~

~~502.06 — CONDITIONAL USES~~

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

- ~~1. Hydroelectric facilities, subject to Section 829;~~
- ~~2. Telephone exchanges, utility substations, and public utility structures including shops and garages; and~~
- ~~3. Radio and television transmission and receiving towers and earth stations provided that the base of such towers shall not be closer to the property line than a distance equal to the height of the tower.~~

~~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.~~

~~502.08 — DIMENSIONAL STANDARDS~~

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

- ~~1. Provide for protection of adjacent properties;~~

- ~~2. Provide for coordinated, pleasing and efficient utilization of Community Commercial areas;~~
- ~~3. Ensure that the minimum operational requirements of the development are provided onsite; and~~
- ~~4. Establish the maximum limits of development.~~

~~B. Dimensional Standards:~~

- ~~1. Minimum Front Yard Setback: 15 feet.~~
- ~~2. Maximum Front Yard Setback: 20 feet for buildings at or near a transit stop along a major transit street, as set forth more specifically in Section 1005.~~
- ~~3. Minimum Rear Yard Setback: None required except when a rear yard abuts a more restrictive zoning district. When a rear yard abuts a more restrictive zoning district, the minimum setback shall be 15 feet.~~
- ~~4. Minimum Side Yard Setback: None required except when a side yard abuts a more restrictive zoning district. When a side yard abuts a more restrictive zoning district, the minimum setback shall be 15 feet.~~
- ~~5. Maximum Zoning District Size: 10 acres.~~
- ~~6. Minimum Landscaping Area: 15 percent of the lot.~~
- ~~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.~~

~~502.09 DEVELOPMENT STANDARDS~~

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

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

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

~~C. Building Siting and Design:~~

- ~~1. Buildings within a single and adjacent developments shall be clustered and oriented to provide usable open areas such as pedestrian plazas, courtyards, and entryways.~~
- ~~2. A pedestrian environment shall be provided which encourages walking between stores and offices by providing safety, easy visual orientation, and careful location of attractions to walking shoppers within and between developments.~~

~~D. Operational Impacts: Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter, or water-carried wastes.~~

~~E. Storage: Storage of materials and merchandise shall be confined and contained within completely enclosed buildings.~~

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

~~503 — GENERAL COMMERCIAL DISTRICT (C-3)~~

~~503.01 — PURPOSE~~

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

~~503.02 — AREA OF APPLICATION~~

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

~~503.03 — PRIMARY USES~~

~~The following are primary uses in the General Commercial District:~~

- ~~A. — Any use permitted in the Retail Commercial District;~~
- ~~B. — Service and retail uses where there is a need for outdoor areas in order to conduct business activities and sales or storage areas are an integral part of the use, such as lumber yards or auto sales;~~
- ~~C. — Research offices and laboratories, including testing facilities, provided no smoke, noise, or odors shall be emitted that detract from the character of a commercial district;~~
- ~~D. — Any manufacturing or assembly use, except primary processing of raw materials, provided no smoke, noise, or odors shall be emitted that detract from the character of a commercial district;~~
- ~~E. — Indoor recreational facilities for such sports as gymnastics, martial arts, soccer, basketball, and skating, provided no smoke, noise, or odors shall be emitted that detract from the character of a commercial district. These facilities may be used for instruction, practice, and competitions;~~
- ~~F. — Any use that the Planning Director finds to be compatible with one or more of the uses listed in Subsections 503.03(C) through (E), provided no smoke, noise, or odors shall be emitted that detract from the character of a commercial district. In determining the status of a proposed use, the Planning Director shall exclude accessory, conditional, and prohibited uses in the Business Park District. A request for a determination under Subsection 503.03(F) shall be processed as an Interpretation pursuant to Subsection 1305.03. Application for an interpretation under this provision shall include a detailed description of the use and operational requirements of the use,~~

~~approximate number of employees, estimated volume of truck traffic to be generated, a site plan, building elevations, and preliminary landscaping plans;~~

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

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

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

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

~~K. — Mobile vending units, subject to Section 837.~~

~~503.04 — ACCESSORY USES~~

~~The following are accessory uses in the General Commercial District:~~

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

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

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

~~D. — Recyclable dropoff sites, subject to Section 819;~~

~~E. — Bus shelters, subject to Section 823;~~

~~F. — Signs, subject to Section 1010;~~

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

~~H. — Rainwater collection systems; and~~

~~I. — Solar energy systems.~~

~~503.05 — USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR~~

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

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

~~503.06 — CONDITIONAL USES~~

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

- ~~1. Hydroelectric facilities, subject to Section 829;~~
- ~~2. Telephone exchanges, utility substations, railroad rights of way, and public utility structures including shops and garages;~~
- ~~3. Radio and television transmission and receiving towers and earth stations, provided that the base of such towers shall not be closer to the property line than a distance equal to the height of the tower;~~
- ~~4. Heliport landing areas;~~
- ~~5. Outdoor stadiums and race tracks; and~~
- ~~6. Multi-use developments, subject to Section 1016.~~

~~503.07 — PROHIBITED AND PREEXISTING USES~~

- ~~A. Prohibited Uses: The following uses are prohibited in the General Commercial District (C-3):~~

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

- ~~B. Preexisting Uses:~~

- ~~1. Lawfully established dwellings shall be allowed to remodel or expand without review under Section 1206.~~

- ~~2. A lawfully established dwelling may be converted to any use permitted in the C-3 District, subject to all requirements of this Ordinance for new development.~~
- ~~3. No minimum lot size shall be required for a lot containing a preexisting dwelling.~~

~~503.08 DIMENSIONAL STANDARDS~~

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

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

~~503.09 DEVELOPMENT STANDARDS~~

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

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

~~C. Operational Impacts: Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter, or water-carried wastes.~~

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

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.

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.

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. ~~The following uses listed in Subsections 501.03(A) and (B),~~ at a scale appropriate to serve the surrounding community:
 - 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.

12. Barber and beauty shops;

13. Clothes pressing, alterations, and tailoring shops;

14. Daycare facilities and other adult or child care facilities, operated during the daytime, subject to Section 807;

15. Dry cleaners; laundry agencies; self-service laundromats and dry cleaning facilities;

16. Exercise and tanning studios;

17. Offices for doctors, dentists, chiropractors, naturopathic treatment personnel, and other health service personnel; small clinics or community health care programs;

18. Photo finishing;

19. Shoe repair;

20. Veterinarian services and pet supplies;

21. Video rental stores;

22. Bed and breakfast residences and inns, subject to Section 832; and

- 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;
- K. Community and government services such as community action agencies, extension services, fire stations, tourist information, forest service and post offices;

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

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;
- 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.

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.

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.

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.

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.
- 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 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.

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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.

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.
 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.
- 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.
 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; Amended by Ord. ZDO-231, 1/31/12; Amended by Ord. ZDO-235, 5/14/12; Amended by Ord. ZDO-245, 7/1/13]

~~507 OFFICE COMMERCIAL DISTRICT (OC)~~

~~507.01 PURPOSE~~

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

~~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.~~

~~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;~~
 - ~~3. Testing laboratories and facilities, provided no operation shall be conducted or equipment used which would create hazards and/or noxious or offensive conditions;~~
 - ~~4. Graphic arts, printing, blueprinting, photo processing or reproduction labs, publishing and bookbinding services;~~

- ~~5. Light manufacturing, assembly, research and development uses that have physical and operational requirements which are similar to other office uses allowed in this district;~~
 - ~~6. Banks, credit unions, and savings and loan, brokerage, and other financial institutions; and~~
 - ~~7. Business services such as duplicating, photocopying, mailing and stenographic services, employment agencies, business management services, notary public, office and communications equipment and service, and real estate offices;~~
- ~~B. Colleges, educational institutes, and trade schools; art, music, or dance studios; radio and television studios, excluding transmission towers;~~
- ~~C. Galleries and museums; small-scale (seating capacity up to 500) assembly or convention facilities, and theaters for performing arts; exhibition halls, libraries, senior centers and fraternal organizations;~~
- ~~D. The following service commercial uses may be provided within an OC development, up to a maximum of 20 percent of the gross floor area of the development. Service commercial uses are allowed only in conjunction with another primary use and must be established concurrently with, or after, another primary use:~~
- ~~1. Personal services such as laundry, dry cleaning, tailor, barber and beauty salons, shoe repair, photo processing services, and tanning salons;~~
 - ~~2. Cafes and delicatessens which serve at least breakfast and/or lunch; and catering services. No drive-through window service shall be allowed;~~
 - ~~3. Video sales and rentals; and~~
 - ~~4. Bakeries~~
- ~~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.~~

~~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;~~
- ~~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.~~

~~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.~~

~~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;~~
- ~~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.~~

~~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.~~

~~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.~~
- ~~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.~~

~~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 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.~~

~~508 — RETAIL COMMERCIAL DISTRICT (RTL)~~

~~508.01 — PURPOSE~~

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

~~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.~~

~~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;~~

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

~~F. Mobile vending units, subject to Section 837.~~

~~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.~~

~~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.~~

~~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).~~

~~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;~~

- ~~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.~~

~~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 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.~~

~~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 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.~~

~~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.~~

~~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.~~~~

~~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;~~
 - ~~2. Medical and dental services, clinics or community health care programs, counseling services, and associated pharmacies;~~~~

- ~~3. Testing laboratories and facilities, provided no operation shall be conducted or equipment used which would create hazards and/or noxious or offensive conditions;~~
 - ~~4. Graphic arts, printing, blueprinting, photo processing or reproduction labs, publishing and bookbinding services;~~
 - ~~5. Banks, credit unions, and savings and loan, brokerage, and other financial institutions, but not drive-in windows or drive through services;~~
 - ~~6. Business services such as duplicating, photocopying, mailing and stenographic services, fax and computer facilities, telecommuting uses, employment agencies, office management services, notary public, business and communications equipment and service, and real estate offices;~~
- ~~B. Civic uses: Post office, recreation facilities, fire station, police station, libraries, and museums;~~
- ~~C. Daycare facilities, and facilities that provide daycare for adults, subject to Section 807; and~~
- ~~D. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835.~~

~~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;~~
- ~~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;~~
- ~~L. Gyms and health clubs provided primarily for the use of employees; and~~
- ~~M. Level one mobile vending units, subject to Section 837.~~

~~509.05 LIMITED USES~~

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

~~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.~~

~~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.~~

~~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.~~

~~509.09 DEVELOPMENT STANDARDS~~

- ~~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.~~

~~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.~~

510 NEIGHBORHOOD COMMERCIAL (NC), COMMUNITY COMMERCIAL (C-2), REGIONAL CENTER COMMERCIAL (RCC), RETAIL COMMERCIAL (RTL), CORRIDOR COMMERCIAL (CC), GENERAL COMMERCIAL (C-3), PLANNED MIXED USE (PMU), STATION COMMUNITY MIXED USE (SCMU), OFFICE APARTMENT (OA), OFFICE COMMERCIAL (OC), AND REGIONAL CENTER OFFICE (RCO) DISTRICTS

510.01 PURPOSE

Section 510 is adopted to implement the policies of the Comprehensive Plan for the Neighborhood Commercial zoning district and Community Commercial, Regional Center Commercial, Retail Commercial, Corridor Commercial, General Commercial, Planned Mixed Use, Station Community Mixed Use, Office Apartment, Office Commercial, and Regional Center Office areas.

510.02 APPLICABILITY

Section 510 applies to land in the Neighborhood Commercial (NC) Community Commercial (C-2), Regional Center Commercial (RCC), Retail Commercial (RTL), Corridor Commercial (CC), General Commercial (GC), Planned Mixed Use (PMU), Station Community Mixed Use (SCMU), Office Apartment (OA), Office Commercial (OA), and Regional Center Office (RCO) Districts, hereinafter collectively referred to as the urban commercial and mixed-use zoning districts.

510.03 USES PERMITTED

Uses permitted in each zoning district are listed in Table 510-1, *Permitted Uses in the Urban Commercial and Mixed-Use Zoning Districts*. In addition, uses similar to one or more of the listed uses for the applicable zoning district may be authorized pursuant to Section 106, *Authorization of Similar Uses*.

A. As used in Table 510-1:

1. “P” means the use is a primary use.
2. “A” means the use is an accessory use.
3. “L” means the use is a limited use and shall be developed concurrently with or after a primary use is developed on the same site.
4. “C” means the use is a conditional use, approval of which is subject to Section 1203, *Conditional Use*.
5. “S” means the use may be authorized only pursuant to Section 106; however, identifying a use as “S” does not indicate that any determination has been made regarding whether the use will be authorized pursuant to Section 106.

6. “X” means the use is prohibited.
7. Numbers in superscript correspond to the notes that follow Table 510-1.
- B. If a use is identified in Table 510-1 as prohibited, it is prohibited even if it also falls within a broader use description that is permitted in the applicable zoning district. For example, a car wash may be prohibited even if commercial services in general are permitted.
- C. If a use is included in more than one use description in Table 510-1, the more specific listing applies. For example, if a car wash is a conditional use, but commercial services in general are a primary use, the car wash shall be reviewed as a conditional use. Notwithstanding this provision, a use may be included in two of the following categories because it is allowed with fewer restrictions in one category than another: primary, accessory, limited, and conditional. In that case, the use may be approved in either category, to the extent that it complies with the respective approval criteria. For example, daycare facilities may be permitted as a limited use with a maximum building floor area and as a conditional use without a maximum building floor area.
- D. Permitted uses are subject to the applicable provisions of Subsection 510.04, *Dimensional Standards*, Subsection 510.05, *Development Standards*, Section 1000, *Development Standards*, and Section 1100, *Development Review Process*.

510.04 DIMENSIONAL STANDARDS

Dimensional standards applicable in the urban commercial and mixed-use zoning districts are listed in Table 510-2, *Dimensional Standards in the Urban Commercial and Mixed-Use Zoning Districts*. The standards of Table 510-2 may be modified pursuant to Section 800, *Special Use Requirements*; Section 902, *Lot Size Exceptions*; Section 903, *Setback Exceptions*; Section 904, *Other Exceptions*; Section 1107, *Property Line Adjustments*; and Section 1205, *Variance*. As used in Table 510-2, numbers in superscript correspond to the notes that follow Table 510-2.

510.05 DEVELOPMENT STANDARDS

The following development standards apply:

- A. Outdoor Operations in the NC District: In the NC District, primary and accessory uses, including storage of materials, products, or waste, shall be wholly contained within an approved structure.
- B. Operational Impacts in the C-2 and C-3 Districts: In the C-2 and C-3 Districts, processes and equipment employed and goods processed or sold shall be limited to those that are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter, or water-carried wastes.

C. Storage in the C-2 District: In the C-2 District, storage of materials and merchandise shall be confined and contained within completely enclosed buildings.

D. Outdoor Operations in the RCC District: In the RCC District:

1. Primary commercial uses are permitted provided that outdoor display and storage shall be limited to no more than five percent of the building coverage.

2. Outdoor sales and services are prohibited.

E. Outdoor Operations in the RTL District: In the RTL District, primary commercial uses and conditional uses are permitted provided that:

1. Outdoor display and storage shall be limited to no more than five percent of the building coverage.

2. Notwithstanding Subsection 510.05(E)(1), 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.

3. Primary commercial uses shall conduct most activities within a completely enclosed structure.

F. Outdoor Sales and Storage in the PMU District: In the PMU District, outdoor sales, except temporary sidewalk sales and sidewalk cafes and food vendors, are prohibited. Also prohibited is permanent outdoor storage of materials or products.

G. Site-Specific Standards in the PMU District: Six sites have a Comprehensive Plan designation of PMU. These sites are designated PMU1 through PMU6 and are identified on Comprehensive Plan Map IV-6, *North Urban Area Land Use Plan Map*. When one of these sites is zoned Planned Mixed Use District, a site number corresponding to the number designated by the Comprehensive Plan is assigned. A PMU site shall comply with the specific standards for that site identified in Table 510-3, *Site-Specific Requirements for the PMU District*. As used in Table 510-3, numbers in superscript correspond to the notes that follow Table 510-3.

H. PMU1 Standards: In the PMU District, the following standards apply to site PMU1:

1. May expand the existing mall with retail or other uses;
2. Preserve Phillips Creek and enhance Phillips Creek Greenway;
3. Accommodate and provide proportionate share of streetscape improvements on Monterey Avenue, 82nd Avenue, Sunnyside Road, and the internal circulation network; and
4. Coordinate internal circulation network with the street and transit system.

I. PMU6 Standards: In the PMU District, the following standards apply to site PMU6:

1. Exclusively retail uses larger than 40,000 square feet of gross leasable ground floor area per building or business shall be prohibited, unless it can be otherwise demonstrated through the master planning process that desired levels of transportation connectivity will be provided.
2. The master plan shall contain a minimum of 10 percent useable open space. Open space shall be integral to the master plan. Plans shall emphasize public gathering places such as plazas, neighborhood parks, trails, and other publicly accessible spaces that integrate land use and transportation and contribute toward a sense of place. Where public or common private open space is designated, the following standards apply:
 - a. The open space area shall be shown on the master plan and recorded by final plat or separate instrument; and
 - b. If approved by the County, the open space shall be conveyed in accordance with one of the following methods:
 - i. By dedication to the County as publicly owned and maintained open space. Open space proposed for dedication to the County must be acceptable to the County with regard to the size, shape, location, improvement, and environmental condition; or
 - ii. By leasing or conveying title (including beneficial ownership) to a corporation, homeowners association, or other legal entity, with the County retaining the development rights to the property. The terms of such lease or other instrument of conveyance must include provisions (e.g., maintenance, property tax payment, etc.) suitable to the County.
3. As part of the master plan review required pursuant to Subsection 1102.02(B)(2), a construction phasing plan shall demonstrate that the order in

which buildings identified in the master plan will be constructed complies with the following:

- a. Nonresidential buildings may be constructed prior to construction of dwelling units provided that the total floor area of nonresidential buildings constructed (excluding parking structures) does not exceed 50 percent of the total nonresidential floor area approved in the master plan (excluding parking structures).
- b. The remaining nonresidential buildings may only be constructed after construction of dwelling units is underway. The ratio of constructed dwelling units to the minimum number of dwelling units required shall equal or exceed the ratio of constructed nonresidential floor area (excluding parking structures) to the total nonresidential floor area approved in the master plan (excluding parking structures). For the purposes of Subsection 510.05(I)(3)(b), “constructed dwelling units” shall mean that, at a minimum, building permits have been issued and the framing inspection by the County Building Codes Division has been approved.
- c. The County may approve a construction phasing plan that does not meet the standards in Subsections 510.05(I)(3)(a) and (b) where the applicant demonstrates that the orderly development of the property would be furthered by allowing construction of a greater percentage of nonresidential floor area.

4. Monterey Avenue shall be constructed between SE Stevens Road and SE Bob Schumacher Road at the functional road classification of Collector, with a median planted with street trees and ground cover.

J. Outdoor Operations in the SCMU District: In the SCMU District, 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, are prohibited.

K. Outdoor Operations in the OA District: In the OA District, all primary and accessory uses associated with office uses, including storage of materials, products, or waste, shall be wholly contained within an approved structure. For the purposes of this provision, “office uses” include the following uses from Table 510-1, *Permitted Uses in the Urban Commercial and Mixed-Use Zoning Districts*: Business Services, Financial Institutions, Information Services, Offices, Office and Outpatient Clinics, and Research Facilities and Laboratories.

L. Outdoor Storage and Display in the OC District: In the OC District, outdoor storage or display of materials or products is prohibited.

M. Outdoor Sales, Storage, and Display in the RCO District: In the RCO District, outdoor sales, storage, or display of materials or products is prohibited.

N. Condominiums: Any of the following types of dwellings, if permitted in the subject zoning district, may be platted as condominiums, pursuant to Section 803: detached single-family dwellings, attached single-family dwellings, two-family dwellings, three-family dwellings, and multifamily dwellings. In the case of attached single-family dwellings, condominium platting supersedes the requirement that each dwelling unit be on a separate lot of record.

O. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use is subject to Subsection 825.03.

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

Table 510-1: Permitted Uses in the Urban Commercial and Mixed-Use Zoning Districts

<u>Use</u>	<u>NC</u>	<u>C-2</u>	<u>RCC</u>	<u>RTL</u>	<u>CC</u>	<u>C-3</u>	<u>PMU</u> ¹	<u>SCMU</u>	<u>OA</u> ^{2,3}	<u>OC</u>	<u>RCO</u>
<u>Accessory Uses, Customarily Permitted, including bicycle racks, cogeneration facilities, meeting facilities, property management and maintenance offices, rainwater collection systems, satellite dishes, solar energy systems, storage of building maintenance and landscape maintenance equipment, and transit amenities</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>Accessory Uses, Customarily Permitted Accessory to a Dwelling</u> ⁴ , such as amateur (Ham) radio towers; arbors; carports; citizen band transmitters and antennas; community meeting rooms; courtyards; decks; decorative ponds; driveways; family daycare providers; garages; garden sheds; gazebos; HVAC units; outdoor kitchens; parking areas; patios; pergolas; pet enclosures; plazas; recreational facilities, such as bicycle trails, children’s play structures, dance studios, exercise studios, playgrounds, putting greens, recreation and activity rooms, saunas, spas, sport courts, swimming pools, and walking trails; self-service laundry facilities; shops; storage buildings/rooms; television antennas and receivers; trellises; and utility service equipment	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>Assembly Facilities, including auditoriums, churches, community centers, convention facilities, exhibition halls, fraternal organization lodges, senior centers, and theaters for the performing arts</u> ⁵	<u>C</u>	<u>P</u>	<u>P,C</u> ⁴¹	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>S</u>	<u>P,C</u> ⁴¹	<u>P,C</u> ⁴¹
<u>Bed and Breakfast Residences and Inns, subject to Section 832</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>X</u>
<u>Bus Shelters, subject to Section 823</u>	<u>A</u>	<u>A</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>A</u>	<u>P</u>	<u>P</u>

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

Table 510-1: Permitted Uses in the Urban Commercial and Mixed-Use Zoning Districts

<u>Use</u>	<u>NC</u>	<u>C-2</u>	<u>RCC</u>	<u>RTL</u>	<u>CC</u>	<u>C-3</u>	<u>PMU</u> ¹	<u>SCMU</u>	<u>OA</u> ^{2,3}	<u>OC</u>	<u>RCO</u>
<u>Civic and Cultural Facilities, including art galleries, libraries, museums, and visitor centers</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Congregate Housing Facilities</u>	<u>X</u>	<u>X</u>	<u>P</u> ^{6,7}	<u>P</u> ⁸	<u>P</u> ⁸	<u>P</u> ⁸	<u>P</u>	<u>P</u>	<u>L</u>	<u>P</u> ⁸	<u>P</u> ^{6,7}
<u>Daycare Facilities, subject to Section 807</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>L</u> ^{10,C}	<u>L</u> ^{11,C}
<u>Daycare Services, Adult</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>L</u> ^{10,C}	<u>L</u> ^{11,C}
<u>Drive-Thru Window Services, subject to Section 827</u>	<u>C</u>	<u>A</u>	<u>A</u> ¹²	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u> ¹³	<u>X</u>	<u>X</u>	<u>A</u> ¹³	<u>A</u> ¹³
<u>Dwellings, Attached Single-Family</u>	<u>X</u>	<u>A</u>	<u>X</u>	<u>A</u>	<u>X</u>	<u>A</u>	<u>P</u>	<u>P</u>	<u>L</u> ¹⁴	<u>X</u>	<u>X</u>
<u>Dwellings, Detached Single-Family</u>	<u>A</u>	<u>A</u>	<u>X</u>	<u>A</u>	<u>X</u>	<u>A</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Dwellings, Multifamily</u>	<u>X</u>	<u>X</u>	<u>P</u> ⁶	<u>P</u> ⁸	<u>P</u> ⁸	<u>P</u> ⁸	<u>P</u>	<u>P</u>	<u>L</u> ⁹	<u>P</u> ⁸	<u>P</u> ⁶
<u>Dwellings, Three-Family</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>L</u> ⁹	<u>P</u> ⁸	<u>X</u>
<u>Dwellings, Two-Family</u>	<u>X</u>	<u>A</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>L</u> ⁹	<u>P</u> ⁸	<u>X</u>
<u>Electric Vehicle Charging Stations</u>	<u>A,C</u>	<u>P</u>	<u>A</u>	<u>A,C</u>	<u>P</u>	<u>P</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>Employee Amenities, including cafeterias, clinics, daycare facilities¹⁵, fitness facilities, lounges, and recreational facilities</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u> ¹⁶	<u>A</u> ¹⁶	<u>A</u> ¹⁶
<u>Entertainment Facilities, including arcades, billiard halls, bowling alleys, miniature golf courses, and movie theaters</u>	<u>C</u> ¹⁷	<u>P</u> ¹⁷	<u>P</u> ¹⁷	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u> ¹⁷	<u>P</u> ^{17,18}	<u>S</u>	<u>C</u> ^{17,32}	<u>L</u> ^{11,17}
<u>Financial Institutions, including banks, brokerages, credit unions, loan companies, and savings and loan associations</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Fitness Facilities, including athletic clubs, exercise studios, gymnasiums, and health clubs</u>	<u>P</u> ¹⁷	<u>P</u> ¹⁷	<u>P</u> ¹⁷	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u> ¹⁷	<u>P</u> ^{17,18}	<u>L</u> ^{17,38}	<u>C</u> ¹⁷	<u>L</u> ^{17,19}
<u>Government Uses, including fire stations, police stations, and post offices</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

Table 510-1: Permitted Uses in the Urban Commercial and Mixed-Use Zoning Districts

<u>Use</u>	<u>NC</u>	<u>C-2</u>	<u>RCC</u>	<u>RTL</u>	<u>CC</u>	<u>C-3</u>	<u>PMU</u> ¹	<u>SCMU</u>	<u>OA</u> ^{2,3}	<u>OC</u>	<u>RCO</u>
<u>Heliports</u>	<u>X</u>	<u>X</u>	<u>C</u> ²⁰	<u>C</u>	<u>C</u>	<u>C</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>C</u> ²⁰	<u>C</u> ²⁰
<u>Helistops</u>	<u>X</u>	<u>X</u>	<u>C</u> ²⁰	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>X</u>	<u>C</u> ²⁰	<u>C</u> ²⁰
<u>Home Occupations</u> , subject to Section 822	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>Hospitals</u> , subject to Section 809	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>C</u>	<u>C</u>
<u>Hotels</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u> ¹⁸	<u>S</u>	<u>L</u> ^{10,21} , <u>C</u> ²¹	<u>P</u> ²¹
<u>Hydroelectric Facilities</u> , subject to Section 829	<u>X</u>	<u>C</u>	<u>X</u>	<u>C</u>	<u>X</u>	<u>C</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Manufacturing</u> , including the mechanical, physical, or chemical transformation of materials, substances, or components into new products; and the assembly of component parts. Primary processing of raw materials is prohibited.	<u>S</u> ³⁹	<u>S</u> ⁴⁰	<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>S</u>	<u>P</u> ^{22,23}	<u>S</u>	<u>P</u> ²⁴	<u>S</u>
<u>Mobile Vending Units</u> , subject to Section 837	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>A</u> ²⁵	<u>A</u> ²⁵	<u>A</u> ²⁵
<u>Motels</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u> ¹⁸	<u>S</u>	<u>L</u> ^{10,26} , <u>C</u> ²⁶	<u>L</u> ¹¹
<u>Multi-Use Developments</u> , subject to Section 1016	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>C</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>C</u>	<u>X</u>
<u>Nursing Homes</u> , subject to Section 810	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>L</u>	<u>X</u>	<u>X</u>
<u>Offices</u> , including administrative, business, corporate, governmental, and professional offices. Examples include offices for the following: architectural services, business management services, call centers, employment agencies, engineering services, governmental services, insurance services, legal services, manufacturer's representatives, office management services, property management services, real estate agencies, and travel agencies.	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

Table 510-1: Permitted Uses in the Urban Commercial and Mixed-Use Zoning Districts

<u>Use</u>	<u>NC</u>	<u>C-2</u>	<u>RCC</u>	<u>RTL</u>	<u>CC</u>	<u>C-3</u>	<u>PMU</u> ¹	<u>SCMU</u>	<u>OA</u> ^{2,3}	<u>OC</u>	<u>RCO</u>
<u>Offices and Outpatient Clinics—both of which may include associated pharmacies and laboratories—for healthcare services, such as acupuncture, chiropractic, counseling, dental, massage therapy, medical, naturopathic, optometric, physical therapy, psychiatric, occupational therapy, and speech therapy.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Parking Lots</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>P</u>	<u>P</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>P</u> ²⁷	<u>A</u>
<u>Parking Structures</u>	<u>X</u>	<u>A</u> ²⁸	<u>P</u> ²⁷	<u>P</u> ²⁷	<u>P</u>	<u>P</u>	<u>A</u>	<u>A</u>	<u>A</u> ²⁸	<u>P</u> ²⁷	<u>P</u> ²⁷
<u>Parks, Government-Owned, including amphitheaters; arboreta; arbors, decorative ponds, fountains, gazebos, pergolas, and trellises; ball fields; bicycle and walking trails; bicycle parks and skate parks; boarding or riding stables; boat moorages and ramps; community buildings and grounds; community and ornamental gardens; courtyards and plazas; fitness and recreational facilities, such as exercise equipment, gymnasiums, and swimming pools; miniature golf, putting greens, and sports courts; nature preserves and wildlife sanctuaries; picnic areas and structures; play equipment and playgrounds; tables and seating; and similar recreational uses. Accessory uses to a park may include concessions, maintenance facilities, restrooms, and similar support uses.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Pedestrian Amenities</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Public Utility Facilities</u>	<u>S</u>	<u>C</u>	<u>C</u> ²⁹	<u>C</u> ²⁹	<u>C</u>	<u>C</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
<u>Race Tracks, Outdoor</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>C</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

Table 510-1: Permitted Uses in the Urban Commercial and Mixed-Use Zoning Districts

<u>Use</u>	<u>NC</u>	<u>C-2</u>	<u>RCC</u>	<u>RTL</u>	<u>CC</u>	<u>C-3</u>	<u>PMU</u> ¹	<u>SCMU</u>	<u>OA</u> ^{2,3}	<u>OC</u>	<u>RCO</u>
<u>Radio and Television Studios, excluding transmission towers</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>S</u>	<u>P</u>	<u>P</u>
<u>Radio and Television Transmission and Receiving Towers and Earth Stations</u> ³⁰	<u>S</u>	<u>C</u>	<u>S</u>	<u>S</u>	<u>C</u>	<u>C</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
<u>Radio and Television Transmission and Receiving Earth Stations</u>	<u>S</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>A</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
<u>Recreational Sports Facilities for such sports as basketball, dance, gymnastics, martial arts, racquetball, skating, soccer, swimming, and tennis. These facilities may be used for any of the following: general recreation, instruction, practice, and competitions.</u>	<u>P</u> ¹⁷	<u>P</u> ¹⁷	<u>P</u> ¹⁷	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u> ¹⁷	<u>P</u> ^{17, 18}	<u>S</u>	<u>C</u> ¹⁷	<u>L</u> ^{17, 19}
<u>Recyclable Drop-Off Sites, subject to Section 819</u>	<u>A</u>	<u>A</u>	<u>X</u>	<u>X</u>	<u>A</u>	<u>A</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Research Facilities and Laboratories, including medical laboratories, medical research, product design and testing, and product research and development</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u> ²⁴	<u>P</u>	<u>P</u> ³¹	<u>P</u> ³¹	<u>P</u> ²⁴
<u>Retailing—whether by sale, lease, or rent—of new or used products</u>	<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u> ¹⁸	<u>S</u>	<u>C</u> ³²	<u>L</u> ¹¹

Table 510-1: Permitted Uses in the Urban Commercial and Mixed-Use Zoning Districts

<u>Use</u>	<u>NC</u>	<u>C-2</u>	<u>RCC</u>	<u>RTL</u>	<u>CC</u>	<u>C-3</u>	<u>PMU</u> ¹	<u>SCMU</u>	<u>OA</u> ^{2,3}	<u>OC</u>	<u>RCO</u>
<u>Retailing—whether by sale, lease, or rent—of any of the following new or used products: apparel, appliances, art, art supplies, beverages, bicycle supplies, bicycles, books, cameras, computers, computer supplies, cookware, cosmetics, dry goods, electrical supplies, electronic equipment, flowers, food, furniture, garden supplies, hardware, interior decorating materials, jewelry, linens, medications, music (whether recorded or printed), musical instruments, nutritional supplements, office supplies, optical goods, paper goods, periodicals, pet supplies, pets, plumbing supplies, photographic supplies, signs, small power equipment, sporting goods, stationery, tobacco, toiletries, tools, toys, vehicle supplies, and videos.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u> ¹⁸	<u>S</u>	<u>C</u> ³²	<u>L</u> ¹¹
<u>Retailing—whether by sale, lease, or rent—of any of the following new or used products: all-terrain vehicles, automobiles, light trucks, motorcycles, and snowmobiles</u>	<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>C</u> ³²	<u>L</u> ¹¹
<u>Retailing—whether by sale, lease, or rent—of any of the following new or used products: boats; heavy trucks such as dump trucks, moving trucks, and truck tractors; large cargo trailers such as semitrailers; large construction equipment such as backhoes and bulldozers; large farm equipment such as tractors and combines; large forestry equipment; large mineral extraction equipment; manufactured dwellings; recreational vehicles; and residential trailers</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

Table 510-1: Permitted Uses in the Urban Commercial and Mixed-Use Zoning Districts

<u>Use</u>	<u>NC</u>	<u>C-2</u>	<u>RCC</u>	<u>RTL</u>	<u>CC</u>	<u>C-3</u>	<u>PMU</u> ¹	<u>SCMU</u>	<u>OA</u> ^{2,3}	<u>OC</u>	<u>RCO</u>
<u>Schools</u> ³³	<u>P</u> ³⁴	<u>P</u> ³⁴	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>L</u> ³⁵	<u>P</u>	<u>P</u>
<u>Service Stations</u> , subject to Section 820	<u>C</u>	<u>P</u>	<u>X</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Services, Business</u> , including computer rental workstations; leasing, maintenance, repair, and sale of communications and office equipment; mailing; notary public; photocopying; and printing	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Services, Commercial</u>	<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u> ¹⁸	<u>S</u>	<u>C</u> ³²	<u>L</u> ¹¹
<u>Services, Commercial—Car Washes</u>	<u>S</u>	<u>S</u>	<u>X</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Services, Commercial—Construction and Maintenance</u> , including contractors engaged in construction and maintenance of electrical and plumbing systems	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>S</u>	<u>S</u>	<u>C</u> ³²	<u>L</u> ¹¹
<u>Services, Commercial—Food and Beverage</u> , including catering and eating and drinking establishments	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u> ¹⁸	<u>L</u> ³⁸	<u>L</u> ¹⁰ , <u>C</u> ³⁶	<u>L</u> ¹¹
<u>Services, Commercial—Maintenance and Repair</u> of any of the following: bicycles, electronic equipment, musical instruments, optical goods, signs, small power equipment, and sporting goods	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u> ¹⁸	<u>S</u>	<u>C</u> ³²	<u>L</u> ¹¹
<u>Services, Commercial—Maintenance and Repair</u> of any of the following: all-terrain vehicles, automobiles, light trucks, motorcycles, and snowmobiles	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>C</u> ³²	<u>L</u> ¹¹

Table 510-1: Permitted Uses in the Urban Commercial and Mixed-Use Zoning Districts

<u>Use</u>	<u>NC</u>	<u>C-2</u>	<u>RCC</u>	<u>RTL</u>	<u>CC</u>	<u>C-3</u>	<u>PMU</u> ¹	<u>SCMU</u>	<u>OA</u> ^{2,3}	<u>OC</u>	<u>RCO</u>
<u>Services, Commercial—Maintenance and Repair</u> of any of the following: boats; heavy trucks such as dump trucks, moving trucks, and truck tractors; large cargo trailers such as semitrailers; large construction equipment such as backhoes and bulldozers; large farm equipment such as tractors and combines; large forestry equipment; large mineral extraction equipment; manufactured dwellings; recreational vehicles; and residential trailers	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Services, Commercial—Miscellaneous</u> , including food lockers, interior decorating, locksmith, upholstery, and veterinary	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u> ¹⁸	<u>S</u>	<u>C</u> ³²	<u>L</u> ¹¹
<u>Services, Commercial—Personal and Convenience</u> , including barbershops, beauty salons, dry cleaners, laundries, photo processing, seamstresses, shoe repair, tailors, tanning salons, and video rental. Also permitted are incidental retail sales of products related to the service provided.	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u> ¹⁸	<u>L</u> ³⁸	<u>L</u> ¹⁰	<u>L</u> ¹¹
<u>Services, Commercial—Mini-Storage/Self-Storage Facilities</u>	<u>S</u>	<u>S</u>	<u>X</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>S</u>	<u>X</u>	<u>X</u>
<u>Services, Commercial—Storage</u> of any of the following: all-terrain vehicles, automobiles, light trucks, motorcycles, and snowmobiles	<u>S</u>	<u>S</u>	<u>X</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>

Table 510-1: Permitted Uses in the Urban Commercial and Mixed-Use Zoning Districts

<u>Use</u>	<u>NC</u>	<u>C-2</u>	<u>RCC</u>	<u>RTL</u>	<u>CC</u>	<u>C-3</u>	<u>PMU</u> ¹	<u>SCMU</u>	<u>OA</u> ^{2,3}	<u>OC</u>	<u>RCO</u>
<u>Services, Commercial—Storage of any of the following: boats; heavy trucks such as dump trucks, moving trucks, and truck tractors; large cargo trailers such as semitrailers; large construction equipment such as backhoes and bulldozers; large farm equipment such as tractors and combines; large forestry equipment; large mineral extraction equipment; manufactured dwellings; recreational vehicles; and residential trailers</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Services, Commercial—Studios of the following types: art, dance, and music</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u> ¹⁸	<u>S</u>	<u>P</u>	<u>P</u>
<u>Services, Commercial—Truck Stops</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Services, Information, including blueprinting, bookbinding, photo processing, photo reproduction, printing, and publishing</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u> ²²	<u>P</u>	<u>P</u>	<u>P</u>
<u>Signs, subject to Section 1010</u>	<u>A</u> ³⁷	<u>A</u> ³⁷	<u>A</u> ³⁷	<u>A</u> ³⁷	<u>A</u> ³⁷	<u>A</u> ³⁷	<u>A</u> ³⁷	<u>A</u> ³⁷	<u>A</u> ³⁷	<u>A</u> ³⁷	<u>A</u> ³⁷
<u>Stadiums, Outdoor</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>C</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Telephone Exchanges</u>	<u>S</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>	<u>S</u>
<u>Temporary Buildings for Uses Incidental to Construction Work, provided that such buildings shall be removed upon completion or abandonment of the construction work</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>Temporary Storage within an Enclosed Structure of Source-Separated Recyclable/Reusable Materials Generated and/or Used On-site Prior to On-site Reuse or Removal by the Generator or Licensed or Franchised Collector to a User or Broker</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>

Table 510-1: Permitted Uses in the Urban Commercial and Mixed-Use Zoning Districts

<u>Use</u>	<u>NC</u>	<u>C-2</u>	<u>RCC</u>	<u>RTL</u>	<u>CC</u>	<u>C-3</u>	<u>PMU</u> ¹	<u>SCMU</u>	<u>OA</u> ^{2,3}	<u>OC</u>	<u>RCO</u>
<u>Transit Facilities, including transit centers, transit park-and-rides, transit stations, and transit stops</u>	<u>S</u>	<u>S</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>S</u>	<u>P</u>	<u>P</u>
<u>Utility Carrier Cabinets, subject to Section 830</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Wireless Telecommunication Facilities listed in Subsection 835.04, subject to Section 835</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Wireless Telecommunication Facilities listed in Subsection 835.05, subject to Section 835</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Wireless Telecommunication Facilities listed in Subsection 835.06(A), subject to Section 835</u>	<u>C</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>

¹ Required primary uses for each Planned Mixed Use site are listed in Table 510-3, *Site-Specific Requirements for the PMU District*.

² A minimum of 60 percent of the total building floor area on a site shall be primary use(s).

³ A maximum of 40 percent of the total building floor area on a site may be limited use(s). Limited uses may be allowed as part of a development when developed concurrently with, or after, the primary use(s).

⁴ These uses shall be for residents—and their nonpaying guests and on-site employees—and shall not be permitted for commercial purposes.

⁵ Churches are not subject to Section 804, *Churches*.

⁶ Freestanding congregate housing facilities and freestanding multifamily dwellings are subject to the development and dimensional standards applicable to congregate housing facilities and multifamily dwellings in the RCHDR District. This requirement does not apply to congregate housing facilities or multifamily dwellings in a mixed-use building.

⁷ A congregate housing facility shall have a minimum of four dwelling units.

⁸ Freestanding congregate housing facilities and freestanding multifamily dwellings are subject to the development and dimensional standards applicable to congregate housing facilities and multifamily dwellings in the HDR District. With the exception of compliance with the maximum density standard, this requirement does not apply to congregate housing facilities or multifamily dwellings in a mixed-use building.

⁹ Two-family, three-family and multifamily dwellings, subject to the density standards of the MR-2 District, may be developed in the same building as a primary use.

Table 510-1: Permitted Uses in the Urban Commercial and Mixed-Use Zoning Districts

- 10 The maximum combined building floor area of the use, and any other limited uses, shall be 20 percent of the building floor area of primary uses in the same development.
- 11 The use is permitted only in a multistory building with a primary use—up to a maximum building floor area equal to the building floor area of the first floor—or on the ground-level floor of a freestanding parking structure. However, a freestanding eating and drinking establishment shall be allowed in conjunction with a primary use in the same development, subject to the following criteria:
- a. The building floor area of the freestanding eating and drinking establishment shall not exceed 5,000 square feet.
 - b. If the primary use in the same development is an office use, as defined in Note 27 to Table 510-2, *Dimensional Standards in the Urban Commercial and Mixed-Use Zoning Districts*, the floor area ratio of the development, including the eating and drinking establishment, shall comply with the minimum floor area ratio standard for primary office uses in Table 510-2.
 - c. If the primary use in the same development is a multifamily dwelling or a congregate housing facility, the acreage developed with the eating and drinking establishment, and any parking or accessory structures that are used exclusively for the eating and drinking establishment, may be subtracted from the total acreage when calculating minimum density pursuant to Table 510-2.
 - d. The eating and drinking establishment shall be developed concurrently with or after a primary use is developed on the site.
- 12 Drive-thru window service is prohibited on streets designated as Main Streets on Comprehensive Plan Map X-CRC-3, *Clackamas Regional Center Area Design Plan, Urban Design Elements*.
- 13 Drive-thru window service is permitted only if it is accessory to a financial institution and only if the financial institution is not on a street designated as a Main Street on Comprehensive Plan Map X-CRC-3.
- 14 Attached single-family dwellings, subject to the density standards of the VTH District, may be developed in the same building as a primary use.
- 15 Daycare facilities as an employee amenity are not subject to Section 807.
- 16 Employee amenities shall be located in the same structure as the use to which they are accessory.
- 17 Only indoor facilities are permitted.
- 18 A maximum of 40,000 square feet of ground-floor building floor area may be occupied by any one business, regardless of the number of buildings occupied by that business. In addition, the total ground-floor building floor area occupied by any combination of uses subject to Note 18 to Table 510-1 shall not exceed 40,000 square feet in a single building.
- 19 The use may be allowed in conjunction with a primary use on the site, subject to the following criteria:
- a. If the primary use on the site is an office use, the minimum floor area ratio (FAR) standard of Table 510-2 may be modified as follows for a lot of greater than two and one-half acres in size:

Table 510-1: Permitted Uses in the Urban Commercial and Mixed-Use Zoning Districts

i. The minimum FAR for the office use shall be 0.75; and

ii. The minimum FAR for the fitness facility or recreational sports facility and the office use combined shall be 1.0.

b. If the primary use on the site is a multifamily dwelling, the site area developed with the fitness facility or recreational sports facility and any parking or accessory structures used exclusively for the fitness facility or recreational sports facility shall be included in the net acreage when calculating minimum density pursuant to Table 510-2.

c. The fitness facility or recreational sports facility shall be developed concurrently with or after a primary use is developed on the site.

²⁰ This use is permitted only in conjunction with a primary or another conditional use.

²¹ Also permitted are associated gift shops, newsstands, and eating and drinking establishments, all of which shall be located in the same building as the hotel.

²² These uses are permitted with a maximum of 10,000 square feet of building floor area per building, if part of a mixed-use development and if the combined building floor area of the use, and any other uses subject to Note 22 of Table 510-1, does not exceed 25 percent of the building floor area of the mixed-use development.

²³ Manufacturing of the following is prohibited: explosive devices; incendiary devices; and renewable fuel resources, such as alcohol, biomass, and methanol.

²⁴ This use is permitted only if it has physical and operational requirements that are similar to those of other primary uses allowed in the same zoning district.

²⁵ Only level one mobile vending units are permitted.

²⁶ Also permitted are associated gift shops, newsstands, and eating and drinking establishments, all of which shall be located in the same building as the motel.

²⁷ The parking structure is permitted to serve only developments located in the same zoning district as the subject property.

²⁸ This use is limited to understructure parking.

²⁹ Only substations are permitted.

³⁰ The base of such towers shall not be closer to the property line than a distance equal to the height of the tower.

³¹ No operation shall be conducted or equipment used which would create hazards and/or noxious or offensive conditions.

³² The maximum combined building floor area of the use, any limited uses, and any other uses subject to Note 32 to Table 510-1, shall be 20 percent of the building floor area of primary uses in the same development.

³³ Schools are not subject to Section 805, *Schools*.

Table 510-1: Permitted Uses in the Urban Commercial and Mixed-Use Zoning Districts

- ³⁴ Only commercial schools are permitted.
- ³⁵ Schools shall be limited to no more than 30 percent of the total building floor area on a site.
- ³⁶ An eating and drinking establishment may be permitted as a conditional use, provided that it complies with a minimum of five of the following criteria:
 - a. Has a minimum seating capacity of 75;
 - b. Specializes in gourmet, ethnic, or specialty cuisine;
 - c. Includes banquet facilities and services;
 - d. Provides live entertainment at least two nights a week;
 - e. Utilizes custom architectural design and/or collections of artistic, cultural, or historic items to produce a distinctive thematic decor or atmosphere;
 - f. Has an Oregon Liquor Control Commission license to serve beer and wine; or
 - g. Employs only chefs who have graduated from a recognized culinary institute, or who have outstanding qualifications or reputations for their culinary skills.
- ³⁷ Temporary signs regulated under Subsection 1010.13(A) are a primary use.
- ³⁸ An individual use shall not exceed 2,500 square feet of building floor area. In addition, the maximum combined building floor area of an individual use, and any other uses subject to Note 38 to Table 510-1, shall be 10 percent of the total building floor area in the same development.
- ³⁹ In the NC District, sign production is a conditional use.
- ⁴⁰ In the C-2 District, sign production is a permitted use.
- ⁴¹ An assembly facility with a maximum capacity of more than 500 people is a conditional use.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

Table 510-2: Dimensional Standards in the Urban Commercial and Mixed-Use Zoning Districts

<u>Standard</u>	<u>NC</u>	<u>C-2</u>	<u>RCC</u>	<u>RTL</u> ¹	<u>CC</u>	<u>C-3</u>	<u>PMU</u>	<u>SCMU</u>	<u>OA</u>	<u>OC</u> ¹	<u>RCO</u>
<u>Minimum Lot Size</u>	<u>7,260 square feet</u> ^{2,3}	<u>None</u>	<u>1 acre</u> ^{3,4}	<u>½ acre</u> ^{4,5}	<u>None</u>	<u>None</u>	<u>PMU1: None</u> <u>PMU2: 2 acres</u> <u>PMU3: 3 acres</u> <u>PMU4: ½ acre</u> <u>PMU5: 10 acres</u> <u>PMU6: 5 acres</u>	<u>½ acre</u> ^{3,6}	<u>None</u>	<u>1 acre</u> ^{4,5}	<u>2½ acres</u> ^{3,4}
<u>Minimum Street Frontage</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>100 feet</u> ⁷	<u>None</u>	<u>None</u>	<u>None</u>
<u>Maximum Front Yard Depth</u>	<u>20 feet</u> ⁸	<u>20 feet</u> ⁸	<u>20 feet</u> ^{9,10}	<u>20 feet</u> ⁸	<u>20 feet</u> ⁸	<u>20 feet</u> ⁸	<u>20 feet</u> ^{9,10,11}	<u>See Subsection 1005.10</u>	<u>20 feet</u> ⁸	<u>20 feet</u> ⁸	<u>20 feet</u> ^{9,10}
<u>Minimum Front Yard Depth</u>	<u>0</u>	<u>15 feet</u>	<u>5 feet</u> ¹²	<u>15 feet</u>	<u>15 feet</u>	<u>15 feet</u>	<u>None</u>	<u>See Subsection 1005.10</u>	<u>10 feet</u>	<u>15 feet</u>	<u>5 feet</u> ¹²
<u>Minimum Rear Yard Depth</u>	<u>0</u>	<u>0</u> ¹³	<u>0</u> ¹⁴	<u>0</u> ¹⁵	<u>0</u> ¹⁵	<u>0</u> ¹⁵	<u>0</u> ^{11,13}	<u>See Subsection 1005.10</u>	<u>10 feet</u> ¹⁶	<u>10 feet</u> ¹⁷	<u>0</u> ¹⁸

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

Table 510-2: Dimensional Standards in the Urban Commercial and Mixed-Use Zoning Districts

<u>Standard</u>	<u>NC</u>	<u>C-2</u>	<u>RCC</u>	<u>RTL¹</u>	<u>CC</u>	<u>C-3</u>	<u>PMU</u>	<u>SCMU</u>	<u>OA</u>	<u>OC¹</u>	<u>RCO</u>
<u>Minimum Side Yard Depth</u>	<u>0</u>	<u>0¹⁹</u>	<u>0¹⁹</u>	<u>0²⁰</u>	<u>0²⁰</u>	<u>0²⁰</u>	<u>0^{11,19}</u>	<u>See Subsection 1005.10</u>	<u>6 feet²¹</u>	<u>10 feet²²</u>	<u>0¹⁹</u>
<u>Maximum Building Height</u>	<u>35 feet</u>	<u>None²³</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>45 feet</u>	<u>None²⁴</u>	<u>None</u>
<u>Minimum Floor Area Ratio</u>	<u>None</u>	<u>None</u>	<u>0.3 for a retail development; 0.5 for an office development²⁵</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None, except as set forth in Table 510-3</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>0.5 for primary office uses on lots of 2½ acres or less; 1.0 for primary office uses on lots greater than 2½ acres^{25, 26, 27}</u>
<u>Maximum Building Floor Area per Use</u>	<u>5,000 square feet</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None, except as set forth in Subsection 510.05(I)(1)</u>	<u>None</u>	<u>None</u>	<u>None</u>	<u>None</u>

Table 510-2: Dimensional Standards in the Urban Commercial and Mixed-Use Zoning Districts

<u>Standard</u>	<u>NC</u>	<u>C-2</u>	<u>RCC</u>	<u>RTL</u> ¹	<u>CC</u>	<u>C-3</u>	<u>PMU</u>	<u>SCMU</u>	<u>OA</u>	<u>OC</u> ¹	<u>RCO</u>
<u>Minimum Density</u>	<u>None</u>	<u>None</u>	<u>30 dwelling units per net acre for freestanding multifamily dwellings and freestanding congregate housing facilities; none if these uses are in a building with another primary use</u> ²⁸	<u>None</u>	<u>None</u>	<u>None</u>	<u>None, except as set forth in Table 510-3</u>	<u>20 dwelling units per net acre for residential development; none for mixed-use development</u> ²⁸	<u>None</u>	<u>None</u>	<u>30 dwelling units per net acre for freestanding multifamily dwellings and freestanding congregate housing facilities; none if these uses are in a building with another primary use or with a limited use other than a fitness facility or a freestanding restaurant</u> ²⁸

Notes to Table 510-2:

- ¹ The dimensional standards, as well as the minimum landscaped area standard in Table 1009-1, *Minimum Landscaped Area*, may be modified as part of a design review approval pursuant to Section 1102, if such modification is consistent with the goals and policies of the Comprehensive Plan. The effect of the proposed modification on the natural features of the subject property and the use and preservation of solar access shall be considered, if applicable.
- ² The minimum lot size for land with a Comprehensive Plan land use plan designation of Low Density Residential shall be the same as that allowed by the zoning district that applied to the subject property immediately prior to the application of the NC zoning district.

Table 510-2: Dimensional Standards in the Urban Commercial and Mixed-Use Zoning Districts

- ³ The minimum lot size standard applies only to subdivisions, partitions, and property line adjustments. Notwithstanding the minimum lot size standard, an undersized lot of record may be developed, subject to other applicable standards of this Ordinance.
- ⁴ No minimum lot size standard applies to a lot created by partition or subdivision or adjusted through a property line adjustment, provided that the newly created or adjusted lot is developed only with a dwelling classified as a nonconforming use and uses accessory to that dwelling.
- ⁵ The minimum lot size standard applies to subdivisions, partitions, and property line adjustments. Notwithstanding the minimum lot size standard, an undersized lot of record may be developed with primary, accessory, and limited uses, provided that the lot of record is physically separated from all other undeveloped or underdeveloped properties in the same zoning district as the subject property. In addition, contiguous undersized lots of record may be aggregated for development purposes, if such aggregation results in land area equal to or greater than the minimum lot size. Alternatively, contiguous undersized lots of record may be aggregated for development purposes, if such aggregation satisfies the requirement to demonstrate that the undersized site is physically separated from all other undeveloped or underdeveloped properties in the same zoning district as the subject property.
- ⁶ The minimum is 2,000 square feet for a lot developed only with an attached single-family dwelling and uses accessory to that dwelling.
- ⁷ The minimum street frontage standard applies only to subdivisions, partitions, and property line adjustments. The minimum for a lot of record developed only with an attached single-family dwelling, and uses accessory to that dwelling, shall be 20 feet. A lot of record with frontage on more than one street shall meet the minimum on each street.
- ⁸ The maximum front yard depth standard applies only if required by Subsection 1005.03(L).
- ⁹ The maximum front yard depth standard shall be met for all buildings, except as set forth in Note 8 to Table 510-2. However, if a lot has more than one front yard, the standard must be met for only one. A private road used to satisfy the maximum front yard depth standard must comply with the standards in Subsection 1005.08(G). The maximum front yard depth from Main Streets identified on Comprehensive Plan Map X-CRC-3 is 10 feet.
- ¹⁰ The maximum front yard depth may be exceeded to the minimum extent necessary to accommodate pedestrian amenities. Freestanding parking structures are exempt from the maximum front yard depth, except from Main Streets identified on Comprehensive Plan Map X-CRC-3.
- ¹¹ In lieu of complying with the standard, an applicant for master plan or design review approval on a site of 25 acres or larger may submit for approval alternate yard depth standards, 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 the regular standards in establishing a visual image, sense of place, and quality pedestrian environment for the area.
- ¹² There is no minimum yard depth from a front lot line that abuts a Main Street identified on Comprehensive Plan Map X-CRC-3.

Table 510-2: Dimensional Standards in the Urban Commercial and Mixed-Use Zoning Districts

- 13 If the rear yard abuts a residential or OSM zoning district, the minimum shall be 15 feet.
- 14 If the rear yard abuts a residential or OSM zoning district, the minimum shall be 35 feet.
- 15 If the rear yard abuts a residential or OSM zoning district, the minimum shall be 15 feet plus one foot for each one-foot increase in building height over 35 feet. Height increments of less than one foot shall be rounded up to the nearest foot. For example, if the building height is 38.8 feet, the minimum setback shall be 19 feet.
- 16 If the rear yard abuts an Urban Low Density Residential, VR-4/5, or VR-5/7 zoning district, the minimum shall be: 10 feet for the portion of a building that is 25 feet or less in height; 20 feet for the portion of a building that is greater than 25 feet and less than or equal to 35 feet in height; and 40 feet for the portion of a building that is greater than 35 feet and less than or equal to 45 feet in height.
- 17 If the rear yard abuts a residential zoning district, the minimum shall be 35 feet.
- 18 If the rear yard abuts a residential or OSM zoning district, the minimum shall be 35 feet plus one foot for each one-foot increase in building height over 35 feet. Height increments of less than one foot shall be rounded up to the nearest foot. For example, if the building height is 38.8 feet, the minimum setback shall be 39 feet.
- 19 If the side yard abuts a residential or OSM zoning district, the minimum shall be 15 feet.
- 20 If the side yard abuts a residential or OSM zoning district, the minimum side yard setback shall be 15 feet plus one foot for each one-foot increase in building height over 35 feet. Height increments of less than one foot shall be rounded up to the nearest foot. For example, if the building height is 38.8 feet, the minimum setback shall be 19 feet.
- 21 If the side yard abuts an Urban Low Density Residential, VR-4/5, or VR-5/7 zoning district, the minimum shall be: six feet for the portion of a building that is 25 feet or less in height; 16 feet for the portion of a building that is greater than 25 feet and less than or equal to 35 feet in height; and 40 feet for the portion of a building that is greater than 35 feet and less than or equal to 45 feet in height.
- 22 If the side yard abuts a residential zoning district, the minimum shall be 35 feet.
- 23 If the subject property abuts a residential or OSM zoning district, the maximum building height shall be 35 feet.
- 24 If the building is located less than 100 feet from an Urban Low Density Residential, VR-4/5, or VR-5/7 District, the maximum building height shall be equal to the building's distance from the Urban Low Density Residential, VR-4/5, or VR-5/7 District.

Table 510-2: Dimensional Standards in the Urban Commercial and Mixed-Use Zoning Districts

- ²⁵ Floor area ratio shall be calculated pursuant to Subsection 1005.03(R).
- ²⁶ With an approved master plan, a lot greater than two and one-half acres may be developed in phases provided that the minimum floor area ratio of each phase prior to the final phase is 0.5 and that the minimum floor area ratio of 1.0 is achieved for the entire lot with development of the final phase.
- ²⁷ For the purposes of this provision, “office uses” include the following uses from Table 510-1, *Permitted Uses in the Urban Commercial and Mixed-Use Zoning Districts*: Business Services, Financial Institutions, Information Services, Offices, Offices and Outpatient Clinics, and Research Facilities and Laboratories.
- ²⁸ Net acreage shall be calculated pursuant to Subsections 1012.08(A) and (B).

Table 510-3: Site-Specific Requirements for the PMU District

<u>Land Uses & Areas Required</u>	<u>PMU1</u>
<u>Office uses¹, minimum square feet</u>	<u>525,000 square feet</u>
<u>Retail, entertainment, hotel, service commercial, theater, or equivalent, minimum square feet</u>	<u>500,000 square feet</u>
<u>Dwelling units, minimum number</u>	<u>200 dwelling units; demonstrate ability to accommodate 600 dwelling units</u>
<u>Public plaza</u>	<u>one-half- to one-acre plaza</u>
<u>Entertainment/recreational facility</u>	
<u>Transit facilities</u>	
<u>Land Uses & Areas Required</u>	<u>PMU 2, 3, 4, and 5</u>
<u>Office uses¹ or residential uses², minimum site area</u>	<u>50 percent</u>
<u>Office uses¹, minimum floor area ratio (FAR)</u>	<u>0.5 for office uses on lots of two and one-half acres or less; 1.0 for office uses on lots greater than two and one-half acres, calculated pursuant to Subsection 1005.03(R). With a master plan approved pursuant to Subsection 1102.02(B)(2), a lot greater than two and one-half acres may be developed in phases, provided that the minimum floor area ratio of each phase prior to the final phase is 0.5 and that the minimum floor area ratio of 1.0 is achieved for the entire lot with development of the final phase.</u>
<u>Retail uses and service commercial uses, minimum FAR</u>	<u>0.3, calculated pursuant to Subsection 1005.03(R)</u>
<u>Residential density²</u>	<u>The minimum density for residential development shall be 30 dwelling units per net acre. Net acreage shall be calculated pursuant to Subsections 1012.08(A) and (B).</u>
<u>Land Uses & Areas Required</u>	<u>PMU6</u>
<u>Phase one, minimum FAR</u>	<u>0.3, calculated pursuant to Subsection 1005.03(R)</u>
<u>Subsequent phases, minimum FAR</u>	<u>0.6, calculated pursuant to Subsection 1005.03(R)</u>
<u>Dwelling units, minimum number</u>	<u>395</u>

Notes to Table 510-3:

- ¹ For the purposes of this provision, “office uses” include the following uses from Table 510-1: Assembly Facilities, Business Services, Cultural Uses, Financial Institutions, Information Services, Offices, Offices and Outpatient Clinics, Radio and Television Studios, Research Facilities and Laboratories, and Schools.
- ² For the purposes of this provision, “residential uses” include the following uses from Table 510-1, *Permitted Uses in the Urban Commercial and Mixed-Use Zoning Districts*: Congregate Housing Facilities, Multifamily Dwellings, and Nursing Homes. However, nursing homes are excluded from the minimum residential density standard.

