



Oregon

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Department of Land Conservation and Development

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

Date: May 13, 2015
Jurisdiction: Clackamas County
Local file no.: ZDO-252
DLCD file no.: 002-15

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 05/06/2015. 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 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
002-15 {23593}
File No.:
Received: 5/6/2015

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-252**

Date of adoption: April 30, 2015

Date sent: 5/6/2014

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): 2/2/15
No

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

Yes. Many edits were done throughout the review and adoption process; however, the substance of the amendment package is consistent with the original proposal.

Local contact (name and title): Jennifer Hughes

Phone: 503-742-4518

E-mail: jenniferh@clackamas.us

Street address: 150 Beaver Creek Rd

City: Oregon City

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, 6 and 10 were amended. Chapter 4 primarily implements Goal 2. Chapter 6 implements Goal 10. Chapter 10 implements Goals 2 and 5 through 12 for special plan areas.

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:

Repealed Sections 305 through 310, 312, 314, 504 and 505; Added Sections 316, 317 and 513; Amended Sections 106, 202, 315, 510, 601, 604, 707, 711, 804, 805, 813, 819, 823, 825, 827, 838, 902, 903, 1005, 1006, 1009, 1010, 1012, 1013, 1014, 1015, 1016 and 1102.

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 3 of 5-year audit of Zoning and Development Ordinance. Amended Comprehensive Plan & ZDO provisions for 8 rural residential & 2 rural commercial zones. Addressed uses, dimensional standards and development standards. Included conforming amendments.

ORDINANCE NO. ZDO-252

An Ordinance amending Chapters 4, 6 and 10 of the Clackamas County Comprehensive Plan and Sections 106, 202, 315, 510, 601, 604, 707, 711, 804, 805, 813, 819, 823, 825, 827, 838, 902, 903, 1005, 1006, 1009, 1010, 1012, 1013, 1014, 1015, 1016 and 1102 of the Clackamas County Zoning and Development Ordinance (ZDO); adopting Sections 316, 317 and 513 of the ZDO; and repealing Sections 305, 306, 307, 308, 309, 310, 312, 314, 504 and 505 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 updated, streamline and clarify the County's land use regulations; and

WHEREAS, the third year of the ZDO audit is focused in part on the rural residential, future urban residential, Mt. Hood Community Plan residential and non-urban commercial zoning districts, resulting in a proposal to amend the related ZDO provisions; and

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

WHEREAS, 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 Clackamas County Comprehensive Plan, the Statewide Planning Goals and Guidelines and the Metro Urban Growth Management Functional Plan; and

WHEREAS, after a duly-noticed public hearing on March 9, 2015, 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 April 8, 2015, 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, 6 and 10 of the Clackamas County Comprehensive Plan are hereby amended as shown in Exhibit A, hereto attached.

Section 2: Sections 106, 202, 315, 510, 601, 604, 707, 711, 804, 805, 813, 819, 823, 825, 827, 838, 902, 903, 1005, 1006, 1009, 1010, 1012, 1013, 1014, 1015, 1016 and 1102 of the Clackamas County Zoning and Development Ordinance (ZDO) are hereby amended; Sections 316, 317 and 513 of the ZDO are hereby adopted; and Sections 305, 306, 307, 308, 309, 310, 312, 314, 504 and 505 of the ZDO are hereby repealed, as shown in Exhibit B, hereto attached.


Section 3: This ordinance shall be effective on June 1, 2015.

ADOPTED this 30th day of April, 2015

BOARD OF COUNTY COMMISSIONERS



Chair



Recording Secretary

Clackamas County Comprehensive Plan

**Ordinance ZDO-252
Comprehensive Plan Amendments**

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

Chapter 4: LAND USE

No amendments are made to the preceding sections of Chapter 4.

Future Urban Policies

7.0 The following policies apply to Future Urban lands:

7.1 Control premature development (before services are available) by:

- a. Applying a future urban zone with a ~~10-~~acre minimum lot size within the Portland Metropolitan UGB except those lands identified in Subsection 7.1.b.
- b. Applying a future urban zone with a ~~20-~~acre minimum lot size or greater for areas planned for employment, industrial and commercial uses within the Portland Metropolitan UGB.
- c. Applying within the urban growth boundaries of Canby, Estacada, Sandy, ~~and~~ Molalla, a ~~five~~5-acre minimum lot size or larger in rural, agricultural, ~~and~~ forest zones.