511 VILLAGE COMMUNITY SERVICE DISTRICT (VCS)

511.01 PURPOSE

Section 511 is adopted to implement the policies of the Comprehensive Plan for Village Community Service areas.

511.02 APPLICABILITY

Section 511 applies to land in the VCS District.

511.03 USES PERMITTED

Uses permitted in the VCS District are listed in Table 511-1, *Permitted Uses in the VCS District*. In addition, uses similar to one or more of the listed uses may be authorized pursuant to Section 106, *Authorization of Similar Uses*.

A. As used in Table 511-1:

1. "P" means the use is a primary use.
2. "A" means the use is an accessory use.
3. "C" means the use is a conditional use, approval of which is subject to Section 1203, *Conditional Use*.
4. Numbers in superscript correspond to the notes that follow Table 511-1.

B. Permitted uses are subject to the applicable provisions of Subsection 511.04, *Dimensional Standards*, Subsection 511.05, *Development Standard*, Section 1000, *Development Standards*, and Section 1100, *Development Review Process*.

Table 511-1: Permitted Uses in the VCS District

<u>Use</u>	<u>VCS</u>
<u>Accessory Uses, Customarily Permitted, including bicycle racks, cogeneration facilities, meeting facilities, property maintenance and property management offices, rainwater collection systems, satellite dishes, solar energy systems, storage of building maintenance and landscape maintenance equipment, and transit amenities</u>	<u>A</u>
<u>Assembly Facilities, including auditoriums, community centers, and senior centers</u>	<u>P</u>
<u>Athletic Clubs</u>	<u>C</u>
<u>Bus Shelters, subject to Section 823</u>	<u>A</u>
<u>Civic and Cultural Facilities, including art galleries, libraries, and museums</u>	<u>P¹, C²</u>
<u>Community Gardens</u>	<u>P</u>
<u>Daycare Facilities, subject to Section 807</u>	<u>P</u>
<u>Daycare Services, Adult</u>	<u>P</u>
<u>Electric Vehicle Charging Stations</u>	<u>A</u>
<u>Employee Amenities, including cafeterias, clinics, daycare facilities³, fitness facilities, lounges, and recreational facilities</u>	<u>A⁴</u>
<u>Government Uses, including fire stations, police stations, and post offices</u>	<u>P</u>
<u>Offices, including developer sales offices and professional offices</u>	<u>C</u>
<u>Offices, including government offices and utility offices</u>	<u>P</u>
<u>Pedestrian Amenities</u>	<u>P</u>
<u>Public Recreation Facilities</u>	<u>P</u>
<u>Recyclable Drop-off Sites, subject to Section 819</u>	<u>A</u>
<u>Schools</u>	<u>P</u>
<u>Signs, subject to Section 1010</u>	<u>A⁵</u>
<u>Telecommuting Support Services, including photocopying centers with fax and computer facilities</u>	<u>P</u>
<u>Temporary Buildings for Uses Incidental to Construction Work, provided that such buildings shall be removed upon completion or abandonment of the construction work</u>	<u>A</u>

<u>Use</u>	<u>VCS</u>
<u>Temporary Storage within an Enclosed Structure of Source-Separated Recyclable/Reusable Materials Generated and/or Used On-Site Prior to On-Site Reuse or Removal by the Generator or Licensed or Franchised Collector to a User or Broker</u>	<u>A</u>
<u>Utility Carrier Cabinets, subject to Section 830</u>	<u>P</u>
<u>Wireless Telecommunication Facilities Listed in Subsections 835.04 and 835.05, subject to Section 835</u>	<u>P</u>
<u>Wireless Telecommunication Facilities Listed in Subsection 835.06(A), subject to Section 835</u>	<u>C</u>

Notes to Table 511-1:

- ¹ Libraries and museums are a primary use.
- ² Art galleries are a conditional use.
- ³ Daycare facilities as an employee amenity are not subject to Section 807.
- ⁴ Employee amenities shall be located in the same structure as the use to which they are accessory.
- ⁵ Temporary signs regulated under Subsection 1010.13(A) are a primary use.

511.04 DIMENSIONAL STANDARDS

The following dimensional standards apply in the VCS District.

- A. Yard Depth: The yard depth from the east-west collector road and the diagonal connector roads shall be zero. Minimum yard depth from lot lines abutting residential areas shall be five feet.
- B. Maximum Building Height: Maximum building height shall be 35 feet, except that the maximum height of tower elements shall be 60 feet, provided that such elements do not have a footprint exceeding 400 square feet.

511.05 DEVELOPMENT STANDARD

All primary and accessory uses, including storage of materials, products, or waste, shall be wholly contained within an approved structure.

512 VILLAGE OFFICE DISTRICT (VO)

512.01 PURPOSE

Section 512 is adopted to implement the policies of the Comprehensive Plan for Village Office areas.

512.02 APPLICABILITY

Section 512 applies to land in the VO District.

512.03 USES PERMITTED

Uses permitted in the VO District are listed in Table 512-1, *Permitted Uses in the VO District*. In addition, uses similar to one or more of the listed uses may be authorized pursuant to Section 106, *Authorization of Similar Uses*.

A. As used in Table 512-1:

1. "P" means the use is a primary use.
2. "A" means the use is an accessory use.
3. "L" means the use is a limited use.
4. "C" means the use is a conditional use, approval of which is subject to Section 1203, *Conditional Use*.
5. Numbers in superscript correspond to the notes that follow Table 512-1.

B. Permitted uses are subject to the applicable provisions of Subsection 512.04, *Dimensional Standards*, Subsection 512.05, *Development Standard*, Section 1000, *Development Standards*, and Section 1100, *Development Review Process*.

Table 512-1: Permitted Uses in the VO District

<u>Use</u>	<u>VO</u>
<u>Accessory Uses, Customarily Permitted, including bicycle racks, cogeneration facilities, meeting facilities, property maintenance and property management offices, rainwater collection systems, satellite dishes, solar energy systems, storage of building maintenance and landscape maintenance equipment, and transit amenities</u>	<u>A</u>
<u>Assembly Facilities, including auditoriums, churches, community centers, convention facilities, exhibition halls, fraternal organization lodges, senior centers, and theaters for the performing arts</u>	<u>C^{2,3}</u>
<u>Bus Shelters, subject to Section 823</u>	<u>A</u>
<u>Civic and Cultural Facilities, including art galleries, libraries, and museums</u>	<u>C²</u>
<u>Daycare Facilities, subject to Section 807</u>	<u>L^{4,5}, C⁶</u>
<u>Daycare Services, Adult</u>	<u>L^{4,7}, C⁶</u>
<u>Educational Institutes</u>	<u>C¹</u>
<u>Electric Vehicle Charging Stations</u>	<u>A</u>
<u>Employee Amenities, including cafeterias, clinics, daycare facilities⁸, fitness facilities, lounges, and recreational facilities</u>	<u>A⁹</u>
<u>Financial Institutions, including banks, brokerages, credit unions, loan companies, and savings and loan associations</u>	<u>P</u>
<u>Fitness Facilities, including athletic clubs, exercise studios, gymnasiums, and health clubs</u>	<u>C</u>
<u>Manufacturing, including the mechanical, physical, or chemical transformation of materials, substances, or components into new products; and the assembly of component parts. Primary processing of raw materials is prohibited.</u>	<u>P¹⁰</u>
<u>Mobile Vending Units, Level One, subject to Section 837</u>	<u>A</u>

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<u>Use</u>	<u>VO</u>
<u>Offices, including administrative, business, corporate, governmental, and professional offices. Examples include offices for the following: architectural services, business management services, call centers, employment agencies, engineering services, governmental services, insurance services, legal services, manufacturer’s representatives, office management services, property management services, real estate agencies, and travel agencies.</u>	<u>P</u>
<u>Offices and Outpatient Clinics—both of which may include associated pharmacies and laboratories—for healthcare services, such as acupuncture, chiropractic, counseling, dental, massage therapy, medical, naturopathic, optometric, physical therapy, psychiatric, occupational therapy, and speech therapy.</u>	<u>P</u>
<u>Pedestrian Amenities</u>	<u>P</u>
<u>Radio and Television Studios, excluding transmission towers</u>	<u>C¹</u>
<u>Recreational Sports Facilities for such sports as basketball, dance, gymnastics, martial arts, racquetball, skating, soccer, swimming, and tennis. These facilities may be used for any of the following: general recreation, instruction, practice, and competitions.</u>	<u>C</u>
<u>Recyclable Drop-off Sites, subject to Section 819</u>	<u>A</u>
<u>Research Facilities and Laboratories, including medical laboratories, medical research, product design and testing, and product research and development</u>	<u>p¹¹</u>
<u>Services, Business, including computer rental workstations; leasing, maintenance, repair, and sale of communications and office equipment; mailing; notary public; photocopying; and printing</u>	<u>P</u>
<u>Services, Commercial—Food and Beverage, including catering and eating and drinking establishments</u>	<u>L⁴</u>
<u>Services, Information, including blueprinting, bookbinding, photo processing, photo reproduction, printing, and publishing</u>	<u>P</u>
<u>Signs, subject to Section 1010</u>	<u>A¹²</u>
<u>Studios of the following types: art, dance, and music</u>	<u>C¹</u>
<u>Temporary Buildings for Uses Incidental to Construction Work, provided that such buildings shall be removed upon completion or abandonment of the construction work</u>	<u>A</u>

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<u>Use</u>	<u>VO</u>
<u>Temporary Storage within an Enclosed Structure of Source-Separated Recyclable/Reusable Materials Generated and/or Used On-Site Prior to On-Site Reuse or Removal by the Generator or Licensed or Franchised Collector to a User or Broker</u>	<u>A</u>
<u>Trade Schools.</u> Trade schools provide training in occupational skills. These facilities also may be referred to as technical schools, vocational schools, and career schools.	<u>C</u> ¹
<u>Utility Carrier Cabinets,</u> subject to Section 830	<u>P</u>
<u>Wireless Telecommunication Facilities Listed in Subsections 835.04 and 835.05,</u> subject to Section 835	<u>P</u>

Notes to Table 512-1:

- ¹—This use is permitted only if there is no opportunity to locate it on land zoned Village Commercial District prior to annexation to the City of Happy Valley.
- ²—This use is permitted only if there is no opportunity to locate it either in the VCS District or on land zoned VCS prior to annexation to the City of Happy Valley.
- ³—An assembly facility shall have a maximum capacity of 500 people.
- ⁴—The maximum building floor area of the use, and any other limited uses, shall be 20 percent of the building floor area of primary uses in the same development.
- ⁵—The use shall be integrated within office buildings and shall neither exceed 1,500 square feet nor serve more than 13 children.
- ⁶—The use shall be located in the southern half of the VO District and shall be oriented toward the adjacent residential neighborhood.
- ⁷—The use shall be integrated within office buildings and shall neither exceed 1,500 square feet nor serve more than 13 adults.
- ⁸—Daycare facilities as an employee amenity are not subject to Section 807.
- ⁹—Employee amenities shall be located in the same structure as the use to which they are accessory.
- ¹⁰—This use is allowed only if it has physical and operational requirements that are similar to those of other primary uses allowed in the VO District.
- ¹¹—No operation shall be conducted, or equipment used, that would create any of the following: hazards, noxious conditions, or offensive conditions.

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

512.04 DIMENSIONAL STANDARDS

- A. Maximum Front Yard Depth: The maximum front yard depth shall be 50 feet from the centerline of 142nd Avenue, 75 feet from the centerline of Sunnyside Road, and 10 feet from lot lines abutting any other road. The maximum front yard depth may be exceeded to the minimum extent necessary to accommodate proposed pedestrian amenities.
- B. Minimum Front Yard Depth: The minimum front yard depth shall be 40 feet from the centerline of 142nd Avenue, 65 feet from the centerline of Sunnyside Road, and five feet from lot lines abutting any other road. Awnings or other overhangs may extend a maximum of four feet into the minimum front yard depth.
- C. Rear Yard Depth: The maximum and minimum front yard depth standards for yards abutting 142nd Avenue and Sunnyside Road shall apply even if a lot line abutting 142nd Avenue or Sunnyside Road is designated as a rear lot line pursuant to Subsection 903.01(A).
- D. Maximum Building Height: Maximum building height shall be 45 feet, except that the maximum height of tower elements shall be 60 feet, provided that such elements do not have a footprint exceeding 400 square feet.

511.05 DEVELOPMENT STANDARD

Primary and accessory uses, including storage of materials, products, or waste, shall be wholly contained within an approved structure.

601 CAMPUS INDUSTRIAL DISTRICT (CI)

601.01 PURPOSE

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

601.02 AREA OF APPLICATION

The Campus Industrial District shall apply only to those properties zoned Campus Industrial prior to September 9, 2013.

601.03 PRIMARY USES

A. The following business and industrial uses may occupy up to 100 percent of the total floor area of the development:

1. Experimental, film or testing laboratories, provided no operation shall be conducted or equipment used which would create hazards, and/or noxious or offensive conditions.
2. Industries which manufacture products from, or otherwise process, previously prepared materials which satisfy the following conditions:
 - a. The use is employee-intensive, providing approximately 15 or more jobs for every developed acre of land.
 - b. The use is not of a type or intensity which produces odor, smoke, fumes, noise, glare, heat or vibrations which are incompatible with other primary uses allowed in this district.
 - c. The physical and operational requirements of the use, including type of structure used and volume of heavy truck traffic generated, are similar to other industrial and office uses allowed in this district.
3. Printing, publishing, bookbinding, graphic or photographic reproduction, blueprinting or photo processing.
4. Trade or community schools primarily serving the business community within the area.
5. Corporate headquarters or regional offices with 50 or more employees.

B. Offices, except corporate headquarters or regional offices allowed under Subsection 601.03(A) and those offices specified as limited uses under Subsection 601.05, may occupy up to 70 percent of the total floor area of the development.

C. High Density Residential uses, subject to Section 315, 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 601.08(F), except as provided under Subsection 601.08(G).

- D. Public and private community buildings, indoor and outdoor recreational facilities, such as swimming pools, racquetball clubs, athletic clubs, health and exercise spas, gymnasiums, tennis courts, playgrounds, and other similar uses, developed to serve primarily the recreational needs of residents and employees of the district, may occupy up to 100 percent of the floor area of the development.
- E. Utility carrier cabinets, subject to Section 830.
- F. Wireless telecommunication facilities, subject to Section 835.

601.04 ACCESSORY USES

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

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

- L. Self-service laundry facilities;
- M. Solar energy systems;
- N. Rainwater collection systems;
- O. Electric vehicle charging stations;
- P. Temporary buildings for uses incidental to construction. Such buildings shall be removed upon completion or abandonment of the construction work;
- Q. Daycare facilities, subject to Section 807; and
- R. Level one mobile vending units, subject to Section 837.

601.05 LIMITED USES

A. The following retail and service commercial uses may be allowed on a limited basis as part of the development of this district when developed concurrently with or after the primary uses, subject to the provisions of Subsection 601.05(B):

1. ~~The following neighborhood commercial uses under Subsection 501.03:~~

- a. Apparel stores and dressmaking shops;
- b. Bakery shops;
- c. Catering establishments;
- d. Confectionery stores;
- e. Delicatessen shops and restaurants, but not drive-in restaurants or drive-thru service;
- f. Drug stores;
- g. Fabric and dry goods stores;
- h. Florist and gift shops;
- i. Grocery and produce stores;
- j. Hardware and garden supplies;
- k. Meat and fish markets;
- l. Barber and beauty shops;
- m. Clothes pressing, alterations, and tailoring shops;

- n. Daycare facilities and other adult or child care facilities, operated during the daytime, subject to Section 807;
 - o. Dry cleaners; laundry agencies; self-service laundromats and dry cleaning facilities;
 - p. Exercise and tanning studios;
 - q. Offices for doctors, dentists, chiropractors, naturopathic treatment personnel, and other health service personnel; small clinics or community health care programs;
 - r. Photo finishing;
 - s. Shoe repair;
 - t. Veterinarian services and pet supplies;
 - u. Video rental stores;
 - v. Bed and breakfast residences and inns, subject to Section 832;
 - w. Preexisting retail or service commercial uses; and
 - x. Mobile vending units, subject to Section 837;
- 2. Banks;:-
 - 3. Clinics for doctors, dentists, chiropractors, naturopathic and counseling treatment personnel, and other health services;:- and
 - 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.
 - 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. Uses shall not be or a type of intensity that produce odor, smoke, fumes, noise, glare, heat or vibrations, which are incompatible with associated primary uses in the area.

601.06 CONDITIONAL USES

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

- A. Conversion of multifamily dwellings into condominiums, subject to Section 803;
- B. Service and recreational uses that exceed a primary or accessory use, subject to Section 813;
- C. Hydroelectric facilities, subject to Section 829;
- D. Heliports;
- E. Retail and service commercial uses not included as limited use under Subsection 601.05(A), subject to the additional limitations and conditions of Subsection 601.05(B);
- F. Uses listed as limited uses in Subsection 601.05(A) on a site separate from a primary use, when:
 - 1. The site is physically separated from all other undeveloped or underdeveloped properties in the district; or
 - 2. The site is not physically separated from other undeveloped 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.
- G. Development of a primary use listed in Subsection 601.03 and its associated accessory and limited uses, on a lot or site area which is smaller than the minimum area requirement for the use, and which is not physically separated from all other undeveloped or underdeveloped properties in this district, may be approved when 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 601.08(B).
 - 3. The purposes set forth under Subsection 601.08(A) are addressed and satisfied in the proposed use and design of the development; and
- H. Multi-use developments, subject to Section 1016.

601.07 PROHIBITED USES

Uses of structures and land not specifically permitted in Section 601 shall be prohibited in the Campus Industrial District, except as provided in Section 106.

601.08 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

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- c. The group shall record, in the office of the County Clerk, a contract in which all members agree to subject the use and development of individual tax lots or ownerships to the development plan for the site area as approved by the County. No permit shall be issued on any separate tax lot or ownership for any structure or use not indicated on the County approved development plan for the site area.

C. Minimum Site Area:

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

D. Undersized Lots: Any primary use under Subsection 601.03, and its associated accessory and limited uses, may be established on a lot smaller than the minimum site area that is physically separated from all other underdeveloped properties in this district, or that is approved as a conditional use under Subsection 601.06(G). However, any lot less than two acres in size resulting from a property line adjustment is not buildable, except for recreational uses under Subsection 601.03(D) on a lot a minimum of one acre in size, unless combined with other property as provided under Subsection 601.08(B).

E. Floor Area Ratio: The maximum floor area for all primary and conditional uses within a site area shall not exceed the net site area multiplied by one (1:1 ratio).

F. Floor Area Requirements: Any primary use or combination of primary uses under Subsections 601.03(A) through (D) may be allowed within a development at floor area percentages, excluding accessory uses, not exceeding those illustrated in Table 601-1.

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

A	B	C	D
100 percent	70 percent	75 percent	100 percent

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

- c. The entire area may be used to calculate the allowed density under the district land area standard for the HDR District 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 601.08(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 601.08(G)(1) through (3), or Subsection 601.08(G)(4):
1. The modification or waiver is consistent with the purposes under Subsection 601.08(A); and
 2. The need for the use for which additional floor area is requested is at least as great as the need for other compatible primary uses allowed in this district; and
 3. The proposed use, and location of the use, is compatible with, and complementary to existing or proposed developments within the district area; or
 4. A substantial mix of primary uses has been established within the immediate district area to the extent that all primary use categories under Subsections 601.03(A) through (D) are represented.
- H. Maximum Lot Coverage: 55 percent.
- I. Minimum Perimeter Setback: 15 feet.
1. The following uses may be allowed within a perimeter setback area that fronts on a public, county, or state road:
 - a. Landscaping;
 - b. Bikeways, trails, pedestrian walks and plazas;
 - c. Access driveways; and
 - d. Bus shelters and other pedestrian amenities.
 2. The following uses may be allowed within perimeter setback areas that are adjacent to other site areas:
 - a. Landscaping;
 - b. Bikeways, trails, pedestrian walks, patios, courts;

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

J. Minimum Street Frontage: 50 feet.

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

L. Exceptions to Dimensional Standards: The requirements of Section 601.08 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 the variance criteria under Section 1205 are satisfied.

601.09 DEVELOPMENT STANDARDS

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

- A. General: Development is subject to the applicable provisions of Sections 1000 and 1100.
- B. Community and Design Plans: Development within a Community or Design Plan area identified in Chapter 10 of the Comprehensive Plan shall comply with the specific policies and standards for the adopted Community Plan or Design Plan.
- C. Outdoor Storage: No outdoor storage of materials shall be allowed.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-231, 1/31/12; Amended by Ord. ZDO-235, 5/14/12; Amended by Ord. ZDO-243, 9/9/13]

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

602.01 PURPOSE

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

602.02 APPLICABILITY

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

602.03 USES PERMITTED

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

A. As used in Table 602-1:

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

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

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

Use	BP	LI	GI
<p>A. Construction and Maintenance Contractors</p> <p>This category includes contractors engaged in construction and maintenance of buildings and their component parts (e.g., roofing, siding, windows), fencing, decking, building systems (e.g., plumbing, electrical, mechanical), landscaping, and infrastructure (e.g., roads, utilities). Also included are excavation contractors, building movers, pest control services, and janitorial services.</p>	P	P	P
<p>B. Heavy Truck and Heavy Equipment Uses</p> <p>This category includes sales, rental, storage, repair, and servicing of heavy trucks such as dump trucks, moving trucks, and truck tractors; large construction equipment such as backhoes and bulldozers; large farm equipment such as tractors and combines; and large cargo trailers such as semitrailers. Sales, rental, storage, repair, and servicing of passenger vehicles, recreational vehicles, and boats are excluded from this category.</p>	X	P	P
<p>C. Indoor Recreational Facilities</p> <p>This category includes indoor facilities for such sports as dance, gymnastics, martial arts, soccer, basketball, and skating. These facilities may be used for instruction, practice, and competitions. Health and fitness clubs are excluded from this category but are included in the “retail and professional services that cater to daily customers/retail commercial uses” category.</p>	P ¹	P ¹	P ¹
<p>D. Industrial Trade Schools</p> <p>This category includes training facilities whose primary purpose is to provide training to meet industrial needs. These facilities also may be referred to as technical schools, vocational schools, and career schools. Industrial trade schools provide training in such occupational skills as welding, operation and repair of industrial machinery, and truck driving.</p>	P	P	P

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Use	BP	LI	GI
<p>E. Information Services</p> <p>This category includes establishments engaged in producing and distributing information; providing the means to transmit or distribute these products, as well as data or communications; and processing data. Examples include publishing industries such as book, periodical, and software publishing; computer systems design; internet web search services; internet service providers; radio, television, motion picture, and recording studios; computer data storage services; optical scanning and imaging services; and financial transaction processing such as credit card transaction and payroll processing services. These businesses primarily serve other industries or deliver their products to the end user through means other than on-site pickup by the customer. Few general public customer visits per day are generated.</p>	P	P	P
<p>F. Manufacturing</p> <p>This category includes establishments engaged in the mechanical, physical, or chemical transformation of materials, substances, or components into new products, including the assembly of component parts. Examples of manufacturing include alternative energy development, biosciences, food and beverage processing, software and electronics production, and fabrication of products made from materials such as metal, glass, rubber, plastic, resin, wood, and paper.</p>	P	P	P
<p>G. Large-Scale Laundry, Dry-Cleaning, and Carpet-Cleaning Plants</p> <p>These businesses primarily serve other industries or deliver their services to the end user through means other than on-site customer visits. Few general public customer visits per day are generated.</p>	P	P	P
<p>H. Miscellaneous Industrial Uses</p> <p>This category includes wrecking and salvage of building materials, equipment, and vehicles; tire retreading and recapping; and petroleum, coal, or other fuel storage, refining, reclaiming, distribution, and wholesale trade. These businesses primarily serve other industries or deliver their products and services to the end user through means other than on-site customer visits. Few general public customer visits per day are generated.</p>	X	X	P

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Use	BP	LI	GI
<p>I. Offices</p> <p>This category includes administrative and corporate offices and call centers. These businesses primarily serve other industries or deliver their products and services to the end user through means other than on-site customer visits. Few general public customer visits per day are generated.</p>	P	P	P
<p>J. Repair and Servicing Uses</p> <p>This category includes large-scale repair and servicing of equipment, machinery, and other products. Examples include authorized service centers, welding shops and machine shops. Products are received from and returned to customers primarily by shipping or pickup/delivery by employees of the business. Few general public customer visits per day are generated.</p>	P	P	P
<p>K. Research Facilities and Laboratories</p> <p>This category includes product research and development, product design and testing, medical research, and medical laboratories. Medical laboratories in this category primarily serve other industries or deliver their services to the end user through means other than on-site customer visits. Few general public customer visits per day are generated.</p>	P	P	P
<p>L. Retail and Professional Services that Cater to Daily Customers/Retail Commercial Uses</p> <p>This category includes the sale of goods and services to the general public. Examples of retail and professional services that cater to daily customers include rental and storage of passenger vehicles, recreational vehicles, and boats; health and fitness clubs; daycare facilities; and financial, insurance, real estate, legal, medical, and dental offices. Examples of retail commercial uses include sales of passenger vehicles, recreational vehicles, and boats; stores; and restaurants. Sales of motor vehicle fuels are excluded from this category.</p>	p ^{2,3,4}	p ^{2,3,4}	A ⁵
<p>M. Towing Establishments, Including Storage of Towed Vehicles</p>	X	P	P

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Use	BP	LI	GI
<p>N. Transportation Uses</p> <p>This category includes the transportation of cargo using motor vehicles or rail spurs and may include loading docks and parking of cargo transport vehicles. Examples include freight terminals, parcel delivery services, moving companies, and parking facilities for long-haul trucks. These uses often are associated with warehousing facilities. This category also includes parking, storage, repair, and servicing of fleet vehicles used for the transport of people. Examples include ambulance services and mass transit and school bus fleet facilities. This category also includes commercial motor vehicle fueling services, such as cardlock fueling stations; however, motor vehicle fueling stations that cater to the general public are prohibited.</p>	X	P	P
<p>O. Utility Carrier Cabinets, subject to Section 830</p>	P	P	P
<p>P. Warehousing and Distribution</p> <p>This category includes establishments primarily engaged in operating warehousing and distribution facilities for general merchandise, refrigerated goods, and other products and materials that have been manufactured and generally are being stored in anticipation of delivery to the final customer. A range of logistical services may be provided, including labeling, packaging, price marking and ticketing, and transportation arrangement. Mini-storage facilities are not included in this category.</p>	A	P	P
<p>Q. Wholesale Trade</p> <p>This category includes establishments engaged in selling and distributing goods and services to retailers; to industrial, commercial, or professional business users; or to other wholesalers, generally without transformation. Wholesalers sell goods and services to other businesses, not the general public.</p>	P	P	P
<p>R. Wireless Telecommunication Facilities, subject to Section 835</p>	P	P	P
<p>S. Accessory Uses permitted in the R-5 through R-30 Districts, except accessory dwelling units, listed in Table 315-1, Permitted Uses in the Urban Residential Zoning Districts, provided that such uses are accessory to a single-family dwelling that is a nonconforming use</p>	A	A	A
<p>T. Bus Shelters, subject to Section 823</p>	A	A	A

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Use	BP	LI	GI
U. Cogeneration Facilities	A	A	A
V. Electric Vehicle Charging Stations	A	A	A
W. Employee Amenities, such as clinics, daycare facilities, lounges, cafeterias, and recreational facilities	A	A	A
X. Level One Mobile Vending Units, subject to Section 837	A	A	A
Y. Parking, Storage, Repair, and Servicing of Fleet Vehicles	A	A	A
Z. Parking Structures	A	A	A
AA. Pedestrian Amenities	A	A	A
BB. Rainwater Collection Systems	A	A	A
CC. Satellite Dishes	A	A	A
DD. Signs, subject to Section 1010	A ⁶	A ⁶	A ⁶
EE. Solar Energy Systems	A	A	A
FF. Temporary Buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work.	A	A	A
GG. Temporary Storage within an enclosed structure of source-separated recyclable/reusable materials generated and/or used on-site prior to on-site reuse or removal by the generator or licensed or franchised collector to a user or broker	A	A	A
HH. Warehouse Event Retail Sales	A ⁷	A ⁷	A ⁷
II. Arenas, Exhibition Halls, and Stadiums	C ¹	C ¹	C ¹
JJ. Composting Facilities, subject to Section 834	X	C	C
KK. Electrical Power Production Facilities	X	X	C
LL. Government and Special District Uses	C ^{8,9}	C ^{8,9}	C ^{8,9}
MM. Heliports	C	C	C
NN. Outdoor Display of Products, subject to Subsection 602.05(B)(1) or (C)(1), provided that such display is associated with a permitted use	X	C	A
OO. Outdoor Entertainment Facilities, including amusement parks, circuses, carnivals, drive-in theatres, and racetracks for automobiles, dogs, horses, and motorcycles	X	X	C

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Use	BP	LI	GI
PP. Outdoor Storage Areas larger than allowed by Subsection 602.05(B)(2)(a), provided that such storage is associated with a permitted use	X	C	A
QQ. Public Utility Facilities	C	C	C
RR. Radio and Television Transmission and Receiving Towers and Earth Stations, provided that the base of such towers shall not be closer to the property line than a distance equal to the height of the tower	C	C	C
SS. Recycling Centers and Transfer Stations, subject to Section 819	X	C	P
TT. Retail Services, as follows: auto repairing, overhauling, painting, washing, body and fender work, and reconditioning	X	X	C
UU. Surface Mining, subject to Section 818	X	C	C ¹⁰
VV. Telephone Exchanges	C	C	C

Notes to Table 602-1:

- ¹ In Regionally Significant Industrial Areas identified on Comprehensive Plan Map IV-8, *Urban Growth Concept*, places of assembly shall not exceed 20,000 square feet.
- ² Notwithstanding other provisions of Section 602 that may permit outdoor display, storage, or processing, these uses shall be conducted entirely within a building, except the following are permitted: outdoor seating areas associated with a restaurant, outdoor play areas associated with a daycare facility, and similar outdoor amenities. Drive-thru window service facilities are prohibited.
- ³ In Regionally Significant Industrial Areas identified on Comprehensive Plan Map IV-8, building floor area associated with each use shall not exceed 3,000 square feet, and the total building floor area of all such uses in the same development project shall not exceed 20,000 square feet. Notwithstanding these limitations, the lawful use of any structure or land as of September 9, 2013, may continue and expand to add up to 20 percent more building floor area. Outside Regionally Significant Industrial Areas identified on Comprehensive Plan Map IV-8, the same standards shall apply, except that the single-use limit is 5,000 square feet of building floor area. However, the building floor area limitations do not apply to the following uses in the BP District: destination restaurants that comply with Subsection 1016.05(B)(4) and provide lunch service; and hotels and associated convention facilities, gift shops, and restaurants.

- ⁴ Lots of record created on or after September 9, 2013, shall be subject to Note 4 to Table 602-1 in lieu of Note 3 to Table 602-1. In Regionally Significant Industrial Areas identified on Comprehensive Plan Map IV-8, building floor area associated with each use shall not exceed 3,000 square feet. Outside Regionally Significant Industrial Areas identified on Comprehensive Plan Map IV-8, building floor area associated with each use shall not exceed 5,000 square feet. Notwithstanding these limitations, the lawful use of any structure or land as of September 9, 2013, may continue and expand to add up to 20 percent more building floor area. In all cases, the total building floor area of all such uses on the same lot of record shall not exceed 20,000 square feet or 25 percent of the building floor area on the lot of record, whichever is less. However, the building floor area limitations do not apply to the following uses in the BP District: destination restaurants that comply with Subsection 1016.05(B)(4) and provide lunch service; and hotels and associated convention facilities, gift shops, and restaurants.
- ⁵ This use is limited to indoor areas for retail display and retail sales of products manufactured by the same business occupying the premises, as well as related products. In Regionally Significant Industrial Areas identified on Comprehensive Plan Map IV-8, building floor area for such retail display and retail sales shall not exceed 3,000 square feet per business, and the total building floor area of all such retail display and retail sales areas in the same development project shall not exceed 20,000 square feet. Notwithstanding these limitations, the lawful use of any structure or land as of September 9, 2013, may continue and expand to add up to 20 percent more building floor area. Outside Regionally Significant Industrial Areas identified on Comprehensive Plan Map IV-8, the same standards shall apply, except that the single-business limit is 5,000 square feet of building floor area.
- ⁶ Temporary signs regulated under Subsection 1010.13(A) are a primary use.
- ⁷ Warehouse event retail sales are permitted if the products being sold at the event sale are manufactured, warehoused, or distributed as a primary use on the subject property; no more than one event sale occurs each calendar month; a single event sale lasts a maximum of three consecutive days, which shall be Friday, Saturday, Sunday, or Monday; and the event sales occur indoors.
- ⁸ A government or special district use is a conditional use only if the proposed use does not also fall within one of the categories identified as a primary or accessory use in the applicable zoning district.
- ⁹ In Regionally Significant Industrial Areas (RSIAs) identified on Comprehensive Plan Map IV-8, parks—intended to serve people other than those working or residing in the RSIA—and schools are prohibited.
- ¹⁰ Aggregate batch plant operations are a primary use in the GI District.

602.04 DIMENSIONAL STANDARDS

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

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

Table 602-2: Dimensional Standards

Standard	BP	LI	GI
Minimum Lot Size ¹	3 acres	1 acre ²	1 acre ²
Maximum Front Yard Depth	20 feet ³	0 None	0 None
Minimum Front Yard Depth	20 feet ⁴	20 feet ⁴	20 feet ⁴
Minimum Rear Yard Depth, if the rear yard abuts an industrial zoning district	0 ⁴	0 ⁴	0 ^{4,5}
Minimum Rear Yard Depth, if the rear yard abuts a commercial or mixed use zoning district	15 feet ⁴	15 feet ⁴	15 feet ^{4,5}
Minimum Rear Yard Depth, if the rear yard abuts a residential, natural resource, or Open Space Management zoning district	35 feet ⁴	35 feet ⁴	35 feet ^{4,5}
Minimum Side Yard Depth, if the side yard abuts an industrial zoning district	0 ⁴	0 ⁴	0 ^{4,5}
Minimum Side Yard Depth, if the side yard abuts a commercial or mixed use zoning district	15 feet ⁴	15 feet ⁴	15 feet ^{4,5}
Minimum Side Yard Depth, if the side yard abuts a residential, natural resource, or Open Space Management zoning district	35 feet ⁴	35 feet ⁴	35 feet ^{4,5}

Notes to Table 602-2:

- ¹ The minimum lot size standard applies to subdivisions, partitions, and property line adjustments, except that no minimum lot size standard applies to a lot that is developed with a dwelling that is a nonconforming use. Notwithstanding the minimum lot size standard, a lot of record may be developed, subject to other applicable standards of this Ordinance.
- ² The minimum lot size may be reduced to 20,000 square feet, subject to design review approval pursuant to Section 1102 of the overall development plan for the entire lot of record, including access, circulation, parking, landscaping, and proposed building locations.
- ³ The maximum front yard depth standard applies, if required by Subsection 1005.03(L), except that this standard does not apply to dwellings that are nonconforming uses, or to structures that are accessory to such dwellings.
- ⁴ The minimum yard depth requirements of Table 315-2, *Dimensional Standards in the Urban Low Density Residential Districts*, as modified by Subsection 315.04(C), apply to dwellings that are nonconforming uses, as well as to structures that are accessory to such dwellings.
- ⁵ The minimum yard depth for a silo, tower, or other specialized storage or processing structure (unless such structure is enclosed in a building) is 35 feet for structures 35 feet or less in height. An additional five feet of yard depth is required for each additional 10-foot height increment, or portion thereof, for structures over 35 feet in height. These greater yard depth standards do not apply if the yard abuts an LI or GI District.

602.05 DEVELOPMENT STANDARDS

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

- A. Outdoor Operations in the BP District: In the operation of a primary use in the BP District:
 1. All display areas shall be located within a building. No outdoor display areas shall be allowed.
 2. No outdoor storage of materials or products shall be allowed.
 3. No outdoor processes shall be employed in the operation of the business.
 4. Receptacles for solid waste and recyclable materials shall be maintained within an enclosed structure.

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

- C. Outdoor Operations in the GI District: In the operation of a primary use in the GI District:
1. Outdoor display of finished products is permitted, provided that outdoor display areas and items on display shall:
 - a. Not block visibility to or from any road or driveway, or block visibility of signs located on adjacent lots;
 - b. Be located a minimum of 10 feet from the front lot line(s);
 - c. Be maintained to project an organized and neat appearance at all times; and
 - d. Only include finished products manufactured on, or sold on a wholesale basis from, the subject property.
 2. Outdoor storage and processing are permitted, subject to the following standards:
 - a. Outdoor storage and processing areas shall be located a minimum of 20 feet from the front lot line(s), a minimum of 15 feet from side or rear lot lines that abut a commercial or mixed use zoning district, and a minimum of 35 feet from side or rear lot lines that abut a residential, natural resource, or Open Space Management zoning district.
 - b. Outdoor storage areas shall be screened with a sight-obscuring fence a minimum of six feet in height and a maximum of 10 feet in height. Fencing shall be located behind the landscaping strips required by Subsections 1009.04(B) and 1009.06. Outdoor processing areas shall be buffered pursuant to Subsections 1009.05(D) through (F).
 - c. Equipment, stockpiles of materials, and other items located within outdoor storage and processing areas shall be maintained in an orderly fashion.
 - d. Waste materials (by-products that are not further processed or recycled on-premise) shall not accumulate in outdoor storage and processing areas for more than two weeks, except that waste materials from water treatment facilities or surface water retention facilities may accumulate for such longer period as necessitated by Best Management Practices for the facility.
 - e. It shall be demonstrated through engineering and design or monitoring that outdoor storage of waste materials will not negatively impact ground or surface waters.

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

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-231, 1/31/12; Amended by Ord. ZDO-235, 5/14/12; Amended by Ord. ZDO-243, 9/9/13]

827 DRIVE-THRU WINDOW SERVICE

827.01 APPLICABILITY

Section 827~~The provisions of this section~~ shall apply to all drive-thru window service facilities.

827.02 CONDITIONAL STANDARDS

Approval of a drive-thru window service shall not be granted unless the applicant, by addressing the criteria below and submitting a traffic study, demonstrates that the proposed development:

- A. Shall not conflict with the implementation of adopted area plans or standards;
- B. Shall not limit or preclude the development of pedestrian-oriented or transit-supportive uses, or adversely impact such uses on adjacent properties;
- C. Shall create minimal conflict with pedestrian access to the building from adjacent sites or from the road;
- D. Shall not attract vehicle traffic into existing or proposed pedestrian and transit service areas; and
- E. Shall not create offsite congestion due to undersized site or lack of onsite vehicle storage area commensurate with the estimated volume of traffic to be generated.

827.03 CLACKAMAS REGIONAL CENTER AREA DESIGN STANDARDS

A. In 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, but outside the Regional Center boundary shown on the same map, drive-thru window service facilities shall be subject to the following standards:

- 1. When drive-thru window service facilities are oriented toward front yards or street corners, pedestrian areas shall be buffered from the noise and exhaust of drive-thru vehicles.
- 2. When building entrances are separated from sidewalks by drive-thru window service facilities, special design features may be required to ensure safe, direct, and convenient crossings and to screen pedestrian areas from drive-thru window service facilities. These may include different paving types, raised elevation, warning signs, landscaping, walls, bollards, or other similar methods.

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B. Inside the Regional Center boundary shown on Comprehensive Plan Map X-CRC-1, internal driveways are prohibited between the building and street to which building entrances are oriented.

838 ATTACHED SINGLE-FAMILY DWELLINGS

838.01 APPLICABILITY

Section 838 applies to attached single-family dwellings.

838.02 GENERAL STANDARDS

Attached single-family dwellings shall comply with Subsection 1005.04(F). However, where Subsections 1005.~~1209~~(A) and (B) apply and Subsection 1005.04(F) conflicts with Subsections 1005.~~1209~~(A) and (B), Subsections 1005.~~1209~~(A) and (B) shall take precedence.

838.03 STANDARDS IN THE URBAN LOW DENSITY RESIDENTIAL DISTRICTS

In the Urban Low Density Residential Districts, attached single-family dwellings shall comply with the following standards:

- A. Street Frontage: The minimum street frontage for each lot of record developed with an attached single-family dwelling shall be 25 feet.
- B. Minimum Side Yard Depth: No minimum side yard depth shall be required from any side lot line where two attached single-family dwellings share a common wall. The minimum side yard depth shall be five feet from any side lot line where two attached single-family dwellings do not share a common wall.
- C. Maximum Lot Coverage: The maximum lot coverage for a lot of record developed with an attached single-family dwelling shall be 50 percent.
- D. Roofs: The roof of each attached single-family dwelling shall be distinct from the other through either separation of roof pitches or direction, or other variation in roof design.

838.04 STANDARDS IN THE VR-4/5 AND VR-5/7 DISTRICTS

In the VR-4/5 and VR-5/7 Districts, attached single-family dwellings shall comply with the following standards:

- A. Minimum Side Yard Depth: No minimum side yard depth shall be required from any side lot line where two attached single-family dwellings share a common wall. The minimum side yard depth shall be five feet from any side lot line where two attached single-family dwellings do not share a common wall.
- B. VTH District Standards: In the VR-4/5 District—when transferring density from a Resource Protection Area, as shown on Comprehensive Plan Map X-SV-1, *Sunnyside Village Plan, Land Use Plan Map*—attached single-family dwellings shall comply with the following standards, if more than two attached single-family dwellings are attached in succession:

1. Subsections 838.05(B) and (C) shall apply in lieu of Subsections 315.05(H) through (K);
2. The dimensional standards for the VTH District, as set forth in Table 315-4, shall apply in lieu of the dimensional standards for the VR-4/5 District, as set forth in Table 315-4; and
3. The minimum landscaping area shall be 25 percent of the lot area.

838.05 STANDARDS IN THE VTH DISTRICT

In the VTH District, attached single-family dwellings shall comply with the following standards:

- A. Minimum Side Yard Depth: No minimum side yard depth shall be required from any side lot line where two attached single-family dwellings share a common wall. The minimum side yard depth shall be five feet from any side lot line where two attached single-family dwellings do not share a common wall.
- B. Configuration: Attached single-family dwellings shall orient to and line streets with a series of attached “rowhouse” units.
- C. Site and Building Design: Attached single-family dwellings shall comply with Subsections 1005.~~1209~~(A) and (B).

838.06 STANDARDS IN THE MR-1 AND MR-2 DISTRICTS

In the MR-1 and MR-2 Districts, attached single-family dwellings shall comply with the following standards:

- A. Minimum Lot Size: In the MR-1 District, the minimum lot size shall be 3,630 square feet. In the MR-2 District, the minimum lot size shall be 2,420 square feet.
- B. Minimum Front Yard Depth: On corner lots, the minimum front yard depth shall be 20 feet from one front lot line and 10 feet from the other front lot line, except that the minimum shall be 20 feet from any front lot line from which motor vehicle access is taken.
- C. Minimum Side Yard Depth: No minimum side yard depth shall be required from any side lot line where two attached single-family dwellings share a common wall. The minimum side yard depth shall be five feet from any side lot line where two attached single-family dwellings do not share a common wall.
- D. Maximum Lot Coverage: The maximum lot coverage for a lot of record developed with an attached single-family dwelling shall be 65 percent.
- E. Maximum Building Height: The maximum building height shall be 35 feet.

- F. Minimum Landscaping Area: The minimum landscaping area shall be 20 percent of each lot of record.

838.07 STANDARDS IN THE HR DISTRICT

In the HR District, attached single-family dwellings shall comply with the following standards:

- A. Minimum Rear Yard Depth: The minimum rear yard depth shall be 20 feet. However, no minimum rear yard depth is required from a rear lot line that abuts a national forest.
- B. Maximum Lot Coverage: The maximum lot coverage for a lot of record developed with an attached single-family dwelling shall be 50 percent.
- C. Maximum Building Height: The maximum building height shall be 35 feet.
- D. Minimum Landscaping Area: The minimum landscaping area shall be 20 percent for the development of attached single-family dwellings, if three or more dwelling units are attached to one another.

839 ACCESSORY DWELLING UNITS

839.01 APPLICABILITY

Section 839 applies to accessory dwelling units.

839.02 GENERAL STANDARD

Only one accessory dwelling unit shall be allowed on a lot of record.

839.03 STANDARDS IN THE URBAN LOW DENSITY RESIDENTIAL DISTRICTS

In the Urban Low Density Residential Districts, accessory dwelling units shall comply with the following standards:

- A. Maximum Area: The maximum area of an accessory dwelling unit shall be 720 square feet, except in the R-2.5 District, where the maximum shall be 500 square feet.
- B. Entrances: If an accessory dwelling unit is attached to a primary dwelling, the accessory dwelling entrance(s) shall be on the side or rear of the structure. An exception to this requirement may be granted if there is no ground-level access to the accessory dwelling unit, or if the primary dwelling has additional front entrances prior to the development of an accessory dwelling unit and the total number of entrances is not increased.
- C. Owner Occupancy: Owner occupancy of either the accessory dwelling unit or the primary dwelling shall be required. A deed restriction requiring owner-occupancy of one of the dwelling units shall be recorded prior to issuance of a building permit for the accessory dwelling unit.

839.04 STANDARDS IN THE VR-4/5 AND VR-5/7 DISTRICTS

In the VR-4/5 and VR-5/7 Districts, accessory dwelling units shall comply with the following standards:

- A. An accessory dwelling unit either may be located above a detached garage, or it may be integral to a primary dwelling unit.
- B. If the accessory dwelling unit is located above a detached garage:
 - 1. The maximum area of the accessory dwelling unit shall be 720 square feet.
 - 2. The accessory dwelling unit shall be subject to the dimensional standards for accessory structures in the VR-4/5 and VR-5/7 Districts listed in Table 315-4 and to Subsections 315.05(H) and (M).

- C. If the accessory dwelling unit is integral to a primary dwelling unit, it shall be subject to the dimensional standards for primary dwellings in the VR-4/5 and VR-5/7 Districts listed in Table 315-4 and to Subsections 315.05(H) and (I).

839.05 STANDARDS IN THE VTH DISTRICT

In the VTH District, accessory dwelling units shall comply with the following standards:

- A. An accessory dwelling unit either may be located above a detached garage, or it may be integral to a primary dwelling unit.
- B. If the accessory dwelling unit is located above a detached garage:
 - 1. The maximum area of the accessory dwelling unit shall be 500 square feet.
 - 2. The accessory dwelling unit shall be subject to the dimensional standards for accessory structures in the VTH District listed in Table 315-4 and to Subsection 315.05(M).
- C. If the accessory dwelling unit is integral to a primary dwelling unit, it shall be subject to the dimensional standards for primary dwellings in the VTH District listed in Table 315-4 and to Subsection 1005.1209(A).

1001 GENERAL PROVISIONS

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 1002.02, *Hillsides*;
 - 2. Subsection 1002.05, *River and Stream Corridors*;
 - 3. Subsection 1002.06, *Deer and Elk Winter Range*;
 - 4. Subsection 1002.07, *Mount Hood Resource Protection Open Space*;
 - 5. Subsection 1002.08, *Significant Natural Areas*;
 - 6. Section 1003, *Hazards to Safety*;
 - 7. Section 1004, *Historic Protection*;
 - 8. Section 1006, *Water Supply, Sanitary Sewer, Surface Water, and Utilities Concurrency*;
 - 9. Subsection 1007.06, *Pedestrian and Bicycle Facilities*;
 - 10. Subsection 1007.10, *Fee in Lieu of Construction*; and
 - 11. Subsection 1008.03, *General Standards*.

1001.02 CONFLICTS

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:

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- 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.

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; Amended by Ord. ZDO-231, 1/31/12; Amended by Ord. ZDO-245, 7/1/13]

1005 SUSTAINABLE SITE AND BUILDING DESIGN

1005.01 PURPOSE

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

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

1005.02 APPLICABILITY

Section 1005 shall apply to institutional, commercial, and industrial development; multifamily dwellings; and developments of more than one two- or three-family dwelling. Subsections 1005.04 (F) and 1005.09 also shall apply to attached single-family dwellings. Subsection 1005.09 also shall apply to developments of a single two- or three-family dwelling.

1005.03 GENERAL SITE DESIGN STANDARDS

Development shall be subject to the following standards:

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

minimum front yard ~~depthssetbaeks~~ may be reduced or waived to minimize disturbance of natural landforms or vegetation. If a ~~yard depthsetbaek~~ reduction is granted, a program for protection of those landforms and vegetation during construction, and for long-term maintenance, shall be provided.

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

shall be raised, with curbs, a minimum four-foot-wide landscape strip and shade trees planted a maximum of 30 feet on center.

- d. The exclusive use of a painted crossing zone to make walkways identifiable to motorists may be used only for portions of walkways which are shorter than 30 feet and located across driveways, parking lots, or loading areas.
 - e. Walkways bordering parking spaces shall be at least seven feet wide or a minimum of five feet wide when concrete bumpers, bollards, curbing, landscaping, or other similar improvements are provided which prevent parked vehicles or opening doors from obstructing the walkway.
6. The interconnected onsite walkway system shall connect to walkways in adjacent developments, or stub to the adjacent property line if the adjacent land is vacant or is developed without walkways.
- a. Walkway stubs shall be located in consideration of topography and eventual redevelopment of the adjacent property.
 - b. Notwithstanding the remainder of Subsection 1005.03(F)(6), walkway linkages to adjacent development shall not be required within industrial developments, to industrial developments, or to vacant industrially zoned land.
- G. Inside the UGB, except for industrial developments, a minimum of 50 percent of the street frontage of the development site shall have buildings located at the minimum front yard ~~depthsetback~~ line.
1. If the minimum front yard ~~depthsetback standard~~ is less than 20 feet, the ~~front yard depthsetback~~ may be increased to 20 feet provided pedestrian amenities are developed within the ~~yardsetback~~.
 2. Primary building entrances for buildings used to comply with Subsection 1005.03(G), shall:
 - a. Face the street;
 - b. Be located at an angle facing both the street and a parking lot; or
 - c. Be located to the side of the building, provided that the walkway connecting to the street is a minimum of eight feet wide and is developed with landscaping and pedestrian amenities.
 3. If a development has frontage on more than one street, Subsection 1005.03(G) must be met on only one frontage, as follows:

- a. If one of the streets is a major transit street, the standard shall be met on that street.
 - b. If neither or both are a major transit street, then the standard shall be met on the street with the higher functional classification.
 - c. If neither 1005.03(G)(3)(a) or (b) applies, then the standard shall be met on the longest frontage.
- H. Inside the UGB, parking lots larger than three acres in size shall be built with major on-site vehicular circulation ways that include raised walkways with curbs, a minimum four-foot-wide landscape strip and shade trees planted a maximum of 30 feet on center.
- I. Onsite vehicular circulation aisles for multifamily, mixed use, commercial, institutional and industrial developments shall be a maximum of 24 feet in width, unless additional width is required by the County Roadway Standards or in areas designed for truck circulation.
- J. Inside the UGB:
1. The development shall have no more than the minimum number of driveways allowed by the Department of Transportation and Development on all arterial and collector streets.
 2. For properties having more than one street frontage, driveways shall be located on the street with the lowest functional classification, if feasible.
 3. Driveways shall be no wider than the minimum width allowed by the County Roadway Standards. However, in the VO District, the maximum width for a single-use driveway shall be 12 feet, and the maximum width for a shared driveway shall be 20 feet.
 4. Driveways shall be located so as to maximize the number of allowed on-street parking spaces, the number of street trees, and optimum street tree spacing.
- K. New retail, office, mixed use, and institutional buildings located on major transit streets shall have at least one public entrance facing a major transit street, or street intersecting a major transit street.
1. A private street used to meet the standards in Subsection 1005.03(K) must have raised walking surfaces on both sides, street trees, curbs, and pedestrian-scale street lighting, and must connect at both ends to an existing or proposed street.
 2. If a development has frontage on more than one major transit street, this orientation requirement needs to be met on only one side.

3. The public entrance orientation requirement does not apply to warehouses or industrial buildings with less than 5,000 square feet of attached offices.
- L. New retail, office, mixed use, multifamily, and institutional buildings located at a major transit stop shall be set back a maximum of 20 feet from at least one of the following: the major transit stop, the major transit street or an intersecting street, or a pedestrian plaza at the major transit stop or a street intersection.
1. For the purpose of Subsection 1005.03(L), a building is located at a major transit stop, if:
 - a. The building is located on a lot that has frontage on the major transit street or an intersecting street; and
 - b. Any portion of the building is within a 200-foot radius of the major transit stop.
 2. Lawfully established buildings that do not comply with the maximum setback standard may have additional height added as an expansion without being brought into conformance with the standard.
 3. The maximum setback standard does not apply to warehouses or industrial buildings with less than 5,000 square feet of attached offices.
- M. Development in Centers, Station Communities or along Corridor Streets as identified on Comprehensive Plan Map IV-8, *Urban Growth Concept*; X-CRC-1, *Clackamas Regional Center Area Design Plan, Regional Center, Corridors and Station Community*; X-SC-1, *Sunnyside Corridor Community Plan, Community Plan Area and Corridor Design Type Location*; or X-MC-1, *McLoughlin Corridor Design Plan, Design Plan Area* is subject to the following standards:
1. Site plans shall illustrate potential future development on the site, including: additional buildings, expansions of proposed buildings, locations of understructure or structured parking, and circulation and connections to adjacent uses. For Corridor Streets, this shall apply to the depth of the multifamily, mixed use, commercial or industrial zoning.
 2. The site shall be developed to accommodate the potential future development illustrated.
- N. In the NC District, circulation facilities, architectural features, signing, and landscaping shall be designed to achieve pedestrian scale. Walkways and pedestrian spaces shall be separated from automobile and truck circulation, parking, and loading whenever possible.
- O. In the C-2 District, buildings within a single and adjacent developments shall be clustered and oriented to provide usable open areas such as pedestrian

plazas, courtyards, and entryways. Also, 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.

P. In the PMU District, there shall be no vehicular parking or circulation within the front yard setback.

Q. In the OC District:

1. The design and siting of structures shall:

a. Control public access points into office buildings, utilizing a central lobby design, entrance courtyard, internal pedestrian walkway or mall, or similar designs that protect business/professional uses from the disturbances of direct public access; and

b. When more than one primary use is to be included in a development, 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.

2. The design of parking and circulation shall discourage the use of large semitrailers, while providing for local delivery-sized vehicles.

3. Landscaping and pedestrian area design shall include benches, lighting, and occasional waste receptacles in entrance courtyards and along walkways or malls.

R. Where a minimum floor area ratio (FAR) is required by the standards of the applicable zoning district, it 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;

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 the FAR. 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.

1005.04 BUILDING DESIGN

- A. The following standards apply to building facades visible from a public or private street or accessway and to all building façades where the primary entrance is located.
1. Building facades shall be developed with architectural relief, variety and visual interest and shall avoid the effect of a single, long or massive wall with no relation to human size. Examples of elements that subdivide the wall: change in plane, texture, masonry pattern or color, or windows.
 2. Building facades shall have particular architectural emphasis at entrances and along sidewalks and walkways.
 3. Provide visual interest through use of articulation, placement and design of windows and entrances, building trim, detailing, ornamentation, planters or modulating building masses.
 4. Utilize human scale, and proportion and rhythm in the design and placement of architectural features.
 5. Use architectural features which are consistent with the proposed use of the building, level and exposure to public view, exposure to natural elements, and ease of maintenance.
 6. When uses between ground-level spaces and upper stories differ, provide differentiation through use of bays or balconies for upper stories, and awnings, canopies, trim and other similar treatments for lower levels.

B. Requirements for building entries:

1. Public entries shall be clearly defined, highly visible and sheltered with an overhang or other architectural feature, with a depth of at least four feet.
2. Commercial, mixed-use and institutional buildings sited to comply with 1005.03(G) shall have public entries that face streets and are open to the public during all business hours.

C. The street-facing façade of commercial, mixed-use and institutional buildings sited to comply with 1005.03(G) shall meet the following requirements:

1. Facades of buildings shall have transparent windows, display windows, entry areas, or arcades occupying a minimum of 60 percent of the first floor linear frontage.
2. Transparent windows shall occupy a minimum of 40 percent of the first floor linear frontage. Such windows shall be designed and placed for viewing access by pedestrians.
3. For large-format retail buildings greater than 50,000 square feet, features to enhance the pedestrian environment, other than transparent window, may be approved through design review. Such items may include, but are not limited to display cases, art, architectural features, wall articulation, landscaping, or seating, provided they are attractive to pedestrians, are built to human scale, and provide safety through informal surveillance.

D. Requirements for roof design:

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

E. Requirements for exterior building materials:

1. Use architectural style, concepts, colors, materials and other features that are compatible with the neighborhood's intended visual identity.
2. Building materials shall be durable and consistent with the proposed use of the building, level and exposure to public view, exposure to natural elements, and ease of maintenance.

3. Walls shall be surfaced with brick, tile, masonry, stucco, stone or synthetic equivalent, pre-cast masonry, gypsum reinforced fiber concrete, wood lap siding, architecturally treated concrete, glass, wood, or a combination of these or other high-image materials.
 4. Notwithstanding Subsection 1005.04(E)(3) metal may be approved as an exterior building material through design review pursuant to Section 1102 for specific high-image surfaces, canopies, awnings, doors, screening of roof-mounted fixtures, or other architectural features.
- F. Additional building design requirements for multifamily dwellings, two- and three-family dwellings, and attached single-family dwellings:
1. Façades of buildings that are two or more stories in height shall have a minimum of one balcony or bay per four dwelling units.
 2. Windows shall be frequent and coordinate with bays and balconies.
 3. Where feasible, place the buildings to minimize the potential of windows facing directly toward primary living areas of other dwelling units.
 4. For buildings that are one or two stories in height, roofs shall be hipped, gambrel or gabled to provide visual interest. Flat roofs shall be allowed in areas of these buildings where mechanical equipment is mounted or where they are used for roof gardens or other outdoor activities.
 5. For multifamily developments, convenient areas shall be provided for storage of articles such as bicycles, barbecues, and outdoor furniture. These areas shall be completely enclosed and easily accessible to respective dwelling units.
- G. Requirements to increase safety and surveillance:
1. Locate buildings and windows to maximize potential for surveillance of entryways, walkways, parking, recreation and laundry areas.
 2. Provide adequate lighting for entryways, walkways, parking, recreation and laundry areas.
 3. Locate parking and automobile circulation areas to permit easy police patrol.
 4. Design landscaping to allow for surveillance opportunities.
 5. Addresses shall be clearly marked. Addresses for complexes shall be visible from the street, and addresses of individual businesses and dwelling units shall be clearly marked at a pedestrian scale within the development.
 6. Locate mail boxes where they are easily visible and accessible.

7. Limit fences, walls and, except for trees, landscaping between a parking lot and a street to a maximum of three feet in height.
8. Locate play areas for clear parental monitoring.

H. Solar access requirements:

1. Except for uses with greater cooling needs than heating needs, such as many retail uses, concentrate window areas on the south side of buildings (within 20 degrees of due south) where there is good southern exposure.
2. Provide overhangs, balconies, or other shading devices to prevent excessive summer heat gains.
3. Use architectural features, shape of buildings, fences, natural landforms, berms, and vegetation to catch and direct summer breezes for natural cooling, and minimize effects of winter winds.

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

1. Use shapes, colors, materials, textures, lines, and other architectural design features that enhance the design type area and complement the surrounding area and development.
2. Use colors, materials and scale, as appropriate, to visually connect building exteriors to adjoining civic/public spaces such as gateways, parks, plazas and transit stations.
3. Use building orientation and physical design, including setbacks and modulations, to ensure a development is compatible with other activities onsite, nearby properties, intended uses and the intent of the design type.
4. Orient loading and delivery areas and other major service activity areas of the proposed project away from existing dwellings.
5. In industrial zoning districts, site areas used for vehicular operations, outdoor storage, and outdoor processing to minimize the impacts on adjacent dissimilar uses.

6. Inside the Portland Metropolitan Urban Growth Boundary, use colors, materials and architectural designs to visually reduce the impact of large buildings.
 7. In unincorporated communities, design structures to reflect and enhance the local character and to be in scale with surrounding development.
 8. In rural and natural resource areas, use materials, colors and shapes that imitate or complement those in the surrounding areas, such as those used in typical farm structures.
 9. In open space or scenic areas, use natural color tones, lines and materials which blend with the natural features of the site or site background.
- J. Requirements for screening mechanical equipment:
1. Rooftop mechanical equipment, except for solar energy systems, shall be screened from view by the use of parapet walls or a sight-obscuring enclosure around the equipment. The screen shall be constructed of one of the primary materials used on the primary facades, and shall be an integral part of the building's architectural design.
 2. Ground mounted mechanical equipment shall be located away from the intersection of two public streets, to the extent practicable, and shall be screened by ornamental fences, screening enclosures, or landscaping that blocks at least 80% of the view.
 3. Wall mounted mechanical equipment shall not be placed on the front of a building or on a façade that faces a street. Wall mounted mechanical equipment that extends six inches or more from the outer building wall shall be screened from view from the streets; from residential, public, and institutional properties; and from public areas of the site or adjacent sites through one of the screening techniques used in 1005.04(J)(1) or (2).
- K. Requirements for specialized structures in industrial zoning districts:
1. In the GI District, silos, towers, and other specialized storage or processing structures, including metal-sided structures, are permitted as part of a primary use only if such structures are enclosed in a building that complies with the other applicable standards of Subsection 1005.04, or if such structures have the following characteristics:
 - a. Provide windows and canopies, awnings, wood or masonry siding, or other exterior treatment to highlight accessory office areas within the same building, when applicable;

- b. Use exterior colors which blend with the landscape, such as brown, green, tan, or, in the case of tall structures, such as silos or towers, use light colors that blend with the sky; and
 - c. Do not use bright colors, white, or multiple colors, except as specifically approved pursuant to Section 1102 for trim, accents, or to provide visual interest to equipment or structures that are unique to the particular use.
2. In the BP and LI Districts, silos, towers, and other specialized storage or processing structures are prohibited unless they are enclosed in a building that complies with the other applicable standards of Subsection 1005.04, or unless they are approved as part of a conditional use.

L. Facades in the OA District: In the OA District, facades are subject to the following standards:

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.

1005.05 OUTDOOR LIGHTING

A. Outdoor lighting devices:

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

6. At entrances, shall be glare-free. Entrance lighting may not exceed a height of 12 feet and must be directed downward.
- B. The following are exempt from Subsection 1005.05(A):
1. Temporary lights used for holiday decorations;
 2. Street lights regulated in Section 1006; and
 3. Lighting associated with outdoor recreation uses such as ball fields or tennis courts.

1005.06 ADDITIONAL REQUIREMENTS

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

- A. Install a solar energy system in the development.
- B. Use passive solar heating or cooling techniques to reduce energy consumption. Examples of techniques:
 1. Modulate building masses to maximize solar access.
 2. For developments with more than one structure, locate taller structures to minimize negative impacts on solar access for the development site and adjacent sites, as demonstrated by technical standards set forth in Section 1018 or by other credible evidence.
 3. Locate buildings to maximize windbreaks.
 4. Locate structures and landscaping to avoid winter shading on the south side and optimize summer shading on the west and southwest sides of buildings.
 5. Utilize deciduous trees to provide summer shade and allow winter sun.
 6. Utilize deciduous vines on fences, trellises, and arbors to provide summer shade.
 7. Locate and form berms to protect buildings and exterior use spaces against winter winds or utilize dense evergreens or conifers to screen winter wind and protect against hostile winter elements.
 8. Provide skylights or clerestory windows to provide natural lighting, and/or solar heating of interior spaces.

- C. Use highly reflective (high albedo) materials on roof surfaces.
- D. Place major outdoor use areas such as plazas, playgrounds, gardens, etc. on the south side of buildings.
- E. Construct a minimum of 75 percent of walkway area of porous pavement.
- F. Construct a minimum of 75 percent of all parking spaces with porous pavement.
- G. Provide additional landscaping area at least 10 percent above the requirements for the site pursuant to Table 1009-1. For example, if the minimum area requirement is 20 percent, then 22 percent shall be provided. Credit shall be given for green roofs or other areas of vegetation that exceed the minimum area requirements.
- H. Include additional swales in development landscaping, pursuant to Section 1009. Credit shall be given for additional swale(s) that exceed the requirements of Subsection 1009.04(A)(2) by at least 10 percent of area. For example, if 1009.04(A)(2) requires 200 square feet of swale area, then an additional 20 square feet of swale area would be required.
- I. Collect rainwater from roofs and/or other impervious surfaces and use it for irrigation.
- J. Apply other techniques for onsite storm water treatment identified by the surface water management regulatory authority.
- K. Lay out sites and locate buildings and on-site vehicular circulation to create functional open areas such as plazas, courtyards, outdoor recreation areas, mini-parks, and accessways that are open to the general public.
- L. Enhance sidewalks and/or walkways by providing additional width, using higher quality materials; shielding from vehicular traffic with enhanced planting strips, street trees and on-street parking, and/or providing pedestrian amenities that are compatible with the design of the development as well as the neighborhood as a whole.
- M. Coordinate development between adjacent uses to provide for a more attractive and lively streetscape, enhance connections, minimize conflicts and provide common-use areas.
- N. Enhance the pedestrian connection between the development and neighborhood shopping areas, nearby transit, trails, bikeways or parks. Examples include additional width or pedestrian amenities.
- O. Provide functional and accessible rooftop gardens.
- P. For multifamily dwelling units that face the street, raise first floor units a minimum of two feet above street level.

- Q. Provide structured or under-structure parking to meet all or part of the parking need.
- R. Provide no more than the minimum number of surface parking spaces set out in Table 1015-2, all of which shall be no greater than the minimum dimensions allowed in Subsection 1015.04(B)(2).
- S. Lay out sites or orient structures, to maximize significant vistas.
- T. Locate and design structures to protect scenic views or vistas from adjacent properties and public thoroughfares. Setbacks, building height, and bulk should be considered.
- U. Utilize rail service opportunities abutting the site.
- V. Inside the UGB, a minimum of 75 percent of the street frontage of each lot shall have buildings located at the minimum front ~~yard depth~~ ~~setback~~ line. If the minimum front ~~yard depth~~ ~~standard~~ ~~setback~~ is zero, up to 20 feet of additional ~~front yard depth~~ ~~setback~~ may be provided where plazas, outdoor seating, or other pedestrian amenities are located.
- W. Outside the UGB, or for industrial developments, a minimum of 25 percent of the street frontage of each lot shall have buildings located at the minimum front ~~yard~~ ~~depth~~ ~~setback~~ line. Up to 20 feet of additional ~~front yard depth~~ ~~setback~~ may be provided where plazas, outdoor seating, or other pedestrian amenities are located.
- X. Locate buildings at the minimum side yard setback or within 10 feet of the side setback line, whichever is greater.
- Y. For developments not in Centers, Station Communities or along Corridor Streets site plans shall illustrate potential future buildings and potential future expansions of proposed buildings, locations of understructure or structured parking, and circulation and connections to adjacent uses. Lay out and develop the site to accommodate future additional buildings, circulation and structured parking.

1005.07 MODIFICATIONS

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

1005.08 CLACKAMAS REGIONAL CENTER AREA DESIGN STANDARDS

Subsection 1005.08 applies in the Clackamas Regional Center Area, including the Regional Center and the Fuller Road Station Community, as identified on Comprehensive Plan Map X-CRC-1, Clackamas Regional Center Area Design Plan

Regional Center, Corridors, and Station Community. Where these standards conflict with other provisions in Section 1000, Subsection 1005.08 shall take precedence.

A. Clackamas Regional Center Area Design Plan: Development is subject to the Clackamas Regional Center Area Design Plan in Chapter 10 of the Comprehensive Plan.

B. Urban Design Elements: New development is subject to the urban design elements shown on Comprehensive Plan Map X-CRC-3, *Clackamas Regional Center Area Design Plan Urban Design Elements*. The urban design elements are described in the Clackamas Regional Center Area Design Plan in Chapter 10 of the Comprehensive Plan.

1. Urban design elements provided in a development may be used to reduce gross site area for calculating minimum density requirements in Subsection 1012.08, and to meet minimum landscaping requirements in Section 1009, Landscaping.

2. For phased development approved through a master plan, requirements for the urban design elements may be roughly proportional to the amount of the master planned approved development being developed in any one phase.

C. Parking Structure Orientation: Entrances for ground-level retail uses in parking structures located within 20 feet of a street shall be oriented to a street.

D. Corner Lot Buildings:

1. A corner lot is a lot, parcel, tax lot, or land area created by a lease agreement at the intersection of two streets.

2. Buildings on street corners shall have corner entrances or other architectural features to enhance the pedestrian environment at the intersection.

3. Development on lots at a Gateway intersection as shown on Comprehensive Plan Map X-CRC-3, and Comprehensive Plan Figure X-CRC-7, *Clackamas Regional Center Area Design Plan Gateway Intersection (Boulevard and Main Street)*, shall be designed to accommodate future Gateway improvements.

E. Building Setbacks from Private Streets: Where a setback from a private street, as defined in Subsection 1005.08(G), is required by the standards of the applicable zoning district, the setback shall be measured from the back edge of the sidewalk.

F. Parking Structures: If a parking structure, including understructure parking, abuts a street, appropriate features shall be provided to create a transition between the parking structure, or the entrance to understructure parking, and the abutting street. Examples of appropriate features include, but are not limited to, landscape planters and trellises, awnings, canopies, building ornamentation, and art. As

used in Subsection 1005.08(F), a parking structure “abuts a street” if no other building is sited between the parking structure and the street.

G. Private Streets: Private streets used to meet the structure orientation and/or yard depth standards shall include:

- a. Sidewalks or raised walking surfaces on both sides;
- b. Curbs;
- c. Street trees, pursuant to Subsection 1007.08; and
- d. Pedestrian-scale lighting.
- e. Private streets may also provide on-street parking and at-grade loading zones, as applicable.

H. Internal Streets:

- a. Internal streets may be required to connect to adjacent properties to increase connectivity and provide grid patterns that allow for future development.
- b. Internal streets shall be designed to allow for future development when applicable.
- c. Development shall provide, when applicable, direct street and pedestrian connections between developments and schools, parks, open space, shopping areas, employment areas, and transit stops.
- d. To provide connectivity, existing platted roads within proposed developments shall not be vacated unless similar access is provided on the site.

I. New development shall not be sited such that it precludes the construction of the new walkways, or eliminates the existing walkways, that are shown on Comprehensive Plan Map X-CRC-7a, *Clackamas Regional Center Area Design Plan Walkway Network*, or identified in the *Clackamas Regional Center Pedestrian/Bicycle Plan* adopted by reference in Appendix A of the Comprehensive Plan, unless an alternative walkway location that provides a similar connection is established. An alternative walkway location shall not be deemed “similar” to a planned or existing location unless:

- 1. It provides comparably safe, direct, and convenient pedestrian access to significant destinations, such as transit facilities, major employers, multifamily dwelling complexes, and retail and service establishments; and
- 2. It fulfills a comparable function in terms of filling gaps in the pedestrian circulation system planned for the Clackamas Regional Center Area.

1005.098 REGIONAL CENTER DESIGN STANDARDS

Subsection 1005.098 applies in the Regional Center, as identified on Comprehensive Plan Map X-CRC-1, *Clackamas Regional Center Area Design Plan Regional Center, Corridors, and Station Community*. Where these standards conflict with other provisions in Section 1000, Subsection 1005.098 shall take precedence.

A. Freestanding parking structures located within 20 feet of pedestrian facilities, including public or private streets, pedestrian ways, greenways, a transit station or shelter, or plaza, shall provide a quality pedestrian environment on the façade facing the pedestrian facility. Techniques to use may include:

1. Provide retail or office uses on the ground floor of the parking structure facing the pedestrian facility;
2. 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; and
3. Provide pedestrian amenities in the transition area between the parking structure and pedestrian facility, including landscaping, trellises, seating areas, kiosks, water features with seating, plazas, outdoor eating areas, and drinking fountains.

B. New buildings shall have at least one public entrance oriented to a street. Private streets used to meet this standard shall include the elements identified in Subsection 1005.08(G).

C. Pedestrian amenities are required between the building and the front lot line. The following guidelines apply to pedestrian amenities used to meet this requirement:

1. Pedestrian areas include plazas, courtyards, outdoor seating areas for restaurants, pocket parks, and atriums when there is direct access for pedestrians. Pedestrian areas in front of buildings should be visible from the street.
2. Pedestrian areas must include landscape planters and at least two of the following amenities for every 100 square feet of pedestrian area: lawn areas with trees and seating; awnings or other weather protection; kiosks; outdoor eating areas with seating; water features with seating; and drinking fountains.

DA. In the RCHDR District, pedestrian amenities are required in the front yard setback area, except landscaping for privacy may also be provided as an option in the setback area for residential buildings.

E. Internal streets and driveways are prohibited between buildings and the street to which building entrances are oriented.

1005.10 FULLER ROAD STATION COMMUNITY DIMENSIONAL AND DESIGN STANDARDS

Subsection 1005.10 applies in the Fuller Road Station Community, as shown on Comprehensive Plan Map X-CRC-1, Clackamas Regional Center Area Design Plan Regional Center, Corridors and Station Community. Where these standards conflict with other provisions in Section 1000, Subsection 1005.10 shall take precedence. If the text of Subsection 1005.10 is unclear as applied to a specific development, Figures 1005-1 through 1005-11, as applicable, may be used to resolve the ambiguity.

A. Subsections 1005.10(B) through (M) do not apply in Sectors 1 and 2, as shown on Map 1005-1, until:

1. One or more additional stories are to be added to one or more existing buildings that are more than 150 feet from 82nd Avenue in either Sector 1 or Sector 2. For the purpose of this provision, a mezzanine shall not be considered an additional story; or
2. More than 40,000 square feet of new building area is to be developed in either Sector 1 or Sector 2.
 - a. The tally of new square footage will be cumulative starting with new development after March 7, 2011.
 - b. If an existing building is expanded, the square footage of the new building outside the existing building footprint will be counted toward the total of 40,000 square feet.
 - c. If a mezzanine is added inside an existing building, the square footage of the mezzanine will be counted toward the total of 40,000 square feet.
 - d. If one or more stories are added to a building 150 feet or less from 82nd Avenue, as allowed by Subsection 1005.10(A)(1), the additional square footage will be counted toward the total of 40,000 square feet.
 - e. If a building is damaged or destroyed, regardless of the cause, and the building is restored or replaced, the square footage of the restored or new building that is constructed inside the previous building footprint will not be counted toward the total of 40,000 square feet, provided that restoration or replacement lawfully commences within three years of the occurrence of the damage or destruction. "Lawfully commenced" shall have the meaning given in Subsection 1206.03(B). However, if the new building has more stories than the previous building, Subsections 1005.10(B) through (M) will become applicable, if required pursuant to Subsection 1005.10(A)(1).
3. Subsections 1005.10(A)(1) and (2) apply separately to Sectors 1 and 2, meaning that compliance with Subsections 1005.10(B) through (M) will not be required in Sector 1 or 2 until that particular sector exceeds the development threshold established by Subsection 1005.10(A)(1) or (2).

4. Prior to the point at which Subsections 1005.10(B) through (M) become applicable, new development in Sectors 1 and 2 shall not be sited such that it:
 - a. Precludes establishment of the “conceptual street grid” identified on Map 1005-2, or eliminates or reduces existing elements of that grid. All streets shown on the grid are planned to be Type D.; or
 - b. Precludes establishment of a connection, with a Type D street cross section, between a signalized intersection at 82nd Avenue and a point on Fuller Road within the “access area” shown on Map 1005-2.
- B. Minimum Building Height: 20 feet, measured to top of parapet or roof.
- C. Minimum Side and Rear Yard Setbacks: Five feet, except a zero setback is allowed for attached structures. (See Figure 1005-1.)
- D. Maximum Driveway Width: The maximum width of a curb cut for a driveway is 24 feet (not including sidewalks or landscaping) unless otherwise required by the Clackamas County Roadway Standards or applicable fire district. (See Figure 1005-1.)
- E. Regulating Plan: Map 1005-1 is the regulating plan for the Fuller Road Station Community. It identifies each existing or planned street in the Fuller Road Station Community as one of four street types: Type A, B, C, or D. As established by Subsections 1005.10(G) and (L), the building frontage and landscape screening regulations for the Fuller Road Station Community are applied by street type and are thereby “keyed” to the regulating plan.
- F. Streets: Street improvements are required as follows:
 1. Except as set forth in Subsection 1005.10(F)(3), the locations of required new streets are shown on Map 1005-1, or will be determined pursuant to Subsection 1005.10(F)(2). New streets shown on Map 1005-1 are intended to create blocks with a perimeter no greater than 2,200 feet. Exact location of these new streets may vary up to 50 feet, provided the maximum block perimeter standard is met and provided that the new streets create the connections/intersections shown on Map 1005-1.
 2. In addition to the mapped streets (existing and new) illustrated on Map 1005-1, a through-block connection is required for any block face longer than 450 feet. (See Figure 1005-2.)
 - a. “Block face” means the curb to curb distance between any two streets, including Type E pedestrian/bicycle connections.
 - b. These additional connections shall:

- i. Have a Type D street cross section or a Type E pedestrian/bicycle connection cross section;
 - ii. Be located no closer than 100 feet to an adjacent street intersection, whether existing or planned; and
 - iii. Align with other existing or planned streets or Type E pedestrian/bicycle connections where possible.
- 3. Subsections 1005.10(F)(1) and (2) do not apply in Sectors 1 and 2 shown on Map 1005-1. Instead, compliance with either Subsection 1005.10(F)(3)(a) or Subsections 1005.10(F)(3)(b) and(c) is required.
 - a. Development shall not occur until a connection with a Type D street cross section is constructed between a signalized intersection at 82nd Avenue and a point on Fuller Road within the “access area” shown on Map 1005-2. In addition:
 - i. New development shall not be sited such that establishment of the “conceptual street grid” identified on Map 1005-2 is precluded, or existing elements of that grid are eliminated or reduced. All streets shown on the grid are planned to be Type D.
 - ii. New development is required to complete frontage improvements for all streets upon which it has street frontage, as necessary to achieve consistency with Subsection 1005.10(F)(4).
 - b. In lieu of compliance with Subsection 1005.10(F)(3)(a), development shall not occur until an alternative connectivity plan is approved for Sectors 1 and 2 shown on Map 1005-1. This connectivity plan shall:
 - i. Connect the on-site transportation system to the existing and planned facilities shown on Map 1005-1;
 - ii. Provide pedestrian, bicycle, and motor vehicle circulation that meets the needs of future residents and visitors;
 - iii. Emphasize pedestrian mobility and accessibility, demonstrating an effective and convenient system of pedestrian walkways leading through the subject site;
 - iv. Provide for bicycle connections and efficient motor vehicle movements through the site;
 - v. Except where precluded by existing development, existing interests in real property, natural features, or topography, provide for block faces that do not exceed 450 feet between any two streets;

G. Building Frontage Types: Four building frontage types are established, each of which is allowed on one or more of the four street types allowed in the Fuller Road Station Community. Subsection 1005.10(G) applies to existing or future Type A, B, C, and D streets, regardless of whether they are shown on Map 1005-1. Table 1005-1 establishes which building frontage types are permitted on each street type. Figure 1005-3 summarizes the four building frontage types.

Table 1005-1: Permitted Building Frontage Type by Street Type

<u>Permitted Building Frontage Type:</u>	<u>Street Type:</u>
<u>Landscape</u>	<u>A Street</u>
<u>Linear</u>	<u>A, B, C, and D Streets</u>
<u>Forecourt</u>	<u>A, B, C, and D Streets</u>
<u>Porch/Stoop/Terrace</u>	<u>B, C, and D Streets</u>

1. Buildings, except parking structures, located wholly or partially within 40 feet of a Type A, B, C or D street are required to comply with the standards for a building frontage type permitted on the applicable street type.
2. The entire length of street frontage designated on Map 1005-1 as “building frontage required,” or “required retail opportunity area,” excluding walkway cuts with a maximum width of eight feet and driveway cuts, shall be developed with one or more buildings that comply with the standards of a building frontage type permitted on the abutting street type.
 - a. Except along Otty Road, where the building frontage requirement extends the entire length of the street, the “building frontage required” designation extends a distance of 60 feet from the street intersection, and the “required retail opportunity area” designation extends a distance of 100 feet from the street intersection. The beginning point for measurement is the outside edge of the right-of-way, or in the case of a private street, the outside edge of the improved street surface, including any landscape strip or sidewalk.
3. A minimum of 50 percent of the length of street frontage not designated as “building frontage required” or “required retail opportunity area” shall be developed with one or more buildings that comply with the standards of a building frontage type permitted on the abutting street type. The 50-percent building frontage requirement is calculated for each lot individually, rather than in the aggregate for an entire street.
 - a. If part of the street frontage is designated as “building frontage required” or “required retail opportunity area,” buildings developed pursuant to

Subsection 1005.10(G)(2) may be counted toward meeting the 50-percent requirement for the entire street frontage.

4. If a lot has street frontage on more than one street:

a. Compliance with Subsection 1005.10(G)(2) is required for all street frontage designated as “building frontage required” or “required retail opportunity area.”

b. Compliance with Subsection 1005.10(G)(3) is required for only one street frontage, unless one of the frontages is on Otty Road, in which case compliance with Subsection 1005.10(G)(3) is not required.

5. Lots developed solely with parks and open space uses are exempt from Subsection 1005.10(G)(2) and (3).

H. Landscape Building Frontage Type: Landscape Building Frontage, which is permitted on Type A Streets, shall comply with the following standards (see Figure 1005-4):

1. Front Yard Setback: The street-facing facade of the building shall be set back a minimum of 10 feet and a maximum of 15 feet.

a. If it is not possible for a development to comply with the maximum setback standard and the intersection sight distance and roadside clear zone standards of the County Roadway Standards, the setback may be increased to the minimum extent necessary.

b. The front yard setback area shall be landscaped with plants, or paved with masonry pavers or stamped concrete.

c. No parking, storage, or display of motorized vehicles or equipment is allowed in the front yard setback area.

d. Building service and utility equipment and outdoor storage of garbage or recycling is not permitted along the street-facing building facade or in the front yard setback area, except:

i. Garbage and recycling receptacles for public use are permitted, provided that they do not exceed 35 gallons in size and are clad in stone or dark-colored metal.

e. Fences: Fences and walls are permitted in the front yard setback area, subject to the following standards:

i. The fence or wall shall be a maximum of three feet high.

- a. If it is not possible for a development to comply with the maximum setback standard and the intersection sight distance and roadside clear zone standards of the County Roadway Standards, the setback may be increased to the minimum extent necessary.
 - b. The front yard setback area, if any, shall be landscaped with plants, or paved with masonry pavers or stamped concrete.
 - c. No parking, storage, or display of motorized vehicles or equipment is allowed in the front yard setback area.
 - d. Building service and utility equipment and outdoor storage of garbage or recycling is not permitted along the street-facing building facade or in the front yard setback area, except:
 - i. Garbage and recycling receptacles for public use are permitted, provided that they do not exceed 35 gallons in size and are clad in stone or dark-colored metal.
 - e. Fences: Fences and walls are permitted in the front yard setback area, subject to the following standards:
 - i. The fence or wall shall be a maximum of three feet high.
 - ii. A fence shall be wrought iron, steel, or a similar metal and shall be dark in color. Chain-link fences are prohibited.
 - iii. A wall shall be wood, masonry, concrete, or a combination thereof.
 - iv. A fence shall be a minimum of 20 percent transparent. The transparent portions of the fence shall be distributed along the length of the fence in a recognizable pattern (e.g., two-inch gaps alternating with eight-inch solid sections).
2. Minimum Ground Floor Height: The ground floor of the building shall measure a minimum of 15 feet from floor to ceiling, except when the building is designed to accommodate residential uses, in which case the minimum floor-to-floor height shall be 12 feet.
 3. Ground Floor Construction Type: In areas designated “required retail opportunity area” on Map 1005-1, the ground floor construction type shall meet at least the minimum requirements for a commercial use, as set forth in the current edition of the Oregon Structural Specialty Code.
 4. Minimum Building Depth: In areas designated “required retail opportunity area” on Map 1005-1, buildings shall be a minimum of 40 feet deep.

5. Weather Protection: Awnings or canopies shall be provided for a minimum of 50 percent of the linear distance of the street-facing building facade and shall comply with the following:
 - a. Awnings and canopies shall project a minimum of five feet and a maximum of eight feet over the sidewalk.
 - b. Awnings and canopies shall have a minimum vertical clearance of eight feet and a maximum vertical clearance of 13 ½ feet.
6. Building Entrances: Building entrances shall either be covered by an awning or canopy, or be covered by being recessed behind the front building façade. If an awning or canopy is provided, it shall have a minimum vertical clearance of 8 feet and a maximum vertical clearance of 13 ½ feet. If only a recessed entry is provided, it shall be recessed behind the front façade a minimum of three feet.
7. Primary Building Entrances: Primary building entrances shall face the street and be a minimum of 40 percent transparent. The minimum amount of transparency is measured as a percentage of the total area of the entrance.
 - a. Primary building entrances shall open onto an abutting public sidewalk, or be directly connected to a public sidewalk by a walkway that is a minimum of five feet wide.
 - b. If the entrance serves a business (other than a home occupation), the entrance must be open to the public during regular business hours.
 - c. If a fence or wall is within the front yard setback as provided in Subsection 1005.10(D)(1)(e), a pedestrian opening a minimum of five feet wide shall be provided for the walkway.
8. Windows: Transparent ground-floor windows shall be provided along a minimum of 60 percent of the ground-floor, street-facing façade area.
9. Building Materials: Exterior building materials and finishes shall be high-image, such as masonry, architecturally treated tilt-up concrete, glass, wood, or stucco. Metal siding is prohibited, except as approved through design review pursuant to Section 1102 for specific high-image materials, canopies, awnings, doors, screening for roof-mounted fixtures, and other architectural features.
- J. Forecourt Building Frontage Type: Forecourt Building Frontage, which is permitted on all street types, shall comply with the following standards (see Figure 1005-6):
 1. Front Yard Setback: The street-facing facade of the building shall be set back a maximum of five feet. There is no minimum front yard setback. Except for

the portion of the façade located behind a recessed courtyard, as required by Subsection 1005.10(J)(2), the street-facing façade of the building shall be built to the chosen setback line.

- a. If it is not possible for a development to comply with the maximum setback standard and the intersection sight distance and roadside clear zone standards of the County Roadway Standards, the setback may be increased to the minimum extent necessary.
- b. No parking, storage, or display of motorized vehicles or equipment is allowed in the front yard setback area or in the required courtyard. Bicycle parking may be permitted in the courtyard, subject to compliance with Section 1015.
- c. Building service and utility equipment and outdoor storage of garbage or recycling is not permitted along the street-facing building façade, in the front yard setback area, or in the required courtyard, except:
 - i. Garbage and recycling receptacles for public use are permitted, provided that they do not exceed 35 gallons in size and are clad in stone or dark-colored metal.

2. Courtyard: A recessed courtyard is required and shall comply with the following standards:

- a. The courtyard shall be set back from the street-facing building façade a minimum of 10 feet and a maximum of 30 feet.
- b. The courtyard shall not be covered.
- c. The courtyard shall be landscaped with plants, or paved with masonry pavers or stamped concrete.
- d. The courtyard shall span a minimum of 20 feet along the street-facing building façade and a maximum of 50 percent of the street-facing building façade. As a result, the building must have a street-facing building façade of at least 40 feet wide.

3. Incorporation of Linear Building Frontage Type: The street facing-building façade not located behind a recessed courtyard shall comply with the standards for the Linear Building Frontage Type in Subsection 1005.10(I).

4. Minimum Ground Floor Height: The ground floor of the building shall measure a minimum of 15 feet from floor to ceiling, except when the building is designed to accommodate residential uses, in which case the minimum floor-to-floor height shall be 12 feet.

5. Ground Floor Construction Type: In areas designated “required retail opportunity area” on Map 1005-1, the ground floor construction type shall meet at least the minimum requirements for a commercial use, as set forth in the current edition of the Oregon Structural Specialty Code.
6. Primary Building Entrances: Primary building entrances shall face the street or the courtyard and be a minimum of 40 percent transparent. The minimum amount of transparency is measured as a percentage of the total area of the entrance.
 - a. Primary building entrances facing the street shall open onto an abutting public sidewalk, or be directly connected to a public sidewalk by a walkway that is a minimum of five feet wide.
 - b. If the entrance serves a business (other than a home occupation), the entrance must be open to the public during regular business hours.
7. Windows: Transparent ground-floor windows shall be provided along a minimum of 50 percent of the ground-floor, courtyard-facing façade area. See the Linear Building Frontage Type for window requirements for the street-facing façade.
8. Building Materials: Exterior building materials and finishes shall be high-image, such as masonry, architecturally treated tilt-up concrete, glass, wood, or stucco. Metal siding is prohibited, except as approved through design review pursuant to Section 1102 for specific high-image materials, canopies, awnings, doors, screening for roof-mounted fixtures, and other architectural features.
9. Fences: Fences and walls are permitted in the courtyard setback area, subject to the following standards:
 - a. The fence or wall shall be a maximum of three feet high.
 - b. A fence shall be wrought iron, steel, or a similar metal and shall be dark in color. Chain-link fences are prohibited.
 - c. A wall shall be wood, masonry, concrete, or a combination thereof.
 - d. A fence shall be a minimum of 20 percent transparent. The transparent portions of the fence shall be distributed along the length of the fence in a recognizable pattern (e.g., two-inch gaps alternating with eight-inch solid sections).
 - e. A minimum of one pedestrian opening per courtyard street frontage shall be provided in the fence or wall. Required pedestrian openings shall be a minimum of five feet wide.

K. Porch/Stoop/Terrace Building Frontage Type: Porch/Stoop/Terrace Building Frontage, which is permitted on Type B, C, and D Streets, shall comply with the following standards (see Figure 1005-7):

1. Front Yard Setback: The street-facing facade of the building shall be set back a minimum of five feet and a maximum of 15 feet. Entry thresholds, including roofs over the thresholds and steps to the thresholds, may extend to the front property line.
 - a. If it is not possible for a development to comply with the maximum setback standard and the intersection sight distance and roadside clear zone standards of the County Roadway Standards, the setback may be increased to the minimum extent necessary.
 - b. The front yard setback area shall be landscaped with plants. Hardscaping is permitted only to provide access to the threshold and shall consist of masonry pavers or concrete.
 - c. No parking, storage, or display of motorized vehicles or equipment is allowed in the front yard setback area.
 - d. Building service and utility equipment and outdoor storage of garbage or recycling is not permitted along the street-facing building facade or in the front yard setback area, except:
 - i. Garbage and recycling receptacles for public use are permitted, provided that they do not exceed 35 gallons in size and are clad in stone or dark-colored metal.
 - e. Fences: Fences and walls are permitted in the front yard setback area, subject to the following standards:
 - i. The fence or wall shall be a maximum of three feet high.
 - ii. A fence shall be wrought iron, steel, or a similar metal and shall be dark in color. Chain-link fences are prohibited.
 - iii. A wall shall be wood, masonry, concrete, or a combination thereof.
 - iv. A fence shall be a minimum of 50 percent transparent. The transparent portions of the fence shall be distributed along the length of the fence in a recognizable pattern (e.g., two-inch gaps alternating with two-inch solid sections).
2. Entry Threshold: An entry threshold, such as a porch, stoop, terrace, patio, or light court, is required and shall comply with the following standards:
 - a. The entry threshold shall have a minimum depth of five feet from the street-facing building façade to the front of the threshold.

- b. The entry threshold height shall be no more than six feet above finished grade. An additional threshold may be provided to access a lower level and shall be no more than five feet below finished grade.
- c. The entry threshold may be covered by a roof no larger than the threshold.
- 3. Primary Building Entrances: Primary building entrances shall face the street and be a minimum of 10 percent transparent. The minimum amount of transparency is measured as a percentage of the total area of the entrance. Each ground-floor dwelling unit, if any, shall have an individual entrance that complies with this requirement.
- 4. Windows: Transparent windows shall be provided along a minimum of 20 percent of the street-facing façade area. Windows shall be vertically oriented, but vertical windows may be grouped together to create square or horizontally-oriented rectangular windows.
- 5. Building Materials: Exterior building materials and finishes shall be high-image, such as masonry, architecturally treated tilt-up concrete, glass, wood, or stucco. Metal siding is prohibited, except as approved through design review pursuant to Section 1102 for specific high-image materials, canopies, awnings, doors, screening for roof-mounted fixtures, and other architectural features.
- L. Landscape Screening Types: Street frontage not developed with a building compliant with one of the four building types established by Subsections 1005.10(H) through (K), a walkway cut with a maximum width of eight feet, or a driveway cut, shall be developed with one of three landscape screening types, each of which is allowed on one or more of the four street types allowed in the Fuller Road Station Community. Table 1005-2 establishes which landscape screening types are permitted on each street type. Figure 1005-8 summarizes the three landscape screening types. If the subject property abuts an existing or future Type A, B, C, or D Street -- regardless of whether it is shown on Map 1005-1— compliance is required with the standards for a landscape screening type permitted on the applicable street type.

Table 1005-2: Permitted Landscape Screening Type by Street Type

<u>Permitted Landscape Screening Type:</u>	<u>Street Type:</u>
<u>Low Wall and Trellis</u>	<u>A, B, C, and D Streets</u>
<u>Urban Fence or Wall</u>	<u>A, B, C, and D Streets</u>
<u>Landscaped Setback</u>	<u>A, B, and C Streets</u>

1. Low Wall and Trellis Landscape Screening Type: Low Wall and Trellis Screening, which is permitted on all street types, shall comply with the following standards (see Figure 1005-9):
 - a. The low wall and the support structure for the trellis shall be set back a maximum of five feet from the front lot line. The trellis itself may extend to the front lot line, or may overhang an abutting sidewalk or walkway if permitted by the County Engineering Division.
 - b. Any area between the back edge of the sidewalk or walkway and the low wall shall be planted with ground cover or shrubs, or paved with masonry pavers or stamped concrete. Shrubs at maturity shall not exceed the height of the low wall.
 - c. The underside of the trellis portion of a Low Wall and Trellis shall be a minimum of eight feet above grade and a maximum of 13½ feet above grade.
 - d. The trellis shall be heavy timber or steel (or a similar metal) and shall consist of an open structure with no decking or awning material. The trellis shall have masonry, heavy timber, or steel (or similar metal) supporting columns spaced no more than 30 feet on center.
 - e. The low wall portion of a Low Wall and Trellis shall be a minimum of 18 inches high and a maximum of three feet high and have a minimum depth of 16 inches. The low wall shall be wood, masonry, concrete, or a combination thereof.
 - f. Surface parking and loading areas shall be set back a minimum of five feet from the Low Wall and Trellis. Low shrubs, groundcover, and climbing plants shall be provided in this setback area, in lieu of trees ordinarily required pursuant to Section 1009 for perimeter surface parking and loading area landscaping. Climbing plants shall be planted at each support column.
 - g. Openings in the Low Wall and Trellis Screening are permitted for plazas that comply with Subsection 1005.10(M).
2. Urban Fence or Wall Screening Type: Urban Fence or Wall Screening, which is permitted on all street types, shall comply with the following standards (see Figure 1005-10):
 - a. The fence or wall shall be set back a maximum of five feet from the front lot line.
 - b. Any area between the back edge of the sidewalk or walkway and the fence or wall shall be paved with masonry pavers or stamped concrete.

- c. The fence or wall shall be a minimum of two feet high and a maximum of three feet high.
 - d. A fence shall be wrought iron, steel, or a similar material and shall be dark in color. Chain-link fences are prohibited. A fence shall be a minimum of 50 percent transparent. The transparent portions of the fence shall be distributed along the length of the fence in a recognizable pattern (e.g., two-inch gaps alternating with two-inch solid sections).
 - e. A wall shall be wood, masonry, concrete, or a combination thereof.
 - f. Surface parking and loading areas shall be set back a minimum of five feet from the Urban Fence or Wall. This area shall be landscaped as follows:
 - i. One large tree is required a minimum of every 30 linear feet, except where a waiver is necessary to comply with the intersection sight distance and roadside clear zone standards of the County Roadway Standards.
 - ii. A minimum of six shrubs is required every 30 linear feet along the fence or wall. The minimum shrub height at maturity shall be the same as the height of the fence or wall, and the maximum shall be six feet.
 - iii. Ground cover plants must fully cover any remaining area at maturity.
 - g. Openings in the Urban Fence or Wall Screening are permitted for plazas that comply with Subsection 1005.10(M).
3. Landscaped Setback Screening Type: Landscaped Setback Screening, which is permitted on Type A, B, and C Streets, shall include a landscape strip a minimum of 10 feet wide adjacent to the property line. This area shall be landscaped as follows (see Figure 1005-11):
- a. A continuous row of shrubs shall be planted at the inside edge of the landscape strip. The shrubs shall be a minimum of three feet high, and shall be mostly opaque year round.
 - b. One large tree is required a minimum of every 30 linear feet except where a waiver is necessary to comply with the intersection sight distance and roadside clear zone standards of the County Roadway Standards. The required shrub row may be interrupted with a gap of up to two feet wide, in order to accommodate each tree.
 - c. Ground cover plants must fully cover any remaining area at maturity.
 - d. A three-foot-high masonry wall may be substituted for the shrub row, but the trees and groundcover plants are still required.

e. Openings in the Landscaped Setback Screening are permitted for plazas that comply with Subsection 1005.10(M).

M. Plazas: Openings in required landscape screening are permitted for plazas, subject to the following standards:

1. The plaza shall be permanent space open to the public.
2. The plaza shall be integrated in the development and be accessible from and visible from the street(s) upon which it fronts.
3. The plaza shall be surfaced with masonry pavers or stamped concrete.
4. Ten percent of the total plaza area shall be landscaped. Landscape planters may count toward this requirement.
5. If the plaza abuts a surface parking or loading area, it shall be separated from that area by a landscape strip that complies with Subsection 1009.04(B).

1005.11 PMU DISTRICT STANDARDS

Subsection 1005.11 applies in the PMU District. Where these standards conflict with other provisions of Section 1000, Subsection 1005.11 shall take precedence.

A. 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 1005.08(G) through (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.

B. Building Siting and Design:

1. New buildings shall have at least one public entrance oriented to a state, county, public, or private street.
 2. Buildings shall have first floor windows with views of internal activity or display cases, and the major entrance on the building façade facing the street the building is oriented to. Entrances and windows on the street-side facade shall not be blocked, or entrances locked during operation hours. Additional major entrances may also be allowed facing minor streets and parking areas.
 3. Buildings on street corners shall have corner entrances or other architectural features to enhance the pedestrian environment at the intersection.
 4. 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.
 5. Parking structures located within 20 feet of pedestrian facilities including public or private streets, pedestrian ways, greenways, a transit station or shelter, or plaza, shall provide a quality pedestrian environment on the façade facing the pedestrian facility. Techniques to use include, but are not limited to:
 - 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.
- C. 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.
- D. PMU1 shall comply with the following additional specific requirements:
1. Preserve Phillips Creek and enhance Phillips Creek Greenway;
 2. Accommodate and provide proportionate share of streetscape improvements

on Monterey Avenue, 82nd Avenue, Sunnyside Road, and the internal circulation network; and

3. Coordinate internal circulation network with the street and transit system.

E. PMU6 shall comply with the following additional specific requirements:

1. The master plan approved pursuant to Subsection 1102.02(B)(2) shall contain a minimum of 10 percent useable open space. Open space shall be integral to the master plan. Plans shall emphasize public gathering places such as plazas, neighborhood parks, trails, and other publicly accessible spaces that integrate land use and transportation and contribute toward a sense of place. Where public or common private open space is designated, the following standards apply:

a. The open space area shall be shown on the master plan and recorded by final plat or separate instrument; and

b. If approved by the County, the open space shall be conveyed in accordance with one of the following methods:

i. By dedication to the County as publicly owned and maintained open space. Open space proposed for dedication to the County must be acceptable to the County with regard to the size, shape, location, improvement, and environmental condition; or

ii. By leasing or conveying title (including beneficial ownership) to a corporation, homeowners association, or other legal entity, with the County retaining the development rights to the property. The terms of such lease or other instrument of conveyance must include provisions (e.g., maintenance, property tax payment, etc.) suitable to the County.

1005.~~1209~~ SUNNYSIDE VILLAGE STANDARDS

Subsection 1005.~~1209~~ applies in Sunnyside Village, as identified on Comprehensive Plan Map X-SV-1, *Sunnyside Village Plan Land Use Plan Map*. Where these standards conflict with other provisions in Section 1000, Subsection 1005.~~1209~~ shall take precedence.

A. Primary Dwellings in the VTH District: In the VTH District, the following standards apply to primary dwellings:

1. Primary entries shall be accessed directly from a street right-of-way and shall be visible from the street.
2. Porches are required for each unit and shall be located immediately adjacent to the primary entry. Porches shall cover a minimum of 50 percent of the

primary facade (not including the garage) with a minimum net depth of six feet.

3. Front facades shall be designed with balconies and/or bays. Facades facing a street right-of-way or designated accessway shall not consist of a blank wall.
4. Window trim shall not be flush with exterior wall treatment. Windows shall be provided with an architectural surround at the jamb, head, and sill.
5. Hipped, gambrel, or gabled roofs are required. Flat roofs are prohibited.

B. Garages and Driveways in the VTH District: In the VTH District, the following standards apply:

1. A detached garage may be placed at the rear of a lot.
2. A front-access garage attached to the dwelling structure shall be recessed a minimum of two feet behind the front facade (not including porches, bays, and architectural features) and a minimum of 20 feet from the street right-of-way.
3. A minimum two-foot-deep trellis or bay window shall be placed above the garage opening. The trellis shall extend the full width of the garage, and the bay window shall be a minimum of eight feet in width.
4. If located in the front, the garage opening and the driveway shall not exceed a width of 10 feet.
5. If a lot abuts an alley, then garage access from the street is prohibited.

C. Site Design in the VA District: In the VA District, no direct access is permitted onto Sunnyside Road. Except on Sunnyside Road, multifamily dwellings shall orient to and line the streets.

D. Entries in the VA District: In the VA District, entries are subject to the following standards:

1. Primary entries shall be accessed directly from a street right-of-way and shall be visible from the street.
2. Secondary entries may face parking lots or loading areas.
3. Ground floor units should have entries directly from the street; upper story units may share one or more entries.

E. Facades in the VA District: In the VA District, facades are subject to the following standards:

1. Building facades shall be designed, at a minimum, with windows, entries, balconies, and bays. Towers, or other special vertical elements, may be used

in a limited fashion to focus views to the area from surrounding streets. Facades facing a street right-of-way or pedestrian path shall not consist of a blank wall.

2. Windows shall be frequent and coordinate with bays and balconies. Vertical proportions and divided lights are preferred. Window trim shall not be flush with exterior wall treatment. Windows shall be provided with an architectural surround at the jamb, head, and sill. All windows facing the front street shall be double-hung or casement windows.
- F. Roofs in the VA District: In the VA District, hipped, gambrel, or gabled roofs are required. Flat roofs are prohibited except for mechanical equipment areas.
- G. Building Materials in the VA District: In the VA District, exterior finishes shall be primarily wood and/or masonry. Human-scaled building elements and finishes are encouraged.

H. Site Design in the VCS District: In the VCS District, the following standards shall apply:

1. Each VCS area adjacent to the village green shall be permitted one curb cut on the east-west collector road and one on the diagonal connector road. Curb cuts shall not exceed a width of 20 feet at the road right-of-way.
2. The buildings occupying areas adjacent to the village green shall face the village green and traffic circle to better integrate with the surrounding neighborhood. Parking shall be to the rear of the buildings.
3. Circulation facilities, architectural features, signing, and landscaping shall be designed for pedestrian safety and convenience.

I. Site Design in the VO District: In the VO District, the following standards shall apply:

1. Driveway access from 142nd Avenue and Sunnyside Road shall be prohibited. Access shall be off of 145th Avenue and Princeton Village Way.
2. A group of small low-rise buildings shall be required, oriented toward the primary surrounding streets and the adjacent multifamily dwellings and attached single-family dwellings, to better integrate with the neighborhood.
3. Circulation facilities, architectural features, signing, and landscaping shall be designed for pedestrian safety and convenience.

J. Facades in the VCS District: In the VCS District, facades are subject to the following standards:

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1. Building facades shall be designed with windows, entries, and/or bays. Sides or rears of buildings shall not consist of an undifferentiated wall when facing a public street.
2. Towers, or other special vertical elements, may be used in a limited fashion to focus views to the area from surrounding streets.
3. Consistent design elements shall be used throughout the VCS area to ensure that the entire complex is visually and functionally unified.
4. Windows shall be placed with no more than six feet of blank non-window wall space in every 25 feet of frontage and shall be coordinated with bays and balconies. Square or vertical proportions are preferred. Window trim shall not be flush with exterior wall treatment. Windows shall be provided with an architectural surround at the jamb, head, and sill. All windows shall be placed so that their sills are at least two feet above floor level. Glass walls and reflective glass are prohibited.
5. Awnings shall have clearance of a minimum eight feet above sidewalks and walkways for pedestrian access.

K. Facades in the VO District: In the VO District, facades are subject to the following standards:

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, an 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. Consistent design elements shall be used throughout the office area to ensure that the entire complex is visually and functionally unified.
4. 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.
5. Awnings shall have clearance of a minimum eight feet above sidewalks and walkways for pedestrian access.
6. Arcades may be used along public street rights-of-way or along walkways within the complex of buildings.

L. Roofs in the VCS and VO Districts: In the VCS and VO Districts, hipped, gambrel or gabled roofs are required. Flat roofs are not permitted except for mechanical equipment areas.

M. Building Materials in the VCS and VO Districts: In the VCS and VO Districts, 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.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-243, 9/9/13; Amended by Ord. ZDO-246, 3/1/14]

Figures 1700-1 through 1700-11 are moved to Section 1005 and renumbered as Figures 1005-1 through 1005-11. Maps 1700-1 and 1700-2 are moved to Section 1005 and renumbered as Maps 1005-1 and 1005-2.

1007 ROADS AND CONNECTIVITY

1007.01 PURPOSE

Section 1007 is adopted to:

- A. Provide for safe, efficient, convenient, and economical movement of vehicles, freight, transit, bicycles, and pedestrians on a balanced and sustainable transportation system network;
- B. Implement the provisions of Chapters 5 and 10 of the Comprehensive Plan pertaining to the design and construction of necessary transportation system improvements required in conjunction with new development;
- C. Protect public safety through functional, efficiently designed improvements addressing the impact of new development upon the roadway system;
- D. Support sustainable development by efficient utilization of land and resources;
- E. Facilitate and encourage the use of non-auto modes of transportation, such as transit, walking, and bicycling;
- F. Provide a highly interconnected transportation system with suitable access and route choices for pedestrians, bicyclists, and drivers;
- G. Support improved public health by providing safe and attractive pedestrian and bicycle facilities;
- H. Reduce vehicle miles traveled;
- I. Create walkable centers, corridors, and neighborhoods with pedestrian, bicycle, and vehicular connections within and between destinations;
- J. Reduce impacts from the transportation system on vegetation, natural features, neighborhoods, and public facilities; and
- K. Recognize and support the importance of streets and streetscapes as an ubiquitous aspect of the public realm in our landscape, and build streets that support and enhance community interaction.

1007.02 APPLICABILITY

Section 1007 applies to the design of new and reconstructed transportation improvements in public rights-of-way, private roads, and accessways required through development permit approvals that are subject to Section 1007.

1007.03 GENERAL PROVISIONS

- A. The location, alignment, design, grade, width, and capacity of all roads shall be planned, coordinated, and controlled by the Department of Transportation and Development and shall conform to Section 1007, Chapters 5 and 10 of the Comprehensive Plan, and the Clackamas County Roadway Standards. Where conflicts occur between Section 1007, the Comprehensive Plan, and the Clackamas County Roadway Standards, the Comprehensive Plan shall control.

- B. Right-of-way dedications and improvements shall be required of all new developments, including partitions, subdivisions, multifamily dwellings, two- and three-family dwellings, condominiums, single-family dwellings, and commercial, industrial, and institutional uses, as deemed necessary by the Department of Transportation and Development and consistent with Section 1007, Chapters 5 and 10 of the Comprehensive Plan, and the Clackamas County Roadway Standards.

- C. New developments shall have access points connecting with existing private, public, county, or state roads.
 - 1. Intersection spacing and access control shall be based on Subsection 3.08.110(E) of the Metro Code (*Regional Transportation Functional Plan*); Chapters 5 and 10 of the Comprehensive Plan; and the Clackamas County Roadway Standards.

 - 2. For development on any portion of a contiguous site identified on Comprehensive Plan Map 5-6, *Potentially Buildable Residential Sites > 5 Acres in UGB*, the applicant shall provide a conceptual map of new streets for the entire site. The map shall identify street connections to adjacent areas to promote a logical, direct, and connected system of streets; demonstrate opportunities to extend and connect new streets to existing streets, and provide direct public right-of-way routes. Closed-end street designs shall be limited to circumstances in which barriers prevent full street extensions. Closed-end streets shall not exceed 200 feet in length and shall serve no more than 25 dwelling units. Subsequent development on the site shall conform to the conceptual street map, unless a new map is approved pursuant to Subsection 1007.03(C)(2).

 - 3. Access control shall be implemented pursuant to Chapter 5 of the Comprehensive Plan and the Clackamas County Roadway Standards considering best spacing for pedestrian access, traffic safety, and similar factors as deemed appropriate by the Department of Transportation and Development.

4. Approaches to public and county roads shall be designed to accommodate safe and efficient flow of traffic and turn control where necessary to minimize hazards for other vehicles, pedestrians, and bicyclists.
 5. Joint access and circulation drives utilizing reciprocal easements shall be utilized as deemed necessary by the Department of Transportation and Development. In the NC District, joint street access for adjacent commercial developments shall be required.
 6. Access to state highways shall require a road approach permit issued by the Oregon Department of Transportation pursuant to Oregon Revised Statutes Chapter 374.
 7. In the SCMU District, 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. Street alignments, intersections, and centerline deflection angles shall be designed according to the standards set forth in Chapters 5 and 10 of the Comprehensive Plan and the Clackamas County Roadway Standards.
 - E. All roads shall be designed and constructed to adequately and safely accommodate vehicles, pedestrians, and bicycles according to Chapters 5 and 10 of the Comprehensive Plan and the Clackamas County Roadway Standards. Development-related roadway adequacy and safety impacts to roadways shall be evaluated pursuant to the Clackamas County Roadway Standards and also to Oregon Department of Transportation standards for state highways.
 - F. Roadways shall be designed to accommodate transit services where transit service is existing or planned and to provide for the separation of motor vehicles, bicycle, and pedestrian traffic, and other modes as appropriate.
 - G. The needs of all modes of transportation shall be balanced to provide for safe and efficient flow of traffic. Where practical, pedestrian crossing lengths shall be minimized and the road system shall be designed to provide frequent pedestrian connections.

1007.04 PUBLIC AND PRIVATE ROADWAYS

- A. All roadways shall be developed according to the classifications, guidelines, tables, figures, and maps in Chapters 5 and 10 of the Comprehensive Plan and the provisions of the Clackamas County Roadway Standards.

1. Development along streets with specific design standards specified in Chapter 10 of the Comprehensive Plan shall improve those streets as shown in Chapter 10.
2. Development along streets identified as Regional or Community Boulevards on Comprehensive Plan Map 5-5, *Metro Regional Street Design Classifications*, shall provide pedestrian, bicycle, transit, and visual amenities in the public right-of-way. Such amenities may include, but are not limited to, the following: street trees, landscaping, kiosks, outdoor lighting, outdoor seating, bike racks, bus shelters, other transit amenities, pedestrian spaces and access to the boulevard, landscaped medians, noise and pollution control measures, other environmentally sensitive uses, aesthetically designed lights, bridges, signs, and turn bays as appropriate rather than continuous turn lanes.
3. Development adjacent to scenic roads identified on Comprehensive Plan Map 5-1, *Scenic Roads*, shall conform to the following design standards, as deemed appropriate by the Department of Transportation and Development:
 - a. Road shoulders shall be improved to accommodate pedestrian and bicycle traffic; and
 - b. Turnouts shall be provided at viewpoints or for recreational needs.
4. In centers, corridors, and station communities, as identified on Comprehensive Plan Map IV-8, *Urban Growth Concept*, roads shall be designed to minimize the length of street crossings and to maximize connectivity for pedestrians as deemed appropriate by the Department of Transportation and Development. Other streetscape design elements in these areas include:
 - a. On-street parking;
 - b. Street trees;
 - c. Street lighting;
 - d. Pedestrian amenities; and
 - e. Truck routes shall be specified for deliveries to local businesses.
5. In centers, corridors, and station communities, as identified on Comprehensive Plan Map IV-8, *Urban Growth Concept*, on local streets within the Portland Metropolitan Urban Growth Boundary (UGB), and in unincorporated communities, when conflicts exist between the dimensional requirements for vehicles and those for pedestrians,

pedestrians shall be afforded additional consideration in order to increase safety and walkability. In industrial areas, the needs of vehicles shall take precedence.

6. In the NC, OA, VCS, and VO Districts, landscaping, crosswalks, additional lighting, signalization, or similar improvements may be required to create safe and inviting places for pedestrians to cross streets.

- B. The layout of new public and county roads shall provide for the continuation of roads within and between the development and adjoining developments when deemed necessary and feasible by the Department of Transportation and Development.
1. When public access to adjoining property is required, this access shall be improved and dedicated to the County.
 2. Street stubs shall be provided to allow for future access to adjacent undeveloped property as deemed necessary by the Department of Transportation and Development.
 3. These standards may be deviated from when the County finds that safe and efficient alternate designs would better accommodate:
 - a. Sustainable development features such as “Green Streets” as described in Metro’s *Green Streets: Innovative Solutions for Stormwater and Street Crossings (2002)*, which shall be allowed within the UGB and in unincorporated communities;
 - b. Sustainable surface water management solutions such as low infiltration planters and basins, swales, ponds, rain gardens, trees, porous pavement, and minimal disruption to natural drainage systems;
 - c. Preservation of existing significant trees and native vegetation;
 - d. Preservation of natural terrain and other natural landscape features;
 - e. Achievement of maximum solar benefit for new development through orientation and block sizing;
 - f. Existing forest or agricultural uses;
 - g. Existing development;
 - h. Scenic qualities;
 - i. Planned unit developments;

- j. Local access streets less than 200 feet in length which are not extendible; and
 - k. Interior vehicular circulation for multifamily, commercial, institutional, and industrial developments.
- C. New county and public roads terminating in cul-de-sacs or other dead-end turnarounds are prohibited except where natural features (such as topography, streams, or wetlands), parks, dedicated open space, or existing development preclude road connections to adjacent properties, existing street stubs, or existing roads.
- D. Developments shall comply with the intersection sight distance and roadside clear zone standards of the Clackamas County Roadway Standards. In addition:
 - 1. No planting, signing, or fencing shall be permitted which restricts motorists' vision; and
 - 2. Curbside parking may be restricted along streets with visibility problems for motorists, pedestrians, and/or bicyclists as deemed appropriate by the Department of Transportation and Development.
- E. New developments, subdivisions, and partitions may be required to dedicate land for right-of-way purposes and/or make road frontage improvements to existing rights-of-way as deemed necessary by the Department of Transportation and Development and consistent with Section 1007, Chapters 5 and 10 of the Comprehensive Plan, and the Clackamas County Roadway Standards.
- F. Road frontage improvements within the UGB and in Mt. Hood urban villages shall include:
 - 1. Surfacing, curbing, or concrete gutters as specified in Section 1007, Chapters 5 and 10 of the Comprehensive Plan, and the Clackamas County Roadway Standards;
 - 2. Pedestrian, bikeway, accessway, and trail facilities as specified in Subsection 1007.06;
 - 3. Transit amenities as specified in Subsection 1007.07; and
 - 4. Street trees as specified in Subsection 1007.08.
- G. Within public and county rights-of-way, the following uses may be permitted, subject to compliance with the Clackamas County Roadway Standards:

1. Solar energy systems owned and operated by a public entity or utility;
2. Electric vehicle charging stations owned and operated by a public entity or utility; and
3. On-street parking within the UGB.

1007.05 PRIVATE ROADS AND ACCESS DRIVES

- A. Private roads and access drives shall be developed according to classifications and guidelines listed in Section 1007, Comprehensive Plan Figures 5-1 through 5-3, *Typical Roadway Cross Sections*, Chapters 5 and 10 of the Comprehensive Plan, and the Clackamas County Roadway Standards, except:
1. When easements or “flag-pole” strips are used to provide vehicular access to lots or parcels, the minimum width shall be 20 feet, unless a narrower width is approved by the Department of Transportation and Development and the applicable fire district’s Fire Marshal;
 2. Where the number of lots served exceeds three, a wider width may be required as deemed appropriate or necessary by the Department of Transportation and Development consistent with other provisions of Section 1007, the Comprehensive Plan, and the Clackamas County Roadway Standards;
 3. Access easements or “flag-pole” strips may be used for utility purposes in addition to vehicular access;
 4. The standards listed above may be deviated from when deemed appropriate by the Department of Transportation and Development to accommodate one-half streets or private common access drives and roads within developed urban areas providing access to not more than seven lots; and
 5. The intersection of private roads or access drives with a public or county road and intersections of two private roads or access drives shall comply with the sight distance and clear zone standards pursuant to Subsection 1007.04(D).

1007.06 PEDESTRIAN AND BICYCLE FACILITIES

- A. General Standards: Pedestrian and bicycle facilities shall be developed according to the classifications and guidelines listed in Section 1007, Comprehensive Plan Figures 5-1 through 5-3, *Typical Roadway Cross Sections*, Chapters 5 and 10 of the Comprehensive Plan, and the Clackamas County Roadway Standards.

- B. Pedestrian and Bicycle Facility Design: Pedestrian and bicycle facilities shall be designed to:
1. Minimize conflicts among automobiles, trucks, pedestrians, and bicyclists;
 2. Provide safe, convenient, and an appropriate level of access to various parts of the development and to locations such as schools, employment centers, shopping areas, adjacent developments, recreation areas and open space, and transit corridors;
 3. Allow for unobstructed movements and access for transportation of disadvantaged persons; and
 4. Be consistent with Chapters 5 and 10 of the Comprehensive Plan; Comprehensive Plan Maps 5-2a, *Planned Bikeway Network, Urban*, 5-2b, *Planned Bikeway Network, Rural*, and 5-3, *Essential Pedestrian Network*; North Clackamas Parks and Recreation District's [\(NCPRD\)](#) Park and Recreation Master Plan; and Metro's Regional Trails and Greenways Map.
- C. Requirements for Pedestrian and Bicycle Facility Construction: Within the Portland Metropolitan Urban Growth Boundary (UGB), sidewalks, pedestrian pathways, and accessways shall be constructed as required in Subsection 1007.06 for subdivisions, partitions, multifamily dwellings, three-family dwellings, attached single-family dwellings where three or more dwelling units are attached to one another, and commercial, industrial, or institutional developments, except that for structural additions to existing commercial, industrial, or institutional buildings, development of such facilities shall be required only if the addition exceeds 10 percent of the assessed value of the existing structure, or 999 square feet.
- D. Requirement for Sidewalk Construction: Within the UGB, sidewalks shall be constructed, as required in Subsection 1007.06(F), for two-family dwellings, detached single-family dwellings, attached single-family dwellings where two dwelling units are attached to one another, and manufactured dwellings outside a manufactured dwelling park.
- E. Sidewalks or Pedestrian Pathways in Unincorporated Communities: In an unincorporated community, either a sidewalk or a pedestrian pathway shall be constructed on arterial or collector street frontage(s) of a lot upon which a subdivision, partition, multifamily dwelling, three-family dwelling, attached single-family dwelling where three or more dwelling units are attached to one another, or a commercial, industrial, or institutional development is proposed.
- F. Sidewalk Location: Sidewalks required by Subsection 1007.06(C) or (D) shall be constructed on:

1. Both sides of a new or reconstructed road, except that sidewalks may be constructed on only one side of the road if:
 - a. The road is not a through road;
 - b. The road is 350 feet or less in length and cannot be extended; or
 - c. In consideration of the factors listed in Subsection 1007.04(B)(3).
 2. The street frontage(s) of a lot upon which a subdivision, partition, multifamily dwelling, three-family dwelling, attached single-family dwelling where three or more dwelling units are attached to one another, or a commercial, industrial, or institutional development is proposed; and
 3. Local or collector road street frontage(s) of a lot upon which a two-family dwelling, a detached single-family dwelling, an attached single-family dwelling where two dwelling units are attached to one another, or a manufactured dwelling is proposed. This requirement shall be imposed as a condition on the issuance of a conditional use permit, building permit, or manufactured dwelling placement permit, but
 - a. The requirement shall be waived if the dwelling is a replacement for one destroyed by an unplanned fire or natural disaster; and
 - b. The sidewalk requirement shall apply to no more than two street frontages for a single lot.
- G. Pedestrian Pathways: Within the UGB, a pedestrian pathway may be constructed as an alternative to a sidewalk on a local or collector road when it is recommended by the Department of Transportation and Development; the surface water management regulatory authority approves the design; and at least one of the following criteria is met:
1. The site has topographic or natural feature constraints that make standard sidewalk construction unusually problematic;
 2. No sidewalk exists adjacent to the site;
 3. Redevelopment potential along the road is limited; or
 4. The road is identified for a pedestrian pathway by the River Forest Neighborhood Plan adopted by the City of Lake Oswego.
- H. Sidewalk and Pedestrian Pathway Width: Sidewalks and pedestrian pathways shall be constructed to the minimum widths shown in Table 1007-1, [Minimum Sidewalk and Pedestrian Pathway Width](#), and be consistent with applicable requirements of Chapters 5 and 10 of the Comprehensive Plan.