~~7.2 Prohibit subdivisions, as defined in the Zoning and Development Ordinance, until the land qualifies as Immediate Urban.~~

~~7.23~~ Review subdivision and partition applications~~requests~~ to ensure that the location of proposed easements and road dedications, structures, wells, and on-site wastewater treatment systems~~septic drainfields~~ are consistent with the orderly future development of the property at urban densities.

~~7.34~~ For land within the urban growth boundaries of Canby, Estacada, Sandy, ~~and~~ Molalla, require annexation to a city as a requirement for conversion to Immediate Urban unless otherwise agreed to by the City and County.

~~7.4~~ Implement dimensional and development standards to address compatibility, function, and aesthetics.

No amendments are made to the sections of Chapter 4 between this section and the Unincorporated Communities section.

UNINCORPORATED COMMUNITIES

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

There are four types of Unincorporated Communities:

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

GOALS

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

Clackamas County Comprehensive Plan

POLICIES

- 1.0 The following areas may be designated Unincorporated Communities:
 - 1.1 Land which has been acknowledged as a Statewide Planning Goal 3 or 4 exception area and historically considered to be part of the community provided the land only includes existing, contiguous concentrations of:
 - commercial, industrial, or public uses; and/or
 - dwelling units and associated residential lots at a greater density than exception lands outside Unincorporated Communities;
 - 1.2 Lands planned and zoned for farm or forest use provided such land:
 - is contiguous to Statewide Planning Goal 3 or 4 exception lands included in the community boundary;
 - was occupied as of October 28, 1994 by one or more of the following uses: church, cemetery, school, park, playground, community center, fire station, museum, golf course, or utility facility;
 - includes only that portion of the lot or parcel that is occupied by the use(s) above; and
 - remains planned and zoned for farm or forest use.
- 2.0 Prohibit the expansion of Unincorporated Communities into areas of natural hazards.
- 3.0 Guide management of land use patterns in Unincorporated Communities by policies in this Plan and by those in community plans which are prepared as part of the County's continuing planning program as described in Chapter 11, [The Planning Process](#).
- 4.0 Require development to be contingent upon the ability to provide public services (e.g., school, water, fire, telephone).
- 5.0 Develop roads in a manner and to a level compatible with Unincorporated Communities.
- 6.0 Residential uses should be allocated in a manner and to a level thatwhich supports the commercial and industrial uses and provides housing opportunities to meet needs while maintaining compatibility with adjacent land use designations.

Clackamas County Comprehensive Plan

7.0 Limit industrial uses to:

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

8.0 Limit commercial uses to:

- a. Uses authorized under Statewide Planning Goals 3 and 4;
- b. Small-scale, low-impact uses as defined in ~~OAR 660-022-0030(10)Chapter 660, Division 22 of the Oregon Administrative Rules;~~ and

Clackamas County Comprehensive Plan

- c. Uses intended to serve the community and surrounding rural area or the travel needs of people passing through the area.
- 9.0 Encourage commercial and industrial uses to locate in Unincorporated Ceommunities to provide employment opportunities to residents of the communities and the surrounding non-urban area.
- 10.0 Require design review for commercial and industrial development.
- 11.0 Public facilities in Unincorporated Communities should be expanded or developed only when consistent with maintaining the rural character of the community.
- 12.0 Increased water service to an area shall not be used in and of itself to justify reduced lot sizes.
- 13.0 Sewerage systems shall be contained within urban growth boundaries or Unincorporated Community boundaries, and shall not be allowed to expand to land outside of such boundaries, except as provided by the Oregon Revised Statutes for abandoned or diminished mill sites.

Unincorporated Community Residential

- 15.0 Apply a plan designation of Unincorporated Community Residential to residential areas in Unincorporated Communities, except as modified by Chapter 10.
- 16.0 Implement the Unincorporated Community Residential plan designation through application of the Rural Area Residential 1-Acre (RA-1) zoning district.
- 17.0 Implement dimensional and development standards to address compatibility, function, and aesthetics.

RURAL COMMERCIAL

Rural Commercial lands are those that are outside urban growth boundaries and that are suitable based on specific factors for commercial development on a rural scale.

GOALS

- To provide for the continuation of commercial uses in non-urban areas having an historical commitment to such uses.
- To implement the goals and policies of this Plan for commercial development in Unincorporated Communities.