Table 1007-1: Minimum Sidewalk and Pedestrian Pathway Width

Street Type	Residential Sidewalk	Commercial or Institutional Sidewalk	Industrial Sidewalk
Local	5 feet	7 feet	5 feet
Connector	5 feet	7 feet	5 feet
Collector	5 feet	8 feet	5 feet
Arterial	6 feet	8 feet	6 feet

1. The entire required width of sidewalks and pedestrian pathways shall be unobstructed.
2. Sidewalks and pedestrian pathways at transit stops shall be a minimum of eight feet wide for a distance of 20 feet centered on the transit shelter or transit stop sign.
3. A sidewalk set back from the curb by at least five feet may be one foot narrower (but not less than five feet) than the standard listed above. This five-foot separation strip shall be landscaped and shall be maintained by the adjacent property owner. The landscape strip may contain fixed objects provided that sight distance and roadside clear zone standards are satisfied pursuant to the Clackamas County Roadway Standards.
4. Uses located in the Campus Industrial, Light Industrial, General Industrial, or Business Park District and containing over 5,000 square feet of office space shall comply with the requirements for Commercial and Institutional uses.
 - I. Accessways: Accessways shall comply with the following standards:
 1. Accessways shall be required where necessary to provide direct routes to destinations not otherwise provided by the road system and where topography permits. Developments shall not be required to provide right-of-way for accessways off-site to meet this requirement. If right-of-way is available off-site, the developer may be required to improve an accessway off-site up to 150 feet in length.
 2. Accessways shall provide safe, convenient access to facilities generating substantial pedestrian or bicycle trips, such as an existing or planned transit stop, school, park, church, daycare center, library, commercial area,

or community center. Facilities such as these shall be accessible from dead-end streets, loops, or mid-block locations. Where required, accessways shall be constructed at intervals of no more than 330 feet, unless they are prevented by barriers such as topography, railroads, freeways, pre-existing development, or environmental constraints such as streams and wetlands.

3. An accessway shall include at least a 15-foot-wide right-of-way and an eight-foot-wide hard surface. For safety, accessways should be as straight as practicable and visible from an adjacent use if practicable. Removable bollards or other large objects may be used to bar motor vehicular access.
4. So that they may be safely used at night, accessways shall be illuminated by street lights or luminaires on shorter poles. Separate lighting shall not be required if existing lighting adequately illuminates the accessway.
5. Fences are not required, but the height of a fence along an accessway shall not exceed six feet.
6. Ownership and maintenance responsibility for accessways shall be resolved during the development review and approval process.

J. Accessways in Sunnyside Village: The following standards apply in Sunnyside Village, as identified on Comprehensive Plan Map X-SV-1, Sunnyside Village Plan Land Use Plan Map, hereinafter referred to as Sunnyside Village. Where these standards conflict with Subsection 1007.06(I), Subsection 1007.06(J) shall take precedence.

1. A system of interconnecting accessways shall be provided from subdivisions and multifamily developments to commercial facilities and public amenities such as existing or planned transit stop or facility, school, park, church, daycare facility, children's play area, outdoor activity areas, plazas, library, or similar facility and to a dead-end street, loop, or mid-block where the block is longer than 600 feet.
 - a. An accessway shall include at least 15 feet of right-of-way and a 10-foot-wide paved surface.
 - b. Accessways shall be illuminated so that they may be safely used at night.
 - c. The maximum height of a fence along an accessway shall not exceed four feet.
 - d. Bollards or other similar types of treatment may be required in order to prevent cars from entering the accessway.

e. The designated east-west pedestrian accessway shall include a minimum 10-foot-wide concrete surface within a 10-foot-wide right-of-way, easement, or other legal form satisfactory to the County. Planting areas adjacent to the easement with street trees should be provided along at least one side of this accessway. However, alternatives to this standard may be considered through design review pursuant to Section 1102. If the accessway is within a parking area, it shall be lined by parking lot trees planted at a maximum of 30 feet on center along both sides.

J.K. Bikeways: Bikeways shall be required as follows:

1. Shoulder bikeways, bike lanes, bike paths, or cycle tracks shall be included in the reconstruction or new construction of any street if a bikeway is indicated in Chapters 5 and 10 of the Comprehensive Plan and on Comprehensive Plan Maps 5-2a, *Planned Bikeway Network, Urban*, or 5-2b, *Planned Bikeway Network, Rural*; N CPRD's North Clackamas Parks and Recreation District's Park and Recreation Master Plan; or Metro's Regional Trails and Greenways Map.
2. Shoulder bikeways, bike lanes, bike paths, or cycle tracks shall be considered in the reconstruction or new construction of any other arterial or collector.
3. Within urban growth boundaries, shoulder bikeways, bike lanes, bike paths, or cycle tracks shall be constructed from new public or private elementary, middle school, and high school facilities to off-site bikeways to provide continuous bicycle route connections within and between surrounding developments, unless precluded by existing development.

L.K. Trails:

- ~~1.~~ Trail dedications or easements shall be provided and developed as shown on Comprehensive Plan Map IX-1, *Open Space Network & Recreation Needs*; the Facilities Plan (Figure 4.3) in N CPRD's North Clackamas Parks and Recreation District's Park and Recreation Master Plan; and Metro's Regional Trails and Greenways Map.

M. Trails and Pedestrian Connections in Sunnyside Village: The following standards apply in Sunnyside Village. Where these standards conflict with other provisions in Section 1007, Subsection 1007.06(M) shall take precedence.

1. An interconnecting system of trails and accessways throughout Sunnyside Village shall be provided. The general trail locations are shown on Comprehensive Plan Map X-SV-1. The location of the trails shall be set at the time a land use application is approved. The locations of the trails

are based on achieving connections to streets and/or pedestrian ways and protection of the significant features of the resource protection areas.

2. The trail system will generally occur along the creeks and resource protection areas. The accessways and/or trail system will provide connections to parks, the elementary school, and to adjacent commercial and residential developments.
3. There also shall be an east-west accessway between 142nd Avenue and 152nd Drive, south of Sunnyside Road and north of Oregon Trail Drive.
4. The trail system shall be designed to provide multiple access points for the public. The trails shall be constructed by the developer.
5. All trails and accessways within the resource protection areas shall either be dedicated or an easement granted to NCPRD in conjunction with development. These connections shall be maintained by and constructed to the standards established by NCPRD.
6. The maintenance of all pedestrian connections and trails located outside the resource protection areas as identified on Comprehensive Plan Map X-SV-1 shall be the responsibility of the property owner.

N. Pedestrian and Bicycle Circulation: The pedestrian and bicycle circulation connections shown on Comprehensive Plan Maps X-CRC-3, *Clackamas Regional Center Area Design Plan Urban Design Elements*, X-CRC-7, *Clackamas Regional Center Area Design Plan Pedestrian and Bicycle Circulation Network*, and X-CRC-7a, *Clackamas Regional Center Area Design Plan Walkway Network*, shall be provided.

1007.07 TRANSIT AMENITIES

All residential, commercial, institutional, and industrial developments on existing and planned transit routes shall be reviewed by Tri-Met or other appropriate transit provider to ensure appropriate design and integration of transit amenities into the development. The design shall not be limited to streets, but shall ensure that pedestrian/bikeway facilities and other transit-supportive features such as shelters, bus pull-outs, park-and-ride spaces, and signing will be provided. The designs shall comply with Tri-Met standards and specifications.

1007.08 STREET TREES

- A. Within the Portland Metropolitan Urban Growth Boundary, street trees are required on all road frontage—except frontage on private roads or access drives—for subdivisions, partitions, multifamily dwellings, three-family dwellings, attached single-family dwellings where three or more dwelling units are attached to one another, and commercial, industrial, or institutional

developments, except that for structural additions to existing commercial, industrial, or institutional buildings, street trees are required only if the addition exceeds 10 percent of the assessed value of the existing structure, or 999 square feet. Street trees shall comply with the following standards:

1. Partial or complete exemptions from the requirement to plant street trees may be granted on a case-by-case basis. Exemptions may be granted, for example, if the exemption is necessary to save existing significant trees which can be used as a substitute for street trees.
2. Street trees to be planted shall be chosen from a County-approved list of street trees (if adopted), unless approval for planting of another species is given by the Department of Transportation and Development. Trees listed in Table 1007-2, *Prohibited Street Trees*, shall not be planted as street trees.
3. Location and planting of street trees may be influenced by such conditions as topography, steep terrain, soil conditions, existing trees and vegetation, preservation of desirable views, and solar access.
4. Planting of street trees shall be coordinated with other uses which may occur within the street right-of-way, such as bikeways, pedestrian paths, storm drains, utilities, street lights, shelters, and bus stops.
5. Street trees at maturity shall be of appropriate size and scale to complement the width of the street or median area.

Table 1007-2: Prohibited Street Trees

Scientific Name	Common Name	Reason for Prohibition
Acer macrophyllum	Big-leaf Maple	Leaves block drainage; Roots buckle sidewalks
Acer negundo	Box Elder	Insect prone; Weak wood
Acer saccharinum	Silver Maple	Shallow roots; Weak wood
Aesculus hippocastanum	Common Horsechestnut	Messy fruits
Betulus species	Birches	Insect prone; Weak wood
Carya species	Hickories	Fruits cause litter and safety problems

Catalpa species	Catalpas	Seed pods cause litter problem
Corylus species	Filberts	Fruits cause litter and safety problems
Crataegus species	Hawthorns	Thorns; Fruits cause litter and safety problems
Fraxinus species	Ashes	Seed pods cause litter problem
Gleditsia triacanthos	Honey Locust (species, does not include horticultural variants)	Seed pods cause litter problem
Juglans species	Walnuts	Fruits cause litter problem
Morus species	Mulberries	Fruits cause litter and safety problems
Populus species	Poplars	Shallow roots; Weak wood
Robinia species	Locusts	Weak wood; Suckers
Salix Species	Willows	Shallow roots; Weak wood
Ulmus fulva	Slippery Elm	Insect prone; Shallow roots; Weak wood
Ulmus pumila	Siberian Elm	Shallow roots; Weak wood

B. Street trees required for developments in the Clackamas Regional Center Area, as identified on Comprehensive Plan Map X-CRC-1, [*Clackamas Regional Center Area Design Plan*](#) Regional Center, Corridors, and Station Community, shall comply with the following standards:

1. Street trees are required along all streets, except for drive aisles in parking lots.
2. When determining the location of street trees, consideration should be given to accommodating normal retail practices in front of buildings such as signage, outdoor display, loading areas, and pullout lanes.
3. Street trees are required along private access streets under the following

conditions:

- a. On both sides when the access point is a signalized intersection;
 - b. On both sides when the street section has four or more lanes at the access point;
 - c. On both sides when the private street is developed to comply with building orientation standards;
 - d. On a minimum of one side when the street section has one or two lanes, and the street is not at a signalized intersection or is not used to meet the structure orientation standards of Subsections 1700.03(C) and 1700.04(B); and
 - e. On a minimum of one side of the street when access is shared with adjacent property. Adjoining property shall be required to install trees on its side of the access street when the property is developed.
4. In the Fuller Road Station Community, as identified on Comprehensive Plan Map X-CRC-1, *Regional Center, Corridors, and Station Community*, street trees are required along both sides of all street types, and as shown in Comprehensive Plan Figure X-CRC-11, *Clackamas Regional Center Area Design Plan Fuller Road Station Community, Type "E" Pedestrian/Bicycle Connection*, for Type E pedestrian/bicycle connections. Street trees shall be spaced from 25 to 40 feet on center, based on the selected tree species and any site constraints. Street trees shall otherwise comply with the other provisions of Subsections 1007.08(A) and (B).
- C. In the Business Park District, street trees are required at 30- to 40-foot intervals along periphery and internal circulation roads, except where significant trees already exist.
- D. Street trees are required for developments in the Sunnyside Village Community Plan area, as identified on Comprehensive Plan Map X-SV-1, *Sunnyside Village Plan Land Use Plan Map*, along both sides of all connector and local streets, and as set forth in Subsection 1007.10~~Section 1600~~. In addition:
1. One to two street trees are required per interior lot, and two to four for corner lots depending on the canopy of the tree species proposed. If a small canopy (less than or equal to 25 feet in diameter at maturity) is proposed, then two per interior lot and four per corner lot are required. If a larger canopy (greater than 25 feet in diameter at maturity) is proposed, then one per interior lot and two per corner lot are required.

2. As each portion of a project is developed, a specific species of street tree will be chosen for each street. The developer may choose the species of street tree to be planted so long as the species is not known to cause sidewalks to buckle, does not have messy fruits or pods, is not prone to insects or having weak wood, and is not on the list of prohibited trees. The County will have final approval regarding the type of street tree to be planted.
3. Along connector streets or streets with a higher classification, metal grating, non-mortared brick, grasscrete, or similar material shall be installed at grade over the planting area around street trees, or raised planters shall be constructed to prevent soil compaction and damage to the trunk. Landscape strips or tree wells are required along streets with a classification below connector status.

1007.09 TRANSPORTATION FACILITIES CONCURRENCY

- A. The purpose of Subsection 1007.09 is to ensure that transportation infrastructure is provided concurrently with the new development it is required to serve or, within a reasonable period of time following the approval of new development.
- B. Subsection 1007.09 shall apply to the following development applications: design review, subdivisions, partitions, and conditional uses.
- C. Approval of a development shall be granted only if the capacity of transportation facilities is adequate or will be made adequate in a timely manner. The following shall be exempt from this requirement:
 1. Development that is located:
 - a. In the Light Industrial, General Industrial, or Business Park District; and
 - b. North of the Clackamas River; and
 - c. West of Highway 224 (south of Highway 212) or 152nd Drive (north of Highway 212); and
 - d. South of Sunnyside Road (east of 82nd Avenue) or Harmony Road (west of 82nd Avenue) or Railroad Avenue (west of Harmony Road); and
 - e. East of Interstate 205 (south of Milwaukie Expressway) or the city limits of Milwaukie (north of the Milwaukie Expressway).

2. Modification or replacement of an existing development (or a development that has a current land use approval even if such development has not yet been constructed) on the same property, provided that an increase in motor vehicle traffic does not result;
 3. Unmanned utility facilities, such as wireless telecommunication facilities, where no employees are present except to perform periodic servicing and maintenance;
 4. Mass transit facilities, such as light rail transit stations and park-and-ride lots;
 5. Home occupations to host events, which are approved pursuant to Section 806; and
 6. Development in the Government Camp Village, as shown on Comprehensive Plan Map X-MH-4, *Government Camp Village Plan Land Use Plan & Boundary*, that is otherwise consistent with the Comprehensive Plan and zoning designations for the Village.
- D. As used in Subsection 1007.09(C), “adequate” means a maximum volume-to-capacity ratio (v/c), or a minimum level of service (LOS) , as established by Comprehensive Plan Tables 5-2a, *Performance Evaluation Measures for the Urban Area*, and 5-2b, *Performance Evaluation Measures for the Rural Area*.
- E. For the purpose of calculating capacity as required by Subsections 1007.09(C) and (D), the following standards shall apply:
1. The methods of calculating v/c and LOS are established by the Clackamas County Roadway Standards, except that the method of calculating capacity on state facilities is established by the Oregon Highway Plan.
 2. The minimum capacity standards shall apply to all roadways and intersections within the impact area of the proposed development. The impact area shall be established by the Clackamas County Roadway Standards.
 3. Capacity shall be evaluated for motor vehicle traffic only.
- F. As used in Subsection 1007.09(C), “timely” means:
1. For facilities under the jurisdiction of the County, necessary improvements are included in the Five-Year Capital Improvement Program, fully funded, and scheduled to be under construction within three years of the date land use approval is issued;

2. For facilities under the jurisdiction of the State of Oregon, necessary improvements are included in the Statewide Transportation Improvement Plan and scheduled to be under construction within four years of the date land use approval is issued;
3. For facilities under the jurisdiction of a city or another county, necessary improvements are included in that jurisdiction's capital improvement plan, fully funded, and scheduled to be under construction within three years of the date land use approval is issued.
4. Alternatively, "timely" means that necessary improvements will be constructed by the applicant or through another mechanism, such as a local improvement district. Under this alternative:
 - a. Prior to issuance of a certificate of occupancy for a conditional use or a development subject to design review and prior to recording of the final plat for a subdivision or partition, the applicant shall do one of the following:
 - i. Complete the necessary improvements; or
 - ii. For transportation facilities under the jurisdiction of the County, the applicant shall provide the county with a deposit, letter of credit, performance bond, or other surety satisfactory to county staff pursuant to Section 1104. For transportation facilities under the jurisdiction of the state, a city, or another county, the applicant shall comply with the respective jurisdiction's requirements for guaranteeing completion of necessary improvements. This option is only available if the jurisdiction has a mechanism in place for providing such a guarantee.
5. For a phased development, the first phase shall satisfy Subsections 1007.09(F)(1) through (4) at the time of land use approval. Subsequent phases shall be subject to the following:
 - a. At the time of land use approval, necessary improvements shall be identified and the phase for which they are necessary shall be specified.
 - b. Necessary improvements for a particular phase shall either:
 - i. Comply with Subsections 1007.09(F)(1) through (3) at the time of building permit approval, except that the improvements shall be scheduled to be under construction within three years of building permit approval rather than within three years of land use approval; or

- ii. Comply with Subsection 1007.09(F)(4), in which case the improvements shall be completed or guaranteed prior to issuance of a certificate of occupancy or recording of the final plat for the applicable phase.
- G. As used in Subsection 1007.09(F), “necessary improvements” are:
 - 1. Improvements identified in a transportation impact study as being required in order to comply with the adequacy standard identified in Subsection 1007.09(D).
 - a. A determination regarding whether submittal of a transportation impact study is required shall be made based on the Clackamas County Roadway Standards, which also establish the minimum standards to which a transportation impact study shall adhere.
 - b. If a transportation impact study is not required, County traffic engineering or transportation planning staff shall identify necessary improvements or the applicant may opt to provide a transportation impact study.
- H. As an alternative to compliance with Subsection 1007.09(C), the applicant may make a voluntary substantial contribution to the transportation system.
 - 1. As used in this subsection, “substantial contribution” means construction of a roadway or intersection improvement that is all of the following:
 - a. A complete project or a segment of a roadway identified in Comprehensive Plan Table 5-3a, *20-Year Capital Projects*, 5-3b, *Preferred Capital Projects*, or 5-3c, *Long-Term Capital Projects*; the Statewide Transportation Improvement Plan (STIP); or the capital improvement plan (CIP) of a city or another county.
 - i. For a segment of a roadway to qualify as a substantial contribution, the roadway shall be on or abutting the subject property; no less than the entire segment that is on or abutting the subject property shall be completed; and there shall be a reasonable expectation that the entire project—as identified in Comprehensive Plan Table 5-3a, 5-3b, or 5-3c; the STIP; or the CIP of a city or another county—will be completed within five years;
 - b. Located within the impact area of the proposed development. The impact area shall be established by the Clackamas County Roadway Standards;
 - c. Estimated to have a minimum construction cost of \$527,000 in year 2004 dollars. The minimum construction cost shall on January 1st of

each year following 2004 be adjusted to account for changes in the costs of acquiring and constructing transportation facilities. The adjustment factor shall be based on the change in average market value of undeveloped land, except resource properties, in the County according to the records of the County Tax Assessor, and the change in construction costs according to the Engineering News Record (ENR) Northwest (Seattle, Washington) Construction Cost Index; and shall be determined as follows:

- i. $\text{Change in Average Market Value} \times 0.50 + \text{Change in Construction Cost Index} \times 0.50 = \text{Minimum Construction Cost Adjustment Factor}$
 - ii. After the adjustment factor is applied to the previous year's minimum construction cost, the result shall be rounded to the nearest thousand.
2. Prior to issuance of a certificate of occupancy for a conditional use or a development subject to design review and prior to recording of the final plat for a subdivision or partition, the applicant shall do one of the following:
- a. Complete the substantial contribution; or
 - b. For transportation facilities under the jurisdiction of the County, the applicant shall provide the county with a deposit, letter of credit, performance bond, or other surety satisfactory to county staff pursuant to Section 1104. For transportation facilities under the jurisdiction of the state, a city, or another county, the applicant shall comply with the respective jurisdiction's requirements for guaranteeing completion of necessary improvements. This option is only available if the jurisdiction has a mechanism in place for providing such a guarantee.

1007.10 FEE IN LIEU OF CONSTRUCTION

For all or part of the road frontage improvements required by Section 1007; located within the Portland Metropolitan Urban Growth Boundary (UGB) and required for a partition, a two- or three-family dwelling (where no more than one such dwelling is proposed), an attached or detached single-family dwelling, or a manufactured dwelling; the developer may elect to pay a fee in lieu of construction as follows.

- A. The fee in lieu of construction may be paid if the road frontage improvements are located on a local or collector road that is not identified on Comprehensive Plan Map 5-3, *Essential Pedestrian Network*, and payment of the fee is deemed by the Department of Transportation and Development to be an acceptable alternative to construction of the required improvements; or

- B. The fee in lieu of construction may be paid if the road frontage improvements are located on a road that is identified on Comprehensive Plan Map 5-3; *Essential Pedestrian Network*; payment of the fee is deemed by the Department of Transportation and Development to be an acceptable alternative to construction of the required improvements; and at least one of the following criteria is met:
1. The improvements are included in the Five-Year Capital Improvement Program;
 2. The improvements are located on a road where significant topographical or natural feature constraints exist; or
 3. The improvements are located on a local or collector road where a sidewalk or pathway does not exist within 200 feet of the required improvements.
- C. For a two-family dwelling, a detached single-family dwelling, an attached single-family dwelling where two dwelling units are attached to one another, or a manufactured dwelling, the fee in lieu of construction shall be \$25.00 per lineal foot of frontage. The fee shall be adjusted annually to account for the change in construction costs according to the Engineering News Record (ENR) Northwest (Seattle, Washington) Construction Cost Index. The annual adjustment shall be made in January on the date that the ENR publishes its first index of the year.
- D. For a partition, a three-family dwelling, or an attached single-family dwelling where three or more dwelling units are attached to one another, the fee in lieu of construction shall be equal to the estimated cost of constructing the required frontage improvements and shall be calculated as follows.
1. A frontage improvement cost construction estimate acceptable to the Department of Transportation and Development shall be completed by an engineer who is registered by the State of Oregon.
 2. The elements to be considered when calculating the fee shall include, but shall not necessarily be limited to, mobilization/start-up, grading, rock, drainage, asphalt, curb, sidewalk, and retaining wall.
- E. All fees in lieu of improvements collected, and interest thereon, shall be placed in a "Sidewalk Improvement Fund." Fees shall be spent on sidewalk or pedestrian pathway construction on local or collector roads within the UGB.

1007.10 STREETS AND SIDEWALKS IN SUNNYSIDE VILLAGE

The following standards apply in Sunnyside Village. Where these standards conflict with other provisions in Section 1007, Subsection 1007.10 shall take precedence.

A. Connector streets with bike lanes shall include two 10-foot-wide travel lanes, two six-inch-wide standard curbs, two seven-foot-wide parking strips, two four- to five-foot-wide planting strips, two four-foot-wide bike lanes, and two five-foot-wide sidewalks. The minimum right-of-way width shall be 61 to 63 feet, depending on the planting strip width. If commercial/retail are adjacent to the site, then nine-foot-wide sidewalks are required. (See Comprehensive Plan Figure X-SV-1, *Sunnyside Village Plan Connector Street with Planting Strips and Bike Lanes.*)

B. Connector streets without bike lanes shall include two 10-foot-wide travel lanes, two six-inch-wide standard curbs, two seven-foot-wide parking strips, two four- to five-foot-wide planting strips, and two five-foot-wide sidewalks. The minimum right-of-way width shall be 53 to 55 feet, depending on the planting strip width. If commercial/retail is adjacent to the site, then nine-foot-wide sidewalks are required. (See Comprehensive Plan Figure X-SV-2, *Sunnyside Village Plan Connector Street with Planting Strips.*)

C. Local streets shall include two eight-to-nine-foot-wide travel lanes, two six-inch-wide standard curbs, one eight-foot-wide parking strip, two five-foot-wide sidewalks, and two four-foot-wide tree planting strips. The right-of-way width shall be 43 to 45 feet. (See Comprehensive Plan Figure X-SV-5, *Sunnyside Village Plan Local Street with Planting Strips.*)

Cul-de-sacs are permitted only when topographic conditions or existing street patterns preclude extension of streets. The maximum radius shall be 40 feet.

D. All streets adjacent to resource protection areas shall have at least one five-foot-wide sidewalk along one side of the street. If there are no significant trees (at least eight inches in diameter) along the resource protection area adjacent to the street, then a minimum four-foot-wide planting strip is required along both sides of the street. If it is determined that a unique view is to be preserved, then the Planning Director will determine if street trees are required.

E. New street connections and private access driveways should be located along arterial and collector roadways within Sunnyside Village to provide safe and efficient traffic operations. New street connections along arterial streets are shown on Comprehensive Plan Map X-SV-3, *Sunnyside Village Plan Street Classifications.* New street connections to collector roadways shall be a minimum of 150 feet apart, measured road centerline to centerline.

New individual driveway connections shall not be permitted along arterial and collector roadways. The removal and/or consolidation of existing private

driveways on arterial and collector streets should be investigated as redevelopment of properties occurs.

At existing or future major street intersections (existing or proposed traffic signals), no new driveways or street connections shall be allowed within the influence area of the intersection. The influence area is defined as the distance that vehicles will queue from the signalized intersection. The influence area shall be based upon traffic volumes summarized in the Sunnyside Area Master Plan (November 1994) or based upon information acceptable to the County Engineering Division. This influence area shall include an additional 100 feet beyond the queue length for back-to-back left turns.

The preferred minimum intersection spacing on minor arterials is 500 feet, measured road centerline to centerline. Major arterial intersection spacing is preferred to be between 600 feet and 1,000 feet, measured road centerline to centerline.

F. The interior angles at intersection roadways shall be as near to 90 degrees as possible, and in no case shall it be less than 80 degrees or greater than 100 degrees. Minimum centerline radius for local roadways shall be 100 feet unless the alternative horizontal curve illustrated on Comprehensive Plan Figure X-SV-9, *Sunnyside Village Plan Alternative Horizontal Curve for Local Streets*, is used.

G. Alleys shall be private streets with rights-of-way of 16 feet. (See Comprehensive Plan Figure X-SV-6, *Sunnyside Village Plan Alleys*.)

H. A traffic circle will mark the heart of Sunnyside Village and will provide suitable geometrics for the five radial streets that converge at this point. Travel on the circle shall occur in one direction. This shall be facilitated by traffic diverters that guide vehicles but still allow comfortable pedestrian movement. The raised diverters should consist of low raised curbs and/or special paving. The travel lane within the circle should allow for easy merging.

Special paving shall demark crosswalks. Bike lanes shall be clearly marked and shall occur at the edge of the travel lane and define the inner boundary of the crosswalks and bus loading areas. The bus loading areas shall be located adjacent to the Village Commercial area. On the other side of the circle, this added dimension shall be used for planting strips with street trees, adjacent to nine-foot-wide sidewalks.

The center island shall have a radius of at least 30 feet and shall be landscaped. A vertical feature or monument identifying the entrance to Sunnyside Village should mark the center of the circle and shall be framed by blossoming trees.

I. Intersection dimensions should be minimized to reduce pedestrian crossing-distances and slow vehicles. Curb radiuses should not exceed 25 feet at corners.

J. For properties with frontage along 152nd Drive, adjacent to the proposed realignment of 152nd Drive, the applicant's share of costs associated with the realignment of 152nd Drive shall be limited to the dedication of required on-site right-of-way for the realignment of 152nd Drive as a collector street, and the guarantee of financing for the required on-site improvements, to collector-street standards, according to the requirements of the County Engineering Division.

1007.11 VACATIONS

Road and Access Easement Vacations: In the RTL and CC Districts, 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.

1007.12 TRAFFIC MANAGEMENT PLANS

In the OA and VO Districts, 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:

- A. Physical site controls on existing traffic;
- B. P.M. peak hour existing traffic limitations;
- C. Traffic monitoring;
- D. Restrictions on the number of parking spaces;
- E. Transportation/transit information center;
- F. Flextime, staggered working hours; and
- G. Carpool and vanpool spaces and similar ride share programs.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-230, 9/26/11; Amended by Ord. ZDO-232, 3/12/12; Amended by Ord. ZDO-246, 3/1/14]

1009 LANDSCAPING

1009.01 PURPOSE

Section 1009 is adopted to:

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

1009.02 GENERAL PROVISIONS

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

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

1009.03 MINIMUM AREA STANDARDS

- A. Table 1009-1, *Minimum Landscaped Area*, establishes the minimum percentage of the area of the subject property that shall be landscaped.

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1. The minimum landscaping percentage shall be calculated after subtracting any public dedications from the area of the subject property.
2. Landscaping in adjacent rights-of-way shall not count toward compliance with the minimum landscaping percentage.
3. Requirements for surface parking and loading area landscaping, screening and buffering, landscaping strips, and outdoor recreational areas set forth in Section 1009 apply regardless of whether compliance with those requirements results in landscaping a greater percentage of the site than is required by Table 1009-1.
4. Notwithstanding Subsection 1009.03(A), additions to a commercial, industrial, or institutional development which does not currently comply with the minimum landscaping percentage standard, shall require additional landscaping area, as follows:
 - a. Structural additions of 1,000 to 1,999 square feet: An additional five percent of the subject property, but no more than the percentage required by Table 1009-1;
 - b. Structural additions of 2,000 to 4,999 square feet: An additional 10 percent of the subject property, but no more than the percentage required by Table 1009-1;
 - c. Structural additions of 5,000 square feet or more: The percentage required by Table 1009-1; and
 - d. Where successive structural additions occur at different times, the required landscaping percentage shall increase until total conformance is reached.

Table 1009-1: Minimum Landscaped Area

Zoning District	Minimum Landscaped Area
RTL, RCO, RCC, PMU, CC, SCMU ¹	10 percent
NC, C-2, C-3, RTC ² , RC, BP, LI, GI, RI, VCS, VO, VC	15 percent
OC, OA, RCHDR	20 percent
MR-1, HDR, PMD, MRR, MR-2, CI, VTH, VA	25 percent
HR	25 percent for the development of conditional uses
R-2.5 through R-30, RR, RA-1, RA-2, RRFF-5, FF-10, HR, FU-10, VR-4/5, and VR-5/7	25 percent for the development of conditional uses
SHD	40 percent

¹ In the SCMU District, the minimum shall be 15 percent for developments of three-family or multifamily dwellings, including mixed-use developments that include these uses.

² In the unincorporated community of Government Camp, as shown on Comprehensive Plan Map X-MH-4, *Government Camp Village Plan, Land Use Plan & Boundary*, the minimum shall be 10 percent, except that there shall be no minimum for properties with frontage on the Old Mt. Hood Loop Road from E. Wy'east Trail to E. Olive Street and on E. Little Trail from E. Olive Street to E. Church Street, where public plazas are provided in compliance with Subsection 504.09(E).

B. A minimum of 75 percent of the minimum landscaped area required by Table 1009-1—excluding any area occupied by pedestrian amenities, active recreational areas, or edible gardens—shall be landscaped with native or drought-tolerant plants.

C. Outdoor recreational areas required by Subsection 1009.08, as well as outdoor recreational areas in the Mountain Recreational Resort District, shall count toward the minimum landscaped area required by Table 1009-1, except that impervious surface area exceeding 25 percent of the outdoor recreational area shall be excluded.

- D. Edible gardens may comprise a maximum of 10 percent of the minimum landscaped area required by Table 1009-1.
- E. Green roofs may comprise a maximum of 25 percent of the minimum landscaped area required by Table 1009-1.
- F. Turf lawn may comprise a maximum of 10 percent of the minimum landscaped area required by Table 1009-1. However, this limitation shall not apply to active recreational areas, provided that no other areas of the subject property are planted in turf lawn, and it shall not apply to cemeteries.
- G. Pedestrian amenities may comprise a maximum of one-third of the minimum landscaped area required by Table 1009-1. However, no more than 15 percent of the minimum landscaped area required by Table 1009-1 and developed with pedestrian amenities shall have an impervious surface.

1. In the Clackamas Regional Center Area, as identified on Comprehensive Plan Map X-CRC-1, Clackamas Regional Center Area Design Plan, Regional Center, Corridors, and Station Community, pedestrian amenities used to meet the minimum landscaped area required by Table 1009-1 shall comply with the following standards:

- a. Pedestrian areas include plazas, courtyards, outdoor seating areas for restaurants, pocket parks, and atriums when there is direct access for pedestrians. Pedestrian areas in front of buildings should be visible from the street.
- b. Pedestrian areas shall include landscape planters and at least two of the following amenities for every 100 square feet of pedestrian area: lawn areas with trees and seating; awnings or other weather protection; kiosks; outdoor eating areas with seating; water features with seating; and drinking fountains.

- H. Area occupied by walls, fences, or trellises constructed to comply with Subsections 1009.04 and 1009.05 shall count toward the minimum landscaped area required by Table 1009-1.
- I. In Medium, Medium High, and High Density Residential Districts, the following may comprise a maximum of 20 percent of the minimum landscaped area required by Table 1009-1: interior courtyards, atriums, solar greenhouses, solariums, roof gardens, indoor recreational areas, and other comparable amenities.
- J. In the SHD District, the minimum landscaped area required by Table 1009-1 shall be met with outdoor surface areas, including the following: landscaping; courtyards; pedestrian plazas; areas dedicated for parks; onsite walkways and bikeways; recreational areas and facilities; and shared yards, decks, terraces, patios, and roof gardens. In addition, indoor recreational facilities identified in

Subsection 315.05(F), and over and above the minimum standard set forth in Subsection 315.05(F), may be counted toward the minimum landscaped area required by Table 1009-1.

- K. In the RCHDR District, the minimum landscaped area shall be met with shared outdoor surface areas, including the following: landscaping; courtyards; pedestrian plazas; areas dedicated for parks; onsite walkways and bikeways; recreational areas and facilities; and yards, decks, terraces, patios, and roof gardens. In addition, indoor recreational facilities identified in Subsection 315.05(F), and over and above the minimum standard set forth in Subsection 315.05(F), may be counted toward the minimum landscaped area required by Table 1009-1. Also, private outdoor areas may be counted toward meeting the minimum landscaped area required by Table 1009-1, as follows:
1. A maximum of 25 percent of the minimum landscaped area required by Table 1009-1 may be comprised of usable private outdoor space, except that the 25-percent cap does not apply to usable private open space facing streets and accessory to residential development.
 2. When living areas face the street, usable balcony space may be applied toward achieving the minimum landscaped area required by Table 1009-1 on a 1:2 ratio (one square foot of credit for every two square feet of balcony space facing the street). The balconies must have non-opaque sides, and be designed to incorporate landscaping or other decorative features.

1009.04 SURFACE PARKING AND LOADING AREA LANDSCAPING

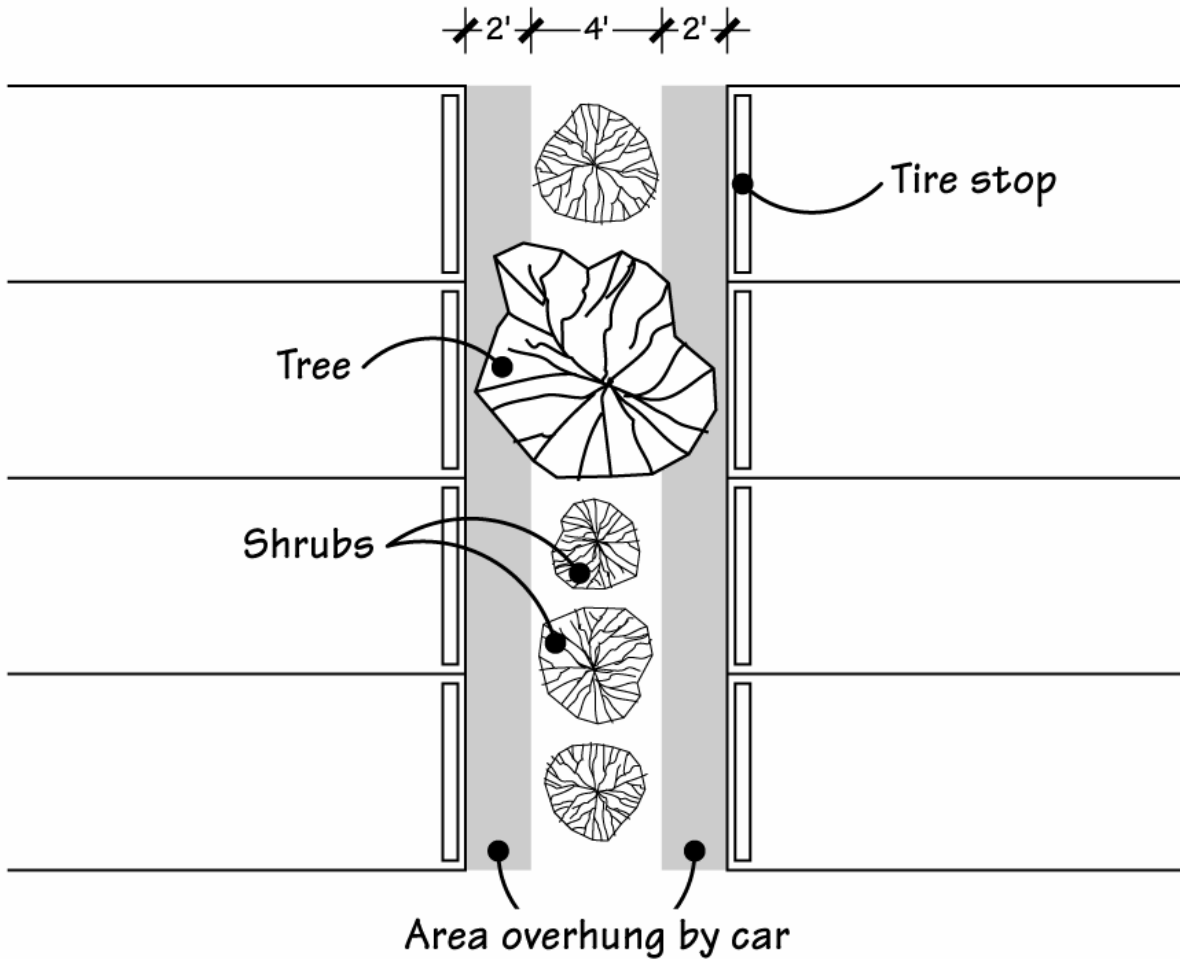
Surface parking and loading areas shall be landscaped as follows:

- A. Surface parking areas that include more than 15 parking spaces shall comply with the following landscaping requirements:
1. Twenty-five square feet of landscaping per parking space, excluding perimeter parking spaces, shall be provided, except that the standard shall be reduced to 20 square feet for each parking space developed entirely with porous pavement.
 2. One landscape swale located between two rows of parking spaces, as shown in Figure 1009-1, is required for every six rows of parking spaces, unless all parking spaces are developed entirely with porous pavement. Additional swales beyond the minimum requirement are allowed.
 - a. For the purpose of Subsection 1009.04(A)(2), a “row” of parking spaces is one space deep, meaning that where two spaces abut at their ends, it is considered two “rows”.
 - b. Parking spaces separated by pedestrian or vehicle crossings perpendicular to the row of parking spaces are considered to be part of a single row.

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- c. The first required swale shall be developed for the entire length of the longest row of parking spaces.
- d. Gaps in a required swale are permitted only to provide for pedestrian and vehicle crossings.
- e. The parking lot shall be graded to allow surface water to flow into a swale. Curbs shall not separate parking spaces from the swale, and gaps between parking space tire stops are required to allow surface water to flow into a swale.
- f. Swales shall be a minimum of four feet wide.
- g. If the front portions of parking spaces are landscaped as allowed by Subsection 1015.04(B)(11), the landscaped portion of the parking space shall be adjacent and in addition to the swale, as shown in Figure 1009-1.
- h. Turf lawn is prohibited in swales.

Figure 1009-1: Parking Lot Swale

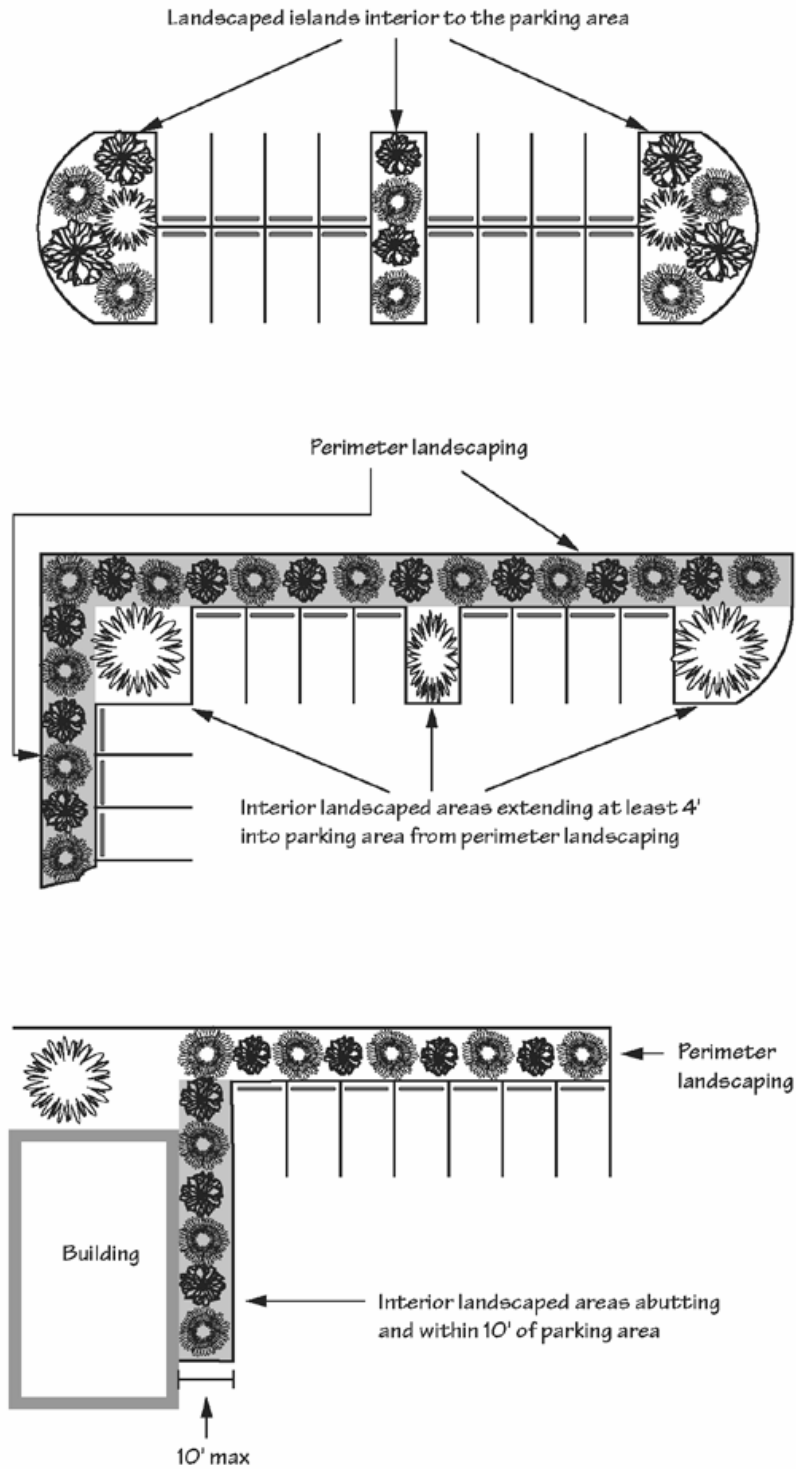


3. Interior landscaping not developed as swales pursuant to Subsection 1009.04(A)(2) shall comply with the following standards:
 - a. It shall be arranged in areas at the ends of rows of parking or between parking spaces within rows of parking. See Figure 1009-2.
 - b. It may join perimeter landscaping as long as the interior landscape area extends at least four feet into the parking area from the perimeter landscape line. See Figure 1009-2.
 - c. Landscaping that abuts, but does not extend into, the parking area may be included as interior landscaping if all of the following are met:
 - i. The abutting landscaped area must be in addition to required perimeter landscaping;

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- ii. Only the first 10 feet of the abutting landscaped area, measured from the edge of the parking area, may be included as interior landscaping; and
 - iii. The landscaped area is not abutting and parallel to required perimeter landscaping. See Figure 1009-2.
- d. The interior length and width of landscaped areas shall be a minimum of four feet.

Figure 1009-2: Interior Landscaping



4. Interior landscaped areas, including swales, shall include a minimum of one tree located every eight interior parking spaces, or fraction thereof, except in the Office Apartment (OA), Village Apartment (VA), Village Community Service (VCS), and Village Office (VO), ~~and Village Commercial (VC)~~ Districts, where a minimum of one tree shall be located every six interior parking spaces.
 - a. Where necessary to accommodate other design considerations, variable spacing of the trees required by Subsection 1009.04(A)(4) is allowed, but in no case shall there be less than one tree planted in every 12 parking spaces.
 - b. The species of trees required shall be determined on the basis of the growth habit and the need to provide maximum shading of surface parking areas.
- B. Perimeter landscaping requirements for surface parking and loading areas adjacent to abutting properties or rights-of-way are as follows:
 1. A landscaping strip with a minimum width of five feet shall be provided adjacent to the perimeter of the surface parking or loading area, except:
 - a. In the OA, VA, VCS, and VO, ~~and VC~~ Districts, the minimum width shall be 10 feet;
 - b. In the BP and LI Districts, the minimum width shall be 15 feet abutting a front lot line; and
 - c. In the GI District, the minimum width shall be 10 feet abutting a front lot line.
 2. The required landscaping strips shall comply with the following standards:
 - a. Sufficient low shrubs shall be planted to form a continuous screen three feet high and 95 percent opaque, year-round; or a three-foot-high masonry wall or a berm may be substituted for the shrubs. When applied along front lot lines, the screen or wall is to be placed along the interior side of the landscaping strip.
 - b. In addition, one tree is required for every 30 linear feet of landscaping strip, or as otherwise required to provide a tree canopy over the landscaping strip.
 - c. Ground cover plants must fully cover the remainder of the landscaped area.

3. A perimeter landscape strip is not required for a surface parking or loading area adjacent to an abutting property if one or more interior driveways connect the two properties and if the abutting property also is developed with a surface parking or loading area adjacent to the shared property line.
4. Required walkways may cross perimeter landscaping strips.

1009.05 SCREENING AND BUFFERING

- A. Screening shall be used to eliminate or reduce the visual impacts of the following:
 1. Service areas and facilities, such as loading areas and receptacles for solid waste or recyclable materials;
 2. Storage areas;
 3. Ground-mounted rainwater collection facilities with a storage capacity of more than 100 gallons;
 4. Parking lots within or adjacent to an Urban Low Density Residential, Recreational Residential, Rural Area Residential 1-Acre, Rural Area Residential 2-Acre, Rural Residential Farm Forest 5-Acre, Farm Forest 10-Acre, Hoodland Residential, Future Urban 10-Acre, Village Small Lot Residential, or Village Standard Lot Residential zoning districts; and
 5. Any other area or use, as required by this Ordinance.
- B. Screening shall be accomplished by the use of sight-obscuring plant materials (generally evergreens), vegetated earth berms, walls, fences, trellises, proper siting of disruptive elements, building placement, or other design techniques.
- C. Screening shall be required to substantially block any view of material or equipment from any point located on a street or accessway adjacent to the subject property. Screening from walkways is required only for receptacles for solid waste or recyclable materials. A sight-obscuring fence at least six feet in height and up to a maximum of 10 feet shall be required around the material or equipment.
- D. Buffering shall be used to mitigate adverse visual impacts, dust, noise, or pollution, and to provide for compatibility between dissimilar adjoining uses. Special consideration shall be given to the buffering between residential uses and commercial or industrial uses, and in visually sensitive areas.
- E. Buffering shall be accomplished by one of the following:
 1. A landscaping strip with a minimum width of 15 feet and planted with:

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- a. At least one row of deciduous and evergreen trees staggered and spaced not more than 30 feet apart;
 - b. At least one row of evergreen shrubs, spaced not more than five feet apart, which will grow to form a continuous hedge at least five feet in height within one year of planting; and
 - c. Low-growing evergreen shrubs and evergreen ground cover covering the balance of the area;
2. A berm with a minimum width of ten feet, a maximum slope of 40 percent on the side away from the area screened from view, and planted with a dense evergreen hedge;
 3. A strip with a minimum width of five feet, and including:
 - a. A masonry wall or sight-obscuring fence not less than five feet in height;
 - b. An evergreen hedge, vines, trees, or shrubs; and
 - c. Low-growing evergreen shrubs and evergreen ground cover covering the balance of the area; or
 4. Another method that provides an adequate buffer considering the nature of the impacts to be mitigated.
- F. Required walkways shall be accommodated, even if such accommodation necessitates a gap in required screening or buffering.

1009.06 LANDSCAPING STRIPS IN INDUSTRIAL ZONING DISTRICTS

- A. In the BP and LI Districts, a landscaping strip a minimum of 15 feet wide shall be provided along front lot lines.
- B. In the GI District, a landscaping strip a minimum of 10 feet wide shall be provided along front lot lines.

1009.07 FENCES

- A. In the CI District, periphery fences shall not be allowed. Decorative fences or walls may be used to screen service and loading areas, private patios or courts. Fences may be used to enclose playgrounds, tennis courts, or to secure sensitive areas or uses, such as vehicle storage areas or drainage detention facilities. Fences shall not be located where they impede pedestrian or bicycle circulation through or between site areas.

- B. In the BP District, street perimeter fences or walls and guard posts shall meet a minimum setback of 15 feet and shall be of a material, color, and design complementary to the development and to adjoining properties and public access roads.
- C. In the LI District, street perimeter fences or walls shall meet a minimum setback of 15 feet from the front lot line.
- D. In the GI District, street perimeter fences or walls shall meet a minimum setback of 10 feet from the front lot line.

1009.08 OUTDOOR RECREATIONAL AREAS

An outdoor recreational area shall be provided in developments of two-family, three-family, or multifamily dwellings in the Medium Density Residential, Medium High Density Residential, and High Density Residential zoning districts, and in developments of three-family or multifamily dwellings, including mixed-use developments that include these uses, in the ~~Station Community Mixed Use (SCMU) zoning~~ District, as follows:

- A. A minimum of 200 square feet of usable outdoor recreational space per dwelling unit shall be provided for studio, one- bedroom, and two-bedroom units. The minimum shall be increased to 300 square feet per dwelling unit for units with three or more bedrooms. ~~However, Notwithstanding these requirements, see Subsections 1707.08(D)(1) and (2) for limitations that apply~~ in the SCMU zoning District:-
 - 1. The requirement shall apply only to the first 20 dwelling units per acre, or prorated equivalent thereof; and
 - 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 1005.10(L), 1009.04, and 1009.05—full compliance would result in landscaping more than 15 percent of the lot.
- B. Outdoor recreational areas may be designed for passive or active recreation, including edible gardening.
- C. Outdoor recreational areas shall be designed for adequate surveillance opportunities.
- D. Outdoor recreational areas shall be conveniently located and accessible to all dwelling units.

1009.09 EROSION CONTROL

- A. Graded areas shall be re-vegetated with suitable plants to ensure erosion control.

- B. Netting shall be provided, where necessary, on sloped areas while ground cover is being established.

1009.10 PLANTING AND MAINTENANCE

- A. Impervious weed barriers (e.g, plastic sheeting) are prohibited.

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- B. Plants shall not cause a hazard. Plants over walkways, sidewalks, pedestrian pathways, and seating areas shall be pruned to maintain a minimum of eight feet below the lowest hanging branches. Plants over streets and other vehicular use areas shall be pruned to maintain a minimum of 15 feet below the lowest hanging branches.
- C. Plants shall be of a type that, at maturity, typically does not interfere with above- or below-ground utilities.
- D. Plants shall be installed to current nursery industry standards.
- E. Plants shall be properly guyed and staked to current nursery industry standards as necessary. Stakes and guy wires shall not interfere with vehicular or pedestrian traffic.
- F. Landscaping materials shall be guaranteed in writing by the developer for a period of one year from the date of installation. A copy of the guarantee shall be furnished to the County by the developer. The developer also shall submit a signed maintenance contract, or provide a financial guarantee pursuant to Section 1104, covering the landscape maintenance costs during the guarantee period.
- G. Plants shall be suited to the conditions under which they will be growing. As an example, plants to be grown in exposed, windy areas that will not be irrigated shall be sufficiently hardy to thrive under these conditions. Plants shall have vigorous root systems, and be sound, healthy, and free from defects and diseases.
- H. When planted, deciduous trees shall be fully branched, have a minimum caliper of two inches, and have a minimum height of eight feet.
- I. When planted, evergreen trees shall be fully branched and have a minimum height of eight feet.
- J. Shrubs shall be supplied in minimum one-gallon containers or eight-inch burlap balls with a minimum spread of 12 inches.
- K. Ground cover shall be planted a maximum of 30 inches on center with a maximum of 30 inches between rows. Rows of plants shall be staggered. Ground cover shall be supplied in minimum four-inch containers, except that the minimum shall be reduced to two and one-quarter inches or equivalent if the ground cover is planted a minimum of 18 inches on center.
- L. Plants shall be spaced so that ground coverage three years after planting is expected to be 90 percent, except where pedestrian amenities, rainwater collection systems, or outdoor recreational areas count as landscaping pursuant to Subsection 1009.03. Areas under the drip line of trees count as ground coverage.

- M. Irrigation of plants shall be required, except in wooded areas, wetlands, and in river and stream buffers. The irrigation system shall be automatic, except that hose bibs and manually operated methods of irrigation may be permitted in small landscaped areas close to buildings. Automatic irrigation systems are subject to the following standards:
1. The irrigation system shall be designed to prevent runoff, low head drainage, overspray, or other similar conditions where irrigation water flows onto non-targeted areas, such as adjacent property, non-irrigated areas, hardscapes, roadways, or structures.
 2. In mulched planting areas, the use of low volume irrigation is required to maximize water infiltration into the root zone.
 3. Narrow or irregularly shaped areas, including turf lawn, less than eight feet in width in any direction shall be irrigated with subsurface or low volume irrigation.
 4. Overhead sprinkler irrigation shall not be permitted within two feet of any non-permeable surface. Allowable irrigation within the two-foot setback from non-permeable surfaces may include drip, drip line, or other low flow non-spray technology. The setback area may be planted or unplanted. The surfacing of the setback may be mulch, gravel, or other porous material. These restrictions may be modified if:
 - a. The landscaped area is adjacent to permeable surfacing and no runoff occurs; or
 - b. The adjacent non-permeable surfaces are designed and constructed to drain entirely to landscaping; or
 - c. The irrigation designer specifies an alternative design or technology, and clearly demonstrates strict adherence to Subsection 1009.10(M)(1).
 - d. Automatic irrigation controllers utilizing either evapotranspiration or soil moisture sensor data shall be required for irrigation scheduling.
- N. Appropriate methods of plant care and landscaping maintenance shall be provided by the property owner.
- O. Plants shall be protected from damage due to heavy foot traffic or vehicular traffic by protective tree grates, pavers, or other suitable methods.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-243, 9/9/13; Amended by Ord. ZDO-246, 3/1/14]

1010 SIGNS

1010.01 PURPOSE

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

1010.02 GENERAL PROVISIONS

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

3. Except for an electronic message center sign approved pursuant to Subsection 1010.14, no sign or illuminating devices shall have blinking, flashing, or fluttering lights.
- J. Signs or displays containing any electrical components or parts or illuminated by electrical lighting must be approved under the National Electrical Code as modified by the State of Oregon Rules and Regulations. Lights and illuminated signs requiring an outside power source shall use a state-approved power outlet.
 - K. Moving Signs: No sign, sign structure, or portion thereof, except flags (as per Subsection 1010.12) and temporary displays (as per Subsection 1010.13(B)) shall be designed to rotate, flutter, or appear to move.
 - L. Maintenance: All signs, together with all of their supports, braces, guys, and anchors, shall be maintained in a safe condition, in compliance with all building and electrical codes, and in conformance with Section 1010, at all times.
 - M. Preexisting Signs: Notwithstanding Section 1206, signs and sign structures existing prior to September 12, 1996, which complied with applicable regulations existing when the sign was established, but which do not comply with one or more of the requirements of Section 1010 shall be subject to the following provisions:
 1. Alterations to a nonconforming sign which reduce or do not increase its noncompliance with the provisions of this Ordinance, including changes in display surface, sign areas, height, and setback, may be allowed subject to review under Subsection 1010.05, and
 2. Failure to use the copy area of a nonconforming sign for purposes permitted under Section 1010 for a period of more than 12 consecutive months shall constitute a "discontinuation of use" as provided under Subsection 1206.02 and such sign shall be removed or modified to satisfy all applicable requirements of Section 1010 and the underlying zoning district.
 - N. Hazards: No sign, light, electrical cord, streamer, flag, or other apparatus shall be situated or used in a manner which creates a hazard.
 - O. Sign Structure: When visible, the supporting structure of the sign shall be incorporated into the overall sign design, and shall be in scale with the sign.
 - P. Site: For purposes of Section 1010, a "site" shall be the entire "site area" of the development as it is defined in Subsection 601.08(B), and onsite signs 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.

1010.03 EXEMPT SIGNS:

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

1010.04 PROHIBITED SIGNS:

The following signs and sign characteristics are prohibited:

- A. Temporary signs, except as provided by Subsection 1010.13;
- B. Portable signs, except as provided by Subsection 1010.07(A)(2)(d), 1010.09(C)(2), or 1010.13;
- C. Animated signs, except as provided by Subsection 1010.14;
- D. Roof signs, except integral roof signs in Commercial and Industrial zoning districts;
- E. Signs that obstruct free and clear vision of a traffic sign or signal from intended users, or otherwise constitute a traffic impediment;
- F. Signs imitating or resembling official traffic signs or signals;
- G. Any sign imitating or resembling an official county street or road sign, unless the sign is approved pursuant to Chapter 7.05, *Addressing and Road Naming*, of the Clackamas County Code;
- H. Colored lights which might in any way be confused with or construed to be traffic signals or lights on emergency vehicles;
- I. Strobe lights and signs containing strobe lights;

- J. Any sign that emits sound, odor, or visible matter; and
- K. Multiple reader signs designed to be read as a continued statement.

1010.05 DESIGN REVIEW

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

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

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

A. Residential Signs in Urban Low Density and Future Urban Districts:

- 1. Shall not exceed three square feet.
- 2. Shall be located inside the dwelling or located flat against the dwelling.
- 3. Only one such sign shall be permitted upon the premises.
- 4. May be illuminated by internal or external lighting subject to Subsections 1010.02(I)(1) and (2).
- 5. No moving parts, noisemaking or musical devices, banners, or other attractions or displays shall be used, except as provided in Subsection 1010.13.

B. Signs in Rural Residential Districts:

- 1. Shall not exceed eight square feet per side or six feet in height.
- 2. Only one such sign shall be permitted upon the premises.
- 3. May be located within the required setback area of the district provided it is situated in a manner so as not to adversely affect safety, corner vision, or other similar conditions.
- 4. May be illuminated by internal or external lighting subject to Subsections 1010.02(I)(1) and (2).

5. No moving parts, noisemaking or musical devices, banners, flags, or other attractions or displays shall be used, except as provided in Subsection 1010.13.

C. Freestanding signs for multifamily developments or subdivisions:

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

1010.07 SIGNS IN NATURAL RESOURCE DISTRICTS

A. Commercial signs:

1. Shall not exceed 32 square feet. Signs may be two sided.
2. Freestanding commercial signs:
 - a. Maximum top-of-sign height: Eight feet above finished ground elevation (not including berms or mounds specifically created for the sign).
 - b. Maximum number: The maximum number of signs shall be four.
(11/6/97)
 - c. Setback: Behind front property line.
 - d. May include portable signs when anchored in accordance with Subsection 1010.13(A)(5).

e. May be illuminated by internal or external lighting, subject to Subsection 1010.02(I).

3. Building commercial signs:

a. Maximum number: One

b. May be illuminated by internal or external lighting, subject to Subsection 1010.02(I).

B. Residential signs as per Subsection 1010.06(B).

C. Institutional uses as per Subsection 1010.08.

1010.08 SIGNS FOR SERVICE, RECREATIONAL, INSTITUTIONAL, AND GOVERNMENTAL USES

A. In residential and natural resource zoning districts, the following standards shall apply to signs for service and recreational uses regulated by Section 813, and to signs for institutional uses.

1. Maximum Area: 32 square feet per side. Neither a freestanding nor a building sign shall exceed this standard.

2. Illumination: Signs may be illuminated by internal or external lighting, subject to Subsection 1010.02(I).

3. Maximum Number: One freestanding and one building sign shall be permitted upon the premises.

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

5. Setback: Behind front property line.

B. Notwithstanding Subsection 1010.08(A), in residential and natural resource zoning districts outside the Portland Metropolitan Urban Growth Boundary, the following standards shall apply to signs for governmental uses.

1. Maximum Area: 60 square feet per side. Neither a freestanding nor a building sign shall exceed this standard.

2. Illumination: Signs may be illuminated by internal or external lighting, subject to Subsection 1010.02(I).

3. Maximum Number: One freestanding and one building sign shall be permitted upon the premises, except if the subject property has frontage on two different streets, an additional sign may be permitted under the following conditions:

a. If the subject property has a driveway entrance on each street frontage, one freestanding sign may be oriented to each street frontage; or

- b. If one of the street frontages abuts a state highway, one freestanding sign may be oriented to each street frontage; or
 - c. A second building sign oriented to the second street frontage may be permitted in lieu of a second freestanding sign allowed pursuant to Subsection 1010.08(B)(3)(a) or (b).
4. Maximum Top-of-Sign Height: 20 feet for a pole sign, five feet for a monument sign.
5. Setback: Behind front property line.

1010.09 COMMERCIAL SIGNS IN COMMERCIAL AND INDUSTRIAL DISTRICTS

A. Commercial freestanding signs:

1. Number: Only one sign shall be allowed for a development or complex, even when more than one tax lot or ownership is included in the development, unless through design review pursuant to Section 1102, the following is determined:
 - a. An additional sign is needed to provide identification of the development at major public access points located on two different public roads, and/or
 - b. When two single-faced signs oriented in two different directions are proposed in lieu of a two-sided identification sign.
 - c. In mixed use developments a separate freestanding sign, not to exceed 32 square feet, may be allowed for the multifamily portion of the development.
 - d. In the case of signs permitted under Subsection 1010.09(A)(1)(a) or (b), neither sign shall exceed the maximum sign size allowed.
 - e. In the C-3 and RTL 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).
 - f. In the BP, LI, and GI Districts, one sign oriented toward offsite traffic may be provided at each public access point from a county or state road.
2. Maximum top-of-sign height:
 - a. Pole signs: In C-3 and RTL 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 developments of more than one use included on the same site, a sign area may be increased above this requirement an additional 10 square feet per tenant, up to a maximum of 200 square feet, subject to Subsection 1010.05. Additionally, multiple-tenant signs shall use a common background.
4. Setbacks: Behind property line.
5. The sign supporting structure shall not be counted for purposes of determining sign area.
6. Illumination: Such signs may be internally or externally illuminated, subject to Subsection 1010.02(I).

B. Building commercial signs:

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

C. Mobile Vending Unit Signs:

1. The number and area of signs on a mobile vending unit are unrestricted. However, such signs shall be located flat against the unit, and no portion of any sign shall extend above the roof of the unit. These signs may be internally or externally illuminated, provided that any required utility connections for such illumination comply with Section 837.
2. Each mobile vending unit may have one portable menu or sandwich board sign a maximum of six square feet in area. This sign shall be located within 10 feet of the mobile vending unit and shall be located outside the unit only during unit operating hours.

D. In the NC District, only projecting, building, or low freestanding or ground-mounted signs, graphics, or symbols shall be used. Where these standards conflict with other provisions in Section 1010, Subsection 1010.09(D) shall take precedence.

E. In the VCS District, signs shall be subject to the following standards. Where these standards conflict with other provisions in Section 1010, Subsection 1010.09(E) shall take precedence.

1. Signs shall have a maximum of two colors in addition to black and white.
2. Only hanging, on-building, or monument signs shall be used.
3. Signs shall not exceed 24 square feet in size.

F. In the VO District, signs shall be subject to the following standards. Where these standards conflict with other provisions in Section 1010, Subsection 1010.09(F) shall take precedence.

1. Signs shall have a maximum of two colors in addition to black and white.
2. Only hanging, on-building, or monument signs shall be used.
3. 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.

1010.10 ONSITE TRAFFIC CONTROL AND IDENTIFICATION SIGNS

- A. Directories oriented primarily toward vehicle circulation shall be limited in area to a maximum of two square feet per tenant, use, or building specifically identified, up to a maximum of 40 square feet.

- B. Directories, including those attached to buildings, that are oriented toward pedestrian circulation areas shall be a maximum of 24 square feet in area, and a maximum of eight feet in top-of-sign height.
- C. An onsite monument sign for an individual building within a development may be allowed as an alternative to a building sign, provided such sign shall:
 - 1. Be located adjacent to the building being identified.
 - 2. Not exceed 12 square feet in area.
 - 3. Not exceed four feet in top-of-sign height.
 - 4. Use materials and colors that are the same, or substantially the same, as those used on the building identified by the sign.
- D. In the CI District, identification signs may be allowed within a perimeter setback area that fronts on a public, county, or state road, and onsite directional signs may be allowed within perimeter setback areas that are adjacent to other site areas.

1010.11 OFFSITE TRAFFIC CONTROL AND IDENTIFICATION SIGNS IN NATURAL RESOURCE DISTRICTS

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

1010.12 FLAGS

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

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

1010.13 TEMPORARY DISPLAYS AND SIGNS

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

1010.14 CHANGEABLE COPY SIGNS

Electronic message centers signs and other changeable copy signs may be incorporated into permanent signs permitted pursuant to Subsections 1010.08 or 1010.09. Approval shall not be granted unless the following criteria are satisfied:

- A. Only one such sign shall be used in a development.
- B. The changeable copy sign or electronic message center sign shall be included in the maximum sign area allowed under Subsections 1010.09(A)(3) or

1010.09(B)(2), and Subsections 1010.08 (A)(1) or (B)(1), and shall not exceed 80 percent of the total sign area.

- C. The changeable copy sign or electronic message center sign shall be integrated into the design of the sign.
- D. All segments of a message shall be completed within 12 seconds.

1010.15 GOVERNMENT CAMP SIGN STANDARDS

- A. Area of Application: Subsection 1010.15 shall apply to all permanent identification signs for commercial developments in the Rural Tourist Commercial (RTC) and Mountain Recreational Resort zoning districts in Government Camp and in the Hoodland Residential zoning district on properties with frontage on Government Camp Loop Road. The purpose of these sign standards is to provide a consistent design theme in the commercial areas.
- B. Conformance: Signs shall comply with the other applicable provisions of Section 1010, except as otherwise provided in Subsection 1010.15. Where there are conflicts, Subsection 1010.15 shall govern. A sign plan must be submitted to the Design Review Committee which shows:
 - 1. Total signage allowed for the proposed sign frontage, face area of existing signage, and face area of proposed signage;
 - 2. The design of the sign and sign support including dimensions, materials, colors, sign copy, lighting, and graphics; and
 - 3. A site plan and building elevation showing placement of existing and proposed signs on the site.
- C. Preexisting Signs: Signs and sign structures existing prior to February 10, 1993, that complied with applicable regulations existing when the sign was established but do not comply with one or more of the requirements of Section 1010 shall be subject to the provisions of Section 1206 and Subsection 1010.02(M), except:
 - 1. Any permanent sign which is nonconforming in any manner other than individual size shall be brought into conformance with the provisions of this Ordinance prior to any expansion or change in use which requires design review or a conditional use permit. Total signage area of existing and new signs may not exceed the maximum established in these standards. No occupancy permit shall be issued until a sign plan is submitted.
 - 2. Should any permanent nonconforming sign be damaged by any means to an extent of more than 50 percent of its replacement costs at the time of damage, it shall be reconstructed or replaced in conformance with these sign standards.
 - 3. Placement of a new sign where existing signage is greater than the total

allowed, or where the new sign will make the total greater, requires removal of an amount of existing signage to keep the total signage area under the limit.

4. Where a Clackamas County Development Agency incentive program is in effect, all nonconforming signs, except those that are nonconforming in size alone, must be brought into conformance or removed by February 10, 1996.

D. Design Standards: Signs shall comply with Subsection 1010.05 and the following conditions:

1. Design: Sign design and support structure shall uphold the rustic, mountain environment of Government Camp through a Cascadian design theme.
2. Materials:
 - a. Signs and support structures are limited to wood or wood exterior, stone, brick, etched or stained glass, wrought iron, or non-shiny metal. Plywood may be used for signs only if it is heavily painted and/or edged to obscure the plywood texture and the surface is sealed to keep it from delaminating.
 - b. Neon signs are permitted inside windows only.
 - c. Plastic may be used only in the letters of sign copy or the portion of a sign with changeable copy.
 - d. Signs in the RTC-zoned properties at the east and west entries of Government Camp visible from U.S. Highway 26 or with frontage on U.S. Highway 26 may be constructed of plastic if the design intent is upheld.
3. Colors: No reflective or fluorescent colors shall be used on signs or support structures.
4. Lighting: The source of the lighting shall be external and obscured from the pedestrian. Internally lit signs are permitted only where the letters of the copy are illuminated or in RTC-zoned properties at the east and west entries of Government Camp visible from U.S. Highway 26, or in signs on U.S. Highway 26 frontage.
5. Changeable Copy: Electronic message center sign area or changeable copy sign area is limited to no more than 20 percent of total signage allowed.
6. Scale: Signs shall be kept in scale with pedestrians and buildings.
7. Placement: Signs shall be incorporated into the design of the building and shall not be placed in locations which interrupt, detract from, or change the architectural lines of the building.

E. Total Signage Area:

1. Developments less than three acres in size:
 - a. Total signage area shall be determined by the lineal feet of building frontage per street. This shall be a minimum of 30 square feet of signage plus one square foot for every five feet of building frontage greater than 30 lineal feet.
 - b. Buildings two stories or taller may increase the total signage allowed by 50 percent.
 - c. Only frontages on streets shall be used to determine total signage per frontage per development.
 - d. Signage shall not be transferred between frontages.
2. Developments over three acres in size:
 - a. Total signage area shall be determined by lineal street frontage. This shall be a minimum of 30 square feet of signage plus one square foot of signage per five lineal feet of street frontage greater than 30 feet.
 - b. Internal signs not readily visible from the street shall not be subject to total signage area restrictions in Subsection 1010.15(E)(2)(a).
3. Developments with U.S. Highway 26 frontage: Such signs serve a unique purpose in attracting high speed traffic from the Highway and are also subject to Oregon Department of Transportation sign regulations. One sign shall be allowed per development per U.S. Highway 26 frontage and will be handled on a case-by-case basis. Signage shall conform to the Government Camp design intent to the degree possible.

F. Types of Signs Permitted:

1. Freestanding or monument signs:
 - a. Shall be situated within setback.
 - b. Shall have a maximum of one ground mounted sign per 50 feet of lineal building frontage.
 - c. Shall have a maximum face area of 24 square feet.
 - d. Shall have a maximum top-of-sign height of 12 feet.
 - e. Shall be on a base or wooden supports; poles are permitted only if integrated into a base. Any metal poles must be free of peeling paint and rust.

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

1010.16 SUNNYSIDE VILLAGE SIGN STANDARDS

In the Sunnyside Village, as identified on Comprehensive Plan Map X-SV-1, Sunnyside Village Plan, Land Use Plan Map, freestanding signs shall be constructed of brick, masonry, wood, or other materials that are compatible with the development. Where these standards conflict with other provisions in Section 1010, Subsection 1010.16 shall take precedence.

1010.17 SCMU DISTRICT SIGN STANDARDS

The following standards shall apply in the SCMU District. Where these standards conflict with other provisions in Section 1010, Subsection 1010.17 shall take precedence.

A. Attached single-family dwellings and three family dwellings shall be subject to Subsection 1010.06(A).

B. Developments of multifamily dwellings shall be subject to Subsection 1010.06(C).

C. All other developments, including mixed-use developments, shall be subject to Subsection 1010.09, except:

1. Pole signs, electronic message center signs, and other changeable copy signs are prohibited.

2. Monument signs shall not exceed a height of six feet or an area of 60 square feet, regardless of the number of tenants.

3. Building signs may be projecting signs, and projecting signs shall be subject to the following standards:

a. A maximum of one projecting sign per entrance per tenant shall be permitted.

b. 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.

c. A projecting sign shall not exceed 12 square feet per side, excluding the support brackets. However, if there is not wall sign on the same building façade, the sign shall not exceed 24 square feet per side, excluding the support brackets.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-231, 1/31/12; Amended by Ord. ZDO-245, 7/1/13; Amended by Ord. ZDO-243, 9/9/13]

1011 OPEN SPACE AND PARKS

1011.01 PURPOSE

Section 1011 is adopted to:

- A. Preserve a network of open space resources within the urban area;
- B. Protect sensitive or hazardous open space resources from incompatible development; and
- C. Provide land that meets the open space and recreation needs of the people.

1011.02 AREA OF APPLICATION

- A. Section 1011 applies to areas generally indicated as Open Space on Comprehensive Plan Map IV-6, *North Urban Area Land Use Plan Map*, or on the Mt. Hood Community Plan Map when one or more of the following open space resources is present:
 - 1. Willamette River Greenway;
 - 2. Distinctive urban forests;
 - 3. Hillsides of more than 20 percent slope;
 - 4. Areas of confirmed land movement hazard;
 - 5. Areas of severe erosion or unstable soil;
 - 6. Areas of high visual sensitivity;
 - 7. Significant natural areas; and
 - 8. Other distinctive or unique natural areas, or areas of serious natural hazard.
- B. Section 1011 also applies to areas generally indicated as Open Space on the Mt. Hood Community Plan Map when one or more of the following open space resources is present:
 - 1. Bodies of water, such as rivers, lakes, or lagoons;
 - 2. Special flood hazard areas, as defined in Section 703;
 - 3. Land within 100 feet of mean low water of all major rivers and 50 feet of other perennial streams; and

4. Wetlands, including recharge areas.
- C. Open space regulated pursuant to Subsection 1011.02(A) or (B) shall be categorized as follows:
1. "High priority" open space shall be the following:
 - a. Land or water necessary to assure a continuous network of open space (e.g., stream corridor, forested hillside);
 - b. Land over 35 percent slope;
 - c. Confirmed land movement hazard areas;
 - d. Areas judged to have severe erosion potential due to soil type, geologic structure, and vegetation;
 - e. Bodies of water such as rivers, lakes, or lagoons;
 - f. Wetlands; and
 - g. Significant natural areas.
 2. "Second priority" open space shall be the following:
 - a. Land greater than 20 percent slope and less than 35 percent slope;
 - b. Distinctive urban forests;
 - c. Land within a special flood hazard area, as defined in Section 703, or within 25-year flood limits where special flood hazard areas have not been designated;
 - d. Land used as a recharge area for wetlands; and
 - e. Areas of high visual sensitivity.

D. In addition, Subsection 1011.06 applies in Sunnyside Village, as identified on Comprehensive Plan Map X-SV-1, Sunnyside Village Plan, Land Use Plan Map, hereinafter referred to as Sunnyside Village.

1011.03 DEVELOPMENT STANDARDS AND LIMITATIONS

- A. Site planning and development shall avoid disturbance of identified open space resources, except as provided in Subsections 1011.03(B) and (C). Full use should be made of density transfers pursuant to Section 1012, siting of structures and roads, and other appropriate means of designing the development around the open space.

- B. "High priority" open space shall be preserved outright, except:
1. Development on hillsides over 35 percent slope shall be subject to Subsection 1002.02(B).
 2. Commercial or industrial developments affecting wetlands or significant natural areas may be allowed, subject to Subsection 1011.04 and when permitted by the U.S. Army Corps of Engineers and the Oregon Division of State Lands.
- C. "Second priority" open space shall be preserved to the maximum extent possible making full use, as necessary, of techniques which reduce the need for land coverage, and disturbance of open space features. Various site plan and development options shall be identified and applied on a case-by-case basis pursuant to the open space review process under Section 1103. Site plan and development techniques may include but are not limited to:
1. Multistory construction;
 2. Elevated pole structures;
 3. Understructure parking;
 4. Reduction of parking requirements as provided under Subsection 1015.04(F)(2)(a) and (b);
 5. Clustering of buildings;
 6. Minimized driveway areas, use of shared driveways and loading areas;
 7. Reduction of road widths or use of one-way roads to accommodate terrain or other features; and
 8. Siting of buildings to maximize transit and pedestrian orientation.
- D. Satisfying the requirement for open space in commercial and industrial developments may count for up to 60 percent of the landscape requirement. Satisfying the open space requirement in residential developments may count for all of the 20-percent open space requirement in planned unit developments and up to 80 percent of the multifamily landscape requirements, including outdoor recreation space. (See Subsection 1009.03 for landscape requirements.)
- E. All open space requirements of Section 1011 shall be met using one or more of the following options:
1. Dedication to the public;

2. Placement under a legally responsible group, such as a homeowner's association;
3. Preservation through conservation easements but maintained by individual land owners; or
4. Some other suitable mechanism acceptable to the County.

1011.04 CONFLICT RESOLUTION FOR WETLANDS AND SIGNIFICANT NATURAL AREAS

High priority open space wetlands and significant natural areas shall not be disturbed unless approved by the Planning Director, pursuant to Subsection 1305.02, for a specific commercial or industrial development plan. Approval shall not be granted unless the applicant demonstrates that the following social, economic, energy, and appropriate environmental considerations are addressed and satisfied:

- A. Social: The proposed development would not result in the loss of a rare, irretrievable, or irreplaceable natural feature or scientific opportunity, or the disturbance of a substantially unaltered natural feature or area in or adjacent to the proposed site, unless the benefit to the public from the proposed use clearly outweighs the public good from retaining the feature or area.
- B. Economic:
 1. The wetland or significant natural area must be disturbed for reasonable use of the site and, if not disturbed, the applicant would be substantially damaged.
 2. The use proposed is a benefit to the community and meets a substantial public need or provides for a public good which clearly outweighs retention of the wetland or significant natural area.
- C. Energy:
 1. Disturbance of the open space will not require public costs, including maintenance, due to secondary impacts, or exacerbate existing conditions.
 2. The development, as proposed, supports the Comprehensive Plan policies for energy efficient land use considering such things as transportation costs, efficient utilization of urban services, area self-sufficiency, and retention of natural features which create microclimates conducive to energy efficiency.
- D. Environmental: Disturbance of the wetland or significant natural area is minimized, as provided under Subsection 1011.03(C) and the review process and conditions of development pursuant to Section 1103, and the following specific conditions are satisfied:

1. Wetlands:
 - a. The wetland can be altered without substantial adverse impact upon the character of the area, and function of the wetland.
 - b. The wetland does not support rare or endangered species.
 - c. Elimination, alteration, or relocation does not significantly alter water movement, including normal levels or rates of runoff into and from wetlands.
 - d. The proposed use or alteration of the wetland is approved by the U.S. Army Corps of Engineers and the Oregon Division of State Lands.
2. Significant Natural Areas: A study conducted by a person or persons with expertise related to the natural features of the site identified by the County shall be required. The study shall include:
 - a. An evaluation of the sensitivity or fragility of the elements of the natural area to be affected, including types of activity, development, or alteration which is likely and unlikely to disturb or destroy those elements;
 - b. An evaluation of the preservation value of the natural area, or portion thereof, to be disturbed or destroyed by the proposed development, addressing status, need for representation, diversity, naturalness, viability, defensibility, and security;
 - c. An evaluation of the proposed development, and alternative development proposals, as they relate to the fragility and/or preservation value of the natural area identified under Subsection 1011.04(D)(2)(a) and (b); and
 - d. Findings to support the following:
 - i. The proposed development will not disturb the significant feature(s) of the site identified by the County; or
 - ii. The proposed development will disturb or destroy only an area or areas of low preservation value, and will not significantly alter or disturb other portions of the natural area on or adjacent to the site; and
 - iii. The site is suitable for the type of development proposed from a geologic standpoint. This may require an engineering geologic study.

1011.05 PARK AND EASEMENT DEDICATIONS

- A. The standards and requirements of Section 1011 shall be applied whenever land is to be dedicated for a park, recreation area, or easement.
- B. The park classifications and standards of Policies 1.1 through 1.5 in the Parks and Recreation section of Chapter 9 of the Comprehensive Plan shall be followed in the dedication and development of parks and recreation areas.

1011.06 SUNNYSIDE VILLAGE PARK PROVISIONS

A. Purpose and Applicability

- 1. Subsection 1011.06 applies to the development of property in Sunnyside Village.
- 2. The purpose of Subsection 1011.06 is to provide a minimum level of public parks to adequately serve the demands of the Sunnyside Village community. It will ensure that future growth contributes its fair share to the cost of new parks. This cost is for park acquisition and park road frontage construction only and does not include park development, operations, or maintenance costs.
- 3. The park dedication or fee in lieu of dedication is incurred upon the application for a building permit or [land use permit](#).
- 4. The existence of public parks has substantial benefits to proximate development. These benefits include aesthetic, recreational, and environmental benefits to the neighborhood. Actual use of these parks will be by residents and employees of businesses.
- 5. The park dedication or fee in lieu of dedication is not intended to be a tax on property as a direct consequence of ownership of property within the meaning of Section 11b, Article XI of the Oregon Constitution or the legislation implementing that section.

B. General Provisions

- 1. The public interest, convenience, health, welfare, and safety require that a minimum of two and one-half acres for each 1,000 persons residing or employed within Sunnyside Village be devoted to local parks as identified in [Comprehensive Plan Table IX-1](#).
- 2. An applicant for a [land use permit](#) shall dedicate land for park purposes, if the site has been identified as a park site on [Comprehensive Plan Map X-SV-4, Sunnyside Village Plan, Park Locations & Sizes](#). Park sizes represented on [Map X-SV-4](#) are minimum park sizes.
- 3. Modifying park location shall occur only when it can be shown that access,

topographic conditions, or extreme engineering costs make the depicted location impractical to develop as a park.

4. Land dedications shall be conveyed by plat and deed to the North Clackamas Parks and Recreation District (NCPRD). All dedications shall be platted with the final plat adjacent to the designated park site or by alternate arrangement specified in a recordable agreement as determined by the Planning Director.
5. The development and maintenance of these parks will be the responsibility of NCPRD. NCPRD also will be responsible for maintaining the landscaped center island of the traffic circle north of the village green.
6. Prior to issuance of a residential building permit, the applicant shall pay a fee in lieu of dedication for park acquisition. The fee shall be calculated pursuant to Subsection 1011.06(C)(2)(a).
7. Prior to issuance of a residential building permit, the applicant shall pay a fee for park road frontage construction. This fee shall be used for the construction of the connector roads and local roads adjacent to parks 3, 4, and 5 as depicted on Comprehensive Plan Map X-SV-4. The fee shall be calculated pursuant to Subsection 1011.06(C)(3).
8. Prior to issuance of a nonresidential building permit, the applicant shall pay a fee in lieu of dedication for park acquisition. The fee shall be calculated pursuant to Subsection 1011.06(C)(2)(b).

C. Park Dedication or Fees in Lieu of Dedication

1. Parkland Dedication per Dwelling Unit: The amount of parkland to be dedicated shall be calculated by the following formula.

Net Acres of Required Parkland	(=)	Number of Dwelling Units	(X)	Persons per Dwelling Unit	(X)	.0025 Net Acre Per Person
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- a. The number of dwelling units shall be the number of units reflected on the final plat.
- b. The number of persons per dwelling unit shall be based on the latest United States Census data.

Table 1011-1: Persons Per Dwelling Unit By Dwelling Unit Type

<u>Dwelling Unit Type</u>	<u>Detached Single-Family Dwelling</u>	<u>Attached Single-Family Dwelling</u>	<u>Multifamily Dwelling Unit</u>	<u>Accessory Dwelling Unit</u>
<u>Persons Per Dwelling Unit</u>	<u>3.04</u>	<u>2.27</u>	<u>2.03</u>	<u>1</u>

Source: Metro, computed from the 1980 United States Census

c. Ownership of identified parkland, which is located on property under review for a development permit, shall be transferred to NCPRD. Compensation will be provided at the time of transfer based upon an appraisal representing fair market value.

2. Fee in Lieu of Dedication

a. Residential Development: Parkland value per acre shall be based upon the average appraised value of all designated park sites. The parkland fee in lieu of dedication shall be calculated by the following formula. Persons per dwelling unit shall be calculated pursuant to Subsection 1011.06(C)(1)(b).

$$\frac{\text{Parkland Fee per Dwelling Unit} (=)}{\text{Parkland Value per Acre}} \times \frac{\text{Persons per Dwelling Unit} (X)}{\text{Person}} = .0025 \text{ Acre per Person}$$

b. Nonresidential Development: Parkland value per acre shall be based upon the average appraised value of all designated park sites. Nonresidential development shall be required to pay a fee in lieu of dedication. The fee shall be calculated by the following formula. The number of employees per nonresidential use shall be determined by the “study of employment density” completed by Metro in 1990 or any updated version of this study. If from the information provided in this study an employee figure cannot be obtained, then the Planning Director shall determine the number of employees based upon similar uses in the County to the extent possible.

$$\frac{\text{Parkland Fee per Employee} (=)}{\text{Parkland Value per Acre}} \times \frac{\text{Number of Employees} (X)}{\text{Employee}} = .0025 \text{ Acre per Employee}$$

3. Park Road Frontage and Utilities Construction Fee: The park road frontage construction fee shall be calculated by the following formula:

$$X = ([A / B] / C) \times D$$

a. As used in the formula:

i. X = Park road frontage construction fee per dwelling unit.

ii. A = Cost of all connector and local roads adjacent to all parks, as well as the utilities in these park roads.

iii. B = 2 (i.e. half-street improvement).

iv. C = Estimated population of Sunnyside Village at build-out.

v. D = Persons per dwelling unit (from most recent United States Census) calculated pursuant to Subsection 1011.06(C)(1)(b).

b. Reimbursement to Developers for Half-Street Improvements Adjacent to Parks: When a developer completes construction of roads and utilities adjacent to a park as per County requirements, the developer shall be reimbursed according to the fee schedule for local and connector roads. This rate may be changed at a rate commensurate with a change in construction costs.

4. All fees shall be rounded to the nearest dollar.

D. Refund of Fees Paid: If a residential building permit encompassing fee-paying development expires or is revoked, the fee payer shall be entitled to a refund of the fee.

E. Exemptions: The following shall be exempt from park dedication and fee in lieu of dedication:

1. Remodeling, expansion, or replacement of an existing dwelling, provided that the number of dwelling units is not increased.

2. Construction of accessory buildings and structures not creating additional dwelling units.

3. The issuance of a temporary permit for a manufactured dwelling.

4. Any land use permit that does not result in the creation of a new lot, excluding design review approvals pursuant to Section 1102.

F. Records:

1. Fees Collected: The County shall maintain accurate records of each park fee

imposed, including the following:

a. Name, address, and telephone number of applicant or fee payer;

b. Amount and method of payment;

c. Date of payment; and

d. Building permit number.

2. Fee Account Funds Expended: The County shall maintain accurate records of all fee funds expended, including the following:

1. Name and location of park;

2. Legal description, area, and sketch of parent tract; and the number and type of dwelling units;

3. Amount and date of each fee for sub-parcels of the parent tract together with the legal description, area, and sketch of said sub-parcel;

4. Development application file number for which contributions have been approved; and

5. Amount and date of refunds paid by the County.

G. Fee Accounts

1. To ensure that fees collected will benefit fee-paying developments, all park acquisition fees described in Subsections 1011.06(B)(6) and (8) shall be deposited in the Park Acquisition Fund of Sunnyside Village. This fund shall be maintained by the County Finance Department and with fees accountable by the County Finance Department, NCPRD, and the County Planning and Zoning Division.

2. To ensure that fees collected will benefit fee-paying developments, all park road frontage construction fees described in Subsection 1011.06(B)(7) shall be deposited in the Park Road Frontage Construction Fund of Sunnyside Village. This fund shall be maintained by the County Finance Department and with fees accountable by the County Finance Department and the County Planning and Zoning Division.

3. All fees collected by the County shall be promptly deposited into the accounts identified in Subsections 1011.06(G)(1) and (2).

4. Fees, including any accrued interest, not encumbered in any fiscal period,

shall be retained in the funds into the next fiscal period except as provided by the refund provisions of Subsection 1011.06.

5. Fees may be used only for parkland acquisition and park road frontage construction in Sunnyside Village.

6. The provisions of Subsection 1011.06 will sunset at the time all designated parkland has been acquired and all park acquisition and road frontage fees for all building permits in Sunnyside Village have been collected. Any residual money will be transferred to the NCPRD park development account. This residual may be utilized only for park development in Sunnyside Village.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-245, 7/1/13]

1012 DENSITY

1012.01 PURPOSE

This section is adopted to:

- A. Ensure that the density of development is properly related to natural features, public facilities and services, adjacent land uses, and applicable zoning;
- B. Encourage transferring density and development from any restricted portions of a site to other usable areas of the site;
- C. Provide density bonuses for affordable housing and public recreation amenities;
- D. Provide criteria for calculating maximum and minimum density; and
- E. Ensure that available urban land is used to the maximum extent, consistent with infrastructure availability and limitations.

1012.02 APPLICABILITY

In zoning districts listed in Table 1012-1, this section shall apply to the following administrative actions: subdivisions, partitions, and design review for condominiums, manufactured dwelling parks, manufactured home parks, two-family dwellings, three-family dwellings, or multifamily dwellings, except for:

- A. Two- and three-family dwellings approved pursuant to Section 802; and
- B. Subdivisions and partitions approved pursuant to Subsections 902.01(B)(3) through (5).

1012.03 DEFINITION AND GENERAL PROVISIONS

- A. Density is:
 - 1. The number of dwelling units in a condominium, two-family, three-family, or multifamily development;
 - 2. The number of spaces in a manufactured dwelling park or a manufactured home park; or
 - 3. The number of single-family-dwelling lots in a subdivision or partition.

- B. If the subject property is currently developed with one or more dwelling units that will be retained, such dwelling units shall be included in demonstrating compliance with the maximum and minimum density standards of this section.
- C. If a subdivision or partition is proposed on property currently developed with two-family, three-family, or multifamily dwellings (or with a current design review approval for such development), maximum and minimum density shall be calculated separately for each proposed lot or parcel.
- D. In a zoning district that does not allow new detached single-family dwellings, a lot created for a nonconforming detached single-family dwelling shall not be included in the gross site area used to calculate minimum and maximum density for the remaining lot(s).

1012.04 DISTRICT LAND AREA REQUIREMENTS

District land area is the minimum land area required per primary dwelling unit. The district land area for each zoning district is identified in Tables 1012-1 and 1012-2, except as may be modified by a variance approved pursuant to Section 1205.

Table 1012-1

Zoning District	District Land Area (in square feet)
Special High Density Residential (SHD)	726
High Density Residential (HDR)	1,742
Medium High Density Residential (MR-2)	2,420
Medium Density Residential (MR-1)	3,630
Planned Medium Density Residential (PMD)	3,630
R-2.5	2,500
R-5	5,000
R-7	7,000
R-8.5	8,500
R-10	10,000
R-15	15,000
R-20	20,000
R-30	30,000
Village Apartment (VA)	1,500
Village Townhouse (VTH)	2,000
Village Small Lot Residential (VR-4/5)	4,000
Village Standard Lot Residential (VR-5/7)	5,000
Mountain Recreational Resort (MRR) in Government Camp	1,980
Mountain Recreational Resort (MRR) in Wemme/Welches and Rhododendron	See Table 1012-2
Hoodland Residential (HR)	10,890
Recreational Resort (RR)	87,120

Table 1012-2

Dwelling Unit Size (in square feet)	District Land Area in MRR District in Wemme/Welches	District Land Area in MRR District 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

1012.05 MAXIMUM DENSITY

Developments shall be limited to a maximum density. Except in the MRR, HR, and RR Districts, maximum density shall be calculated as follows. Exceptions that apply in the VA, VTH, VR-4/5, and VR-5/7 Districts are established by Subsection 1012.06. Subsection 1012.07 establishes the process to be used in the MRR, HR, and RR Districts.

- A. Calculate the land area of the subject property. The result is gross site area (GSA).
- B. Subtract the following from GSA:
 1. Land dedicated for park sites pursuant to Comprehensive Plan Map X-SV-4 and ~~Subsection 1011.06~~~~Section 1602~~;
 2. The land area of new county, public, or private roads (NR), except:
 - a. Regardless of the actual land area of NR, no more than 15 percent of the GSA shall be subtracted.
 - b. No subtraction shall be made for strips of land adjacent to existing road rights-of-way when such strips are required to be dedicated as a condition of approval.
 - c. No subtraction shall be made for new access drives.
 - d. No subtraction shall be made for NR in the following zoning districts: SHD, HDR, MR-2, MR-1, PMD, and VA.
 3. Any land area of the GSA in the following highly restricted areas (HRA), except that no subtraction shall be made for HRA that will remain undeveloped, in which case density accruing to these areas may be transferred to unrestricted areas:
 - a. Slopes greater than 50 percent;
 - b. Mass movement hazards regulated by Section 1003;
 - c. The floodway of the Floodplain Management District regulated by Section 703;
 - d. The Willamette River and the required buffer area regulated by Section 705;
 - e. Habitat Conservation Areas regulated by Section 706; and

- f. Water Quality Resource Areas regulated by Section 709; and
- 4. Fifty percent of the land area of any portions of the GSA in the following moderately restricted areas (MRA), except that no subtraction shall be made for MRA that will remain undeveloped, in which case density accruing to these areas may be transferred to unrestricted areas. In the event of an overlap between HRA and MRA, the area of overlap shall be classified as HRA:
 - a. Slopes equal to or greater than 20 percent and less than or equal to 50 percent; and
 - b. Areas outside the floodway but within the Floodplain Management District regulated by Section 703.
- C. Divide the net result by the district land area (DLA) of the applicable zoning district. The result is base density (BD). The calculations that result in a determination of base density are represented by the following formula:

$$\{GSA - [NR + HRA + (MRA \times 0.5)]\} / DLA = BD^*$$

* HRA and MRA may be reduced to zero as provided by Subsections 1012.05(B)(3) and (4). Table 1012-3 summarizes the percentages of HRA and MRA that are included in calculating BD.

Table 1012-3

Restricted Area	Percentage of Area Included in Calculating BD When Area is Developed	Percentage of Area Included in Calculating BD When Density is Transferred
Slopes greater than 50 percent	0	100
Mass movement hazards regulated by Section 1003	0	100
The floodway of the Floodplain Management District regulated by Section 703	0	100
The Willamette River and the required buffer area regulated by Section 705	0	100
Habitat Conservation Areas regulated by Section 706	0	100
Water Quality Resource Areas regulated by Section 709	0	100
Slopes equal to or greater than 20 percent and less than or equal to 50 percent	50	100
Areas outside the floodway but within the Floodplain Management District regulated by Section 703	50	100

- D. Add any applicable density bonuses to BD. Bonus density shall be allowed subject to the following criteria:
1. The proposed development shall include a minimum of four dwelling units.
 2. The bonus density categories and corresponding maximum increases to BD, as well as the zoning districts to which the bonus density categories are applicable, are identified in Table 1012-4.

Table 1012-4

Bonus Category	Maximum Increase in the ULDR and HR Districts	Maximum Increase in the PMD, MR-1, MR-2, HDR, and MRR Districts
Affordable Housing: Living units qualifying and approved for housing for low-income families or for the elderly under a federal, state, or local program will be provided in the development.	One unit per affordable unit up to 5 percent of the base density	One unit per affordable unit up to 8 percent of the base density
Park Dedication: Improved site area will be dedicated as a park and accepted by the County or other public agency pursuant to Section 1011.	10 percent of the base density	10 percent of the base density
Habitat Conservation Area: At least 75 percent of the HCA on the subject property will be protected from development by a restrictive covenant or a public dedication.	Not applicable	25 percent of the base density; This bonus density provision is also applicable in the SHD and VA Districts.
MAXIMUM TOTAL INCREASE	15 percent of the base density	43 percent of the base density

- E. Any partial figure of one-half or greater shall be rounded up to the next whole number, except in the case of a subdivision or partition of 10 lots or fewer in an Urban Low Density Residential, VR-4/5, or VR-5/7 District, in which case partial figures shall be rounded down.
- F. The result is maximum density, except that the result shall be reduced as necessary to:
 1. Comply with the minimum lot size requirements of Section 1013 or 1014, as applicable;
 2. Ensure that, in an R-2.5 District, the density of the developed portion of the site area does not exceed the density allowed in the MR-2 District of one dwelling unit per 2,420 square feet of land area; and

3. Ensure that, in all other Urban Low Density Residential Districts, the density of the developed portion of the site area does not exceed the density allowed in the MR-1 District of one dwelling unit per 3,630 square feet of land area.

1012.06 MAXIMUM DENSITY IN THE VA, VTH, VR-4/5, AND VR-5/7 DISTRICTS

In the VA, VTH, VR-4/5, and VR-5/7 Districts, maximum density shall be calculated pursuant to Subsection 1012.05, except if any restricted areas, as identified in Subsection 1012.05, are to be developed, in which case:

- A. A district land area of one acre shall apply to the restricted areas proposed for development.
- B. Density shall not be transferred from outside restricted areas into restricted areas.
- C. The calculations required under Subsection 1012.05 shall be completed twice, once for the gross site area of restricted areas to be developed and once for the gross site area of the remainder of the subject property.
- D. The steps identified in Subsections 1012.05(B)(3) and (4) shall be omitted when completing the calculations for the restricted areas to be developed.
- E. Partial figures resulting from the calculations for the restricted areas to be developed shall be rounded down.

1012.07 MAXIMUM DENSITY IN THE MRR, HR, AND RR DISTRICTS

In the MRR, HR, and RR Districts, developments shall be limited to a maximum density, which shall be calculated as follows:

- A. Calculate the land area of the subject property. The result is gross site area (GSA).
- B. Subtract the following from GSA to determine net site area (NSA). In the event of an overlap between restricted area categories, the area of overlap shall be classified in the most restrictive category.
 1. The land area of new county, public, or private roads (NR), except:
 - a. Regardless of the actual land area of NR, no more than 15 percent of the GSA shall be subtracted.

- b. No subtraction shall be made for strips of land adjacent to existing road rights-of-way when such strips are required to be dedicated as a condition of approval.
 - c. No subtraction shall be made for new access drives;
 - 2. Any land area of the GSA in the following highly restricted area (HRA):
 - a. The Floodplain Management District regulated by Section 703;
 - 3. Fifty percent of the land area of the GSA in the following moderately restricted areas (MRA), except in the RR District, where the subtraction shall be 50 percent of any land area of the MRA that will remain undeveloped and 100 percent of any land area of the MRA that will be developed:
 - a. Slopes greater than 25 percent;
 - b. Mass movement hazards regulated by Section 1003; and
 - c. Wetlands and required buffer areas regulated by Subsection 1002.07 or another public agency; and
 - 4. In the RR District, any land area of the GSA that is in a river or stream corridor (SC) and will be developed.
 - C. In the RR and HR Districts, divide the NSA by the district land area (DLA) of the applicable zoning district. The result is base density (BD). The calculations that result in a determination of base density are generally represented by the following formula. However, as provided in Subsections 1012.07(B)(3) and (4), the subtraction for MRA may be increased above the 50-percent level and SC may be inapplicable.
$$\{GSA - [NR + HRA + (MRA \times 0.5) + SC] \} / DLA = BD$$
 - D. In the MRR District, the calculation in Subsection 1012.07(C) shall be done separately for each proposed unit size category identified in Table 1012-2. This requires the applicant to identify the square footage of the NSA that is attributed to each unit size category. The results of each separate calculation shall be added to determine BD.
 - E. Add any applicable density bonuses to BD. Bonus density shall be allowed subject to the following criteria:
 - 1. The proposed development shall include a minimum of four dwelling

units.

2. The bonus density categories and corresponding maximum increases to BD, as well as the zoning districts to which the bonus density categories are applicable, are identified in Table 1012-4.
 3. In an MRR District, dwelling units allowed through the bonus density provisions shall be developed with the same unit size mixture as provided in the BD. For example, if a development is proposed with a BD of 50 units of 700 square feet and 50 units of 500 square feet, and a bonus density of 10 units is allowed, the 10 bonus units shall include 5 units of 700 square feet and 5 units of 500 square feet.
- F. In an MRR or HR District, any partial figure of one-half or greater shall be rounded up to the next whole number.
- G. The result is maximum density.

1012.08 MINIMUM DENSITY

In the Urban Low Density Residential, PMD, MR-1, MR-2, HDR, SHD, and VA Districts, minimum density shall be calculated as follows:

- A. Calculate the land area of the subject property. The result is gross site area (GSA).
- B. Subtract the following from GSA:
 1. The land area of new county, public, or private roads and strips of land dedicated adjacent to existing road rights-of-way (NR);
 2. Slopes equal to or greater than 20 percent;
 3. Mass movement hazards regulated by Section 1003;
 4. Areas in the Floodplain Management District regulated by Section 703;
 5. The Willamette River and the required buffer area regulated by Section 705;

6. Habitat Conservation Areas regulated by Section 706, provided that the HCA, or portion thereof, to be subtracted is protected from development by a restrictive covenant or a public dedication, and provided that the subject property was inside the Portland Metropolitan Urban Growth Boundary on January 1, 2002;
 7. Water Quality Resource Areas regulated by Section 709; and
 8. Land to be dedicated to the public for park or open space use.
- C. Divide by the district land area of the applicable zoning district.
- D. Multiply the result:
1. By 80 percent in Urban Low Density Residential Districts. However, partitions in these districts have no minimum density requirement provided a master plan demonstrates that the property can comply with the minimum density standard through future land division;
 2. By 80 percent in the PMD and MR-1 Districts, except in the case of a manufactured home park where the result shall be multiplied by 50 percent;
 3. By 90 percent in the MR-2, HDR, and SHD Districts; or
 4. By 50 percent in the VA District.
- E. Any partial figure of one-half or greater shall be rounded up to the next whole number.
- F. The result is minimum density.

[Amended by Ord. ZDO-245, 7/1/13]

1015 PARKING AND LOADING

1015.01 PURPOSE

Section 1015 is adopted to:

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

1015.02 APPLICABILITY

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

1015.03 GENERAL PROVISIONS

- A. The provision and maintenance of off-street parking and loading facilities are continuing obligations 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, *Automobile Parking Space Requirements*; 1015-~~43~~, *Minimum Required Bicycle Parking Spaces*; and 1015-~~54~~, *Minimum Required Off-Street Loading Berths*, or specified in other Sections of this Ordinance, shall be subject to the requirements for the most similar use, as determined by the Planning Director.

1015.04 AUTOMOBILE PARKING AREA STANDARDS

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- A. Off-street parking areas shall be provided in defined areas of the subject property and shall meet the following requirements for location of the parking area on the site:
 - 1. No area shall be considered a parking space unless it can be shown that the area is accessible and usable for that purpose and has required maneuvering area for the vehicles.
 - 2. Automobile parking areas shall be separated from bicycle parking areas and from loading areas to the extent possible.
 - 3. Commercial or recreational vehicle storage areas shall be located in areas that are farther from building entrances than parking spaces for customers and employees.

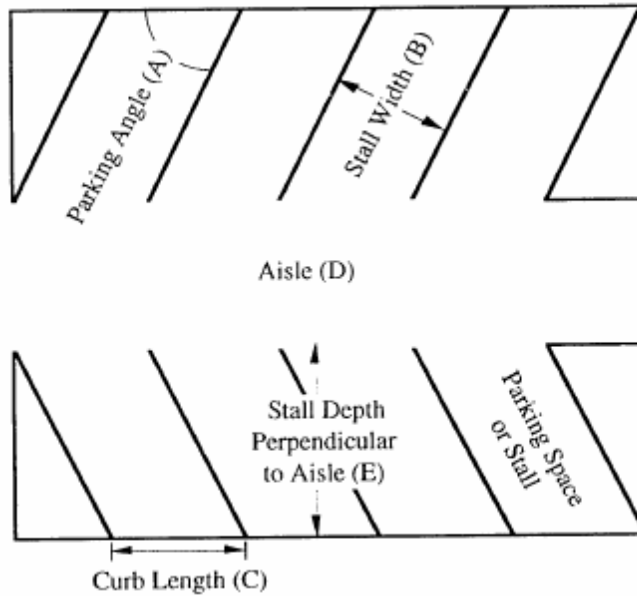
- B. Off-street parking areas shall be designed to meet the following requirements:
 - 1. Parking areas must meet the requirements of the Americans with Disabilities Act.
 - 2. Except for parallel parking spaces, the minimum size for all standard parking spaces shall be 8.5 feet wide and 16 feet long.
 - 3. Minimum dimensions of curb length, stall depth, and parking lot aisles are based on the parking space orientation as follows:

Table 1015-1: Minimum Parking Space and Aisle Dimensions

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

Figure 1015-1: Parking Dimension Factors

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4. Double-loaded, ninety-degree angle parking bays shall be utilized where possible.
5. A maximum of 50 percent of the parking spaces may be larger than 8.5 feet wide and 16 feet long, but not larger than 9 feet wide and 18 feet long, with the following exceptions:
 - a. Outside the Portland Metropolitan Urban Growth Boundary (UGB), more than 50 percent of parking spaces may be larger than 8.5 feet wide and 16 feet long, but not larger than 9 feet wide and 18 feet long.
 - b. For retail uses such as building supply stores, furniture stores, and other stores selling bulky items, more than 50 percent of parking spaces may be larger than 8.5 feet wide and 16 feet long, but not larger than 9 feet wide and 18 feet long.
 - c. More than 50 percent of parking spaces may be larger than 8.5 feet wide and 16 feet long, but not larger than 9 feet wide and 18 feet long, when the applicant demonstrates that a higher ratio of oversized vehicles are found in parking areas of similar developments and uses.
 - d. More than 50 percent of parking spaces may be larger than 8.5 feet wide and 16 feet long, but not larger than 9 feet wide and 18 feet long, when porous pavement is used for all parking spaces.
6. A minimum of five percent, but at least one space, of the required parking spaces shall be marked and signed for use as carpool/vanpool

spaces. These spaces shall be the closest employee automobile parking spaces to the building entrances normally used by employees, but shall not take priority over any spaces required for individuals with disabilities.

7. Required backing and maneuvering areas for on-site automobile parking spaces shall be located entirely onsite.
 8. In parking lots greater than one acre, major onsite circulation drive aisles and lanes crossing to adjacent developments shall not have parking spaces accessing directly onto them.
 9. Where feasible, shared driveway entrances, shared parking and maneuvering areas, and interior driveways between adjacent parking lots shall be required.
 10. Except for parallel spaces, parking spaces heading into landscaped areas or along the perimeter of a parking lot shall be provided with a sturdy tire stop at least four inches high and located two feet within the space to prevent any portion of a car within the lot from extending over the property line.
 11. For parking spaces heading into a landscaped area, the area in front of the tire stop that is included in the parking space dimension may be landscaped instead of paved or graveled according to the following standards:
 - a. Landscaping shall be ground cover plants only;
 - b. The area in front of the tire stop that is included in the parking space dimension shall be in addition to the required minimum dimension for a landscape planter; and
 - c. The landscaped area in front of the tire stop may count toward overall site landscaping requirements established in Table 1009-1, *Minimum Landscaped Area*. However, it may not count toward perimeter landscaping requirements established in Section 1009.04(B)(1).
 12. Required parking spaces shall not be used for storing or accumulating goods or storing a commercial or recreational vehicle, camper, or boat, rendering it useless for parking.
- C. Uses located on transit service lines and that have days and hours of operation not in conflict with weekday use (e.g. churches, fraternal organizations, or nighttime amusements) may be required under Subsection 1007.07, to allow a portion of their parking area to be used for a park-and-ride lot.

D. Parking Minimums: The minimum number of parking spaces listed in Table 1015-2, *Automobile Parking Space Requirements*, applies unless modified in Subsection 1015.04(F).

1. In case of expansion of a building or use that, prior to the expansion, does not meet the minimum parking space requirements in Table 1015-2, the following provisions shall apply:
 - a. The minimum number of additional parking spaces required shall be based only on the floor area or capacity added and not the area or capacity existing prior to the expansion.
 - b. If the enlargement covers any of the pre-expansion parking spaces, lost parking spaces shall be replaced, in addition to any required additional spaces.
 - c. The maximum number of parking spaces allowed for the entire development after the expansion shall be based on Table 1015-2.
2. In the event more than one use occupies a single structure or parcel, the total minimum requirement for parking shall be the sum of the minimum requirements of the several uses computed separately.
3. Parking spaces fulfilling the minimum requirement for a specified use shall not be rented, leased, or assigned to any other person or organization, except as provided for under Subsection 1015.03(F)(2)(a) for shared parking.
4. The conducting of any business activity, except for temporary uses (e.g., Farmers' Markets), shall not be permitted to occupy any of the required parking spaces.

E. Parking Maximums:

1. Within the UGB, the parking maximums listed in Table 1015-2, Urban Zone A, apply when an area has 20-minute peak hour transit service within one-quarter mile walking distance for bus transit or one-half mile walking distance for light rail transit;
2. Within the UGB, areas not meeting the requirements of Subsection 1015.04(E)(1), are subject to the parking maximums listed in Table 1015-2, Urban Zone B.
3. In case of expansion of a building or use with more parking spaces than the maximum allowed by Table 1015-2:
 - a. Existing parking spaces may be retained, replaced, or eliminated, provided that after the expansion, the total number of remaining

spaces complies with the minimum parking space requirement of Table 1015-2 for the entire development; and

- b. Additional parking spaces are allowed only if required to comply with the minimum parking space requirement of Table 1015-2 for the entire development after the expansion.

Table 1015-2: Automobile Parking Space Requirements*

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

Land Use Category	Minimum Parking Spaces	Maximum Parking Spaces (Urban Zone A)	Maximum Parking Spaces (Urban Zone B)
Amusement Parks, Riding Academies, and Camps (per 1000 square feet of serving area)	0.8	None	None
Bank with Drive-in	4.3	5.4	6.5
Bowling Alleys (per alley)	3	None	None
Daycare Facilities	0.5 In addition, a passenger-loading area shall be provided on the site.	None	None
Hospitals	0.5	None	None
Hotels and Motels (per unit)	1	None	None
Industrial, Manufacturing, and Processing Facilities			
Zero to 24,999 square feet	1.5	None	None
25,000 to 49,999 square feet	1.42	None	None
50,000 to 79,999 square feet	1.25	None	None

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Land Use Category	Minimum Parking Spaces	Maximum Parking Spaces (Urban Zone A)	Maximum Parking Spaces (Urban Zone B)
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
Hoodland Residential District (per dwelling unit greater than 800 square feet) ¹	2	None	None

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Land Use Category	Minimum Parking Spaces	Maximum Parking Spaces (Urban Zone A)	Maximum Parking Spaces (Urban Zone B)
Mountain Recreational Resort District, except congregate housing facilities (per 600 square feet of residential building area)	1	None	None
Attached Single-Family Dwelling in Medium or Medium High Density Residential District (per dwelling unit)	2	None	None
Attached Single-Family Dwelling in Station Community Mixed Use District (SCMU) District (per dwelling unit)	1 onsite	2 onsite	NA
Attached Single-Family Dwelling in Village Townhouse District (per dwelling unit)	1, located in a garage	None	None
Two- and Three-Family Dwellings (per dwelling unit)	1.5	None	None
Manufactured Dwelling Park (per dwelling unit)	2	None	None
Multifamily Dwelling (per one-bedroom dwelling unit)	1.25	None	None
Multifamily Dwelling (per two-bedroom dwelling unit)	1.5	None	None
Multifamily Dwelling (per three-bedroom dwelling unit)	1.75	None	None
Congregate Housing Facilities (per resident)	0.25	None	None
Accessory Dwelling Units (per dwelling unit)	1, located behind the front yard setback line	None	None
Restaurants: Fast Food with drive-thru window service	9.0	12.4	14.9
Restaurants: With no drive-thru window service, Taverns	15.0	19.1	23

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Land Use Category	Minimum Parking Spaces	Maximum Parking Spaces (Urban Zone A)	Maximum Parking Spaces (Urban Zone B)
Retail/Commercial, including shopping centers	4.1, except in the Clackamas Regional Center Area, 3.0	5.1	6.2
Retail stores with bulky merchandise, such as furniture, appliances, automobiles, service/repair shops	2	5.1	6.2
Schools: Colleges, Universities, and High Schools (per student or staff member)	0.2	0.3	0.3
Schools: Elementary and Junior High Schools (per school)	15, or 2 per classroom, whichever is less	None	None
Service Stations (per employee at peak employment period)	1	None	None
Sports Clubs/Recreation Facilities	4.3	5.4	6.5
Surface Mining	On-site vehicular parking for employees, customers and visitors, determined through Conditional Use process.	None	None
Tennis and Racquetball Courts	1	1.3	1.5
Theaters, Dance Halls, Community Clubs, Skating Rinks, Public Meeting Places (per seat, or 1 per 100 sq. ft. exclusive of stage)	0.25	None	None

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Land Use Category	Minimum Parking Spaces	Maximum Parking Spaces (Urban Zone A)	Maximum Parking Spaces (Urban Zone B)
Warehouse and Storage Distribution, and Terminals (air, rail, truck, water, etc.) **Maximum parking requirements apply only to warehouses 150,000 gross square feet or greater.			
Zero to 49,999 square feet	0.3	None	None
50,000 square feet and over	0.2	0.4**	0.5**

¹ On land above 3,500-foot elevation, covered parking shall be provided for structures containing three or more dwelling units.

F. Exceptions to Parking Requirements:

1. Parking maximums in Table 1015-2 may be increased for the following:
 - a. Parking spaces in parking structures;
 - b. Fleet parking;
 - c. Designated employee carpool spaces;
 - d. User paid spaces;
 - e. Parking for vehicles for sale, lease, or rent; and
 - f. Structured parking.
2. Parking minimums in Table 1015-2 may be reduced for the following:
 - a. The total minimum requirement for parking spaces may be reduced up to 20 percent per use when shared parking is utilized.
 - b. Available permitted on-street parking spaces on a development's street frontage may be counted toward required parking as follows:

- i. All on-street parking spaces may count towards required parking in the following zoning districts: Neighborhood Commercial, Community Commercial, General Commercial, Office Commercial, Retail Commercial, Campus Industrial, Light Industrial, General Industrial, Business Park, Village Office, Village Commercial, Regional Center Office, Regional Center Commercial, Corridor Commercial, and Station Community Mixed Use District.
- ii. In Office Apartment and Planned Mixed Use zoning districts, each on-street parking space may count towards one-half a required parking space.
- iii. All on-street parking spaces may count towards required parking in Government Camp Village, as identified on Comprehensive Plan Map X-MH-4, *Government Camp Village Plan, Land Use Plan & Boundary*, on Government Camp Loop between Wy'East Trail and Church Street and on Little Trail between Olive Street and Church Street. Corner lots with such street frontage also may count parking spaces on the intersecting street.
- iv. In the SCMU District, 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 parking spaces are prohibited.
- v. In the SCMU District, Table 1015-3, *On-Street Parking Curb Length in SCMU District*, establishes the minimum uninterrupted curb length that constitutes one on-street parking space:

Table 1015-3: On-Street Parking Curb Length in SCMU District

<u>Parking Space Orientation</u>	<u>Minimum Length of Uninterrupted Curb per Parking Space</u>
<u>Parallel</u>	<u>22 feet</u>
<u>45-Degree Angle</u>	<u>12 feet</u>
<u>60-Degree Angle</u>	<u>12 feet</u>
<u>90-Degree Angle</u>	<u>12 feet</u>

- c. Motorcycle parking may substitute for vehicle parking spaces as follows:
 - i. Up to five spaces or five percent of required automobile parking, whichever is less, may be utilized.
 - ii. For every four motorcycle parking spaces provided, the automobile parking requirement is reduced by one space.
 - iii. Existing parking may be converted to take advantage of this provision.
 - iv. Each motorcycle space must be at least four feet wide and eight feet deep.
- d. Electric vehicle charging stations may be installed according to the following standards:
 - i. Two spaces or five percent of the minimum required parking spaces, whichever is greater, may be utilized for electric vehicle charging stations and identified exclusively for such use.
 - ii. Additional parking spaces of the minimum required parking may be utilized for electric vehicle charging stations, provided they are not identified exclusively for such use.
 - iii. Any portion of parking spaces provided that are beyond the required minimum number of parking spaces may be utilized for electric vehicle charging stations, regardless of whether they are identified exclusively for such use.

3. A parking cap applies in the SCMU District. The total number of parking spaces provided for nonresidential development (either onsite or offsite) shall not exceed the parking cap, regardless of the number of pre-existing parking spaces. Parking maximums and minimums established by Table 1015-2 shall be adjusted to the extent necessary to comply with the parking cap. The parking cap shall be calculated by the following formula:

$\text{Parking Cap} = \text{Gross Acres of the Development Site} \times 67 \text{ Parking Spaces}$
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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 proximity to an entrance but shall not conflict with pedestrian needs.

2. At least 75 percent of the bicycle parking spaces shall be located within 50 feet of a public entrance to the building.
 3. Bicycle parking areas shall be separated from automobile parking.
 4. Bicycle parking may be provided within a building, if the location is easily accessible for bicycles.
 5. Bicycle parking for multiple uses, or a facility with multiple structures, may be clustered in one or several locations within 50 feet of each building's entrance.
 6. If the bicycle parking is not easily visible from the street or main building entrance, then a sign must be posted near the building entrance indicating the location of the parking facilities.
- B. Bicycle parking shall be designed to meet the following requirements:
1. When more than seven bicycle parking spaces are required, a minimum of 50 percent of the spaces shall be covered. All (100 percent) of the required bicycle spaces for schools, park-and-ride lots, congregate housing facilities, and multifamily dwellings shall be covered.
 2. Cover for bicycle parking may be provided by building or roof overhangs, awnings, bicycle lockers, bicycle storage within buildings, or freestanding shelters.
 3. When more than 15 covered bicycle parking spaces are required, 50 percent of the required covered spaces shall be enclosed and offer a high level of security, e.g. bicycle lockers or a locked cage or room with locking facilities inside, to provide safe long-term parking.
 4. Required bicycle parking spaces shall be illuminated.
 5. Required bicycle parking areas shall be clearly marked and reserved for bicycle parking only.
 6. Bicycle parking space dimensions and standards:
 - a. Bicycle parking spaces must be at least six feet long and two feet wide, and in covered situations the overhead clearance must be at least seven feet.
 - 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.

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- 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-~~43~~, *Minimum Required Bicycle Parking Spaces*, are required.
8. Notwithstanding Table 1015-~~43~~, all listed uses located within the Portland Metropolitan Urban Growth Boundary (UGB) shall have a minimum of two bicycle parking spaces.
9. New multifamily residential, commercial, and institutional developments within the UGB shall designate short-term bicycle parking (less than four hours) and long-term bicycle parking (four or more hours) spaces as needed for the development.