POLICIES

- 1.0 The Rural Commercial plan designation may be applied in non-urban areas to provide for commercial uses that are necessary for, and on a scale commensurate with, rural development.
- 2.0 The Rural Commercial (RC) zoning district implements the Rural Commercial plan designation.
- 3.0 Areas may be designated Rural Commercial when either the first or both of the other criteria are met:
 - a. Areas shall have an historical commitment to commercial uses; or
 - b. Areas shall be located within an Unincorporated Community; and
 - c. The site shall have direct access to a road of at least a collector classification.

4.0 Implement dimensional and development standards to address compatibility, function, and aesthetics.

RURAL INDUSTRIAL

GOALS

- To provide for the continuation of industrial uses in non-urban areas having an historical commitment to such uses.
- To provide for the industrial redevelopment of abandoned or diminished mill sites.
- To implement the goals and policies of this Plan for industrial development in Unincorporated Communities.

POLICIES

- 1.0 The Rural Industrial plan designation may be applied in non-urban areas to provide for industrial uses that are not labor-intensive and are consistent with rural character, rural development, and rural facilities and services.
- 2.0 The Rural Industrial (RI) zoning district implements the Rural Industrial plan designation.
- 3.0 Areas may be designated Rural Industrial when the first, the second, or both of the other criteria are met:
 - a. Areas shall have an historical commitment to industrial uses; or (
 - b. The site shall be an abandoned or diminished mill site, as defined in the Zoning and Development Ordinance, provided that only the portion of the site that was improved for the processing or manufacturing of wood products may be designated Rural Industrial; or
 - c. Areas shall be located within an Unincorporated Community; and
 - d. The site shall have direct access to a road of at least an arterial classification.

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, woodlots, 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.

GOALS

- To provide a buffer between urban and agricultural or forest uses.
- To perpetuate the rural atmosphere while maintaining and improving the quality of air, water, and land resources.
- To conserve open space and protect wildlife habitat.

POLICIES

- 1.0 Areas may be designated Rural if they are presently developed, built upon, or otherwise committed to sparse settlement or small farms with limited, if any, public services available.
- 2.0 Designation of additional Rural lands shall be based on findings that shall include, but not be limited to:
 - a. Reasons why additional Rural land is needed or should be provided;
 - b. An evaluation of alternative areas in the County that should be designated Rural and a statement of why the chosen alternative is more suitable;
 - c. An evaluation of the long-term environmental, economic, social, and energy consequences to the locality, region, or state of designating the area Rural; and
 - d. Reasons why designating the area Rural will be compatible with other adjacent uses;
- 3.0 Areas impacted by major transportation corridors, adjacent to urban growth boundaries or areas designated Rural, and for which public services are committed or planned shall be given priority in designating additional Rural areas.
- 4.0 Residential lot sizes shall be based upon:
 - a. Parcelization;

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- b. Level of existing development;
 - c. Topography;
 - d. Soil conditions;
 - e. Compatibility with the types and levels of available public facilities;
 - f. Proximity to Unincorporated Communities or an incorporated city; and
 - g. Capacity and level of service of the road network
- 5.0 Existing large lots should be reduced to meet future rural housing needs prior to expanding the areas designated as Rural.
- 6.0 Areas with marginal or unsuitable soils for agricultural or forest use shall be given a higher priority for conversion to rural development than areas with more suitable soils.
- 7.0 Public facilities should be expanded or developed only when consistent with maintaining the rural character of the area.
- 8.0 Increased water service to an area shall not be used in and of itself to justify reduced lot sizes.
- 9.0 The County shall encourage grouping of dwelling units with lot sizes less than the minimum allowed by the zoning district when such development is compatible with the policies in this Plan and the overall density of the zoning district.
- 10.0 Lawfully established nonconforming structures and uses that are destroyed by fire, other casualty, or natural disaster shall be allowed to reconstruct, as provided by the Zoning and Development Ordinance.
- 11.0 The Rural Area Residential 2-Acre (RA-2), Rural Residential Farm/Forest 5-Acre (RRFF-5), and Farm/Forest 10-Acre (FF-10) zoning districts implement the goals and policies of the Rural plan designation. These zoning districts shall be applied in Rural areas as follows:
- 11.1 The RA-2 zoning district shall be applied when all the following criteria are met:
 - a. Parcels are generally two acres or smaller.
 - b. The area is significantly affected by development.