Table 1015-43: Minimum Required Bicycle Parking Spaces

Land Use Category	Minimum Bicycle Parking Spaces*
Elementary Schools, Junior High Schools, Middle Schools, Senior High Schools, and Colleges (per classroom)	2 (maximum required spaces – 100)
Multifamily Dwellings (per dwelling unit)	0.5
Park-and-Ride Lots, Transit Centers, and Community Parks (per acre)	5
Preschools	4
Residential Care Facilities, Nursing Homes, and Hospitals (per 8 beds)	1
Retail and Commercial including offices and clinics	
Per 2,500 square feet, up to 50,000 square feet	1
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 1015-43.

1015.06 OFF-STREET LOADING STANDARDS

- A. Loading areas shall meet the following off-street locational requirements:
 1. No area shall be considered a loading berth unless it can be shown that the area is accessible and usable for that purpose, and has maneuvering area for vehicles.
 2. Loading areas shall be separated from vehicle and bicycle parking areas.
 3. In the BP District, loading areas shall be located to the side or rear of

buildings unless topography, natural features, rail service, or other requirements of this Ordinance dictate front-yard loading bays.

- B. Loading berths fulfilling the minimum requirement for a specified use shall not be rented, leased, or assigned to any other person or organization, except as provided for under shared loading berths in Subsection 1015.06(F).
- C. The conducting of any business activity, except for permitted temporary uses (e.g., Farmers' Markets), shall not occupy any of the minimum required loading berths.
- D. No required loading berth shall be used for storing or accumulating goods or a commercial or recreational vehicle, camper, or boat, rendering it useless for loading operations.
- E. In cases of expansion of a building or use, that prior to the expansion, does not meet the minimum loading berth requirements in Table 1015-~~54~~, Minimum Required Off-Street Loading Berths, 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-~~53~~ are required.

Table 1015-54: Minimum Required Off-Street Loading Berths

Land Use Category	Unit of Measurement	Number of Loading Berths	Minimum Required Dimension
Multifamily Dwellings	Number of Dwelling Units		25 feet x 12 feet x 14 feet high
	Below 50	None	
	50 to 100	1	
	101 to 200	2	
	201 or more	3	
Hotels and Motels	Square feet of floor area		35 feet x 12 feet x 14 feet high
	Under 5,000	None	
	5,000 to 50,000	1	
	50,001 to 150,000	2	
	150,001 to 300,000	3	
	300,001 to 500,000	4	
	For each additional 200,000	1 additional berth	

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Land Use Category	Unit of Measurement	Number of Loading Berths	Minimum Required Dimension
Institutional Uses			
Nursing Homes, Welfare or Correctional Institutions, and Institutions for Children	Number of beds		35 feet x 12 feet x 14 feet high
	Less than 25	0	
	More than 25	1	
Assisted Living Facilities	Square feet of floor area		
	Below 10,000	None	
	10,000 to 60,000	1	
	60,001 to 160,000	2	
	160,001 to 264,000	3	
	388,001 to 520,000	5	
	520,001 to 652,000	6	
	652,001 to 784,000	7	
	784,001 to 920,000	8	
	For each additional 140,000	1 additional berth	
Schools	Per each school bus	0.5	

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Land Use Category	Unit of Measurement	Number of Loading Berths	Minimum Required Dimension
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	
	Each additional 50,000	1	

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Land Use Category	Unit of Measurement	Number of Loading Berths	Minimum Required Dimension
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	

[Added by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-231, 1/31/12; Amended by Ord. ZDO-243, 9/9/13; Amended by Ord. ZDO-246, 3/1/14]

1016 MULTI-USE DEVELOPMENT

1016.01 PURPOSE

Section 1016 is adopted to:

- A. Implement the goals and policies of the Comprehensive Plan for multi-use developments;
- B. Accommodate and encourage innovation and design excellence in the development of multi-use centers containing a mixture of different uses in close proximity;
- C. Ensure functionally coordinated, aesthetically pleasing, and cohesive site planning and design that maximizes the benefits of multi-use to all individual components of the development;
- D. Ensure compatibility of multi-use developments with the surrounding area and minimize off-site impacts associated with the development;
- E. Provide for the development of sites that, because of their strategic location, can be developed to a higher and better land use development pattern than would otherwise be allowed in the zoning districts in which the sites are located;
- F. Provide focal points for various levels of transportation service (roads, transit, etc.) that can better serve areas of mixed uses and higher concentrations of development;
- G. Recognize the need for a higher level of economic activity, development and employment that multi-use developments generally provide in a community;
- H. Accommodate the changing land use and economic dynamics of the region, including the decentralization of many businesses and services into subregional centers to better serve their clients;
- I. Recognize and accommodate the need to provide for cultural, social, and entertainment interests of the larger community;
- J. Recognize the increasing importance of tourism on the economy of the County, and provide for a variety of attractions and tourist-related services to increase the County's share of this market; and
- K. Facilitate the economic objectives of the Comprehensive Plan, and other adopted County plans.

1016.02 AREA OF APPLICATION

Section 1016 may be applied to sites within the Portland Metropolitan Urban Growth Boundary, or the Hoodland Residential or Mountain Recreational Resort zoning districts, when the sites satisfy the following conditions, and the specific development plan satisfies the criteria under Subsection 1016.03:

- A. The zoning district in which the site is located allows multi-use developments as a conditional use.
- B. The ownerships or parcels are large enough to satisfy the dimensional requirements under Subsection 1016.08(B).
- C. The subject property and affected area is presently provided with adequate public facilities, services, and transportation networks to support the use, or such facilities, services, and transportation networks are planned to be provided to accommodate the development of the subject property.
- D. The site is suited to and desirable for a mix of different categories of use, one or more of which is not allowed outright in the subject zoning district, considering location, size, shape, access, topography, transportation networks existing or planned for the area, visibility, natural features and existence of improvements and uses which support the higher intensity use of the site associated with multi-use developments.
- E. The use of the site for a multi-use development will not substantially limit, impair, or preclude the use of surrounding properties for uses allowed in the zoning district(s) in which the surrounding properties are located.

1016.03 PROCEDURE FOR REVIEW OF A MULTI-USE DEVELOPMENT

- A. Conditional Use: A Multi-Use Development shall be a conditional use, subject to public hearing review under the provisions of Section 1300. Approval shall be granted when the applicant demonstrates that the site and master plan satisfy the requirements of this Section.
- B. Conceptual Approval/Master Plan: Application for a Multi-Use Development shall include a master plan for the entire property for which the conditional use is requested. The master plan shall address the standards and requirements of Section 1016, and shall be reviewed by the Design Review Committee pursuant to Section 1102.

The recommendation of the Design Review Committee shall be incorporated into the staff report and recommendation to the Hearings Officer. The application and master plan shall include:

1. Identification of proposed use categories, square footage of building area included in each category, and percentage of total building/land area to be used for each category of use, satisfying the provisions of Subsection 1016.04.
 2. Identification of major uses - those uses within the development most likely to generate the most traffic, or otherwise impact public services and facilities - and those uses for which special use provisions have been adopted under Section 800.
 3. A site analysis including the requirements under Subsections 1102.05(A)(7) and (8).
 4. A preliminary site plan including the requirements under Subsections 1102.05(A)(9) through (12), and addressing the purposes under Subsection 1016.01, the site planning and design objectives under Subsection 1016.09(A), and dimensional requirements under Subsection 1016.08.
 5. Proposed phasing of the development, if applicable to satisfy the requirements of Subsection 1016.04(G).
 6. Other information and plans necessary to address the special use provisions of Section 800 for affected uses within the proposed development.
- C. Approval Period: Conditional use approval of a multi-use development is valid for four years from the date of the final written decision. If the County's final written decision is appealed, the approval period shall commence on the date of the final appellate decision. During this four-year period, the approval shall be implemented, or the approval will become void. "Implemented" means:
1. Plans, as required under Subsections 1102.05(A)(7) through (12), are submitted, reviewed, and approved by the Design Review Committee; and
 2. All major development permits shall be obtained and maintained for the approved multi-use development. A "major development permit" is:
 - a. A building permit for a new primary structure that was part of the multi-use development approval; or
 - b. A permit issued by the County Engineering Division for parking lot or road improvements required by the multi-use development approval.
 3. In the case of phased developments, the initial application shall specify a timetable for each phase. This proposed timetable shall be subject to review, modification, and/or approval by the Hearings Officer.

- D. Time Extension: If the conditional use approval of a multi-use development is not implemented within the initial approval period established by Subsection 1016.03(C), a two-year time extension may be approved by the Planning Director, pursuant to Subsection 1305.02, and subject to Subsection 1305.05.
- E. Modification of Approved Plans: Minor modifications shall be subject to review and approval by the Design Review Committee. All other modifications shall be subject to the same procedure as the original application.
1. The Planning Director shall determine the status of a proposed modification. A modification shall be considered minor only if the portion of the Master Plan being proposed for change:
 - a. Is consistent with the conditions of the prior approval;
 - b. Complies with the provisions of Section 1016 which are in effect at the time of the modification request;
 - c. Does not involve a change in use which results in any of the following:
 - i. The addition of a new category of use not included in the original application;
 - ii. The deletion of a category of use approved in the original application;
 - iii. An increase in the square footage of land area (la) or floor area (fa) exceeding five percent of the "limited" uses, or 10 percent of the "permitted" and/or "required" uses approved in the Master Plan; or
 - iv. The addition of a major use, such as a large commercial amusement, public use, entertainment, or educational facility, which will generate more traffic or use more public facility capacity than anticipated in the findings or record supporting the original application approval;
 - d. Will not result in an increase in traffic or use of public facilities which exceed those capacities on which the original approval was based;
 - e. Will not cause a disturbance to an open space feature, as defined in Subsection 1011.02, and identified and preserved in the Master Plan approval; and
 - f. Does not result in a reduction in required pavement widths or a change in major access locations or major circulation patterns which force more traffic maneuvers onto public, County, or State roads.

2. A modification that satisfies the criteria under Subsection 1016.03(E)(1) shall be reviewed by the Design Review Committee. The Committee may approve, deny, or approve with conditions the proposed modification, in consideration of the following:
 - a. The Ordinance provisions in effect at the time of the original approval of the Master Plan for the development; and
 - b. The consistency of the proposed modification with the design approved in the Master Plan, including site layout, architectural design, vehicle and pedestrian circulation, transit amenities, parking areas, scale of structures and treatment of open spaces, plazas, and landscaping.

1016.04 DETERMINATION OF USES

The following provisions shall determine the uses allowed in a multi-use development. See Table 1016-1 for specific information about what categories of use may be allowed in each district.

- A. Use Selection: Uses shall be selected from those categories (or subcategories) of uses which are "Required," "Permitted" or "Limited" in the underlying district, as specified in Table 1016-1.
- B. "Required" Uses: Those uses which are "required" shall be included at the minimum percent of floor area or land area specified in Table 1016-1.
- C. "Limited" Uses: The total area occupied by "limited" uses shall not exceed the maximum percent of floor area or land area specified in Table 1016-1.
- D. "Permitted" Uses: Uses which are "permitted" may occupy whatever floor area or land area remains after satisfying the minimum "required" use area and subtracting the amount of "limited" use area proposed in the development.

Total area - ("required" + "limited" areas) = "Permitted" area.

- E. Residential District/"Limited" Uses: In low density residential districts at least one-half of the proposed residential units shall be constructed prior to the introduction of "limited" uses into the development. In multifamily districts limited uses located within the same building as dwelling units may be developed concurrently provided the maximum allowed percent of developed floor area for limited uses is not exceeded at any time.

- F. Residential Districts/"Required" Uses: In residential zoning districts the total land area may be used to calculate the base density, as provided under Section 1012, for the underlying zoning district. At least 80 percent of the base density in the Medium Density Residential and High Density Residential zoning districts, and 50 percent of the base density in the Special High Density Residential zoning district shall be provided in the development. Residential units may be clustered to provide for limited uses and preserve natural features or protect restricted areas. However, the density on any acre of land shall not exceed that allowed in the next highest residential Comprehensive Plan category.
- G. Commercial/Industrial Phased Developments: In commercial or industrial zoning district phased developments, the floor area/land area developed for "limited" uses in each phase shall not exceed the floor area/land area developed for other uses in that phase. An increase in the ratio of "limited" to other uses may be proposed and approved for any phase when other protection measures are used, such as binding development agreements, bonding, or other suitable controls over the total development percentages.
- H. Minimum Mix: In commercial and industrial districts, the Master Plan shall include uses from at least three of the primary use categories under Subsection 1016.05.

1016.05 USE CATEGORIES

Uses listed under the following use categories may be included in a Multi-Use Development when allowed in the zoning district pursuant to Table 1016-1, subject to the requirements under Subsection 1016.04.

- A. Office/Manufacturing:
1. Business and professional offices, including legal, financial, architectural, engineering, governmental, manufacturers' representatives, corporate facilities; medical and dental, chiropractic, counseling, and other similar services and clinics; insurance, real estate, travel agencies and membership organization headquarters; studios for artists, photographers, writers, radio and television broadcasting (but not transmission towers).
 2. Research and development operations and testing laboratories; manufacturing and assembly of medical equipment, communications equipment, electronic components, measuring and analyzing instruments; printing, publishing, bookbinding, graphic or photographic reproduction, blueprinting and photo finishing; and similar uses, except those prohibited under Subsection 1016.07, provided that no operation shall be conducted or equipment or chemicals used which would create a hazard or offensive noise, odor, vibration, smoke, dust, or other similar condition.

B. Hospitality/Public Use:

1. Hotels, motels, guest lodges and associated convention facilities; gift shops, newsstands and eating and drinking establishments located within the same building with a motel, hotel, or public use facility; tourist facilities and information services.
2. Health, recreation and exercise facilities, including health clubs, swimming pools, spas, tennis, racquetball, handball courts, golf courses and driving ranges and similar uses.
3. Large scale public use facilities such as auditoriums for live entertainment, operas, concerts and plays; convention facilities not part of a hotel or motel; indoor or outdoor stadia and arenas, spectator sport and multi-use facilities, such as coliseums or domes; exhibition halls, galleries and museums; movie theaters; other public use gathering places of similar nature.
4. A "destination restaurant" may be allowed as a "hospitality" use in the Campus Industrial and Office Commercial zoning districts. A "destination restaurant," for purposes of this Ordinance, is a "full menu establishment" (as defined by the U.S. Census Bureau) with no drive-through service, which satisfies five of the criteria listed below. On sites 40 acres or larger, up to two restaurants meeting four of the seven criteria listed below may be allowed as a "hospitality" use.
 - a. Has a minimum seating capacity of 75;
 - b. Specializes in gourmet, ethnic, or specialty cuisine;
 - c. Includes banquet facilities and services;
 - d. Provides live entertainment at least two nights a week;
 - e. Utilizes custom architectural design and/or collections of artistic, cultural, or historic items to produce a distinctive thematic decor or atmosphere;
 - f. Has an OLCC license to serve beer and wine;
 - g. Employs only chefs who have graduated from a recognized culinary institute, or who have outstanding qualifications or reputations for their culinary skills.

C. Commercial:

1. ~~The following n~~Neighborhood retail and service commercial uses ~~listed under Subsection 501.03~~ which primarily serve the tenants and/or residents of the Multi-Use Development and the immediate surrounding area:-

a. Apparel stores and dressmaking shops;

b. Bakery shops;

c. Catering establishments;

d. Confectionery stores;

e. Delicatessen shops and restaurants, but not drive-in restaurants or drive-thru service;

f. Drug stores;

g. Fabric and dry goods stores;

h. Florist and gift shops;

i. Grocery and produce stores;

j. Hardware and garden supplies;

k. Meat and fish markets;

l. Barber and beauty shops;

m. Clothes pressing, alterations, and tailoring shops;

n. Daycare facilities and other adult or child care facilities, operated during the daytime, subject to Section 807;

o. Dry cleaners; laundry agencies; self-service laundromats and dry cleaning facilities;

p. Exercise and tanning studios;

q. Offices for doctors, dentists, chiropractors, naturopathic treatment personnel, and other health service personnel; small clinics or community health care programs;

r. Photo finishing;

s. Shoe repair;

t. Veterinarian services and pet supplies;

u. Video rental stores;

v. Bed and breakfast residences and inns, subject to Section 832;

w. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835;

x. Preexisting retail or service commercial uses; and

y. Mobile vending units, subject to Section 837.

2. Commercial amusement uses such as bowling alleys, game rooms, billiard and pool halls, miniature golf, roller or ice skating rinks, and similar uses, but not those included in Category B, or prohibited under Subsection 1016.07.
3. All retail and service commercial uses except those included under Subsection 1016.05(C)(4); eating and drinking establishments except those qualifying as "hospitality" uses under Subsection 1016.05(B); banks, credit unions, and financial institutions.
4. Sales lots and repair services for automobiles, trucks, boats, motorcycles, recreational vehicles, trailers, manufactured dwellings, farm or construction equipment and other heavy machinery; lumber yards, fuel yards, carpentry or sheet metal shops; mini-storage and vehicle storage facilities, moving equipment rental; funeral parlors; gasoline service stations.

D. Residential:

1. Low density residential zoning district primary uses, as specified in the underlying zoning district (i.e., R-7 through R-30 and Hoodland Residential).
2. Medium Density Residential zoning district primary uses, subject to Section 315.
3. High Density Residential zoning district primary uses, subject to Section 315.
4. Special High Density Residential zoning district primary uses, subject to Section 315.
5. Mountain Recreational Resort zoning district primary uses, subject to Section 306.

- E. Educational: Colleges, universities or graduate centers; business, trade and craft schools; specialty schools in the arts, music, counseling, etc.; and rehabilitation and worker training/retraining centers and facilities.

1016.06 ACCESSORY USES

The following uses may be provided in conjunction with any category of use, or uses, approved under Subsection 1016.03.

- A. Temporary buildings for uses incidental to construction work, which buildings shall be removed upon completion or abandonment of the construction work.
- B. Transit stations, bus shelters, bike racks, pedestrian amenities, and transit amenities.
- C. Parking structures.
- D. Utility carrier cabinets.
- E. Solar energy systems.
- F. Cogeneration facilities.
- G. Radio and television earth stations and dishes.
- H. Daycare facilities associated with a principal use.
- I. Cafeterias, delicatessens, and other such facilities provided for employees of a principal use.
- J. Recycling collection containers, provided all materials are presorted, no processing occurs on-site, and all materials are stored within an enclosed structure or area between pickup days.
- K. Private recreational facilities as part of a multifamily residential complex.
- L. Helistops.
- M. Rainwater collection systems.
- N. Electric vehicle charging stations .
- O. Other uses and structures customarily accessory and incidental to a primary use, as determined by the Design Review Committee.

1016.07 PROHIBITED USES

The following uses shall be prohibited in a multi-use development.

- A. Any category of use, or major use not included on the approved site plan for a multi-use development shall be prohibited in that development. A modification of the approved plan, as provided under Subsection 1016.03(E), shall be required prior to the addition of a new category of use or major use.
- B. New dwellings, manufactured dwellings and manufactured dwelling parks, except as permitted within low density or medium density residential districts.
- C. Outdoor storage of materials or products.
- D. Drive-thru window service, except those associated with a bank, credit union, or other financial institution, subject to Section 827.
- E. Industrial uses listed in Table 602-1 as Conditional Uses in the GI District, except as specifically allowed under Subsection 1016.05.

1016.08 DIMENSIONAL STANDARDS

- A. The dimensional standards are intended to:
 - 1. Provide for and encourage coordinated development and the most efficient use of property within a multi-use development.
 - 2. Ensure adequate structure separation for light, air, fire safety and protection of all uses and structures within the development, and between the development and uses and structures on adjacent properties.
 - 3. Protect adjacent properties and uses from incompatible uses, and provide adequate buffering and transitioning between different uses within the development.
 - 4. Ensure an attractive appearance through the use of open spaces, setbacks, landscaping and pedestrian amenities, plazas, buffering, and retention of significant natural features.
 - 5. Ensure adequate access to property and minimum traffic conflicts and impacts.
- B. A multi-use development shall comply with the following dimensional requirements:
 - 1. Minimum Site Area: For purposes of this section, "site area" shall be as defined in Note 2 to Table 315-5, *Dimensional Standards in the PMD, MR-1, MR-2, HDR, VA, SHD, and RCHDR Districts*.
 - a. Low Density Residential (R-7 through R-30): 30 acres
 - b. Hoodland Residential (HR): 30 acres

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- c. Medium Density Residential (MR-1): 10 acres
 - d. Mountain Recreational Resort (MRR): 10 acres
 - e. High Density Residential (HDR): 5 acres
 - f. Special High Density Residential (SHD): 5 acres
 - g. General Commercial (C-3): 1 acre
 - h. Office Commercial (OC): 10 acres
 - i. Campus Industrial (CI): 20 acres
 - j. Open Space Management (OSM): 20 acres
 - k. A site area less than the above requirements may be allowed when such site is physically separated from all other undeveloped or underdeveloped properties in the underlying district.
- 2. Minimum front yard setbacks:
 - a. From major periphery roads: 25 feet.
 - b. From interior access driveways and circulation roads: 10 feet.
 - 3. Minimum side and rear setbacks: 15 feet.
 - 4. Minimum building separation: The minimum separation between a multifamily residential use located in a separate building on the same site, or on an adjacent site, and any building housing another category of use shall be 50 feet. However, this shall not preclude the mixing of multifamily residential with other categories of use within one building.
 - 5. Minimum site area street frontage: 200 feet, except in the C-3 zoning district, the minimum street frontage shall be 100 feet.
 - 6. Maximum building height: Same as underlying zoning district.
 - 7. Minimum landscaping/open space area requirements: The minimum landscaped area standards under Table 1009-1 shall be modified as follows:
 - a. In the C-3 zoning district, a minimum of 20 percent of the net site area shall be utilized for landscaping and open space. In phased developments, landscaped areas may be reduced to a minimum of 15 percent for any phase when the applicant demonstrates how the minimum 20-percent requirement will be satisfied.

- b. In the R-7 through R-30, MR-1, HDR, SHD, MRR, HR, OSM, CI, and OC zoning districts, a minimum of 25 percent of the net site area shall be utilized for landscaping and open space. In phased developments, landscaped areas may be reduced to a minimum of 20 percent for any phase when the applicant demonstrates how the minimum 25-percent requirement will be satisfied.
- C. Exceptions to Dimensional Requirements: The requirements of this subsection are not subject to modification pursuant to the provisions of Section 900. However, except for minimum landscape provisions, these requirements may be reduced up to 20 percent by the Design Review Committee during the review process when such modification is consistent with the purposes under Subsections 1016.01 and 1016.08(A). The effect of the proposed modification on the natural features of the site and on the use and preservation of solar access shall be considered when applicable. Proposed modifications which exceed 20 percent of the requirement shall be subject to Section 1205.

1016.09 DEVELOPMENT STANDARDS

A multi-use development shall comply with the development standards in Section 1000. In addition, the following standards and objectives shall apply:

- A. Site Planning and Design: The master plan and siting of individual uses and buildings within a multi-use development shall address the following objectives:
 - 1. Identity: To create a stimulating environment through the siting of various uses, the use and articulation of open spaces, structure scale, design and texture, and the provision of pedestrian level amenities to produce a strong "sense of place."
 - 2. Pedestrian Circulation: To provide pedestrian access and movement through the site in a manner that maximizes foot traffic exposure to goods and services, and minimizes conflicts with vehicle circulation areas.
 - 3. Transit: To maximize the use of mass transit services through the provision of transit and pedestrian facilities and amenities in cooperation with the regional transit provider.
 - 4. Parking: To minimize the visual impact of parking areas. This may be accomplished through the use of: landscaping techniques; the incorporation of parking structures, as provided under Subsection 1016.09(D); the siting of uses to maximize the "shared parking" provisions of Section 1015; or a combination of these methods.

5. Access/Circulation: To minimize the number of access points onto the site from adjacent roads and provide for traffic circulation between on-site uses, as appropriate.
 6. Visual Access/Traffic Impacts: To maximize visibility and access for uses most dependent upon impulse shopping, or off-the-street business while minimizing traffic impacts on other uses within the development.
 7. Natural Features: To protect the aesthetic and location advantages provided by the terrain and natural features of the site and minimize the alteration thereof as far as practicable.
 8. Impacts: To minimize negative impacts of proposed uses on adjacent properties and uses and ensure the livability of residential areas of the site, when applicable.
- B. Building Design: In addition to the provisions of Section 1005, a multi-use development shall require:
1. Buildings and structures to be designed using materials, architectural styling and features, pedestrian plazas and amenities, and color, texture and scale of architectural elements to produce a mix of complimentary styles which are in scale with each other and demonstrate comparable excellence in design and implementation.
 2. Buildings housing retail commercial uses shall provide ample window area oriented toward pedestrian walkways or plazas, and, when single-story construction is used, shall incorporate design techniques and elements to enhance the scale of the building(s).
- C. Landscaping/Open Space: The minimum percent of landscaping/open space required shall be as specified under Subsection 1016.08(B)(7). In addition to the requirements under Section 1009, the design and development of open space and landscaping in a multi-use development shall:
1. Include street trees and parking area trees which are in scale with the development.
 2. Provide a cohesive open space and pedestrian network within the development, with appropriate connections to surrounding properties and uses.
 3. Provide pleasing transitions between uses, soften and buffer utility and loading areas, visually break up parking areas into identifiable subareas, and provide pleasing textures and variety, particularly next to buildings, along walkways, and within plazas.

4. Include open spaces and plazas which are in scale with the development, invite activity appropriate to adjoining uses, and incorporate plant materials, seating, waste receptacles, lighting, and a focal element such as a fountain, sculpture, mural, or other visual art object.
- D. Parking and Circulation: In addition to the standards of Section 1015, the County may require parking structures to serve intensive uses. Factors to be considered include:
1. Topography and other physical characteristics of the site;
 2. Effects on distinctive natural features of the site;
 3. Effects on surface drainage and associated facilities;
 4. Effect on the capacity of the site to absorb the parking and traffic impacts of the intensive use(s);
 5. Effects on the quality of the overall site design in addressing the objectives under Subsection 1016.09(A); and
 6. The benefits associated with structure parking, such as the increase in development intensity and provision of open space amenities, and the ability or inability of such benefits to recoup the added expense associated with such facilities.
- E. Identification/Signing: The provisions of Section 1010 shall be modified as follows:
1. Signing Master Plan: Applications for Multi-Use Developments shall include a comprehensive Signing Plan which shall include:
 - a. elevations illustrating the major sign and sign types;
 - b. maps and drawings indicating location of all proposed signs;
 - c. descriptions of sizes and heights of signs;
 - d. description of how the proposed sign plan satisfies the criteria set forth in this ordinance pertaining to size, design, placement, height, and number of signs.
 2. Standards: The Design Review Committee shall review the Signing Master Plan under the provisions of Section 1010, except as specifically provided below:

- a. Freestanding Signs: One freestanding identification sign may be provided on each public, County or State road from which the development takes access. One additional freestanding sign may be allowed on a public, County or State road when the frontage on that road exceeds 1,000 feet, and two or more major access points are provided. In no case shall the number of freestanding signs exceed four for any Multi-Use Development. The maximum size and height for each freestanding sign shall be determined by the Design Review Committee under Subsection 1010.05(A)(3).
 - b. On-Building Signs: Individual on-building tenant identification signs shall be allowed under the provisions of Subsection 1010.05(B).
 - c. Ground-Mounted Signs: Ground-mounted signs may be used to identify an individual building within a multi-use development provided that:
 - i. no onbuilding sign with the same message is facing in the same direction;
 - ii. the sign area does not exceed 30 square feet;
 - iii. the sign does not exceed five feet in height;
 - iv. architectural features may be added to the sign structure provided the total sign size and height are not increased by more than one-third of the above requirements.
3. Addresses/Road Signs: Street addresses shall be clearly displayed on or in front of each separate building or commercial tenant space. The Planning Division may require that interior circulation roads be named. Such names shall be subject to Planning Division approval. Signs identifying roads within the development shall be installed and maintained by the developer or management association. Directional signs to various uses within the development may be included on the road signs.
- F. Management Association/Easements: The County may require the formation of a management association or other suitable mechanism approved by the County to assure that the following maintenance and liability duties are adequately addressed:
1. To improve, operate, and maintain common facilities, including open space, landscaping, parking and service areas, streets, recreation areas, signing, and lighting.
 2. To provide and maintain cross-easements between uses and parcels within the development for parking, circulation, drainage facilities, utilities, and similar elements shared in common.

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3. To adopt and enforce restrictions on the use of open space, landscaping, plazas, and service areas, malls, and other public access areas of the site.
4. To maintain liability insurance and pay local taxes, unless other legally binding mechanism is provided.
5. To assess and collect from members their pro rata share of the cost associated with the responsibilities herein described. The association shall be able to adjust the assessment to meet changes as needed.
6. To make revisions to the bylaws as necessary, subject to County review and approval, when the County determines that such changes protect the intent and purpose of this ordinance and are in the public's interest.

DETERMINATION OF USE CHART (DUC)

	RESIDENTIAL					COMMERCIAL		INDUSTRIAL	
DISTRICTS	LDR	MR-1	HDR	SHD	MRR	C-3	OC	CI	OSM
Minimum Site Area*	30 ac	10 ac	5 ac	5 ac	10 ac	1 ac	10 ac	20 ac	20 ac
Minimum % <u>R</u> la or fa required	80% la	70% fa	50% fa	50% fa	70% fa	N/A	N/A	60% fa	70% la
Minimum % bd required		80% bd	80% bd	50% fa					
Maximum % (L) la or fa allowed	20% la	15% fa	20% fa	25% fa	20% fa	N/A	35% fa	35% fa	30% la
CATEGORY A									
1. Offices	(L)	P	P	P	P	P	P	<u>R</u>	(L)
2. High Tech	X	X	X	X	X	P	P	<u>R</u>	X
CATEGORY B									
1. Hospitality	X	P	P	P	P	P	P	P	(L)
2. Health/Recreation	(L)	P	P	P	P	P	P	P	<u>R</u>
3. Public Use/Cultural	X	P	P	P	P	P	P	P	(L)
CATEGORY C									
1. Neighborhood Commercial	(L)	(L)	(L)	(L)	(L)	P	(L)	(L)	(L)
2. Commercial Amusement	X	X	(L)	(L)	(L)	P	(L)	(L)	(L)
3. Retail/Service	X	X	X	(L)	X	P	(L)	(L)	X
4. Strip/Auto	X	X	X	X	X	P	X	X	X
CATEGORY D									

DETERMINATION OF USE CHART (DUC)

1. Residential (District Density)	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>	MR-1 to HDR	HDR	HDR	X
CATEGORY E									
1. Education	(L)	P	P	P	P	P	P	P	(L)

SYMBOL KEY:

P	Permitted Use
<u>R</u>	Required Use (See minimum % required)
la	Land Area
bd	Base Density
(L)	Limited Use (See maximum % allowed)
X	Prohibited Use
fa	Floor Area
*	See Subsections 1016.08(B)(1)(k) and 1016.08(C) for exceptions

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-230, 9/26/11; Amended by Ord. ZDO-243, 9/9/13]

1102 DESIGN REVIEW

1102.01 APPLICABILITY

Section 1102 applies to all development, redevelopment, expansions, and improvements in all commercial, industrial, and multifamily zoning districts and to other uses as required by the Planning Director, the Hearings Officer, or the Board of County Commissioners. For purposes of this provision, the Medium Density Residential District and the Medium High Density Residential District shall be considered “multifamily zoning districts,” even though attached single-family dwellings are a primary use. In addition, in the Urban Low Density Residential Districts, Section 1102 applies to attached single-family dwellings, two-family dwellings, three-family dwellings, and condominiums.

1102.02 CRITERIA AND PROCEDURE

A. A design review application may be approved pursuant to Subsection 1305.02 if the applicant provides evidence substantiating that the proposed development complies with Section 1000, the standards of the zoning district in which the subject property is located, and all other applicable provisions of this Ordinance.

B. Where master plan approval is required, application for such approval shall be processed pursuant to Section 1102. Master plan approval shall be required as follows:

1. In the RTL District, 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.

2. In the PMU District, a master plan shall be required for the entire property for which development is proposed and shall address the standards and requirements of this Ordinance. The master plan shall include:

a. Estimated square feet or number of units of required uses, and density (floor area ratio or units per acre);

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

c. Proposed phasing of the development. Each phase shall demonstrate compliance with the requirements of the PMU District;

d. A traffic impact study;

e. Proposed transportation improvements, consistent with the Clackamas Regional Center Area Design Plan, including:

- i. Traffic impacts of development on the overall street system based on the traffic impact study;
 - ii. Private streets, as to be use to meet building orientation requirements; and
 - iii. Phasing of streets in coordination with phased development;
 - f. Parking ratios for surface parking, total number of parking spaces, type; if structured, location and feasibility (dimensions);
 - g. Open space and significant natural features to be protected, including designated greenways, wetlands, creeks and streams, riparian habitat, and wooded areas;
 - h. Existing or proposed parks; and
 - i. A development narrative that demonstrates compliance with the requirements of the PMU District and with the traffic impact study.
3. Upon application for development of any portion of the OA 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 this Ordinance.
 4. Upon application for development of any portion of the VCS District, the applicant shall submit a master plan for the entire site, to ensure compliance with this Ordinance.
 5. Upon application for development of any portion of the VO District, the applicant shall submit a master plan for the entire district, to ensure compliance with this Ordinance.
 6. In the Clackamas Regional Center Area, as shown on Comprehensive Plan Map X-CRC-1, Clackamas Regional Center Area Design Plan Regional Center, Corridors, and Station Community, a master plan for sites capable of future development shall be submitted for design review with the application for the first phase of development. However, in the RCO District, this requirement is limited to sites larger than two and one-half acres that are capable of future development. The master plan shall address the standards and requirements of this Ordinance, and should include:
 - a. General location of all proposed uses and improvements;
 - b. General building dimensions, number of stories, square footage of commercial uses, and number of dwelling units of residential uses;

- c. Internal circulation, including that for auto, transit, pedestrian, and freight service;
- d. Transportation connections to the external street system, including off-site circulation and site access;
- e. Open space and natural features to be protected;
- f. Urban design elements shown on Comprehensive Plan Map X-CRC-3, Clackamas Regional Center Area Design Plan, Urban Design Elements, that are required on the subject property;
- g. A demonstration that proposed street layout will accommodate future growth; and
- h. General location of public facilities and private utilities.

~~B.C.~~ The Planning Director may review and render a decision on an application for design review or forward the application to the Design Review Committee for review and decision. In deciding whether to forward an application to the Design Review Committee, the Planning Director shall consider:

1. The size of the project, including mass of buildings, site area, landscaping, and parking requirements;
2. The presence of natural features, such as wetlands, steep slopes, treed area, and riparian corridors;
3. Visual significance; and
4. Impact on neighboring properties, particularly where a project is adjacent to a residential area.

~~C.D.~~ An application shall be forwarded to the Design Review Committee for review and decision if requested by the applicant or required by the Hearings Officer or the Board of County Commissioners.

~~D.E.~~ The Planning Director may consult with individual members of the Design Review Committee at any point during the evaluation of a design review application or in determining compliance with conditions of design review approval.

F. Subsections 1102.02(C) through (E) do not apply to master plan review in the PMU District, which shall instead be subject to Hearings Officer review pursuant to Section 1300.

~~EG.~~ Design review 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.

1. “Implemented” means all major development permits shall be obtained and maintained for the approved development, or if no major development permits are required to complete the development contemplated by the design review approval, “implemented” means all other necessary County development permits (e.g. grading permit, building permit for an accessory structure) shall be obtained and maintained. A “major development permit” is:
 - i. A building permit for a new primary structure that was part of the design review approval; or
 - ii. A permit issued by the County Engineering Division for parking lot or road improvements required by the design review approval.

~~FH.~~ If the design review approval is not implemented within the initial approval period established by Subsection 1102.02(~~GE~~), a two-year time extension may be approved by the Planning Director, pursuant to Subsection 1305.02, and subject to Subsection 1305.05.

I. Notwithstanding Subsections 1102.02(G) and (H), approval of a master plan in the PMU District 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.

J. If the approval of a master plan in the PMU District is not implemented within the initial approval period established by Subsection 1102.02(I), a five-year time extension may be approved by the Planning Director, pursuant to Subsection 1305.02, and subject to Subsection 1305.05.

1102.03 DESIGN REVIEW COMMITTEE

- A. The Board of County Commissioners shall appoint a Design Review Committee and may remove members of the Committee.
- B. Members of the Design Review Committee shall be appointed for a term of four years and may, at the discretion of the Board of County Commissioners, serve more than one term.

- C. The Design Review Committee shall consist of a minimum of seven members and shall include the following:
 - 1. One landscape architect;
 - 2. One architect;
 - 3. One registered engineer;
 - 4. One graphic design representative;
 - 5. One representative from the field of finance or the construction and development industry; and
 - 6. Two members from the general public, who may be from any discipline or group, including any of the above.
- D. The Design Review Committee shall adopt rules to govern its deliberations and decisions and shall keep a record of its proceedings.

1102.04 PREAPPLICATION CONFERENCE

- A. A preapplication conference between the applicant and the Planning Director shall be required prior to submission of an application for design review.
- B. The following subjects shall be reviewed at the preapplication conference:
 - 1. Description of existing site conditions, including:
 - a. Property location and size;
 - b. Adjacent land uses and potential cooperation or conflict in land use (e.g., shared parking or need for buffers);
 - c. Access to the site for different modes of transportation, including mass transit, trucks, passenger vehicles, bicycles, and pedestrians;
 - d. Designated Open Space or zoning overlays (e.g. Floodplain Management District; River and Stream Conservation Area; Historic Landmarks, Districts, and Corridors);
 - e. Natural features on the site (e.g., land forms, drainage, wooded areas, large trees, wetlands);
 - f. Existing and potential noise sources; and
 - g. Existing uses, structures, circulation, parking, landscaping, and setbacks;

2. Development concepts and requirements, including:
 - a. Proposed uses, structures, circulation, parking, landscaping, and setbacks;
 - b. Applicable provisions of this Ordinance, the Comprehensive Plan, and other development regulations administered by the County or other service providers. Emphasis will be on identifying and, if possible, resolving conflicts between regulations; and
 - c. Conditions placed on previous development approvals.

1102.05 SUBMITTAL REQUIREMENTS

- A. An application for design review shall include the following:
 1. A completed design review application on a form provided by the County Planning Division;
 2. A narrative describing the proposed use;
 3. Calculations demonstrating compliance with the density standards of Section 1012, if applicable;
 4. An engineering geologic study, if required pursuant to Section 1002 or 1003;
 5. Preliminary statements of feasibility, if required pursuant to Sections 1006 and 1007;
 6. A transportation impact study, if required pursuant to Section 1007;
 7. A vicinity map showing the location of the subject property in relation to adjacent properties, roads, bikeways, pedestrian access, utility access, and manmade or natural site features that cross the boundaries of the subject property;
 8. An existing conditions map of the subject property showing:
 - a. Contour lines at two-foot intervals for slopes of 20 percent or less within an urban growth boundary; contour lines at five-foot intervals for slopes exceeding 20 percent within an urban growth boundary; contour lines at 10-foot intervals outside an urban growth boundary; source of contour information.
 - b. Slope analysis designating portions of the site according to the following slope ranges and identifying the total land area in each

category: zero to 20 percent, greater than 20 percent to 35 percent, greater than 35 percent to 50 percent, and greater than 50 percent;

- c. Drainage;
 - d. Potential hazards to safety, including areas identified as mass movement, flood, soil, or fire hazards pursuant to Section 1003;
 - e. Marsh or wetland areas, underground springs, wildlife habitat areas, and surface features such as earth mounds and large rock outcroppings;
 - f. Location of wooded areas, significant clumps or groves of trees, and specimen conifers, oaks, and other large deciduous trees. Where the site is heavily wooded, an aerial photograph, of a scale not to exceed 1":400', may be submitted and only those trees that will be affected by the proposed development need be sited accurately;
 - g. Location of any overlay zones regulated by Section 700 (e.g. Floodplain Management District, Willamette River Greenway, Historic Landmark);
 - h. Noise sources;
 - i. Sun and wind exposure;
 - j. Significant views; and
 - k. Existing structures, impervious surfaces, utilities, landscaping, and easements;
9. A proposed site plan showing:
- a. The subject property, including contiguous property under the same ownership as the subject property, and adjacent properties;
 - b. Property lines and dimensions for the subject property. Indicate any proposed changes to these;
 - c. Natural features to be retained;
 - d. Location, dimensions, and names of all existing or platted roads or other public ways, easements, and railroad rights-of-way on or adjacent to the subject property;
 - e. The location of at least one temporary benchmark and spot elevations;

- f. Location and dimensions of structures, impervious surfaces, and utilities, whether proposed or existing and intended to be retained. For phased developments, include future buildings;
 - g. Approximate location and size of storm drainage facilities;
 - h. Relation to transit; location and dimensions of parking and loading areas, including dimensions of individual parking spaces and drive aisles; bikeways and bicycle racks, sidewalks and pedestrian crossings;
 - i. Orientation of structures showing windows and doors;
 - j. Location and type of lighting;
 - k. Service areas for waste disposal, recycling, loading, and delivery;
 - l. Location of mail boxes; and
 - m. Freestanding signs;
10. A grading plan showing location and extent of proposed grading, general contour lines, slope ratios, slope stabilization proposals, and natural resources protection consistent with Sections 1002 and 1003;
11. Architectural drawings, including:
- a. Building elevations, including any building signs. Identify the dimensions, area, color, materials, and means of illumination of such signs;
 - b. Building sections;
 - c. Floor plans;
 - d. Color and type of building materials; and
 - e. Elevation of freestanding sign(s). Identify the dimensions—including total height and height between bottom of sign and ground, area, color, materials, and means of illumination;
12. A general landscape development plan, which shall include the elements required on the proposed site plan and:
- a. Existing plants and groups of plants proposed;
 - b. Description of soil conditions; plans for soil treatment such as stockpiling of topsoil or addition of soil amendments; and plant selection requirements relating to soil conditions;

- c. Erosion controls, including plant materials and soil stabilization, if any;
- d. Irrigation system (i.e. underground sprinklers or hose bibs);
- e. Landscape-related structures such as fences, terraces, decks, patios, shelters and play areas; and
- f. Open space or recreation areas, if applicable.

B. In addition to the requirements of Subsection 1102.05(A)(9), the proposed site plan submitted with an application for design review in the PMU District shall include the following:

- 1. The specific location (footprints) of buildings, orientation, setbacks; and pedestrian amenities provided with buildings;
- 2. Specific square feet or number of units for each use, floor area ratios or site coverage, as required in Table 510-3, *Site-Specific Requirements for the PMU District*;
- 3. Transportation improvements necessary to meet the conditions of the approved master plan for the subject property;
- 4. Parking areas, parking ratios, number of spaces, dimensions, and circulation for structure parking;
- 5. Location of public amenities, including the urban design elements required on Comprehensive Plan Map X-CRC-3, *Clackamas Regional Center Area Design Plan Urban Design Elements*;
- 6. Specific internal traffic circulation improvements for all modes of transportation to accommodate projected traffic needs based on the traffic impact study; and
- 7. Public facilities and private utilities needs and location.

C. An application for design review in the PMU District shall include a development narrative that demonstrates compliance with the requirements of the PMU District and with the traffic impact study.

1102.06 MAINTENANCE

All approved onsite improvements shall be the ongoing responsibility of the property owner or occupant.

1102.07 COMPLIANCE

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The development shall be completed pursuant to the approved final plans prior to issuance of a certificate of occupancy, except as provided under Section 1104.

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

1104 COMPLETION OF IMPROVEMENTS AND BONDING

1104.01 OCCUPANCY PERMIT

Before the occupancy permit is approved, the developer shall construct or install the required improvements or shall provide the County with a deposit, letter of credit, performance bond, or other surety satisfactory to the Planning Director, in which assurance is given to the County that all improvements will be carried out in accordance with the standards of this Ordinance, the terms of the final development review, and other required County permits.

1104.02 TERMS OF THE BOND OR SURETY

The surety shall set the time for completion of improvements and shall be sufficient to cover the cost of work for the year that completion is anticipated. The surety shall be forfeited to the County if the permittee does not complete the improvements by the time scheduled. The surety shall remain in the custody of the County until the obligation is completed or the surety is forfeited, or shall be placed in an escrow account available to the County.

1104.03 NONCOMPLIANCE

- A. If the staff finds that a permittee has not completed improvements as required, staff shall notify, in writing, the permittee and the surety holder of the specific noncompliance. Within 30 days of receipt of the written notice, the permittee or the surety holder shall proceed diligently to complete the obligation.
- B. If the permittee or the surety holder does not commence compliance within 30 days, or has so commenced but fails to proceed diligently to complete the compliance, or the compliance is not completed in accordance with the requirements of the development permit, the County may take any or all of the following actions:
 - 1. Enter upon the site of the development and carry out the improvements necessary to complete the requirements of the development permit;
 - 2. Notify the permittee and the surety holder of the permittee's failure to complete the improvements;
 - 3. Demand payment from the permittee for the costs of completion of the improvements; and
 - 4. Notify the surety holder that the reimbursement for the costs of completion is due and payable to the County, or appropriate as much of a cash deposit, letter of credit, or other assets as is necessary to recover the costs of completion.

1104.04 INSUFFICIENT SURETY

If the amount of the surety is not sufficient to compensate the County fully for the costs of improvements, the amount due the County is a lien in favor of the County upon the entire real property of the owner of the development subject to the development permit. The lien attaches upon the filing with the County Recorder of notice of the claim for the amount due for the completion of the improvements. The notice shall demand the amount due, allege the insufficiency of the surety to compensate the County fully for the costs of completion of the improvements, and allege the permittee's failure to complete the improvements as required by the development permit and this Ordinance.

1104.05 DAMAGE AND MAINTENANCE

The developer of any subdivision, partition, or development shall construct, maintain, repair, replace, and shall be responsible for any damage to curbs, sidewalks, pavement, and driveway approaches, shall keep the pavement area free of debris, soil, or foreign matter at all times, shall be responsible for the efficient operation of all sumps or catchbasins in all streets included in the development, for a period of time not exceeding two years from the date set in the surety for completion of improvements, or until 90 percent of the units have been constructed, whichever occurs first.

1104.06 COUNTY ASSISTANCE

Inspections or other assistance shall be provided by the County at reasonable cost to the developer, and may include reimbursement for related materials and services furnished by the County to assist in proper completion of improvements.

1104.07 MAINTENANCE MECHANISMS

In the PMU and SCMU Districts, 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.

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

1202 ZONE CHANGE

| 1202.01 GENERAL APPROVAL CRITERIA

The Hearings Officer may approve a zone change, pursuant to Section 1300, if the applicant provides evidence substantiating the following:

- A. Approval of the zone change is consistent with the Comprehensive Plan;
- B. If development under the new zoning district designation has a need for public sanitary sewer, surface water management, and/or water service, it can be accommodated with the implementation of service providers' existing capital improvement plans. The cumulative impact of the proposed zone change and development of other properties under existing zoning designations shall be considered.
- C. The transportation system is adequate, as defined in Subsection 1007.09(D), and will remain adequate with approval of the zone change. Transportation facilities that are under the jurisdiction of the State of Oregon are exempt from Subsection 1202.01(C). For the purpose of this criterion:
 - 1. The evaluation of transportation system adequacy shall include both the impact of the proposed zone change and growth in background traffic for a 20-year period beginning with the year that a complete land use application is submitted.
 - 2. It shall be assumed that all improvements identified in Comprehensive Plan Table 5-3a, *20-Year Capital Projects*; the Statewide Transportation Improvement Plan; and the capital improvement plans of other local jurisdictions are constructed.
 - 3. It shall be assumed that the subject property is developed with the primary use, allowed in the proposed zoning district, with the highest motor vehicle trip generation rate.
 - 4. Transportation facility capacity shall be calculated pursuant to Subsection 1007.09(E).
 - 5. A determination regarding whether submittal of a transportation impact study is required shall be made based on the Clackamas County Roadway Standards, which also establish the minimum standards to which a transportation impact study shall adhere.
- D. The proposal, as it relates to transportation facilities under the jurisdiction of the State of Oregon, complies with the Oregon Highway Plan.

- E. Safety of the transportation system is adequate to serve the level of development anticipated by the zone change.

1202.02 ZONE CHANGE TO NC DISTRICT

If the application requests a zone change to NC District, approval of the zone change shall include approval of a specific use for the subject property, including a specific site development plan.

A. The applicant shall provide evidence substantiating the following:

1. The characteristics of the subject property are suitable for the proposed use considering size, shape, location, topography, existence of improvements, and natural features.
2. The proposed use will not alter the character of the surrounding area in a manner that substantially limits, impairs, or precludes the use of surrounding properties for the primary uses allowed in the zoning district(s) in which surrounding properties are located.
3. The proposed use complies with any applicable requirements of the NC District and any overlay zoning district(s) in which the subject property is located, Section 800, and Section 1000.

B. Application submittal requirements include the following:

1. The requirements listed in Subsection 1102.05;
2. A vicinity map, drawn to scale, showing the following:
 - a. Uses and location of improvements on adjacent properties and properties across any road;
 - b. Location of all commercial uses within 2000 feet, identifying the uses; and
3. A site plan, drawn to scale, showing the following:
 - a. Property dimensions and area of property;
 - b. Access to property;
 - c. Location and size of existing and proposed improvements showing distance from property lines and distance between improvements;
 - d. Location of existing and proposed parking; and
 - e. Location of existing and proposed pedestrian and bicycle facilities, including pedestrian rest and gathering areas.

C. Design review pursuant to Section 1102 is not required for a use approved through a zone change to NC District. Minor modifications to the approved use, including the approved site development plan, shall be processed pursuant to Subsection 1305.04. Modifications that exceed the approval criteria for a minor modification are subject to Hearings Officer review pursuant to Section 1300 and require compliance with Subsections 1202.02(A) and (B).

~~1202.03~~1202.02 ALTERNATE ZONING DISTRICT DESIGNATION

An applicant may request that the Hearings Officer approve an alternate zoning district designation if the Hearings Officer finds that the applicant's preferred designation does not comply with the approval criteria but the alternate designation does. An alternate designation may be substituted only if the public notice required pursuant to Section 1302 includes all requested designations in its description of the applicant's proposal.

~~1202.04~~1202.03 PREAPPLICATION CONFERENCE

A preapplication conference is required, pursuant to Subsection 1301.04, prior to the filing of an application for a zone change.

~~1202.05~~1202.04 FINAL APPROVAL

~~Except as provided under Section 501,~~ Approval of a zone change is final on the date of the County's final written decision. If the County's final written decision is appealed, approval of a zone change is final on the date of the final appellate decision.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-230, 9/26/11; Amended by Ord. ZDO-246, 3/1/14]

1203 **CONDITIONAL USE**

1203.01 GENERAL APPROVAL CRITERIA

The Hearings Officer may approve a conditional use, pursuant to Section 1300, if the applicant provides evidence substantiating the following:

- A. The use is listed as a conditional use in the zoning district in which the subject property is located.
- B. The characteristics of the subject property are suitable for the proposed use considering size, shape, location, topography, existence of improvements, and natural features.
- C. The proposed use is consistent with Subsection 1007.09, and safety of the transportation system is adequate to serve the proposed use.
- D. The proposed use will not alter the character of the surrounding area in a manner that substantially limits, impairs or precludes the use of surrounding properties for the primary uses allowed in the zoning district(s) in which surrounding properties are located.
- E. The proposal satisfies the goals and policies of the Comprehensive Plan that apply to the proposed use.
- F. The proposed use complies with any applicable requirements of the zoning district and overlay zoning district(s) in which the subject property is located, Section 800, and Section 1000.

1203.02 ZONE-SPECIFIC APPROVAL CRITERIA

Additional conditional use approval criteria apply in specific zoning districts, as follows:

- A. In the HDR and SHD Districts, the following criteria apply, except to wireless telecommunication facilities and multi-use developments:
 - 1. The proposed use shall have minimal adverse impact on the livability, value, and appropriate development on abutting properties and the surrounding area, considering location, size, design, and operating characteristics of the use;
 - 2. The proposed use shall be located in a structure occupied by a primary, accessory, or limited use, or if detached, in a structure which is compatible with the character and scale of such structures in the vicinity, and on a site no larger than necessary for the use and the operational requirements of the use; and

3. The proposed use shall not create offensive odor, dust, smoke, fumes, noise, glare, heat, or vibration which can be detected outside the premises of the use.
- B. In the RCHDR District, the following criteria apply, except to wireless telecommunication facilities:
1. The proposed use shall have minimal adverse impact on the livability, value, and appropriate development in the surrounding area, considering location, size, design, and operating characteristics of the use;
 2. The proposed use shall be located in a structure occupied by a primary, accessory, or limited use, or if detached, in a structure which is compatible with the character and scale of such structures on the premises and surrounding area; and
 3. The proposed use shall not create offensive odor, dust, smoke, fumes, noise, glare, heat, or vibration that can be detected off the premises of the use.

C. In the NC District, the following criteria apply:

1. The proposed use shall be needed to serve primarily the convenience commercial needs of the neighborhood, considering accessibility of similar uses.
2. The proposed use shall not substantially increase traffic through the neighborhood.
3. The proposed use shall not diminish the amenities of the neighborhood.

D. In the RCC District, the proposed use shall not interfere with, or intrude into or between, pedestrian-oriented uses or developments.

E. In the RTL District, the following criteria apply, except to hydroelectric facilities:

1. The proposed use shall not interfere with, or intrude into or between, pedestrian-oriented uses or developments.
2. The proposed use 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.

F. In the VCS District, the following criteria apply, except to wireless telecommunication facilities:

1. The proposed use shall provide community facilities, including meeting rooms, recreation rooms (gymnasiums), performance facilities, or similar space.

2. Community facilities shall be made available on an ongoing basis to the whole community for little or no cost.
3. Community facilities shall be a minimum of 3,000 square feet or one-third of the usable floor area built, whichever is greater.

G. In the VO District, the following criteria apply:

1. The proposed use shall address an existing neighborhood need, considering proximity of similar uses.
2. The proposed use shall not substantially increase traffic through the neighborhood, require an additional curb cut, or create greater noise or congestion than a permitted use.
3. The use shall not diminish the amenities of the neighborhood.
4. The use shall be compatible in size, scale, general appearance, and building materials with surrounding buildings.

1203.03 PREAPPLICATION CONFERENCE

A preapplication conference is required, pursuant to Subsection 1301.04, prior to the filing of an application for a conditional use.

1203.04 APPROVAL PERIOD AND TIME EXTENSIONS

A. Except as set forth in Subsection 1203.04(B), approval of a conditional use 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.

1. "Implemented" means all major development permits shall be obtained and maintained for the approved conditional use, or if no major development permits are required to complete the development contemplated by the approved conditional use, "implemented" means all other necessary County development permits (e.g. grading permit, building permit for an accessory structure) shall be obtained and maintained. A "major development permit" is:
 - a. A building permit for a new primary structure that was part of the conditional use approval; or
 - b. A permit issued by the County Engineering Division for parking lot or road improvements required by the conditional use approval.

- B. Approval of a conditional use for the following uses is valid for 10 years from the date of the final written decision. With the exception of the length of the approval period, Subsection 1203.04(A) applies to these uses. Conditional use approval of these uses shall not have the effect of reserving vehicle trips for purposes of evaluating transportation concurrency for other developments. Instead, the vehicle trips these facilities are expected to generate shall be reserved upon design review approval.
1. Public roads;
 2. Public schools, including colleges and universities;
 3. Public parks;
 4. Public safety facilities, including fire and police facilities;
 5. Public libraries;
 6. Public sanitary sewer facilities;
 7. Public surface water management facilities;
 8. Public water supply facilities; and
 9. Hospitals.
- C. If the approval of a conditional use is not implemented within the initial approval period established by Subsection 1203.04(A), a two-year time extension may be approved by the Planning Director, pursuant to Subsection 1305.02, and subject to Subsection 1305.05.
- D. If the approval of a conditional use is not implemented within the initial approval period established by Subsection 1203.04(B), a five-year time extension may be approved by the Planning Director, pursuant to Subsection 1305.02, and subject to Subsection 1305.05.

1203.05 SUBMITTAL REQUIREMENTS

An application for a conditional use shall include the following:

- A. A completed land use application on a form provided by the Planning Director;
- B. A completed conditional use supplemental application on a form provided by the Planning Director;
- C. Preliminary statements of feasibility required pursuant to Sections 1006 and 1007;
- D. A description of the proposed use and specific reason(s) for the request;

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- E. A vicinity map showing the relationship of the proposed use to the surrounding area;
- F. A site plan of the subject property, including existing and proposed improvements and other information necessary to address the requirements and conditions associated with the use;
- G. Building profiles of proposed new and remodeled structures;
- H. Information addressing the approval criteria in Subsections 1203.01 and 1203.02; and
- I. Any applicable submittal requirements established by Section 800.

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

1204 TEMPORARY PERMITS

1204.01 TEMPORARY USE OTHERWISE PROHIBITED

- A. The Planning Director may approve a temporary permit, pursuant to Subsection 1305.02, for a period not to exceed one year, when the applicant provides evidence substantiating the following:
 - 1. The use for which a temporary permit is requested is not listed as a permitted, accessory, limited, or conditional use in the underlying zoning district; and
 - 2. There is no reasonable alternative to the temporary use; and
 - 3. The permit will be necessary for a limited time; and
 - 4. The temporary use will not include the construction of a substantial structure or require a permanent commitment of the land; and
 - 5. The temporary use will not have a materially adverse effect on the surrounding area.
- B. A permit shall not be approved pursuant to this Subsection in an Exclusive Farm Use, Timber or Ag/Forest zoning district except as provided in Subsections 406.04 and 406.05.
- C. A permit approved pursuant to Subsection 1204.01 may be renewed, subject to Subsection 1305.02, for a period not to exceed one year. A renewal shall be subject to the same approval criteria as an initial permit. A temporary permit for a use otherwise prohibited may be renewed an unlimited number of times.

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

1204.02 TEMPORARY DWELLING WHILE BUILDING

- A. The Planning Staff may approve a temporary permit in any zoning district, pursuant to Subsection 104.01(A), for a period not to exceed two years for the use of a manufactured dwelling, residential trailer, or recreational vehicle for residential purposes while a permanent dwelling is being constructed, when the applicant provides evidence substantiating the following:
 - 1. A building permit to construct a permanent dwelling has been issued for the lot, parcel, or tract on which the temporary dwelling will be located; and
 - 2. The temporary dwelling will be occupied by the owner of the subject lot, parcel, or tract.

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- B. If a valid building permit for a permanent dwelling on the subject lot, parcel, or tract is not maintained, the temporary permit shall become void on the day the building permit lapses.
- C. A permit approved pursuant to Subsection 1204.02 shall be subject to the following conditions of approval:
 - 1. The temporary dwelling shall be connected to a sanitary sewer system or to an on-site sewage disposal system approved by the Soils Section of the County Department of Water Environment Services.
 - 2. The temporary dwelling shall comply with the primary structure setback standards of the underlying zoning district.
 - 3. A manufactured dwelling or residential trailer approved pursuant to Subsection 1204.02 shall be removed from the subject lot, parcel, or tract when the permit expires or the permanent dwelling is occupied, whichever first occurs. A recreational vehicle approved pursuant to Subsection 1204.02 shall be removed from the subject lot, parcel, or tract or placed in a stored condition when the permit expires or the permanent dwelling is occupied, whichever first occurs. For the purpose of this provision, a recreational vehicle shall be deemed to be placed in a stored condition when it ceases to be used for residential purposes and is disconnected from any on-site sewage disposal system and all utilities other than temporary electrical connections for heating necessary to avoid physical deterioration. Storage of a recreational vehicle shall comply with all other applicable requirements of this Ordinance.
 - 4. Other conditions may be applied as authorized by Subsection 1201.03.
- D. A permit approved pursuant to Subsection 1204.02 may not be renewed. For the purpose of this provision, a renewal shall be the same or any substantially similar application filed within two years of the date a previous permit approved pursuant to Subsection 1204.02 expired.
- E. If the proposed temporary dwelling is a manufactured dwelling that complies with all requirements for a permanent dwelling in the underlying zoning district, a temporary permit shall not be required. Instead the manufactured dwelling may be approved as a permanent dwelling to be replaced by the new permanent dwelling upon completion of construction.