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- c. There are no natural hazards, and the topography and soil conditions are well suited for the location of homes.
 - d. A public or private community water system is available.
 - e. Areas are in proximity or adjacent to an Unincorporated Community or incorporated city.
 - f. In areas adjacent to urban growth boundaries, RA-2 zoning shall be limited to those areas in which virtually all existing lots are two acres or less.
- 11.2 The RFFF-5 zoning district shall be applied when all the following criteria are met:
- a. Parcels are generally five acres.
 - b. The area is affected by development.
 - c. There are no serious natural hazards, and the topography and soils are suitable for development.
 - d. Areas are easily accessible to an Unincorporated Community or incorporated city.
- 11.3 The FF-10 zoning district shall be applied when one or more of the following criteria are met:
- a. Parcels are generally ten acres.
 - b. The area is developed with a mixture of uses not consistent with extensive commercial agriculture or forestry uses.
 - c. Access to an Unincorporated Community or an incorporated city is generally poor.

12.0 Implement dimensional and development standards to address compatibility, function, and aesthetics.

No amendments are made to the remainder of Chapter 4.

Chapter 6: HOUSING

No amendments are made to the preceding sections of Chapter 6.

6.G Manufactured Dwelling Policies

6.G.1 Support the provision of needed manufactured dwelling sites throughout the County.

6.G.2 Allow new manufactured home parks as a primary use in Medium Density Residential zoning districts, but not in designated commercial, industrial, or higher-density multifamily areas.

~~6.G.3 Permit a mobile home in lieu of a single-family dwelling in future urban, future urban study, unincorporated community, rural, agriculture, and forest areas and in unincorporated communities, except Government Camp, Rhododendron, Wemme/Welches, Wildwood/Timberline, and Zigzag Village.~~

~~6.G.3 Allow manufactured dwellings outright on individual properties consistent with the requirements of rural and natural resource land use plan designations in all areas outside urban growth boundaries.~~

~~6.G.4 Permit a manufactured home in lieu of a single-family dwelling. Require compliance with design standards for such manufactured homes in immediate urban areas and in the unincorporated communities of Government Camp, Rhododendron, Wemme/Welches, Wildwood/Timberline, and Zigzag Village.~~

~~6.G.4 Allow manufactured homes within urban growth boundaries on individual lots subject to size, construction, and design standards.~~

6.G.5 Existing manufactured dwelling parks shall not redevelop unless a plan for relocation of the existing tenants is submitted and approved prior to redevelopment.

No amendments are made to the remainder of Chapter 6.

Chapter 10: Community Plans and Design Plans

MOUNT HOOD COMMUNITY PLAN

The Mt. Hood area is unique, and the policies of the Mt. Hood Community Plan recognize this character. The economy of the community is dependent upon the conservation of the environment, which creates the setting so attractive to both residents and visitors. The Mt. Hood Community Plan, in conjunction with the ~~rest of the Clackamas County~~ Comprehensive Plan, provides the guidelines to assure reasonable development potential consistent with the need for environmental conservation.

The ~~rest of the Clackamas~~ County Comprehensive Plan is applicable to the Mt. Hood area; however, the Mt. Hood Community Plan takes precedence where ~~conflicts between the two documents~~ exist.

The Mt. Hood Community Plan contains some policies that are in addition to, or different from, the ~~rest of the County~~ Comprehensive Plan in four subject areas: Land Use, Public Facilities, Transportation, and Planning Process.

LAND USE

In the Mt. Hood area, the Forest, Agriculture, Rural, Rural Commercial, Urban Low Density Residential, Community Commercial, and Open Space ~~land use plan~~ designations ~~of the Comprehensive Plan~~ are applicable. Additionally, the Mountain Recreation designation may be applied. All land designated Urban in the Mt. Hood area is Immediate Urban. The three village districts of Government Camp, Rhododendron, and Wemme/Welches are recognized for their separate character and individual environment.

VILLAGES

1.0 Government Camp

- 1.1 The Government Camp Village is identified as an Urban Unincorporated Community in compliance with Chapter 660, Division 22 of the Oregon Administrative Rules (OARs).
- 1.2 Provide for a high intensity development character ~~in Government Camp Village~~.
- 1.3 Development of US Forest Service lands ~~inside the Government Camp Urban Unincorporated boundary~~ may occur only if it complies with the US Forest Service regulations. Upon completion of a land transfer to private ownership, development

of these lands may occur only if it complies with the provisions of this Plan.

- 1.4 Provide for pedestrian circulation and access within the business center.
- 1.5 Require new commercial or residential development of more than three units to provide a plan for snow removal and stockpiling.
- 1.6 Require one on-site parking space for each single-family residence developed on a lot of record existing prior to the adoption of this provision.
- 1.7 Require all new residential development of more than three units to provide covered parking.