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

1204.03 TEMPORARY DWELLING FOR CARE

- A. The Planning Director may approve a temporary permit, pursuant to Subsection 1305.02, for a period not to exceed two years in an Exclusive Farm Use, Timber, or Ag/Forest zoning district or three years in any other zoning district, for the use of a manufactured dwelling, residential trailer or recreational vehicle for residential purposes, when the applicant provides evidence substantiating the following:
1. The temporary dwelling will be occupied by a person or persons who require(s) care or who will provide care. This provision shall not prevent persons in addition to the care recipient(s) or the care provider(s) from occupying the temporary dwelling provided such occupancy is consistent with the remaining provisions of Subsection 1204.03; and
 2. The temporary dwelling will be located on the same lot, parcel, or tract as a legally established permanent dwelling. The permanent dwelling will be occupied by the person(s) receiving care from the occupant(s) of the temporary dwelling or by the person(s) providing care to the occupant(s) of the temporary dwelling. This provision shall not prevent persons in addition to the care recipient(s) or the care provider(s) from occupying the permanent dwelling provided such occupancy is consistent with the remaining provisions of Subsection 1204.03; and
 3. There exists a need for care. The need shall be documented by a signed statement from a licensed healthcare provider. The statement shall be dated within 90 days preceding the date the application is submitted and shall identify the care recipient, generally indicate that an age-related and/or medical condition results in a need for care, and substantiate that the type of assistance required by the patient is consistent with the type of assistance identified in the definition of “care” in Subsection 1204.03(B); and
 4. There exists no reasonable housing alternative in the form of adequate housing on the subject lot, parcel, or tract. A determination regarding the reasonableness of the care recipient and the care provider occupying the permanent dwelling together shall be made based on the size and floor plan of the permanent dwelling with consideration for maintaining a degree of privacy and independence for both the care recipient and the care provider; and
 5. There exists no reasonable alternative care provider. Alternative care providers that shall be considered include:
 - a. Other adults who live with the care recipient; and

5. Separation distance: The temporary dwelling shall be located within 100 feet of the permanent dwelling. This distance shall be measured from the closest portion of each structure. This distance may be increased if the applicant provides evidence substantiating that steep slopes, significant natural features, significant existing landscaping, existing structures, other physical improvements, or other similar constraints prevent compliance with the separation distance standard. The increase shall be the minimum necessary to avoid the constraint. An exception may also be granted if the temporary dwelling will be sited in the same or substantially similar location as a previous, legally established temporary dwelling for care.
 6. Deed statement: A written statement shall be recorded in the County deed records recognizing that a dwelling approved pursuant to Subsection 1204.03 is temporary and that the temporary permit is not transferable when the property is conveyed to another party.
 7. Rental income: The temporary dwelling shall not be a source of rental income.
 8. Removal/storage: A manufactured dwelling or residential trailer approved pursuant to Subsection 1204.03 shall be removed from the subject lot, parcel, or tract when the permit expires or the need for care ceases, whichever first occurs. An exception to this provision may be granted if a temporary manufactured dwelling is converted to a permanent dwelling. Such a conversion shall only be allowed if the temporary dwelling complies with all applicable requirements for a permanent dwelling, and if the conversion will not result in the subject lot, parcel, or tract's violating the density standards of the underlying zoning district. A recreational vehicle approved pursuant to Subsection 1204.03 shall be removed from the subject lot, parcel, or tract or placed in a stored condition when the permit expires or the need for care ceases, whichever first occurs. For the purpose of this provision, a recreational vehicle shall be deemed to be placed in a stored condition when it ceases to be used for residential purposes and is disconnected from any on-site sewage disposal system and all utilities other than temporary electrical connections for heating necessary to avoid physical deterioration. Storage of a recreational vehicle shall comply with all other applicable requirements of this Ordinance.
 9. Other: Other conditions may be applied as authorized by Subsection 1201.03.
- D. A permit approved pursuant to Subsection 1204.03 may be renewed, subject to the provisions of Subsection 1305.02, for a period not to exceed two years in an EFU, TBR, or AG/F zoning district or three years in any other zoning district when the applicant provides evidence substantiating the following:

1. The circumstances that provided the basis on which the previous permit was granted remain substantially similar. A renewal application shall be accompanied by a signed statement from a licensed healthcare provider. The statement shall be dated within 90 days preceding the date the application is submitted and shall identify the care recipient and substantiate that the level of assistance required is substantially similar to, or greater than, the level required when the previous permit was granted.
- E. An application shall be evaluated under the approval criterion for a renewal application rather than the criteria for a new application if the permit is requested for the same lot, parcel, or tract and the same care recipient as the previous permit. A temporary permit for care may be renewed an unlimited number of times subject to Subsection 1204.03(D). However, an application received after the expiration of the previous permit shall be charged the same fee as a new application.

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

1204.04 TEMPORARY STRUCTURE FOR EMERGENCY SHELTER

- A. The Planning Director may approve a temporary permit for emergency shelter in any zoning district, pursuant to Subsection 104.01(A), for the use of a manufactured dwelling, residential trailer, or recreational vehicle for residential purposes, or a commercial office trailer for business purposes, when the applicant provides evidence substantiating that a lawfully established dwelling or business located on the subject lot, parcel, or tract has been destroyed, substantially damaged, or rendered unsafe to occupy due to fire or natural disaster.
- B. A permit approved pursuant to Subsection 1204.04 shall be initially approved for 60 days. If replacement or repair of the dwelling or business is lawfully commenced within 60 days of the date the permit is initially approved, the approval shall automatically be extended for two years from the date of initial approval. For the purpose of this provision, "lawfully commenced" shall mean the filing of a complete application for a land use, building, septic, grading, manufactured home placement and installation, plumbing, electrical, or other development permit required by the County or other appropriate permitting agency that is necessary to begin replacement or repair of the destroyed or damaged structure. If replacement or repair is not lawfully commenced within 60 days of the date the temporary permit is initially approved, the temporary permit shall become void on the sixty-first day.
- C. A permit approved pursuant to Subsection 1204.04 shall be subject to the following conditions of approval:

1. The temporary dwelling or commercial structure shall be connected to a sanitary sewer system or to an on-site sewage disposal system approved by the Soils Section of the County Department of Water Environment Services.
 2. The temporary dwelling or commercial structure shall comply with the primary structure setback standards of the underlying zoning district.
 3. A manufactured dwelling, residential trailer, or commercial office trailer approved pursuant to Subsection 1204.04 shall be removed from the subject lot, parcel, or tract when the permit expires or the permanent structure is occupied, whichever first occurs. A recreational vehicle approved pursuant to Subsection 1204.04 shall be removed from the subject lot, parcel, or tract or placed in a stored condition when the permit expires or the permanent structure is occupied, whichever first occurs. For the purpose of this provision, a recreational vehicle shall be deemed to be placed in a stored condition when it ceases to be used for residential purposes and is disconnected from any on-site sewage disposal system and all utilities other than temporary electrical connections for heating necessary to avoid physical deterioration. Storage of a recreational vehicle shall comply with all other applicable requirements of this Ordinance.
 4. Other conditions may be applied as authorized by Subsection 1201.03.
- D. A permit approved pursuant to Subsection 1204.04 may not be renewed. For the purpose of this provision, a renewal shall be the same or any substantially similar application filed within two years of the date a previous permit approved pursuant to Subsection 1204.04 expired.

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

1204.05 TEMPORARY FARMERS' MARKET

- A. The Planning Director may approve a temporary permit for a Farmers' Market, pursuant to Subsection 1305.02, for a period not to exceed one year, when the applicant provides evidence substantiating the following:
1. The farmers' market will be located:
 - a. On a site in a Neighborhood Commercial, Community Commercial, General Commercial, Rural Tourist Commercial, Rural Commercial, Office Commercial, Retail Commercial, Office Apartment, Village Community Service, Village Office, ~~Village Commercial~~, Regional Center Office, Regional Center Commercial, Planned Mixed Use, Corridor Commercial, Station Community Mixed Use, Campus Industrial, Light Industrial, General Industrial, Rural Industrial, or Business Park zoning district; or

- b. At an institutional use in any zoning district, provided that the institutional use has different days and times of operation than the proposed market.
2. A permit approved pursuant to Subsection 1204.05 shall be subject to the following conditions:
- a. Parking: If the market is proposed under Subsection 1204.05(A)(1)(a) to operate when regular business operations are being conducted, the applicant must demonstrate that adequate parking is provided pursuant to Section 1015.
 - i. Fifty percent of the total area occupied by market stalls shall be calculated as developed area for the purpose of determining minimum required parking spaces.
 - ii. Parking spaces occupied by market stalls shall not be counted as available spaces during market operation.
 - b. Hours of Operation:
 - i. The market may be conducted on a maximum of two days each week.
 - ii. If the market is to be located in an Urban Low Density Residential, Medium Density Residential, High Density Residential, Special High Density Residential, Recreational Residential, Mountain Recreational Resort, Rural Area Residential 1-Acre, Rural Area Residential 2-Acre, Rural Residential Farm Forest 5-Acre, Farm Forest 10-Acre, Planned Medium Density Residential, Hoodland Residential, Medium High Density Residential, Future Urban 10-Acre, Village Standard Lot Residential, Village Small Lot Residential, Village Townhouse, Village Apartment, or Regional Center High Density Residential zoning district, the market may only be operated (including setup and dismantling) between the hours of 8 a.m. and 8 p.m.
 - c. Signage:
 - i. The market may display 20 square feet of signage on each street frontage of the site on which the market is held.
 - ii. Each farmers' market stall may display 10 square feet of signage at the stall.
 - iii. Signage shall be subject to Subsection 1010.13(A)(5).

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- iv. Signage may be displayed only during the hours of market operation.

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

1206 NONCONFORMING USE

1206.01 STATUS

A nonconforming use may be continued although not in conformity with the regulations for the zoning district in which the use is located. Nonconforming use status applies to the lot(s) or parcel(s) upon which the nonconforming use is located and may not be expanded onto another lot or parcel, except as provided under Subsection 1206.05. A change in ownership of, or a change of operator of, a nonconforming use shall be permitted.

1206.02 DISCONTINUATION OF USE

If a nonconforming use is discontinued for a period of more than 12 consecutive months, the use shall not be resumed unless the resumed use conforms with the requirements of this Ordinance and other regulations applicable at the time of the proposed resumption.

1206.03 RESTORATION OR REPLACEMENT

If a nonconforming use is damaged or destroyed by fire, other casualty, or natural disaster, such use may be restored, replaced, and/or re-established consistent with the nature and extent of the use or structure lawfully established at the time of loss, subject to the following conditions:

- A. Alterations or changes to the nature and extent of the nonconforming use as lawfully established prior to the fire, other casualty, or natural disaster shall not be permitted under Subsection 1206.03, but may be permitted pursuant to Subsection 1206.05.
- B. Physical restoration, replacement, or re-establishment of the nonconforming use shall be lawfully commenced within one year of the occurrence of the damage or destruction. For the purposes of this provision, “lawfully commenced” shall mean the lawful resumption of the nonconforming use and/or the filing of an application for a land use, building, septic, grading, manufactured dwelling or residential trailer placement, plumbing, electrical, or other development permit required by the County or other appropriate permitting agency that is necessary to begin restoration or replacement of the nonconforming use and/or structures.
- C. The nonconforming use status of the use to be restored, replaced, or re-established, and the nature and extent of the nonconforming use, shall be verified pursuant to Subsection 1206.06.

1206.04 MAINTENANCE

Normal maintenance of a nonconforming use necessary to maintain a nonconforming use in good repair is permitted provided there are not significant use or structural alterations as determined by the Planning Director. Normal maintenance may include painting, roofing, siding, interior remodeling, re-paving of access roads and parking/loading areas, replacement of landscaping elements, etc.

1206.05 ALTERATIONS AND CHANGES

- A. Alterations Required by Law: The Planning Director shall permit the alteration of any nonconforming use when necessary to comply with any lawful requirement for alteration of the use or structure, subject to building, plumbing, sanitation, and other specialty code permit requirements in effect at the time the alteration is commenced. The Planning Director shall not impose additional conditions upon the continuation of a nonconforming use when an alteration is required to comply with local or state health or safety requirements, except as provided in Oregon Revised Statutes 215.215 pertaining to the re-establishment of nonfarm uses in an Exclusive Farm Use zoning district.
- B. Alterations Not Required by Law: The Planning Director shall approve an alteration of a nonconforming structure and/or other physical improvements, or a change in the use, pursuant to Subsection 1305.02, if the applicant provides evidence substantiating the following:
 - 1. The alteration in the structure and/or other physical improvements, or change in the use, will, after the imposition of conditions as authorized below, have no greater adverse impact on the neighborhood than the existing use, structure(s), and/or physical improvements; and
 - 2. The nonconforming use status of the existing use, structure(s), and/or physical improvements is verified pursuant to Subsection 1206.06. The verification and alteration/change requests may be combined as a single application.
 - 3. The Planning Director may impose conditions of approval on any alteration of a nonconforming use, structure(s), or other physical improvements permitted under Subsection 1206.05(B), when deemed necessary to ensure the mitigation of any adverse impacts.
- C. Dwellings: A dwelling classified as a nonconforming use may be remodeled, expanded, or replaced without review under Subsection 1206.05(B), provided that the use is not altered from that of a dwelling and that the number of dwelling units is not increased.
- D. Change in Use of a Dwelling:
 - 1. In the RCC, RTL, CC, C-3, SCMU, and OA Districts, a dwelling classified as a nonconforming use may be converted to house any use permitted in the

respective zoning district, subject to all requirements of this Ordinance for new development.

2. In the OC, RCO, and VO Districts, a dwelling classified as a nonconforming use may be converted to house any primary use permitted in the respective zoning district, subject to all requirements of this Ordinance for new development.

3. In the LI, GI, and ~~BP Business Park zoning D~~istricts, any change in the use of a dwelling classified as a nonconforming use shall be subject to all requirements for new developments in the zoning district, except as approved pursuant to a temporary permit under Subsection 1204.01.

E. HDR, SHD, and RCHDR Districts: In the HDR, SHD, and RCHDR Districts, commercial uses classified as nonconforming uses may be remodeled or expanded subject to the following criteria:

1. The remodeled or expanded use and operational characteristics of the use will not be detrimental to the surrounding area;
2. The remodeled or expanded use or structure will not require an expansion of the site area occupied by the preexisting use; and
3. The remodeled or expanded use or structure and associated operational requirements are integrated into residential development on surrounding properties through building design, exterior materials and colors, landscaping, orientation of building entrances and service areas, vehicle and pedestrian circulation, and signing.

F. OC and RCO Districts: In the OC and RCO Districts, commercial or industrial uses classified as nonconforming uses may remodel or upgrade the premises, subject to design review approval pursuant to Section 1102, *Design Review*. However, any change of use or alteration which expands the use shall be subject to Subsection 1206.05(A) or (B), whichever is applicable.

GF. ~~LI and GI Districts~~Industrial and Business Uses: In the LI and GI ~~zoning D~~istricts, expansion, alteration, or change of use of a lawfully established industrial or business use which does not conform to the physical and operational requirements of the zoning district shall require that the use be brought into conformance with those requirements to the extent possible.

1206.06 VERIFICATION OF A NONCONFORMING USE

A. The Planning Director may approve a request for verification of nonconforming use status, pursuant to Subsection 1305.02, if the applicant:

1. Proves that the nonconforming use lawfully existed at the time of the adoption of zoning regulations, or a change in zoning regulations, which prohibited or

restricted the use; and, the nonconforming use has not been subsequently abandoned or discontinued; or

2. Proves the existence, continuity, nature, and extent of the nonconforming use for the 10-year period immediately preceding the date of the application. Such evidence shall create a rebuttable presumption that the nonconforming use, as proven, lawfully existed at the time of, and has continued uninterrupted since, the adoption of restrictive zoning regulations, or a change in the zoning or zoning regulations, that have the effect of prohibiting the nonconforming use under the current provisions of this Ordinance.

1206.07 APPROVAL PERIOD AND TIME EXTENSION

A. Approval Period: Approval of an alteration of a nonconforming use, pursuant to Subsection 1206.05(B), is valid for a period of four years from the date of the final written decision. If the County's final written decision is appealed, the approval period shall commence on the date of the final appellate decision. During this four-year period, the approval shall be implemented, or the approval will become void.

1. "Implemented" means all major development permits shall be obtained and maintained for the approved alteration of a nonconforming use, or if no major development permits are required to complete the development contemplated by the approved alteration of a nonconforming use, "implemented" means all other necessary County development permits (e.g. grading permit, building permit for an accessory structure) shall be obtained and maintained.

a. A "major development permit" is:

- i. A building or manufactured dwelling placement permit for a new primary structure that was part of the alteration of a nonconforming use approval; or
- ii. A permit issued by the County Engineering Division for parking lot or road improvements required by the alteration of a nonconforming use approval.

B. Time Extension: If the approval of an alteration of a nonconforming use is not implemented within the initial approval period established by Subsection 1206.07(A), a two-year time extension may be approved by the Planning Director, pursuant to Subsection 1305.02, and subject to Subsection 1305.05.

1206.08 VESTED RIGHT DETERMINATION

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

The Planning Director may approve a request for a vested right determination, pursuant to Subsection 1305.02, if the applicant proves that the requested use was vested under common law.

[Amended by Ord. ZDO-230, 9/26/11; Amended by Ord. ZDO-243, 9/9/13]

~~1600 — VILLAGE GENERAL PROVISIONS~~

- ~~A. — Purpose: This section implements the policies of the Sunnyside Village Plan providing for a mixture of single family, townhouse, and multifamily residential as well as retail/office, commercial and business park uses. These uses are located in areas where suitable services and facilities are currently provided or can be provided as development occurs. In addition, this plan area allows for pedestrian friendly development with good connections via the sidewalks, trails and street system from residential areas to parks, open spaces, commercial and office uses.~~
- ~~B. — Area of Application: The Sunnyside Village Plan is applied within the area located generally east of I-205 along the south side of Sunnyside Road between 142nd and 152nd Avenues, including portions of land west of 142nd and east of 152nd, in addition to a section north of the intersection of 142nd and Sunnyside Road. The Sunnyside Village Plan is illustrated on Comprehensive Plan Map X-SV-1, *Sunnyside Village Plan, Land Use Plan Map*.~~

~~1600.01 — ACCESSWAYS~~

- ~~A system of interconnecting accessways shall be provided from subdivisions and multifamily developments to commercial facilities and public amenities such as existing or planned transit stop or facility, school, park, church, daycare facility, children's play area, outdoor activity areas, plazas, library, or similar facility and to a dead-end street, loop, or mid-block where the block is longer than 600 feet.~~
- ~~A. — The accessway shall include at least 15 feet of right-of-way and a 10-foot wide paved surface.~~
- ~~B. — Accessways shall be illuminated so that they may be safely used at night.~~
- ~~C. — The maximum height of a fence along such a facility shall not exceed four feet.~~
- ~~D. — Bollards or other similar types of treatment may be required in order to prevent cars from entering the accessway.~~
- ~~E. — The designated East-West pedestrian accessway shall include a minimum 10-foot-wide concrete surface within a 10-foot-wide right-of-way, easement, or other legal form satisfactory to the County. Planting areas adjacent to the easement with street trees should be provided along at least one side of this accessway. However, alternatives to this standard may be considered through design review pursuant to Section 1102. If the accessway is within a parking area, it shall be lined by parking lot trees planted at a maximum of 30 feet on center along both sides.~~

~~1600.02 — STREETS AND SIDEWALKS~~

~~A. — The following streets are unique to the Sunnyside Village Plan area, in addition to the arterial and collector streets. (Comprehensive Plan Map X-SV-3, Street Classifications).~~

~~1. — Connector streets with bike lanes shall include two 10-foot wide travel lanes, two six-inch wide standard curbs, two seven-foot wide parking strips, two four- to five-foot wide planting strips, two four-foot wide bike lanes, and two five-foot wide sidewalks. The minimum right-of-way width shall be 61 to 63 feet, depending on the planting strip width. If commercial/retail are adjacent to the site, then nine-foot wide sidewalks are required. (See Comprehensive Plan Figure X-SV-1.)~~

~~2. — Connector streets without bike lanes shall include two 10-foot wide travel lanes, two six-inch wide standard curbs, two seven-foot wide parking strips, two four- to five-foot wide planting strips, and two five-foot wide sidewalks. The minimum right-of-way width shall be 53 to 55 feet, depending on the planting strip width. If commercial/retail is adjacent to the site, then nine-foot wide sidewalks are required. (See Comprehensive Plan Figure X-SV-2.)~~

~~3. — Local streets shall include two eight- to nine-foot wide travel lanes, two six-inch wide standard curbs, one eight-foot wide parking strip, two five-foot wide sidewalks, and two four-foot wide tree planting strips. The right-of-way width shall be 43 to 45 feet. (See Comprehensive Plan Figure X-SV-5.)~~

~~— Cul-de-sacs are permitted only when topographic conditions or existing street patterns preclude extension of streets. The maximum radius shall be 40 feet.~~

~~4. — All streets adjacent to Resource Protection Areas shall have at least one five-foot wide sidewalk along one side of the street. If there are no significant trees (at least eight inches in diameter) along the Resource Protection Area adjacent to the street, then a minimum four-foot wide planting strip is required along both sides of the street. If it is determined that a unique view is to be preserved, then the Planning Director will determine if street trees are required.~~

~~5. — New street connections and private access driveways should be located along arterial and collector roadways within Sunnyside Village to provide safe and efficient traffic operations. New street connections along arterial streets are shown on Comprehensive Plan Map X-SV-3. New street connections to collector roadways shall be a minimum of 150-foot apart, measured road-centerline to centerline.~~

- ~~—New individual driveway connections shall not be permitted along arterial and collector roadways. The removal and/or consolidation of existing private driveways on arterial and collector streets should be investigated as redevelopment of properties occurs.~~
- ~~—At existing or future major street intersections (existing or proposed traffic signals), no new driveways or street connections shall be allowed within the influence area of the intersection. The influence area is defined as the distance that vehicles will queue from the signalized intersection. The influence area shall be based upon traffic volumes summarized in the Sunnyside Area Master Plan (November 1994) or based upon information acceptable to the County Engineering Division. This influence area shall include an additional 100 feet beyond the queue length for back-to-back left turns.~~
- ~~—The preferred minimum intersection spacing on minor arterials is 500 feet, measured road centerline to centerline. Major arterial intersection spacing is preferred to be between 600 feet and 1,000 feet, measured road centerline to centerline.~~
- ~~6. The interior angles at intersection roadways shall be as near to 90 degrees as possible, and in no case shall it be less than 80 degrees or greater than 100 degrees. Minimum centerline radius for local roadways shall be 100 feet unless the alternative horizontal curve illustrated on Comprehensive Plan Figure X-SV-9 is used. ()~~
- ~~7. Alleys shall be private streets with rights-of-way of 16 feet. (See Comprehensive Plan Figure X-SV-6.) ()~~
- ~~8. A traffic circle will mark the heart of the Sunnyside/Rock Creek Neighborhood and will provide suitable geometries for the five radial streets that converge at this point. Travel on the circle shall occur in one direction. This shall be facilitated by traffic diverters that guide vehicles but still allow comfortable pedestrian movement. The raised diverters should consist of low raised curbs and/or special paving. The travel lane within the circle should allow for easy merging.~~
- ~~—Special paving shall demark crosswalks. Bike lanes shall be clearly marked and shall occur at the edge of the travel lane and define the inner boundary of the crosswalks and bus loading areas. The bus loading areas shall be located adjacent to the Village Retail area. On the other side of the circle, this added dimension shall be used for planting strips with street trees, adjacent to nine-foot-wide sidewalks.~~
- ~~—The center island shall have a radius of at least 30 feet and shall be landscaped. A vertical feature or monument identifying the entrance to~~

~~the Sunnyside Village area should mark the center of the circle and shall be framed by blossoming trees.~~

~~9. Intersection dimensions should be minimized to reduce pedestrian crossing distances and slow vehicles. Curb radiuses should not exceed 25 feet at corners.~~

~~10. For properties with frontage along SE 152nd Drive, adjacent to the proposed realignment of SE 152nd Drive, the applicant's share of costs associated with the realignment of 152nd Drive shall be limited to the dedication of required on-site right-of-way for the realignment of SE 152nd Drive as a collector street, and the guarantee of financing for the required on-site improvements, to collector street standards, according to the requirements of the County Engineering Division.~~

~~B. Planting strips which include street trees are part of the street cross sections. See Subsection 1007.08 for details.~~

~~C. Sidewalks within Sunnyside Village shall have a minimum unobstructed width of five feet. No street lights, mailboxes, fire hydrants, etc. are allowed within the sidewalk.~~

~~1600.03 TRAILS AND PEDESTRIAN CONNECTIONS~~

~~An interconnecting system of trails and accessways throughout the Sunnyside Village Plan area shall be provided. The general trail locations are shown on Comprehensive Plan Map X-SV-1. The location of the trails shall be set at the time a land use application is approved. The locations of the trails are based on achieving connections to streets and/or pedestrian ways and protection of the significant features of the Resource Protection areas.~~

~~The trail system will generally occur along the creeks and resource protection areas. The accessways and/or trail system will provide connections to parks, the elementary school and to adjacent commercial and residential developments.~~

~~There shall also be an east-west accessway between 142nd and 152nd, south of Sunnyside Road and above the connector street located north of the neighborhood green and community service area.~~

~~The trail system shall be designed to provide multiple access points for the public. The trails shall be constructed by the developer.~~

~~All trails and accessways within the resource protection areas shall either be dedicated or an easement granted to the North Clackamas Parks District in conjunction with development. These connections shall be maintained by and constructed to the standards established by the North Clackamas Parks District.~~

~~The maintenance of all pedestrian connections and trails located outside the resource protection areas as identified on Comprehensive Plan Map X-SV-1 shall be the responsibility of the property owner(s).~~

~~1600.04 SIGNS~~

~~Freestanding signs shall be constructed of brick, masonry, wood, or other materials that are compatible with the development.~~

~~1602 — VILLAGE PARK PROVISIONS~~

~~1602.01 — PURPOSE~~

- ~~A. This section shall apply to the development of property located within the boundaries of the Sunnyside Village Plan area in Clackamas County.~~
- ~~B. The purpose of this section is to provide a minimum level of public parks to adequately serve the demands of this new community. It will ensure that future growth contributes its fair share to the cost of new parks. This cost is for park acquisition and park road frontage construction only and does not include park development, operations, or maintenance costs.~~
- ~~C. The park dedication or fee in lieu of dedication is incurred upon the application for a building permit or land use action.~~
- ~~D. The existence of public parks has substantial benefits to proximate development. These benefits include aesthetic, recreational, and environmental benefits to the neighborhood. Actual use of these parks will be by residents and employees of businesses.~~
- ~~E. The park dedication or fee in lieu of dedication is not intended to be a tax on property as a direct consequence of ownership of property within the meaning of Section 11b, Article XI of the Oregon Constitution or the legislation implementing that section.~~

~~1602.02 — GENERAL PROVISIONS~~

- ~~A. The public interest, convenience, health, welfare, and safety require that a minimum of two and one half (2 1/2) acres for each one thousand (1,000) persons residing or employed within the village be devoted to local parks as identified in Table IX-1 of the Clackamas County Comprehensive Plan.~~
- ~~B. An applicant requesting a land use action shall dedicate land for park purposes if the site has been identified as a park site on Comprehensive Plan Map X-SV-4. Park sizes represented on Map X-SV-4 are minimum park sizes.~~
- ~~C. Modifying park location shall occur only when it can be shown that access, topographic conditions, or extreme engineering costs make the depicted location impractical to develop as a park.~~
- ~~D. Land dedications shall be conveyed by plat and deed to the North Clackamas Parks and Recreation District. All dedications shall be platted with the final plat adjacent to the designated park site or by alternate arrangement specified in a recordable agreement as determined by the Planning Director or designate.~~

- ~~E. The development and maintenance of these parks will be the responsibility of the North Clackamas Parks and Recreation District. The Parks District will also be responsible for maintaining the center landscaped portion of the Village Traffic Circle north of the Village Green.~~
- ~~F. Prior to issuance of a residential building permit the applicant shall pay a fee in lieu of dedication for park acquisition. Fees shall be determined in accordance with Section 1602.03,B,1.~~
- ~~G. Prior to issuance of a residential building permit the applicant shall pay a fee for park road frontage construction. This fee shall be used for the construction of the connector roads and local streets adjacent to parks 3,4, and 5 as depicted on Comprehensive Plan Map X-SV-4. Fee for park road frontage construction shall be determined in accordance with Section 1602.03,C.~~
- ~~H. Prior to issuance of a nonresidential building permit the applicant shall pay a fee in lieu of dedication for park acquisition. Fees shall be in accordance with Section 1602.03,B,2.~~
- ~~I. All fee payments shall be made prior to the issuance of a building permit. No building permit shall be issued by the County until the applicant has satisfied the provisions of this ordinance.~~

~~1602.03 PARK DEDICATION OR FEES IN LIEU OF DEDICATION~~

~~A. Park Land Dedication per Dwelling Unit.~~

- ~~1. The actual amount of park land to be dedicated shall be determined by the following formula:~~

$$\frac{\text{Amount of Req'd Park Land (Net Acres)}}{\text{Total Number of Proposed Dwelling Units}} = \frac{\text{No. of Persons Per Dwelling Unit}}{\text{.0025 Net Acres Per Person}} \quad (X)$$

- ~~a. The total number of dwelling units shall be the actual number of units reflected on the final plat.~~
- ~~b. Determination of population density, that is, the number of persons per dwelling unit (PPU) shall be based on the latest US Census data.~~

Persons Per Dwelling Unit By Type

PPU	PPU	PPU	PPU
Single Family Detached	Single Family Attached	Multi Family Unit	Accessory Dwelling
3.04	2.27	2.03	1

Source: Metro, computed from the 1980 census.

~~c. Ownership of identified park land which is located on property under review for a development permit shall be transferred to the North Clackamas Parks and Recreation District. Compensation will be provided at the time of transfer based upon an appraisal representing fair market value.~~

~~B. Fee in Lieu of Dedication~~

~~1. Residential Development~~

~~a. Park land fee in lieu of dedication shall be based upon the average appraised value of all designated park sites. The park land fee in lieu of dedication shall be determined in accordance with the following formula:~~

$$\frac{\text{Park Land Monetary Fees/Dwelling Unit} \times \text{Park Land Value/AC}}{\text{Park Land Value/AC} \times \text{Net People Per Dwelling Unit}} = \text{Park Land Monetary Fees/Dwelling Unit} \times \text{Net People Per Dwelling Unit} \times .0025$$

~~b. People per dwelling unit shall be in accordance with Section 1602.03, A, 1, b.~~

~~2. Nonresidential Development~~

~~a. All nonresidential development shall be required to pay a fee in lieu of dedication. The formula for determining the fee shall be determined by the following formula:~~

$$\frac{\text{Park Land Fee/per Employee} \times \text{Park Land Value/AC}}{\text{Park Land Value/AC} \times \text{\# of Employees}} = \text{Park Land Fee/per Employee} \times \text{\# of Employees} \times .0025$$

~~b. The number of employees per nonresidential use shall be determined by the “study of employment density” completed by Metro in 1990 or any updated version of this study. If from the information provided in this study an employee figure cannot be obtained, then the Planning Director or designate shall determine the number of employees based upon similar uses in the County to the extent possible.~~

~~C. Park/School road frontage and utilities construction fee~~

~~1. The park road frontage construction fee shall be determined in accordance with the following formula: $X = ([A / B] / C) \times D$~~

~~X = Park Road Frontage construction fee per Unit.~~

~~A = Cost of all connector and local roads adjacent to all parks, utilities in these park roads, and the Connector road adjacent to the south property line of the School.~~

~~B = 2 (half street).~~

~~C = Estimated population at build-out.~~

~~D = Net people per dwelling unit (from most recent census).~~

~~2. People per dwelling unit shall be in accordance with Section 1602.03, A, 1, b.~~

~~3. Reimbursement to Developers for Half Street Improvements adjacent to Parks.~~

~~— When a developer completes construction of utilities and roads adjacent to a park or the connector road adjacent to the south property line of the School as per County requirements, the developer shall be reimbursed according to the fee schedule for local and connector streets. This rate may be changed at a rate commensurate with a change in construction costs.~~

~~D. All fees shall be rounded to the nearest dollar.~~

~~1602.04 — REFUND OF FEES PAID~~

~~A. If a residential building permit encompassing fee-paying development expires or is revoked, the fee payer shall be entitled to a refund of the fee.~~

~~1602.05 — EXEMPTIONS~~

- ~~A. The following shall be exempted from park dedication and fee in lieu of dedication:~~
- ~~1. Alterations, expansion or replacement of existing dwelling unit(s) where no additional dwelling units are created.~~
 - ~~2. Construction of accessory buildings and structures not creating additional dwelling units.~~
 - ~~3. The issuance of a temporary permit for a manufactured dwelling.~~
 - ~~4. Any land use action which does not result in the creation of a new lot(s), excluding Design Review actions.~~

~~1602.06 — RECORDS~~

- ~~A. Fees collected. Clackamas County shall maintain accurate records of each park fee imposed including the following:~~
- ~~1. Name, address and, telephone number of the applicant or feepayer;~~
 - ~~2. Social security number or taxpayer identification number of applicant or feepayer;~~
 - ~~3. Amount and method of payment;~~
 - ~~4. Date of payment; and~~
 - ~~5. Building permit number.~~
- ~~B. Fee Account Funds Expended. Clackamas County shall maintain accurate records of all fee funds expended, including the following:~~
- ~~1. Name and location of park;~~
 - ~~2. Legal description, area, and sketch of parent tract, the number and type of dwelling units;~~
 - ~~3. Amount and date of each fee for sub-parcels of the parent tract together with the legal description, area and sketch of said sub-parcel;~~
 - ~~4. Building and Zoning hearing number for which contributions have been approved; and~~

~~5. Amount and date of refunds paid by Clackamas County.~~

~~1602.07 FEE ACCOUNTS~~

- ~~A. To insure that fees collected will benefit fee-paying developments, all park acquisition fees described in Section 1602.02, F shall be deposited in the Park Acquisition Fund of "Sunnyside Village." This fund shall be maintained by the Finance Department of Clackamas County and with fees accountable by the Finance Department, North Clackamas Parks District, and the Planning Department.~~
- ~~B. To insure that fees collected will benefit fee-paying developments, all park road frontage construction fees described in Section 1602.02, G shall be deposited in the Park Road Frontage Construction fund of "Sunnyside Village." This fund shall be maintained by the Finance Department of Clackamas County and with fees accountable by the Finance Department and the Planning Department.~~
- ~~C. All fees collected by the Director shall be promptly deposited into the accounts listed in Sections 1602.07 A. and B. above.~~
- ~~D. Fees, including any accrued interest, not encumbered in any fiscal period, shall be retained in the funds into the next fiscal period except as provided by the refund provisions of this section.~~
- ~~E. Fees may be used only for park land acquisition and park road frontage construction within the Sunnyside Village Planning area as depicted on the Comprehensive Plan Map X-SV-4 and described in Section 1602.01, B.~~
- ~~F. The provisions of this section will sunset at the time all designated park land has been acquired and all park acquisition and road frontage fees for all building permits within the Sunnyside Village have been collected. Any residual money will be transferred to the North Clackamas Parks District's Park Development account. This residual may be utilized only for park development within the Sunnyside Village Plan area.~~

~~1606 — VILLAGE COMMUNITY SERVICE DISTRICT (VCS)~~

~~1606.01 — PURPOSE~~

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

~~1606.02 — AREA OF APPLICATION~~

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

~~1606.03 — PRIMARY USES~~

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

- ~~A. — Auditoriums;~~
- ~~B. — Schools;~~
- ~~C. — Public recreation facilities;~~
- ~~D. — Daycare centers;~~
- ~~E. — Community/Senior centers~~
- ~~F. — Fire stations;~~
- ~~G. — Police stations;~~
- ~~H. — Government offices;~~
- ~~I. — Libraries;~~
- ~~J. — Museums;~~
- ~~K. — Postal services;~~
- ~~L. — Utility offices;~~
- ~~M. — Telecommuting uses (copy centers with fax and computer facilities);~~
- ~~N. — Community gardens; and~~
- ~~O. — Wireless telecommunication facilities listed in Subsections 835.04(B) and (C), subject to Section 835.~~

~~1606.04 — ACCESSORY USES~~

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

- ~~A. Temporary buildings for uses incidental to construction work; such buildings shall be removed upon completion or abandonment of the construction work;~~
- ~~B. The temporary storage within an enclosed structure of source-separated recyclable/reusable materials generated and/or used on site prior to onsite reuse or removal by the generator or licensed or franchised collector to a user or broker;~~
- ~~C. Recyclable drop-off sites, subject to Section 819;~~
- ~~D. Bus shelters, subject to Section 823; bike racks, pedestrian amenities, and transit amenities;~~
- ~~E. Solar energy systems;~~
- ~~F. Rainwater collection facilities; and~~
- ~~G. Electric vehicle charging stations.~~

~~1606.05 USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR~~

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

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

~~1606.06 CONDITIONAL USES~~

- ~~A. The Hearings Officer may approve conditional uses in the Village Community Service District, pursuant to Section 1300. Approval shall not be granted unless the proposal complies with Section 1203, any applicable provisions of Section 800, and the following criteria:
 - ~~1. The use shall provide community facilities, including meeting rooms, recreation rooms (gymnasiums), performance facilities, or similar space;~~
 - ~~2. Community facilities shall be made available on an ongoing basis to the whole community for little or no cost; and~~
 - ~~3. Community facilities shall be a minimum of 3,000 square feet or one-third of the usable floor area built, whichever is more.~~~~
- ~~B. Uses allowed subject to Subsection 1606.06(A) are:
 - ~~1. Art galleries;~~~~

- ~~2. Athletic clubs;~~
- ~~3. Developer sales offices;~~
- ~~4. Professional offices; and~~
- ~~5. Wireless telecommunication facilities listed in Subsection 835.06(A), subject to Section 835. Wireless telecommunication facilities shall not be subject to Subsection 1606.06(A)(1) through (3).~~

~~1606.07 PROHIBITED AND PREEXISTING USES~~

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

~~1606.08 DIMENSIONAL AND DEVELOPMENT STANDARDS~~

- ~~A. General: Development shall be subject to the applicable provisions of Sections 1000, 1100, 1600, and 1602.~~
- ~~B. Maximum Lot Coverage: 50 percent.~~
- ~~C. Maximum Building Height: 35 feet, except that the maximum height of tower elements is 60 feet, provided that such elements do not have a footprint exceeding 400 square feet.~~
- ~~D. Setbacks and Configuration: The buildings occupying the Village Community Service (VCS) areas adjacent to the Village Green shall face the Village Green and circle to better integrate with the surrounding neighborhood. Parking shall be to the rear of the buildings. Setback from the east-west collector and the diagonal connectors shall be zero. All buildings shall be set back at least five feet from property lines abutting residential areas.~~
- ~~E. Pedestrian Circulation: Circulation facilities, architectural features, signing, and landscaping shall be designed for pedestrian safety and convenience. Landscaping, crosswalks, street lighting, signalization, or similar improvements may be required to create safe and inviting places to cross streets.~~
- ~~F. Motor Vehicle Access: Each VCS area adjacent to the Village Green shall be permitted one curb cut on the east-west collector and one on the diagonal~~

~~connector. Curb cuts shall not exceed a width of 20 feet at the street right-of-way.~~

~~G. — Facades:~~

- ~~1. Building facades shall be designed with windows, entries, and/or bays. Sides or rears of buildings shall not consist of an undifferentiated wall when facing a public street.~~
- ~~2. Windows shall be placed with no more than six feet of blank non-window wall space in every 25 feet of frontage and shall be coordinated with bays and balconies. Square or vertical proportions are preferred.~~
- ~~3. Window trim shall not be flush with exterior wall treatment. Windows shall be provided with an architectural surround at the jamb, head, and sill. All windows shall be placed so that their sills are at least two feet above floor level.~~
- ~~4. Glass walls and reflective glass are prohibited.~~
- ~~5. Towers, or other special vertical elements, may be used in a limited fashion to focus views to the area from surrounding streets.~~
- ~~6. Consistent design elements shall be used throughout the VCS area to ensure that the entire complex is visually and functionally unified.~~
- ~~7. Awnings shall have clearance of a minimum eight feet above sidewalks and walkways for pedestrian access.~~

~~H. — Roofs: Hipped, gambrel or gabled roofs are required. Flat roofs are not permitted except for mechanical equipment areas.~~

~~I. — Materials: Exterior finishes of buildings shall be primarily of materials such as masonry, wood siding or shingles, stucco, or similar material. Sheet metal, cinder block, and T1-11 are prohibited as exterior wall material.~~

~~J. — Minimum Landscaping Area: 15 percent of the lot.~~

~~K. — Screening: All primary and accessory uses, including storage of materials, products, or waste, shall be wholly contained within an approved structure.~~

~~L. — Signs:~~

- ~~1. Signs shall have a maximum of two colors in addition to black and white.~~
- ~~2. Only hanging, on building, or monument signs shall be used.~~
- ~~3. Signs shall not exceed 24 square feet in size.~~

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- ~~M. — Master Plans: Upon application for development of any portion of the VCS district, the applicant shall submit a master plan for the entire site to ensure compliance with Section 1606.~~
- ~~N. — Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

~~1607 — VILLAGE OFFICE DISTRICT (VO)~~

~~1607.01 — PURPOSE~~

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

~~1607.02 — AREA OF APPLICATION~~

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

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

- ~~B. — Service Commercial Uses: The following service commercial uses may be provided within an office development, up to a maximum of 20 percent of the gross floor area of the development:
 - ~~1. Coffee shops; cafes and delicatessens which serve at least breakfast and/or lunch; and catering services. No drive-through window service shall be allowed; and~~
 - ~~2. Daycare facilities, provided they are integrated within office buildings and do not exceed 1500 square feet or serve more than 13 children each.~~~~
- ~~C. — Wireless telecommunication facilities listed in Subsections 835.04(B) and (C), subject to Section 835.~~

~~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;~~
- ~~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.~~

~~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.~~

~~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~~
- ~~4. — Be compatible in size, scale, general appearance, and building materials with surrounding buildings.~~

~~B. — Uses allowed subject to Subsection 1607.06(A) are:~~

- ~~1. — Daycare facilities, subject to Section 807, and providing that the facility is located in the southern half of the zoning district and oriented toward the adjacent residential neighborhood;~~
- ~~2. — Health and recreational facilities, such as exercise spas, gymnasiums, tennis and racquetball courts, swimming pools, saunas, and similar uses that exceed an accessory use;~~
- ~~3. — Educational institutes and trade schools; art, music, or dance studios; radio and television studios, excluding transmission towers. These uses are permitted only if there is no opportunity to locate them in the Village Commercial District; and~~
- ~~4. — Galleries and museums; small-scale (seating capacity up to 500) assembly or convention facilities and theaters for performing arts; exhibition halls; libraries; senior centers; and fraternal organizations. These uses are permitted only if there is no opportunity to locate them in the Village Community Service District.~~

~~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~~

~~1607.08 — DIMENSIONAL AND DEVELOPMENT STANDARDS~~

- ~~A. — General: Development shall be subject to the applicable provisions of Sections 1000, 1100, 1600, and 1602.~~
- ~~B. — Maximum Lot Coverage: 50 percent.~~
- ~~C. — Maximum Building Height: 45 feet, except that the maximum height of tower elements is 60 feet, provided that such elements do not have a footprint exceeding 400 square feet.~~
- ~~D. — Setbacks and Configuration:~~
 - ~~1. — A group of small low-rise buildings shall be required, oriented toward the primary surrounding streets and the adjacent multifamily dwellings and townhouses, to better integrate with the neighborhood.~~
 - ~~2. — Building setback from 142nd Avenue shall be a minimum of 40 feet and a maximum of 50 feet from the center line. Building setback from Sunnyside Road shall be a minimum of 65 feet and a maximum of 75 feet from the center line.~~
 - ~~3. — Setbacks to other streets and pedestrian accessways shall be between five feet and 10 feet.~~
 - ~~4. — Awnings or other overhangs may extend up to four feet into this setback. Awnings shall have clearance of a minimum eight feet for pedestrian access.~~
 - ~~5. — Additional setbacks may be provided for small plazas and outdoor seating.~~
- ~~E. — Pedestrian Circulation: Circulation facilities, architectural features, signing, and landscaping shall be designed for pedestrian safety and convenience.~~

~~Landscaping, crosswalks, street lighting, signaling, 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.~~

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

~~1608 — VILLAGE COMMERCIAL DISTRICT (VC)~~

~~1608.01 — PURPOSE~~

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

~~1608.02 — AREA OF APPLICATION~~

~~The Village Commercial District (VC) applies to the area shown as Village Commercial on Comprehensive Plan Map X-SV-1.~~

~~1608.03 — PRIMARY USES~~

~~A. — The following are primary uses in the Village Commercial District (VC):~~

- ~~1. — Answering services;~~
- ~~2. — Antique and secondhand stores;~~
- ~~3. — Art supply stores;~~
- ~~4. — Bakeries;~~
- ~~5. — Bank tellers, but not drive-in or drive-through service;~~
- ~~6. — Barber shops, beauty salons;~~
- ~~7. — Bicycle sales, supplies, repair service;~~
- ~~8. — Book stores;~~
- ~~9. — Camera stores;~~
- ~~10. — Cafes and delicatessens which serve at least breakfast and/or lunch; catering services. No drive-through window service shall be allowed;~~
- ~~11. — Clothing stores;~~
- ~~12. — Coffee shops;~~
- ~~13. — Confectionery stores;~~
- ~~14. — Drugstores;~~
- ~~15. — Dry cleaners, laundries, tailoring and alterations shops;~~

- ~~16. Dwellings, subject to Subsection 1608.03(C);~~
- ~~17. Electrical/electronic equipment sales, service, repair;~~
- ~~18. Fabric and dry goods stores;~~
- ~~19. Florists;~~
- ~~20. Galleries (art and craft);~~
- ~~21. General merchandise stores;~~
- ~~22. Gift stores;~~
- ~~23. Grocery and produce stores;~~
- ~~24. Hardware and garden supplies stores;~~
- ~~25. Health clubs, gyms;~~
- ~~26. Home furnishings; interior decorating sales, service;~~
- ~~27. Jewelry stores;~~
- ~~28. Laundromats;~~
- ~~29. Locksmiths;~~
- ~~30. Meat and fish markets;~~
- ~~31. Novelty stores;~~
- ~~32. Optometry and optical goods, sales, service;~~
- ~~33. Office supplies;~~
- ~~34. Personal services;~~
- ~~35. Pet stores;~~
- ~~36. Photo finishing, photography studios;~~
- ~~37. Plumbing shops, retail sales, repairs, service;~~
- ~~38. Post offices;~~
- ~~39. Printing and copying services, telecommuting centers;~~
- ~~40. Preexisting dwellings, subject to Subsection 1608.03(B);~~

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- ~~41. Professional offices: doctors, dentists, chiropractors, service personnel, small clinics, or community health care programs;~~
- ~~42. Radio, TV, music stores, sales, service;~~
- ~~43. Restaurants [III Minor Posting OLCC];~~
- ~~44. Schools-commercial, instruction studio;~~
- ~~45. Shoe and shoe repair stores;~~
- ~~46. Small appliance sales, service, repair;~~
- ~~47. Soda fountains;~~
- ~~48. Specialty food;~~
- ~~49. Sporting goods;~~
- ~~50. Supermarkets;~~
- ~~51. Stationery stores;~~
- ~~52. Tailors;~~
- ~~53. Travel agents;~~
- ~~54. Toy stores;~~
- ~~55. Upholstery shops;~~
- ~~56. Utility carrier cabinets, subject to Section 830;~~
- ~~57. Variety stores;~~
- ~~58. Vehicle supply stores;~~
- ~~59. Veterinarian services and pet supplies;~~
- ~~60. Video rental;~~
- ~~61. Wireless telecommunication facilities listed in Subsections 835.04(B) and (C), subject to Section 835; and~~
- ~~62. 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 1608.03(A)(62) shall be processed as an Interpretation pursuant to Subsection 1305.03.~~

~~B. — Preexisting dwellings may be remodeled or expanded without satisfying Section 1206.~~

~~C. — Apartments are permitted on upper stories. Up to two stories of apartments may be conditionally permitted as infill on surface parking lots, oriented toward the east-west street facing the Village Green.~~

~~1. — Any dwelling unit located on the second floor must have its own outside door; exterior staircases are not permitted.~~

~~2. — Residential uses in the VC district shall have hipped, gambrel or gabled roofs.~~

~~1608.04 — ACCESSORY USES~~

~~The following are accessory uses in the Village Commercial District (VC):~~

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

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

~~C. — Recyclable drop-off sites, subject to Section 819;~~

~~D. — Bus shelters, subject to Section 823; bike racks, pedestrian amenities, and transit amenities;~~

~~E. — Solar energy systems;~~

~~F. — Rainwater collection facilities;~~

~~G. — Electric vehicle charging stations; and~~

~~H. Any accessory use or structure, not otherwise prohibited, that the Planning Director finds to be customarily accessory and incidental to a permitted use. A request for a determination under Subsection 1608.04(H) shall be processed as an Interpretation pursuant to Subsection 1305.03.~~

~~1608.05 USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR (3/14/02)~~

~~The Planning Director may approve the following use in the Village Commercial District (VC), pursuant to Subsection 1305.02:~~

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

~~1608.06 CONDITIONAL USES~~

~~A. The Hearings Officer may approve the following conditional uses in the Village Commercial District (VC), 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:~~

- ~~1. The proposed use shall be needed to serve primarily the commercial needs of the neighborhood, considering accessibility of similar uses.~~
- ~~2. The proposed use shall not substantially increase traffic through the neighborhood, require an additional curb cut, or create greater noise or congestion than a permitted use.~~
- ~~3. The proposed use shall not diminish the amenities of the neighborhood.~~
- ~~4. New buildings shall be compatible in size, scale, general appearance, and building materials with surrounding buildings.~~

~~B. Uses allowed subject to Subsection 1608.06(A) are:~~

- ~~1. Bars and cocktail lounge/tavern with OLCC IV or IV-A Minor posting where food service is included, if all activities and operations (except offstreet 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;~~
- ~~2. 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, provided they are located north of the pedestrian accessway;~~

- ~~3. Service stations, subject to Section 820; electric vehicle charging stations that exceed an accessory use; banks with a drive-through window; car washes; or any other drive-through service, provided that they are located on the north end of the VC District adjacent to Sunnyside Road;~~
- ~~4. Theaters with a seating capacity up to 500, provided that they are located north of the pedestrian accessway.~~

~~1608.07 PROHIBITED AND PREEXISTING USES~~

- ~~A. Prohibited Uses: Uses of structures and land not specifically allowed are prohibited in the Village Commercial District (VC).~~
- ~~B. Preexisting uses not otherwise allowed shall be considered nonconforming uses and shall be subject to Section 1206.~~

~~1608.08 DIMENSIONAL AND DEVELOPMENT STANDARDS~~

- ~~A. General: Development shall be subject to the applicable provisions of Sections 1000, 1100, 1600, and 1602.~~
- ~~B. Maximum Lot Coverage: 50 percent~~
- ~~C. Maximum Building Height: Buildings south of the pedestrian accessway shall not exceed 45 feet in height; buildings north of the pedestrian accessway shall not exceed 35 feet in height, 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. North of the Designated Accessway:~~
 - ~~— The area north of the east-west designated accessway shall be occupied by anchor stores and a few ancillary shops, provided they are attached to the anchor store buildings. Front entries in this portion of the commercial area shall be oriented toward the north-south extension of 147th Avenue.~~
 - ~~— Minimum building setback from 147th Avenue is zero and from Sunnyside is 65 feet from the center line. Buildings shall be set back at least five feet from property lines abutting residential areas.~~
 - ~~2. South of the Designated Accessway:~~
 - ~~— The area south of the designated accessway shall be occupied exclusively by buildings which house a series of small ancillary shops oriented toward the designated accessway, 147th Avenue, or the east-west street facing the Village Green.~~

~~— Parking lots shall not occupy more than 50 percent of the street frontage across from the Village Green. A walkway may be required between buildings from parking lots to 147th Avenue.~~

~~— In this area, retail buildings shall generally be built to the street right of way. Arcades are encouraged and shall be placed at the street right of way or a designated accessway. Where an arcade is not used, buildings may be set back up to a maximum of five feet; display bays may extend into this setback. Additional setbacks may be provided to accommodate small plazas and outdoor seating. All buildings shall be set back at least five feet from property lines abutting residential areas.~~

~~— Awnings may extend up to six feet into street rights of way. Awnings shall have clearance of a minimum eight feet for pedestrian access.~~

~~E. Pedestrian Circulation:~~

~~1. Circulation facilities, architectural features, signing, and landscaping shall be designed for pedestrian safety and convenience.~~

~~2. Landscaping, crosswalks, street lighting, signalization, or similar improvements may be required to create safe and inviting places to cross streets.~~

~~3. Walkways shall connect the Village Commercial (VC) district with transit facilities and with Sunnyside Road.~~

~~F. Motor Vehicle Access:~~

~~1. The maximum width for a driveway shall be 26 feet. Driveways for service vehicle routes may be 30 feet in width if a service vehicle circulation plan is approved.~~

~~2. Curb cuts shall line up with each other across 147th Avenue.~~

~~G. Entries:~~

~~1. Primary entries shall face a public street or designated accessway and shall be accessed from a public sidewalk. All building occupants along 147th Avenue shall have at least one primary entry along 147th Avenue. These entries shall be designed to be attractive and functional, and shall be open to the public during all business hours. Secondary entries may face parking lots or loading areas.~~

~~2. Anchor store entries must face 147th Avenue. Anchor stores shall be connected to 147th Avenue, Sunnyside Road, and the required pedestrian connection with a continuous walkway lined by parking lot trees planted at least every 30 feet.~~

~~3. Buildings except for anchor stores shall have entries every 25 to 30 feet.~~

- ~~4. Upper story residential uses shall have shared or individual entries every 70 feet on the first level only; no outside staircases are allowed.~~

~~H. Facades:~~

- ~~1. For storefronts facing public streets or pedestrian connections, building facades shall be designed with windows, entries, and/or bays.~~

~~Windows shall line facades facing public streets and accessways with no more than 30 percent of blank non-window wall space on average for all such facades added together. No front facade shall have less than 70 percent window space. No side facade shall have less than 50 percent window space. For the anchor store (building greater than 40,000 square feet), other pedestrian environment enhancing features such as architectural features, wall articulation, art, landscaping, or seating may be used in addition to, or instead of, windows. A landscaped pedestrian walkway with seating may be substituted for this requirement along elevations where public entrances do not occur. Sides or rears of buildings shall not consist of an undifferentiated wall when facing a public street, accessway, or residential area.~~

~~The above shall not require display windows or a landscaped pedestrian plaza adjacent to facades with loading bays; however, special landscaping and screening shall be required to lessen the potential adverse impacts of loading areas to the public.~~

- ~~2. Continuous arcades are strongly encouraged. If buildings house second story residential uses, bays and balconies shall be placed every 25 to 30 feet.~~
- ~~3. Towers, or other special vertical elements, may be used in a limited number to focus views to the area from surrounding streets.~~
- ~~4. Consistent design elements shall be used throughout the shopping area to ensure that the entire complex is visually and functionally unified.~~
- ~~5. 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.~~

- ~~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: South of the designated accessway, only hanging, on building, or monument signs shall be used. Hanging signs shall not exceed 8 square feet in size, and shall have 8-foot pedestrian clearance.~~
- ~~M. Master Plans: Upon application for development of any portion of the VC District, the applicant shall submit a master plan for the entire district, to ensure compliance with Section 1608.~~
- ~~N. Traffic Management Plans: A traffic management plan shall be submitted with each development application. The plan shall address, but is not limited to, the following traffic management mechanisms: physical site controls on existing traffic, p.m. peak hour existing traffic limitations, traffic monitoring, restrictions on the number of parking spaces, transportation/transit information center, flex time, staggered working hours, car and van pool spaces, and similar ride share programs~~
- ~~O. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

~~1700 — CLACKAMAS REGIONAL CENTER AREA GENERAL PROVISIONS~~

~~1700.01 — PURPOSE~~

~~Section 1700 is adopted to:~~

- ~~A. — Implement the policies of the Clackamas Regional Center Area Plan set forth in Chapter 10 of the Comprehensive Plan;~~
- ~~B. — Provide for a transition to more intense land uses;~~
- ~~C. — Create districts and neighborhoods;~~
- ~~D. — Provide for more efficient parking;~~
- ~~E. — Improve circulation and connections for all modes of transportation within the Clackamas Regional Center and transportation corridors;~~
- ~~F. — Integrate land use, transportation, and urban design to encourage transit, bicycle, and pedestrian use;~~
- ~~G. — Provide more community attractions;~~
- ~~H. — Create civic spaces;~~
- ~~I. — Protect key natural features and open space;~~
- ~~J. — Provide attractive streetscapes;~~
- ~~K. — Ensure the most efficient use of land;~~
- ~~L. — Add parks and enhance open spaces; and~~
- ~~M. — Provide a safe and pleasant environment.~~

~~1700.02 — APPLICABILITY~~

~~Section 1700 applies to development in the Clackamas Regional Center Area. This area is shown on Comprehensive Plan Map X-CRC-1, *Clackamas Regional Center Area Design Plan, Regional Center, Corridors, and Station Community*.~~

~~1700.03 — CLACKAMAS REGIONAL CENTER AREA DESIGN STANDARDS~~

~~Subsection 1700.03 applies in the Clackamas Regional Center Area, including the Regional Center and the Fuller Road Station Community, as shown on Comprehensive Plan Map X-CRC-1, *Clackamas Regional Center Area Design Plan, Regional Center, Corridors, and Station Community*.~~

- ~~A. — Clackamas Regional Center Area Design Plan: Development is subject to the Clackamas Regional Center Area Design Plan in Chapter 10 of the Comprehensive Plan.~~
- ~~B. — Urban Design Elements: New development is subject to the urban design elements shown on Comprehensive Plan Map X-CRC-3, *Clackamas Regional Center Area Design Plan, Urban Design Elements*. The urban design elements are described in the Clackamas Regional Center Area Design Plan in Chapter 10 of the Comprehensive Plan.~~
- ~~1. — Urban design elements provided in a development may be used to reduce gross site area for calculating minimum density requirements in Subsection 1012.08, and to meet minimum landscaping requirements in Section 1009.~~
 - ~~2. — For phased development approved through a master plan, requirements for the urban design elements may be roughly proportional to the amount of the master planned approved development being developed in any one phase.~~
- ~~C. — Parking Structure Orientation: Entrances for ground-level retail uses in parking structures located within 20 feet of a street shall be oriented to a street.~~
- ~~D. — Corner Lot Buildings:~~
- ~~1. — A corner lot is a lot, parcel, tax lot, or land area created by a lease agreement at the intersection of two streets.~~
 - ~~2. — Buildings on street corners shall have corner entrances or other architectural features to enhance the pedestrian environment at the intersection.~~
 - ~~3. — Development on lots at a Gateway intersection as shown on Comprehensive Plan Map X-CRC-3, and Comprehensive Plan Figure X-CRC-7, *Clackamas Regional Center Area Design Plan, Gateway Intersection (Boulevard and Main Street)*, shall be designed to accommodate future Gateway improvements.~~
- ~~E. — Drive-Thru Window Service Facilities: Outside the Regional Center boundary shown on Comprehensive Plan Map X-CRC-1, drive-thru window service facilities are allowed, except for Main Streets designated on Comprehensive Plan Map X-CRC-3, or where otherwise limited in the underlying zoning district, subject to the following standards:~~
- ~~1. — When drive-thru window service facilities are oriented toward front yards or street corners, pedestrian areas shall be buffered from the noise and exhaust of drive-thru vehicles.~~

- ~~2. When building entrances are separated from sidewalks by drive-thru window service facilities, special design features may be required to ensure safe, direct, and convenient crossings and to screen pedestrian areas from drive-thru window service facilities. These may include different paving types, raised elevation, warning signs, landscaping, walls, bollards, or other similar methods.~~
- ~~F. Building Setbacks from Private Streets: Where a setback from a private street, as defined in Subsection 1700.03(I)(1), is required by the standards of the underlying zoning district, the setback shall be measured from the back edge of the sidewalk.~~
- ~~G. Pedestrian Amenities: The following guidelines apply to pedestrian amenities used to meet the minimum landscaping area standard, as allowed by Section 1009:~~
- ~~1. Pedestrian areas include plazas, courtyards, outdoor seating areas for restaurants, pocket parks, and atriums when there is direct access for pedestrians. Pedestrian areas in front of buildings should be visible from the street.~~
 - ~~2. Pedestrian areas must include landscape planters and at least two of the following amenities for every 100 square feet of pedestrian area: lawn areas with trees and seating; awnings or other weather protection; kiosks; outdoor eating areas with seating; water features with seating; and drinking fountains.~~
- ~~H. Parking Structures: If a parking structure, including understructure parking, abuts a street, appropriate features shall be provided to create a transition between the parking structure, or the entrance to understructure parking, and the abutting street. Examples of appropriate features include, but are not limited to, landscape planters and trellises, awnings, canopies, building ornamentation, and art. As used in Subsection 1700.03(H), a parking structure “abuts a street” if no other building is sited between the parking structure and the street.~~
- ~~I. Roads and Circulation: Roads and circulation shall comply with Section 1007 and the following:~~
- ~~1. Private Streets: Private streets used to meet the structure orientation and/or setback standards shall include:~~
 - ~~a. Sidewalks or raised walking surfaces on both sides;~~
 - ~~b. Curbs;~~
 - ~~c. Street trees, pursuant to Subsection 1007.08; and~~

- ~~d. Pedestrian-scale lighting.~~
- ~~e. Private streets may also provide on-street parking and at-grade loading zones, as applicable.~~

~~2. Internal Streets~~

- ~~a. Internal streets may be required to connect to adjacent properties to increase connectivity and provide grid patterns that allow for future development.~~
- ~~b. Internal streets shall be designed to allow for future development when applicable.~~
- ~~c. Development shall provide, when applicable, direct street and pedestrian connections between developments and schools, parks, open space, shopping areas, employment areas, and transit stops.~~
- ~~d. To provide connectivity, existing platted roads within proposed developments shall not be vacated unless similar access is provided on the site.~~

~~3. Boulevards: The following streets are designated as Regional Boulevards, are shown on Comprehensive Plan Map X-CRC-3, and are subject to the design standards in Comprehensive Plan Figures X-CRC-1 through X-CRC-4.~~

- ~~a. Harmony Road;~~
- ~~b. Sunnyside Road;~~
- ~~c. Sunnybrook Boulevard; and~~
- ~~d. 82nd Avenue, between Causey and Sunnybrook.~~

~~4. Pedestrian and Bicycle Facilities: Pedestrian and bicycle circulation connections shall be provided as follows:~~

- ~~a. The pedestrian and bicycle circulation connections shown on Comprehensive Plan Maps X-CRC-3, X-CRC-7, *Clackamas Regional Center Area Design Plan, Pedestrian and Bicycle Circulation Network*, and X-CRC-7a, *Clackamas Regional Center Area Design Plan, Walkway Network*, shall be provided.~~
- ~~b. New development shall not be sited such that it precludes the construction of the new walkways, or eliminates the existing walkways, that are shown on Comprehensive Plan Map X-CRC-7a or identified in the *Clackamas Regional Center Pedestrian/Bicycle Plan* adopted by reference in Appendix A of the Comprehensive Plan,~~

~~unless an alternative walkway location that provides a similar connection is established. An alternative walkway location shall not be deemed “similar” to a planned or existing location unless:~~

- ~~i. It provides comparably safe, direct, and convenient pedestrian access to significant destinations, such as transit facilities, major employers, multifamily dwelling complexes, and retail and service establishments; and~~
- ~~ii. It fulfills a comparable function in terms of filling gaps in the pedestrian circulation system planned for the Clackamas Regional Center Area.~~

~~J. — Master Plan: A master plan for sites capable of future development shall be submitted for design review pursuant to Section 1102 with the application for the first phase of development. In the Regional Center Office zoning district, this requirement is limited to sites larger than two and one-half acres that are capable of future development. The master plan shall address the standards and requirements of this Ordinance, and should include:~~

- ~~1. General location of all proposed uses and improvements;~~
- ~~2. General building dimensions, number of stories, square footage of commercial uses, and number of dwelling units of residential uses;~~
- ~~3. Internal circulation, including that for auto, transit, pedestrian, and freight service;~~
- ~~4. Transportation connections to the external street system, including off-site circulation and site access;~~
- ~~5. Open space and natural features to be protected;~~
- ~~6. Urban design elements shown on Comprehensive Plan Map X-CRC-3 that are required on the subject property;~~
- ~~7. A demonstration that proposed street layout will accommodate future growth; and~~
- ~~8. General location of public facilities and private utilities.~~

~~1700.04 — REGIONAL CENTER DESIGN STANDARDS~~

~~Subsection 1700.04 applies in the Regional Center, as shown on Comprehensive Plan Map X-CRC-1, *Clackamas Regional Center Area Design Plan, Regional Center, Corridors, and Station Community*.~~

~~A. — Freestanding parking structures located within 20 feet of pedestrian facilities, including public or private streets, pedestrian ways, greenways, a transit~~

~~station or shelter, or plaza, shall provide a quality pedestrian environment on the façade facing the pedestrian facility. Techniques to use may include:~~

- ~~1. Provide retail or office uses on the ground floor of the parking structure facing the pedestrian facility;~~
- ~~2. 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; and~~
- ~~3. Provide pedestrian amenities in the transition area between the parking structure and pedestrian facility, including landscaping, trellises, seating areas, kiosks, water features with seating, plazas, outdoor eating areas, and drinking fountains.~~

~~B. New buildings shall have at least one public entrance oriented to a street. Private streets used to meet this standard must include the elements identified in Subsection 1700.03(I)(1).~~

~~C. Drive thru window service facilities are allowed, except for Main Streets designated on Comprehensive Plan Map X-CRC-3, *Clackamas Regional Center Area Design Plan, Urban Design Elements*, or where otherwise limited in the underlying zoning district. However, internal driveways are prohibited between the building and street to which building entrances are oriented.~~

~~D. Pedestrian amenities are required between the building and the front lot line. The following guidelines apply to pedestrian amenities used to meet this requirement:~~

- ~~1. Pedestrian areas include plazas, courtyards, outdoor seating areas for restaurants, pocket parks, and atriums when there is direct access for pedestrians. Pedestrian areas in front of buildings should be visible from the street.~~
- ~~2. Pedestrian areas must include landscape planters and at least two of the following amenities for every 100 square feet of pedestrian area: lawn areas with trees and seating; awnings or other weather protection; kiosks; outdoor eating areas with seating; water features with seating; and drinking fountains.~~

~~E. Internal streets and driveways are prohibited between buildings and the street to which building entrances are oriented.~~

~~1700.05 FULLER ROAD STATION COMMUNITY DIMENSIONAL AND DESIGN STANDARDS~~

~~Subsection 1700.05 applies in the Fuller Road Station Community, as shown on Comprehensive Plan Map X-CRC-1, *Clackamas Regional Center Area Design Plan*,~~

~~*Regional Center, Corridors and Station Community.* If the text of Subsection 1700.05 is unclear as applied to a specific development, Figures 1700-1 through 1700-11, as applicable, may be used to resolve the ambiguity.~~

- ~~A. Subsections 1700.05(B) through (M) do not apply in Sectors 1 and 2, as shown on Map 1700-1, until:~~
- ~~1. One or more additional stories are to be added to one or more existing buildings that are more than 150 feet from 82nd Avenue in either Sector 1 or Sector 2. For the purpose of this provision, a mezzanine shall not be considered an additional story; or~~
 - ~~2. More than 40,000 square feet of new building area is to be developed in either Sector 1 or Sector 2.~~
 - ~~a. The tally of new square footage will be cumulative starting with new development after March 7, 2011.~~
 - ~~b. If an existing building is expanded, the square footage of the new building outside the existing building footprint will be counted toward the total of 40,000 square feet.~~
 - ~~c. If a mezzanine is added inside an existing building, the square footage of the mezzanine will be counted toward the total of 40,000 square feet.~~
 - ~~d. If one or more stories are added to a building 150 feet or less from 82nd Avenue, as allowed by Subsection 1700.05(A)(1), the additional square footage will be counted toward the total of 40,000 square feet.~~
 - ~~e. If a building is damaged or destroyed, regardless of the cause, and the building is restored or replaced, the square footage of the restored or new building that is constructed inside the previous building footprint will not be counted toward the total of 40,000 square feet, provided that restoration or replacement lawfully commences within three years of the occurrence of the damage or destruction. "Lawfully commenced" shall have the meaning given in Subsection 1206.03(B). However, if the new building has more stories than the previous building, Subsections 1700.05(B) through (M) will become applicable, if required pursuant to Subsection 1700.05(A)(1).~~
 - ~~3. Subsections 1700.05(A)(1) and (2) apply separately to Sectors 1 and 2, meaning that compliance with Subsections 1700.05(B) through (M) will not be required in Sector 1 or 2 until that particular sector exceeds the development threshold established by Subsection 1700.05(A)(1) or (2).~~

4. ~~Prior to the point at which Subsections 1700.05(B) through (M) become applicable, new development in Sectors 1 and 2 shall not be sited such that it:~~
 - a. ~~Precludes establishment of the “conceptual street grid” identified on Map 1700-2, or eliminates or reduces existing elements of that grid. All streets shown on the grid are planned to be Type D.; or~~
 - b. ~~Precludes establishment of a connection, with a Type D street cross section, between a signalized intersection at 82nd Avenue and a point on Fuller Road within the “access area” shown on Map 1700-2.~~
- B. ~~Minimum Building Height: 20 feet, measured to top of parapet or roof.~~
- C. ~~Minimum Side and Rear Yard Setbacks: Five feet, except a zero setback is allowed for attached structures. (See Figure 1700-1.)~~
- D. ~~Maximum Driveway Width: The maximum width of a curb cut for a driveway is 24 feet (not including sidewalks or landscaping) unless otherwise required by the Clackamas County Roadway Standards or applicable fire district. (See Figure 1700-1.)~~
- E. ~~Regulating Plan: Map 1700-1 is the regulating plan for the Fuller Road Station Community. It identifies each existing or planned street in the Fuller Road Station Community as one of four street types: Type A, B, C, or D. As established by Subsections 1700.05(G) and (L), the building frontage and landscape screening regulations for the Fuller Road Station Community are applied by street type and are thereby “keyed” to the regulating plan.~~
- F. ~~Streets: Street improvements are required as follows:~~
 1. ~~Except as set forth in Subsection 1700.05(F)(3), the locations of required new streets are shown on Map 1700-1, or will be determined pursuant to Subsection 1700.05(F)(2). New streets shown on Map 1700-1 are intended to create blocks with a perimeter no greater than 2,200 feet. Exact location of these new streets may vary up to 50 feet, provided the maximum block perimeter standard is met and provided that the new streets create the connections/intersections shown on Map 1700-1.~~
 2. ~~In addition to the mapped streets (existing and new) illustrated on Map 1700-1, a through-block connection is required for any block face longer than 450 feet. (See Figure 1700-2.)~~
 - a. ~~“Block face” means the curb to curb distance between any two streets, including Type E pedestrian/bicycle connections.~~
 - b. ~~These additional connections shall:~~

- ~~i. Have a Type D street cross section or a Type E pedestrian/bicycle connection cross section;~~
 - ~~ii. Be located no closer than 100 feet to an adjacent street intersection, whether existing or planned; and~~
 - ~~iii. Align with other existing or planned streets or Type E pedestrian/bicycle connections where possible.~~
- ~~3. Subsections 1700.05(F)(1) and (2) do not apply in Sectors 1 and 2 shown on Map 1700-1. Instead, compliance with either Subsection 1700.05(F)(3)(a) or Subsections 1700.05(F)(3)(b) and(c) is required.~~
- ~~a. Development shall not occur until a connection with a Type D street cross section is constructed between a signalized intersection at 82nd Avenue and a point on Fuller Road within the “access area” shown on Map 1700-2. In addition:
 - ~~i. New development shall not be sited such that establishment of the “conceptual street grid” identified on Map 1700-2 is precluded, or existing elements of that grid are eliminated or reduced. All streets shown on the grid are planned to be Type D.~~
 - ~~ii. New development is required to complete frontage improvements for all streets upon which it has street frontage, as necessary to achieve consistency with Subsection 1700.05(F)(4).~~~~
 - ~~b. In lieu of compliance with Subsection 1700.05(F)(3)(a), development shall not occur until an alternative connectivity plan is approved for Sectors 1 and 2 shown on Map 1700-1. This connectivity plan shall:
 - ~~i. Connect the on-site transportation system to the existing and planned facilities shown on Map 1700-1;~~
 - ~~ii. Provide pedestrian, bicycle, and motor vehicle circulation that meets the needs of future residents and visitors;~~
 - ~~iii. Emphasize pedestrian mobility and accessibility, demonstrating an effective and convenient system of pedestrian walkways leading through the subject site;~~
 - ~~iv. Provide for bicycle connections and efficient motor vehicle movements through the site;~~
 - ~~v. Except where precluded by existing development, existing interests in real property, natural features, or topography, provide for block faces that do not exceed 450 feet between any two streets;~~~~

- ~~vi. Include a minimum of three street connections to 82nd Avenue and a minimum of two street connections to Fuller Road. These connections must be Type D streets, and one must connect to Fuller Road within the “access area” shown on Map 1700-2;~~
 - ~~vii. Include a phasing plan for completion of the connectivity plan based on the submitted development application or conceptual future development, as appropriate. This phasing plan shall ensure that at no point is the overall connectivity in Sectors 1 and 2 reduced and that at least one connection from 82nd Avenue to Fuller Road is constructed to a Type D street cross section in conjunction with the first phase of new development; and~~
 - ~~viii. Comply with the Clackamas County Roadway Standards and the requirements of the Oregon Department of Transportation, as applicable.~~
- ~~e. Once an alternative connectivity plan is approved:~~
- ~~i. New development shall not be sited such that establishment of the connections identified on the connectivity plan are precluded, or existing elements of that plan are eliminated or reduced.~~
 - ~~ii. New development shall not occur until at least one connection from 82nd Avenue to Fuller Road is constructed to a Type D street cross section. The other connections required by the connectivity plan shall be constructed in a manner consistent with the approved phasing plan. However, at a minimum, if an existing connection is removed as allowed by the connectivity plan, a new connection that provides at least the same degree of connectivity shall be constructed.~~
 - ~~iii. New development is required to complete frontage improvements for all streets upon which it has street frontage, as necessary to achieve consistency with Subsection 1700.05(F)(4). Frontage shall be determined based on the approved connectivity plan.~~
- ~~4. Streets and Type E pedestrian/bicycle connections shall be designed in conformance with the design standards shown in Comprehensive Plan Figures X-CRC-8 through X-CRC-11, unless an alternative design is required pursuant to the Clackamas County Roadway Standards or to accommodate fire access, necessary truck circulation, or other engineering factors. An alternative design shall not change the designated street type for purposes of applying the building frontage and landscape screening regulations. Cross section designs for SE Johnson Creek Boulevard and~~

~~SE 82nd Avenue shall be determined by Clackamas County and the Oregon Department of Transportation.~~

~~G. — **Building Frontage Types:** Four building frontage types are established, each of which is allowed on one or more of the four street types allowed in the Fuller Road Station Community. Subsection 1700.05(G) applies to existing or future Type A, B, C, and D streets, regardless of whether they are shown on Map 1700-1. Table 1700-1 establishes which building frontage types are permitted on each street type. Figure 1700-3 summarizes the four building frontage types.~~

~~Table 1700-1: Permitted Building Frontage Type by Street Type~~

Permitted Building Frontage Type:	Street Type:
Landscape	A Street
Linear	A, B, C, and D Streets
Forecourt	A, B, C, and D Streets
Porch/Stoop/Terrace	B, C, and D Streets

- ~~1. Buildings, except parking structures, located wholly or partially within 40 feet of a Type A, B, C or D street are required to comply with the standards for a building frontage type permitted on the applicable street type.~~
- ~~2. The entire length of street frontage designated on Map 1700-1 as “building frontage required,” or “required retail opportunity area,” excluding walkway cuts with a maximum width of eight feet and driveway cuts, shall be developed with one or more buildings that comply with the standards of a building frontage type permitted on the abutting street type.

 - ~~a. Except along Otty Road, where the building frontage requirement extends the entire length of the street, the “building frontage required” designation extends a distance of 60 feet from the street intersection, and the “required retail opportunity area” designation extends a distance of 100 feet from the street intersection. The beginning point for measurement is the outside edge of the right of way, or in the case of a private street, the outside edge of the improved street surface, including any landscape strip or sidewalk.~~~~
- ~~3. A minimum of 50 percent of the length of street frontage not designated as “building frontage required” or “required retail opportunity area” shall be developed with one or more buildings that comply with the standards of a~~

~~building frontage type permitted on the abutting street type. The 50-percent building frontage requirement is calculated for each lot individually, rather than in the aggregate for an entire street.~~

~~a. If part of the street frontage is designated as “building frontage required” or “required retail opportunity area,” buildings developed pursuant to Subsection 1700.05(G)(2) may be counted toward meeting the 50-percent requirement for the entire street frontage.~~

~~4. If a lot has street frontage on more than one street:~~

~~a. Compliance with Subsection 1700.05(G)(2) is required for all street frontage designated as “building frontage required” or “required retail opportunity area.”~~

~~b. Compliance with Subsection 1700.05(G)(3) is required for only one street frontage, unless one of the frontages is on Otty Road, in which case compliance with Subsection 1700.05(G)(3) is not required.~~

~~5. Lots developed solely with parks and open space uses are exempt from Subsection 1700.05(G)(2) and (3).~~

~~H. Landscape Building Frontage Type: Landscape Building Frontage, which is permitted on Type A Streets, shall comply with the following standards (see Figure 1700-4):~~

~~1. Front Yard Setback: The street facing facade of the building shall be set back a minimum of 10 feet and a maximum of 15 feet.~~

~~a. If it is not possible for a development to comply with the maximum setback standard and the intersection sight distance and roadside clear zone standards of the County Roadway Standards, the setback may be increased to the minimum extent necessary.~~

~~b. The front yard setback area shall be landscaped with plants, or paved with masonry pavers or stamped concrete.~~

~~c. No parking, storage, or display of motorized vehicles or equipment is allowed in the front yard setback area.~~

~~d. Building service and utility equipment and outdoor storage of garbage or recycling is not permitted along the street facing building facade or in the front yard setback area, except:~~

~~i. Garbage and recycling receptacles for public use are permitted, provided that they do not exceed 35 gallons in size and are clad in stone or dark colored metal.~~

- e. ~~Fences: Fences and walls are permitted in the front yard setback area, subject to the following standards:
 - i. ~~The fence or wall shall be a maximum of three feet high.~~
 - ii. ~~A fence shall be wrought iron, steel, or a similar metal and shall be dark in color. Chain link fences are prohibited.~~
 - iii. ~~A wall shall be wood, masonry, concrete, or a combination thereof.~~
 - iv. ~~A fence shall be a minimum of 20 percent transparent. The transparent portions of the fence shall be distributed along the length of the fence in a recognizable pattern (e.g., two inch gaps alternating with eight inch solid sections).~~~~
- 2. ~~Minimum Ground Floor Height: The ground floor of the building shall measure a minimum of 15 feet from floor to ceiling.~~
- 3. ~~Minimum Building Depth: Buildings shall be a minimum of 40 feet deep.~~
- 4. ~~Building Entrances: Building entrances shall either be covered by an awning or canopy, or be covered by being recessed behind the front building facade. If an awning or canopy is provided, it shall have a minimum vertical clearance of eight feet and a maximum vertical clearance of 13 ½ feet. If only a recessed entry is provided, it shall be recessed behind the front facade a minimum of three feet.~~
- 5. ~~Primary Building Entrances: Each building shall have at least one building entrance that faces the street and is directly connected to a public sidewalk by a walkway that is a minimum of five feet wide.
 - a. ~~If the entrance serves a business (other than a home occupation), the entrance must be open to the public during regular business hours.~~
 - b. ~~If a fence or wall is within the front yard setback as provided in Subsection 1700.05(H)(1)(e), a pedestrian opening a minimum of five feet wide shall be provided for the walkway.~~~~
- 6. ~~Windows: Transparent ground floor windows shall be provided along a minimum of 60 percent of the ground floor, street facing facade area.~~
- 7. ~~Building Materials: Exterior building materials and finishes shall be high image, such as masonry, architecturally treated tilt-up concrete, glass, wood, or stucco. Metal siding is prohibited, except as approved through design review pursuant to Section 1102 for specific high image materials, canopies, awnings, doors, screening for roof mounted fixtures, and other architectural features.~~

- ~~I. Linear Building Frontage Type: Linear Building Frontage, which is permitted on all street types, shall comply with the following standards (see Figure 1700-5):~~
- ~~1. Front Yard Setback: The street-facing facade of the building shall be set back a maximum of five feet. There is no minimum front yard setback.
 - ~~a. If it is not possible for a development to comply with the maximum setback standard and the intersection sight distance and roadside clear zone standards of the County Roadway Standards, the setback may be increased to the minimum extent necessary.~~
 - ~~b. The front yard setback area, if any, shall be landscaped with plants, or paved with masonry pavers or stamped concrete.~~
 - ~~c. No parking, storage, or display of motorized vehicles or equipment is allowed in the front yard setback area.~~
 - ~~d. Building service and utility equipment and outdoor storage of garbage or recycling is not permitted along the street-facing building facade or in the front yard setback area, except:
 - ~~i. Garbage and recycling receptacles for public use are permitted, provided that they do not exceed 35 gallons in size and are clad in stone or dark-colored metal.~~~~
 - ~~e. Fences: Fences and walls are permitted in the front yard setback area, subject to the following standards:
 - ~~i. The fence or wall shall be a maximum of three feet high.~~
 - ~~ii. A fence shall be wrought iron, steel, or a similar metal and shall be dark in color. Chain-link fences are prohibited.~~
 - ~~iii. A wall shall be wood, masonry, concrete, or a combination thereof.~~
 - ~~iv. A fence shall be a minimum of 20 percent transparent. The transparent portions of the fence shall be distributed along the length of the fence in a recognizable pattern (e.g., two-inch gaps alternating with eight-inch solid sections).~~~~~~
 - ~~2. Minimum Ground Floor Height: The ground floor of the building shall measure a minimum of 15 feet from floor to ceiling, except when the building is designed to accommodate residential uses, in which case the minimum floor-to-floor height shall be 12 feet.~~
 - ~~3. Ground Floor Construction Type: In areas designated “required retail opportunity area” on Map 1700-1, the ground floor construction type shall~~

~~meet at least the minimum requirements for a commercial use, as set forth in the current edition of the Oregon Structural Specialty Code.~~

- ~~4. Minimum Building Depth: In areas designated “required retail opportunity area” on Map 1700-1, buildings shall be a minimum of 40 feet deep.~~
- ~~5. Weather Protection: Awnings or canopies shall be provided for a minimum of 50 percent of the linear distance of the street-facing building facade and shall comply with the following:
 - ~~a. Awnings and canopies shall project a minimum of five feet and a maximum of eight feet over the sidewalk.~~
 - ~~b. Awnings and canopies shall have a minimum vertical clearance of eight feet and a maximum vertical clearance of 13 ½ feet.~~~~
- ~~6. Building Entrances: Building entrances shall either be covered by an awning or canopy, or be covered by being recessed behind the front building façade. If an awning or canopy is provided, it shall have a minimum vertical clearance of 8 feet and a maximum vertical clearance of 13 ½ feet. If only a recessed entry is provided, it shall be recessed behind the front façade a minimum of three feet.~~
- ~~7. Primary Building Entrances: Primary building entrances shall face the street and be a minimum of 40 percent transparent. The minimum amount of transparency is measured as a percentage of the total area of the entrance.
 - ~~a. Primary building entrances shall open onto an abutting public sidewalk, or be directly connected to a public sidewalk by a walkway that is a minimum of five feet wide.~~
 - ~~b. If the entrance serves a business (other than a home occupation), the entrance must be open to the public during regular business hours.~~
 - ~~c. If a fence or wall is within the front yard setback as provided in Subsection 1700.05(I)(1)(e), a pedestrian opening a minimum of five feet wide shall be provided for the walkway.~~~~
- ~~8. Windows: Transparent ground floor windows shall be provided along a minimum of 60 percent of the ground floor, street-facing façade area.~~
- ~~9. Building Materials: Exterior building materials and finishes shall be high-image, such as masonry, architecturally treated tilt-up concrete, glass, wood, or stucco. Metal siding is prohibited, except as approved through design review pursuant to Section 1102 for specific high-image materials,~~

~~canopies, awnings, doors, screening for roof-mounted fixtures, and other architectural features.~~

~~J. Forecourt Building Frontage Type: Forecourt Building Frontage, which is permitted on all street types, shall comply with the following standards (see Figure 1700-6):~~

~~1. Front Yard Setback: The street-facing facade of the building shall be set back a maximum of five feet. There is no minimum front yard setback. Except for the portion of the facade located behind a recessed courtyard, as required by Subsection 1700.05(J)(2), the street-facing facade of the building shall be built to the chosen setback line.~~

~~a. If it is not possible for a development to comply with the maximum setback standard and the intersection sight distance and roadside clear zone standards of the County Roadway Standards, the setback may be increased to the minimum extent necessary.~~

~~b. No parking, storage, or display of motorized vehicles or equipment is allowed in the front yard setback area or in the required courtyard. Bicycle parking may be permitted in the courtyard, subject to compliance with Section 1015.~~

~~c. Building service and utility equipment and outdoor storage of garbage or recycling is not permitted along the street-facing building facade, in the front yard setback area, or in the required courtyard, except:~~

~~i. Garbage and recycling receptacles for public use are permitted, provided that they do not exceed 35 gallons in size and are clad in stone or dark-colored metal.~~

~~2. Courtyard: A recessed courtyard is required and shall comply with the following standards:~~

~~a. The courtyard shall be set back from the street-facing building facade a minimum of 10 feet and a maximum of 30 feet.~~

~~b. The courtyard shall not be covered.~~

~~c. The courtyard shall be landscaped with plants, or paved with masonry pavers or stamped concrete.~~

~~d. The courtyard shall span a minimum of 20 feet along the street-facing building facade and a maximum of 50 percent of the street-facing building facade. As a result, the building must have a street-facing building facade of at least 40 feet wide.~~

- ~~3. Incorporation of Linear Building Frontage Type: The street facing building façade not located behind a recessed courtyard shall comply with the standards for the Linear Building Frontage Type in Subsection 1700.05(I).~~
- ~~4. Minimum Ground Floor Height: The ground floor of the building shall measure a minimum of 15 feet from floor to ceiling, except when the building is designed to accommodate residential uses, in which case the minimum floor to floor height shall be 12 feet.~~
- ~~5. Ground Floor Construction Type: In areas designated “required retail opportunity area” on Map 1700-1, the ground floor construction type shall meet at least the minimum requirements for a commercial use, as set forth in the current edition of the Oregon Structural Specialty Code.~~
- ~~6. Primary Building Entrances: Primary building entrances shall face the street or the courtyard and be a minimum of 40 percent transparent. The minimum amount of transparency is measured as a percentage of the total area of the entrance.
 - ~~a. Primary building entrances facing the street shall open onto an abutting public sidewalk, or be directly connected to a public sidewalk by a walkway that is a minimum of five feet wide.~~
 - ~~b. If the entrance serves a business (other than a home occupation), the entrance must be open to the public during regular business hours.~~~~
- ~~7. Windows: Transparent ground floor windows shall be provided along a minimum of 50 percent of the ground floor, courtyard-facing façade area. See the Linear Building Frontage Type for window requirements for the street facing façade.~~
- ~~8. Building Materials: Exterior building materials and finishes shall be high image, such as masonry, architecturally treated tilt-up concrete, glass, wood, or stucco. Metal siding is prohibited, except as approved through design review pursuant to Section 1102 for specific high image materials, canopies, awnings, doors, screening for roof mounted fixtures, and other architectural features.~~
- ~~9. Fences: Fences and walls are permitted in the courtyard setback area, subject to the following standards:
 - ~~a. The fence or wall shall be a maximum of three feet high.~~
 - ~~b. A fence shall be wrought iron, steel, or a similar metal and shall be dark in color. Chain link fences are prohibited.~~
 - ~~c. A wall shall be wood, masonry, concrete, or a combination thereof.~~~~

- ~~d. A fence shall be a minimum of 20 percent transparent. The transparent portions of the fence shall be distributed along the length of the fence in a recognizable pattern (e.g., two inch gaps alternating with eight inch solid sections).~~
 - ~~e. A minimum of one pedestrian opening per courtyard street frontage shall be provided in the fence or wall. Required pedestrian openings shall be a minimum of five feet wide.~~
- ~~K. Porch/Stoop/Terrace Building Frontage Type: Porch/Stoop/Terrace Building Frontage, which is permitted on Type B, C, and D Streets, shall comply with the following standards (see Figure 1700-7):~~
- ~~1. Front Yard Setback: The street-facing facade of the building shall be set back a minimum of five feet and a maximum of 15 feet. Entry thresholds, including roofs over the thresholds and steps to the thresholds, may extend to the front property line.~~
 - ~~a. If it is not possible for a development to comply with the maximum setback standard and the intersection sight distance and roadside clear zone standards of the County Roadway Standards, the setback may be increased to the minimum extent necessary.~~
 - ~~b. The front yard setback area shall be landscaped with plants. Hardscaping is permitted only to provide access to the threshold and shall consist of masonry pavers or concrete.~~
 - ~~c. No parking, storage, or display of motorized vehicles or equipment is allowed in the front yard setback area.~~
 - ~~d. Building service and utility equipment and outdoor storage of garbage or recycling is not permitted along the street-facing building facade or in the front yard setback area, except:
 - ~~i. Garbage and recycling receptacles for public use are permitted, provided that they do not exceed 35 gallons in size and are clad in stone or dark-colored metal.~~~~
 - ~~e. Fences: Fences and walls are permitted in the front yard setback area, subject to the following standards:
 - ~~i. The fence or wall shall be a maximum of three feet high.~~
 - ~~ii. A fence shall be wrought iron, steel, or a similar metal and shall be dark in color. Chain-link fences are prohibited.~~
 - ~~iii. A wall shall be wood, masonry, concrete, or a combination thereof.~~~~

- ~~iv. A fence shall be a minimum of 50 percent transparent. The transparent portions of the fence shall be distributed along the length of the fence in a recognizable pattern (e.g., two-inch gaps alternating with two-inch solid sections).~~
- ~~2. Entry Threshold: An entry threshold, such as a porch, stoop, terrace, patio, or light court, is required and shall comply with the following standards:
 - ~~a. The entry threshold shall have a minimum depth of five feet from the street-facing building façade to the front of the threshold.~~
 - ~~b. The entry threshold height shall be no more than six feet above finished grade. An additional threshold may be provided to access a lower level and shall be no more than five feet below finished grade.~~
 - ~~c. The entry threshold may be covered by a roof no larger than the threshold.~~~~
- ~~3. Primary Building Entrances: Primary building entrances shall face the street and be a minimum of 10 percent transparent. The minimum amount of transparency is measured as a percentage of the total area of the entrance. Each ground-floor dwelling unit, if any, shall have an individual entrance that complies with this requirement.~~
- ~~4. Windows: Transparent windows shall be provided along a minimum of 20 percent of the street-facing façade area. Windows shall be vertically oriented, but vertical windows may be grouped together to create square or horizontally-oriented rectangular windows.~~
- ~~5. Building Materials: Exterior building materials and finishes shall be high-image, such as masonry, architecturally treated tilt-up concrete, glass, wood, or stucco. Metal siding is prohibited, except as approved through design review pursuant to Section 1102 for specific high-image materials, canopies, awnings, doors, screening for roof-mounted fixtures, and other architectural features.~~
- ~~L. Landscape Screening Types: Street frontage not developed with a building compliant with one of the four building types established by Subsections 1700.05(H) through (K), a walkway cut with a maximum width of eight feet, or a driveway cut, shall be developed with one of three landscape screening types, each of which is allowed on one or more of the four street types allowed in the Fuller Road Station Community. Table 1700-2 establishes which landscape screening types are permitted on each street type. Figure 1700-8 summarizes the three landscape screening types. If the subject property abuts an existing or future Type A, B, C, or D Street — regardless of whether it is shown on Map 1700-1 — compliance is required with the~~

~~standards for a landscape screening type permitted on the applicable street type.~~

~~Table 1700-2: Permitted Landscape Screening Type by Street Type~~

Permitted Landscape Screening Type:	Street Type:
Low Wall and Trellis	A, B, C, and D Streets
Urban Fence or Wall	A, B, C, and D Streets
Landscaped Setback	A, B, and C Streets

- ~~1. Low Wall and Trellis Landscape Screening Type: Low Wall and Trellis Screening, which is permitted on all street types, shall comply with the following standards (see Figure 1700-9):~~
 - ~~a. The low wall and the support structure for the trellis shall be set back a maximum of five feet from the front lot line. The trellis itself may extend to the front lot line, or may overhang an abutting sidewalk or walkway if permitted by the County Engineering Division.~~
 - ~~b. Any area between the back edge of the sidewalk or walkway and the low wall shall be planted with ground cover or shrubs, or paved with masonry pavers or stamped concrete. Shrubs at maturity shall not exceed the height of the low wall.~~
 - ~~c. The underside of the trellis portion of a Low Wall and Trellis shall be a minimum of eight feet above grade and a maximum of 13½ feet above grade.~~
 - ~~d. The trellis shall be heavy timber or steel (or a similar metal) and shall consist of an open structure with no decking or awning material. The trellis shall have masonry, heavy timber, or steel (or similar metal) supporting columns spaced no more than 30 feet on center.~~
 - ~~e. The low wall portion of a Low Wall and Trellis shall be a minimum of 18 inches high and a maximum of three feet high and have a minimum depth of 16 inches. The low wall shall be wood, masonry, concrete, or a combination thereof.~~

- ~~f. Surface parking and loading areas shall be set back a minimum of five feet from the Low Wall and Trellis. Low shrubs, groundcover, and climbing plants shall be provided in this setback area, in lieu of trees ordinarily required pursuant to Section 1009 for perimeter surface parking and loading area landscaping. Climbing plants shall be planted at each support column.~~
- ~~g. Openings in the Low Wall and Trellis Screening are permitted for plazas that comply with Subsection 1700.05(M).~~
- ~~2. Urban Fence or Wall Screening Type: Urban Fence or Wall Screening, which is permitted on all street types, shall comply with the following standards (see Figure 1700-10):~~
 - ~~a. The fence or wall shall be set back a maximum of five feet from the front lot line.~~
 - ~~b. Any area between the back edge of the sidewalk or walkway and the fence or wall shall be paved with masonry pavers or stamped concrete.~~
 - ~~c. The fence or wall shall be a minimum of two feet high and a maximum of three feet high.~~
 - ~~d. A fence shall be wrought iron, steel, or a similar material and shall be dark in color. Chain-link fences are prohibited. A fence shall be a minimum of 50 percent transparent. The transparent portions of the fence shall be distributed along the length of the fence in a recognizable pattern (e.g., two-inch gaps alternating with two-inch solid sections).~~
 - ~~e. A wall shall be wood, masonry, concrete, or a combination thereof.~~
 - ~~f. Surface parking and loading areas shall be set back a minimum of five feet from the Urban Fence or Wall. This area shall be landscaped as follows:
 - ~~i. One large tree is required a minimum of every 30 linear feet, except where a waiver is necessary to comply with the intersection sight distance and roadside clear zone standards of the County Roadway Standards.~~
 - ~~ii. A minimum of six shrubs is required every 30 linear feet along the fence or wall. The minimum shrub height at maturity shall be the same as the height of the fence or wall, and the maximum shall be six feet.~~
 - ~~iii. Ground cover plants must fully cover any remaining area at maturity.~~~~

- ~~g. Openings in the Urban Fence or Wall Screening are permitted for plazas that comply with Subsection 1700.05(M).~~
- ~~3. Landscaped Setback Screening Type: Landscaped Setback Screening, which is permitted on Type A, B, and C Streets, shall include a landscape strip a minimum of 10 feet wide adjacent to the property line. This area shall be landscaped as follows (see Figure 1700-11):~~
 - ~~a. A continuous row of shrubs shall be planted at the inside edge of the landscape strip. The shrubs shall be a minimum of three feet high, and shall be mostly opaque year round.~~
 - ~~b. One large tree is required a minimum of every 30 linear feet except where a waiver is necessary to comply with the intersection sight distance and roadside clear zone standards of the County Roadway Standards. The required shrub row may be interrupted with a gap of up to two feet wide, in order to accommodate each tree.~~
 - ~~c. Ground cover plants must fully cover any remaining area at maturity.~~
 - ~~d. A three-foot-high masonry wall may be substituted for the shrub row, but the trees and groundcover plants are still required.~~
 - ~~e. Openings in the Landscaped Setback Screening are permitted for plazas that comply with Subsection 1700.05(M).~~
- ~~M. Plazas: Openings in required landscape screening are permitted for plazas, subject to the following standards:~~
 - ~~1. The plaza shall be permanent space open to the public.~~
 - ~~2. The plaza shall be integrated in the development and be accessible from and visible from the street(s) upon which it fronts.~~
 - ~~3. The plaza shall be surfaced with masonry pavers or stamped concrete.~~
 - ~~4. Ten percent of the total plaza area shall be landscaped. Landscape planters may count toward this requirement.~~
 - ~~5. If the plaza abuts a surface parking or loading area, it shall be separated from that area by a landscape strip that complies with Subsection 1009.04(B).~~

Figures 1700-1 through 1700-11 are moved to Section 1005 and renumbered as Figures 1005-1 through 1005-11. Maps 1700-1 and 1700-2 are moved to Section 1005 and renumbered as Maps 1005-1 and 1005-2.

~~1701 REGIONAL CENTER OFFICE DISTRICT (RCO)~~

~~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.~~

~~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.~~

~~1701.03 PRIMARY USES~~

- ~~A. Office uses, including:~~

- ~~1. Business and professional offices, including legal, financial, architectural, engineering, governmental, manufacturer's representatives, property management, and corporate and administrative offices;~~
 - ~~2. Medical and dental services, clinics, counseling services, and associated pharmacies;~~
 - ~~3. Graphic arts, printing, blueprinting, photo processing or reproduction labs, publishing, and bookbinding services;~~
 - ~~4. Research and development uses which have physical and operational requirements which are similar to other office uses allowed in this district;~~
 - ~~5. Banks, credit unions, savings and loans, brokerages, and other financial institutions. Uses with drive-through window services are subject to Section 827; and~~
 - ~~6. Business services such as duplicating, photocopying, mailing and stenography, fax and computer facilities, employment agencies, business management, notary public, office and communications equipment and service, and real estate offices;~~
- ~~B. Multifamily dwellings, subject to Section 1706;~~
- ~~C. Colleges, educational institutes, and trade schools; art, music, or dance studios; and radio and television studios, excluding transmission towers;~~
- ~~D. Cultural and public uses, including galleries and museums; small-scale (seating capacity up to 500) assembly or convention facilities, and theaters for performing arts; exhibition halls, libraries, senior centers, and fraternal organizations;~~
- ~~E. Parking structures which serve developments located within the Regional Center Office District, park and ride lots, transit stations, and bus shelters;~~
- ~~F. Hotels, including associated convention facilities, gift shops, restaurants, and newsstands located within the same building as the hotel; and~~
- ~~G. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835.~~

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

~~1701.05 LIMITED USES~~

- ~~A. A freestanding restaurant may be allowed in conjunction with a primary use on the site, subject to the following criteria:
 - ~~1. The floor area of the freestanding restaurant shall not exceed 5,000 square feet.~~
 - ~~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;~~~~
- ~~C. A health club may be allowed in conjunction with a primary use on the site, subject to the following criteria:
 - ~~1. If the primary use on the site is an office use, the minimum floor area ratio (FAR) standard of Subsection 1701.09(D) may be modified as follows for a lot of greater than two and one-half acres in size:
 - ~~a. The minimum FAR for the office use shall be 0.75; and~~
 - ~~b. The minimum FAR for the health club and the office use combined shall be 1.0.~~~~
 - ~~2. If the primary use on the site is a multifamily dwelling, the site area developed with the health club and any parking or accessory structures used exclusively for the health club shall be included in the net acreage when calculating minimum density pursuant to Subsection 1701.09(C).~~
 - ~~3. The health club shall be developed concurrently with or after a primary use is developed on the site.~~~~

~~1701.06 — USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR~~

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

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

~~1701.07 — CONDITIONAL USES~~

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

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

~~1701.08 PROHIBITED AND PREEXISTING USES~~

~~A. Prohibited Uses: The following uses shall be prohibited:~~

- ~~1. Uses of structures and land not specifically permitted;~~
- ~~2. Retail or service commercial uses listed in Subsection 1702.07(A), except as provided in Subsection 1701.05;~~
- ~~3. Drive-through window facilities in conjunction with a primary use on streets designated Main Streets on Comprehensive Plan Map X-CRC-3, Clackamas Regional Center Area Design Plan, Urban Design Elements;~~
- ~~4. New single family dwellings;~~
- ~~5. Outdoor sales, storage, or display of materials or products.~~

~~B. Preexisting uses:~~

- ~~1. Lawfully established dwellings may be remodeled or expanded without review under Section 1206.~~
- ~~2. A lawfully established dwelling may be converted to house any primary use in the district, subject to all requirements for new development.~~
- ~~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.~~

~~1701.09 DIMENSIONAL STANDARDS~~

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

- ~~1. Encourage coordinated development and the most efficient use of land;~~
- ~~2. Provide for adequate structure separation to ensure adequate light and air access, fire safety, and protection for all developments and structures;~~
- ~~3. Provide the urban design elements shown on Comprehensive Plan Map X-CRC-3, Clackamas Regional Center Area Design Plan, Urban Design Elements; and~~
- ~~4. Implement the goals and policies of the Clackamas Regional Center Area Design Plan.~~

~~B. Minimum Lot Size: Two and one-half acres for the creation of new lots.~~

~~C. Minimum Density: The minimum density for a freestanding multifamily residential use is 30 units per net acre. Net acreage shall be determined by completing the steps set forth in Subsections 1012.08(A) and (B). There is no minimum density for residential uses in a building with another primary use or with a limited use under Subsection 1701.05(B).~~

~~D. Minimum Floor Area Ratio (FAR): The minimum FAR for primary office uses on lots of two and one-half acres or less in size is 0.5. The minimum FAR for primary office uses on lots greater than two and one-half acres in size is 1.0 for the entire lot area. However, with an approved master plan, the site can be developed in phases provided that the minimum FAR of the first phase is 0.5. FAR shall be calculated as follows:~~

- ~~1. Calculate the building floor area by determining the square footage of all buildings in the proposed development, including:~~
 - ~~a. Gross floor area of all commercial structures (except parking structures), including storage and mechanical equipment; and~~
 - ~~b. Square footage of commercial uses in a parking structure; and~~
 - ~~c. Square footage of the footprint of a multifamily residential structure.~~
- ~~2. Calculate the net site area by subtracting from the gross site area the following:~~
 - ~~a. Right-of-way dedications;~~
 - ~~b. Off-road (except sidewalks) trails, bikeways, or multi-purpose trails;~~
 - ~~c. Stormwater detention facilities;~~
 - ~~d. Design elements (plazas, greenways, transit stations, etc.);~~

- ~~e. Parks;~~
- ~~f. Civic spaces;~~
- ~~g. Stream buffers;~~
- ~~h. Wetlands; and~~
- ~~i. 100-year floodplain (undeveloped portion)~~

~~3. Divide the building floor area by the net site area. The result is expressed as a percent. For example, if the building floor area is 20,000 square feet and the net site area is 40,000 square feet, the FAR is 0.5.~~

~~E. Minimum Front Yard Setback: five feet, except from Main Streets identified on Comprehensive Plan Map X-CRC-3, where there is no minimum front yard setback.~~

~~F. Maximum Front Yard Setback:~~

~~1. 20 feet from all streets, as defined in Section 1700, except from Main Streets identified on Comprehensive Plan Map X-CRC-3. However, the 20-foot maximum setback may be exceeded to accommodate plazas designated on Comprehensive Plan Map X-CRC-3, and freestanding parking structures are exempt.~~

~~2. 10 feet from Main Streets identified on Comprehensive Plan Map X-CRC-3, except the 10-foot maximum setback may be exceeded to accommodate plazas identified on Comprehensive Plan Map X-CRC-3.~~

~~G. Minimum Rear Yard Setback: None, except when the rear lot line abuts a residential or Open Space Management (OSM) zoning district, in which case 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.~~

~~1701.10 DEVELOPMENT STANDARDS~~

~~A. General: Development shall be subject to the applicable provisions of Sections 1000, 1100, and 1700.~~

- ~~B. Community and Design Plans: Development within a Community or Design Plan area identified in Chapter 10 of the Comprehensive Plan shall comply with the specific policies and standards for the adopted Community or Design Plan.~~
- ~~C. Improvements: The County shall require the provision of, or participation in, the development of public facility improvements to implement adopted design plans or special standards. Such improvements include, but are not limited to, the following:~~
- ~~1. Road dedications and improvements;~~
 - ~~2. Signalization;~~
 - ~~3. Sidewalks;~~
 - ~~4. Crosswalks;~~
 - ~~5. Storm drainage facilities;~~
 - ~~6. Sewer and water service lines and improvements;~~
 - ~~7. Underground utilities;~~
 - ~~8. Street lights;~~
 - ~~9. Street trees and landscaping;~~
 - ~~10. Open space and parks; and~~
 - ~~11. The urban design elements shown on Comprehensive Plan Map X-CRC-3, *Clackamas Regional Center Area Design Plan, Urban Design Elements.*~~
- ~~D. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

~~1702 REGIONAL CENTER COMMERCIAL DISTRICT (RCC)~~

~~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.~~

~~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.~~

~~1702.03 PRIMARY USES~~

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

~~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;~~

~~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.~~

~~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, 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.~~

~~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;~~
 - ~~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.~~

~~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 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:~~

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. 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.~~

~~1703 — PLANNED MIXED USE DISTRICT (PMU)~~

~~1703.01 — PURPOSE~~

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

~~1703.02 — AREA OF APPLICATION~~

~~Six sites have a Comprehensive Plan designation of PMU. These sites are designated PMU1 through PMU6 and are identified on Comprehensive Plan Map X-CRC-2, Clackamas Regional Center Area Design Plan, Land Use Plan Map. Property may be zoned Planned Mixed Use District with a site number corresponding to the number designated by the Comprehensive Plan when:~~

- ~~A. The criteria in Section 1202 are satisfied;~~
- ~~B. Adequate transit services are provided to the site; and~~
- ~~C. Minimum site size requirements are satisfied.~~

~~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. Drive thru window services are allowed subject to Section 827 and Subsection 1700.04(C);~~
 - ~~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; and~~
- ~~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;~~

~~B. Retail uses, including:~~

- ~~1. Retail uses;~~
- ~~2. Service commercial uses; and~~
- ~~3. Mobile vending units, subject to Section 837;~~

~~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 listed in Subsection 702.03;~~
- ~~2. Plazas;~~
- ~~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: 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. In PMU6, churches;~~
- ~~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.~~

~~1703.04 ACCESSORY USES~~

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

- ~~A. Bike racks, pedestrian amenities, and transit amenities;~~
- ~~B. Temporary signs identifying the developer, contractor, or real estate agency responsible for leasing or selling land or buildings within the site area, which signs shall be removed upon sale or lease of the premises advertised;~~
- ~~C. Parking structures;~~
- ~~D. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;~~
- ~~E. Utility carrier cabinets, subject to the Section 830;~~
- ~~F. Signs, subject to Section 1010;~~
- ~~G. Solar energy systems;~~
- ~~H. Cogeneration facilities;~~
- ~~I. Radio and television earth stations and dishes;~~
- ~~J. Daycare facilities for employees or residents of a primary use;~~
- ~~K. Cafeterias, delicatessens, and other such facilities provided for employees of a primary use;~~
- ~~L. Recycling collection containers provided all materials are presorted, no processing occurs on-site, and all materials are stored within an enclosed structure or area between pickup days;~~

~~M. Accessory uses listed in Subsection 1706.04, provided they are accessory to a residential use listed in Subsection 1703.03(C);~~

~~N. Helistops;~~

~~O. Private recreational facilities for employees or residents of a primary use;~~

~~P. Electric vehicle charging stations; and~~

~~Q. Rainwater collection systems.~~

~~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.~~

~~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; and~~

~~E. Industrial uses.~~

~~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:~~

- ~~1. PMU1: None~~
- ~~2. PMU2: two acres~~
- ~~3. PMU3: three acres~~
- ~~4. PMU4: one half acre~~
- ~~5. PMU5: 10 acres~~
- ~~6. PMU6: Five acres~~

~~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 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 master plan or design review 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.~~

~~G. Minimum Landscaping Area: 10 percent of the lot.~~

~~1703.08 DEVELOPMENT STANDARDS~~

~~A. General: Development shall be subject to the applicable provisions of Sections 1000, 1100, and 1700.~~

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

~~C. Site Specific Requirements: A PMU site shall comply with the specific standards for that site identified in Table 1703-1.~~

Table 1703-1: Site-Specific Requirements

Land Uses & Areas Required	PMU1
Office use, minimum square feet	525,000 square feet
Retail, theater, entertainment, hotel or equivalent, minimum square feet	500,000 square feet
Dwelling units, minimum number	200 dwelling units. Demonstrate ability to accommodate 600 dwelling units
Public plaza	0.5 to 1.0 acre plaza
Entertainment /recreational facility	
Transit facilities	
Land Uses & Areas Required	PMU 2, 3, 4, and 5
Residential or office use, minimum site area	50 percent
Office uses, minimum Floor Area Ratio (FAR)	Subject to Subsections 1701.05 (A)(2) and (C)(1) and Subsection 1701.09(D)
Retail, minimum FAR	Subject to Subsection 1702.09(D)
Residential density	Subject to Subsection 1706.10(C)
Land Uses & Areas Required	PMU6
Phase One, minimum FAR	0.3, calculated pursuant to Subsections 1701.09(D) (1) through (3)
Subsequent phases, minimum FAR	0.6, calculated pursuant to Subsections 1701.09(D) (1) through (3)
Dwelling units, minimum number	395

~~D. PMU1 shall comply with the following additional specific requirements:~~

- ~~1. May expand the existing mall with retail or other uses;~~
- ~~2. Preserve Phillips Creek and enhance Phillips Creek Greenway;~~
- ~~3. Accommodate and provide proportionate share of streetscape improvements on Monterey Avenue, 82nd Avenue, Sunnyside Road, and the internal circulation network; and~~
- ~~4. Coordinate internal circulation network with the street and transit system.~~

~~E. PMU6 shall comply with the following additional specific requirements:~~

- ~~1. Exclusively retail uses larger than 40,000 square feet of gross leasable ground floor area per building or business shall be prohibited, unless it can be otherwise demonstrated through the master planning process that desired levels of transportation connectivity shall be provided.~~
 - ~~2. The master plan shall contain a minimum of 10 percent useable open space. Open space shall be integral to the master plan. Plans shall emphasize public gathering places such as plazas, neighborhood parks, trails, and other publicly accessible spaces that integrate land use and transportation and contribute toward a sense of place. Where public or common private open space is designated, the following standards apply:
 - ~~a. The open space area shall be shown on the master plan and recorded by final plat or separate instrument; and~~
 - ~~b. If approved by the County, the open space shall be conveyed in accordance with one of the following methods:
 - ~~i. By dedication to the County as publicly owned and maintained open space. Open space proposed for dedication to the County must be acceptable to the County with regard to the size, shape, location, improvement, and environmental condition; or~~
 - ~~ii. By leasing or conveying title (including beneficial ownership) to a corporation, homeowners association, or other legal entity, with the County retaining the development rights to the property. The terms of such lease or other instrument of conveyance must include provisions (e.g., maintenance, property tax payment, etc.) suitable to the County.~~~~~~
 - ~~3. Monterey Avenue shall be constructed between SE Stevens Road and SE Bob Schumacher Road at the functional road classification of Collector, with a median planted with street trees and ground cover.~~
- ~~F. 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.~~

~~G. Building Siting and Design:~~

- ~~1. New buildings shall have at least one public entrance oriented to a state, county, public, or private street.~~
- ~~2. Buildings shall have first floor windows with views of internal activity or display cases, and the major entrance on the building façade facing the street the building is oriented to. Entrances and windows on the street side facade shall not be blocked, or entrances locked during operation hours. Additional major entrances may also be allowed facing minor streets and parking areas.~~
- ~~3. Buildings on street corners shall have corner entrances or other architectural features to enhance the pedestrian environment at the intersection.~~
- ~~4. 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.~~
- ~~5. Parking structures located within 20 feet of pedestrian facilities including public or private streets, pedestrian ways, greenways, a transit station or shelter, or plaza, shall provide a quality pedestrian environment on the façade facing the pedestrian facility. Techniques to use include, but are not limited to:
 - ~~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.~~

~~H. 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.~~

~~I. 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. Traffic signals;~~
- ~~2. Transit facilities;~~
- ~~3. Bump-outs and other pedestrian improvements;~~
- ~~4. Street trees and landscaping; and~~
- ~~5. Open space, greenways, plazas, and parks.~~

~~J. 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.~~

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

~~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 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. Estimated square feet or number of units of required uses, and density (floor area ratio or units per acre);~~

~~b. General location of buildings, density (floor area ratio or units per acre), number of stories;~~

~~c. Proposed area phasing of the development. Each phase must demonstrate compliance with the requirements of this zoning district;~~

~~d. A traffic impact study;~~

~~e. Proposed transportation improvements consistent with the Clackamas Regional Center Area Design Plan, including:~~

~~i. Traffic impacts of development on the overall street system based on the traffic impact study;~~

~~ii. Private streets, as defined in Subsection 1700.03(I)(1), to be used to meet building orientation requirements; and~~

~~iii. Phasing of streets in coordination with phased development;~~

~~f. Parking ratios for surface parking, total number of parking spaces, type; if structured, location and feasibility (dimensions);~~

~~g. Open space and significant natural features to be protected, including designated greenways, wetlands, creeks and streams, riparian habitat, and wooded areas;~~

~~h. Existing or proposed parks;~~

- ~~i. A development narrative that demonstrates compliance with the requirements of the PMU District and with the traffic impact study; and~~
 - ~~j. In PMU6, a construction phasing plan shall demonstrate that the order in which buildings identified in the master plan will be constructed complies with the following:
 - ~~i. Nonresidential buildings may be constructed prior to construction of dwelling units provided that the total floor area of nonresidential buildings constructed (excluding parking structures) does not exceed 50 percent of the total nonresidential floor area approved in the master plan (excluding parking structures).~~
 - ~~ii. The remaining nonresidential buildings may only be constructed after construction of dwelling units is underway. The ratio of constructed dwelling units to the minimum number of dwelling units required shall equal or exceed the ratio of constructed nonresidential floor area (excluding parking structures) to the total nonresidential floor area approved in the master plan (excluding parking structures). For the purposes of Subsection 1703.09 (C)(1)(j), “constructed dwelling units” shall mean that, at a minimum, building permits have been issued and the framing inspection by the County building codes division has been approved.~~
 - ~~iii. The County may approve a construction phasing plan that does not meet the standards in Subsection 1703.09 (C)(1)(j)(i) and (ii) where the applicant demonstrates that the orderly development of the property would be furthered by allowing construction of a greater percentage of nonresidential floor area.~~~~
- ~~2. Design Review: A detailed site plan is required for each phase of development. The detailed site plan shall meet the requirements under Subsections 1102.05(A)(7) through (12). In addition to the requirements in these subsections, the site plan shall include:~~
- ~~a. The specific location (footprints) of buildings, orientation, setbacks; and pedestrian amenities provided with buildings;~~
 - ~~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.~~

~~1704 — CORRIDOR COMMERCIAL DISTRICT (CC)~~

~~1704.01 — PURPOSE~~

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

~~1704.02 — AREA OF APPLICATION~~

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

~~1704.03 — PRIMARY USES~~

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

- ~~A. Any use permitted within the Retail Commercial District;~~
- ~~B. Service and retail uses where there is a need for outdoor areas in order to conduct business activities and sales or storage areas are an integral part of the use, such as lumber yards or auto sales;~~
- ~~C. Electric vehicle charging stations;~~
- ~~D. Research offices and laboratories, including testing facilities;~~
- ~~E. Any manufacturing or assembly use, except primary processing of raw materials;~~
- ~~F. Indoor recreational facilities for such sports as gymnastics, martial arts, soccer, basketball, and skating. These facilities may be used for instruction, practice, and competitions;~~
- ~~G. Any use that the Planning Director finds to be compatible with one or more of the uses listed in Subsections 1704.03(D) through (F). In determining the status of a proposed use, the Planning Director shall exclude accessory, conditional, and prohibited uses in the Business Park District. A request for a determination under Subsection 1704.03(G) shall be processed as an Interpretation pursuant to Subsection 1305.03. Application for an interpretation under this provision shall include a detailed description of the use and operational requirements of the use, approximate number of employees, estimated volume of truck traffic to be generated, a site plan, building elevations, and preliminary landscaping plans;~~
- ~~H. Colleges, educational institutes, private schools, commercial schools, and trade schools; art, music, and dance studios; and radio and television studios, excluding transmission towers;~~

~~I. Cultural/Public Uses: Galleries, museums, assembly or convention facilities, theaters for performing arts, exhibition halls, libraries, senior centers, and fraternal organizations;~~

~~J. High Density Residential, subject to Section 303;~~

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

~~L. Mobile vending units, subject to Section 837.~~

~~1704.04 ACCESSORY USES~~

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

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

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

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

~~D. Recyclable drop off sites, subject to Section 819;~~

~~E. Bus shelters, subject to Section 823;~~

~~F. Signs, subject to Section 1010;~~

~~G. Park and ride lots;~~

~~H. Bike racks, pedestrian amenities, and transit amenities;~~

~~I. Solar energy systems;~~

~~J. Rainwater collection systems; and~~

~~K. Parking structures.~~

~~1704.05 USES SUBJECT TO REVIEW BY THE PLANNING DIRECTOR~~

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

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

~~1704.06 CONDITIONAL USES~~

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

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

~~1704.07 PROHIBITED AND PREEXISTING USES~~

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

~~1704.08 DIMENSIONAL STANDARDS~~

- ~~A. Purpose: The dimensional standards are intended to:
 - ~~1. Provide for protection of adjacent properties;~~
 - ~~2. Provide for efficient utilization of Corridor Commercial areas;~~
 - ~~3. Ensure that the minimum operational requirements of the development are provided on-site; and~~
 - ~~4. Site buildings to encourage and support pedestrian and transit access.~~~~
- ~~B. Minimum Front Yard Setback: 15 feet.~~

~~C. Maximum Front Yard Setback: 20 feet for buildings at or near a transit stop along a major transit street, as more specifically set forth in Section 1005.~~

~~D. Minimum Rear Yard Setback: None, except when the rear yard abuts a more restrictive zoning district, in which case the minimum rear yard setback shall be 15 feet. Ten feet shall be added to the rear yard setback for each 10-foot increment in building height over 35 feet.~~

~~E. Minimum Side Yard Setback: None, except when the side yard abuts a more restrictive zoning district, in which case the minimum side yard setback shall be 15 feet. Ten feet shall be added to the side yard setback for each 10-foot increment in building height over 35 feet.~~

~~F. Minimum Landscaping Area: 10 percent of the lot.~~

~~1704.09 — DEVELOPMENT STANDARDS~~

~~A. General: Development shall be subject to the applicable provisions of Sections 1000, 1100, and 1700.~~

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

~~C. Improvements: The County shall require the provision of, or participation in the development of, public facility improvements to implement adopted design plans or special standards. Such improvements include, but are not limited to, the following:~~

- ~~1. Road dedications and improvements;~~
- ~~2. Signalization;~~
- ~~3. Sidewalks;~~
- ~~4. Crosswalks;~~
- ~~5. Storm drainage facilities;~~
- ~~6. Sewer and water service lines and improvements;~~
- ~~7. Underground utilities;~~
- ~~8. Street lights;~~
- ~~9. Street trees and landscaping;~~
- ~~10. Parks and open space; and~~

~~11. The urban design elements shown on Comprehensive Plan Map X-CRC-3,
Clackamas Regional Center Area Design Plan, Urban Design Elements.~~

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

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

~~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.~~

~~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.~~

~~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.~~

~~1707.04 — ACCESSORY USES~~

~~The following shall be allowed as accessory uses:~~

- ~~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. — 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.~~

~~1707.05 PROHIBITED USES~~

~~The following uses shall be prohibited:~~

- ~~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.~~

~~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.~~

~~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.~~

~~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:~~

- ~~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.~~
- ~~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.~~~~