~~1.8 Limit building height to seventy (70) feet, within the Low Density Residential and Mountain Recreation designations within Government Camp. Allow modification procedures to accommodate understructure parking.~~

2.0 Rhododendron

- 2.1 Provide for a development character of low intensity ~~(See development level chart, page 3).~~
- 2.2 Encourage development of crosswalks, signals, or a pedestrian overpass or underpass to facilitate movement across Highway 26.

3.0 Wemme/Welches

- 3.0 Provide for a development character of medium intensity ~~(See development level chart, page 3).~~
- 3.1 Orient new development away from Highway 26, which is designated a scenic highway.
- 3.2 Encourage development of recreational-resort facilities to provide accommodations for the users of the area's recreational amenities.
- 3.3 Encourage development of a shuttle bus system to provide access to the ski areas.

Chapter 10: Community Plans and Design Plans

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- 3.2 Encourage development of recreational-resort facilities to provide accommodations for the users of the area's recreational amenities.
- 3.3 Encourage development of a shuttle bus system to provide access to the ski areas.

RESIDENTIAL

- 1.0 Property may be zoned Recreational Residential in areas designated Rural within the Mount Hood Community Plan, when all of the following criteria are met:
 - a. Parcels are generally two acres or smaller,
 - b. The area is significantly affected by development, and
 - c. There are no natural hazards and the topography and soils conditions are well-suited for the location of homes.

- 2.0 Allow density bonuses within the Low Density Residential and Mountain Recreation designations pursuant to ~~the Chapter 6, Housing, County Comprehensive Plan~~ and the Zoning and Development Ordinance. In the Mountain Recreation designation, units allowed through the density bonus provisions shall be developed with the same unit size mixture as provided in the base density for the development. For example, if a development is proposed with a mixture of 50 units of 700 square feet each, and 50 units of 500 square feet each, and a bonus density of 10 units is allowed -- the ten units shall include ~~five~~5 units of 700 square feet each, and ~~five~~5 units of 500 square feet.

- 3.0 The Low Density Residential land use plan designation ~~of the Comprehensive Plan~~ may be applied within the Mt. Hood urban area, according to the policies for designation stated in Chapter 4, Land Use~~the Comprehensive Plan~~.

- 4.0 Implement the Low Density Residential designation by application of only the Hoodland Residential (HR) zone, which shall allow a maximum density of four ~~(4)~~ units per acre.

- 5.0 The Mountain Recreation areas provide overnight housing for the users of the recreational facilities in the Mt. Hood area, in addition to providing for a variety in housing types at a density higher than allowed in the Low Density Residential areas. Uses allowed include multifamily dwelling residential structures, resort housing, and motels.
 - 5.1 The Mountain Recreation designation may be applied within the Mt. Hood urban area, when all of the following criteria are met:
 - a. The land is located within a village district,
 - b. Public sewer and a State--approved water system are available and adequate to support the development potential of this designation, and

- c. The pattern and character of development within the area would not be adversely affected by uses allowed by this designation.

5.2 ~~Encourage a variety of housing types and individual unit sizes within the Mountain Recreational Resort zoning district by calculating density based on floor area. Recognize t~~The unique character of individual village districts ~~shall be recognized~~ by varying density according to the village.

a. In Wemme/Welches and Rhododendron, encourage a variety of housing types and individual unit sizes by calculating density based on floor area, according to the following development level chart:

~~5.3 Government Camp Densities: Mountain Recreational Resort zoning district – 22 units per acre. Rural Tourist Commercial zoning district – 50 units per acre for resort accommodations.~~

~~5.31 The following development level chart establishes the densities for other village districts:~~

Floor Area per unit in sq. ft.	No. of units per acre at development levels	
	<u>Wemme/Welches</u>	<u>Rhododendron</u>
1200+	6	4
1000-1199	7	5
800-999	8	6
600-799	10	8
400-599	14	12
200-399	32	22

b. In Government Camp, allow a density of 22 units per acre.

5.34 Allow incidental commercial uses within a development in the Mountain Recreation area, as a limited use.

5.45 Implement the Mountain Recreation designation with the Mountain Recreational Resort zone.

6.0 Establish density standards for fragile or hazardous areas within the Mt. Hood urban area as follows:

- a. Land within the 100-year floodplain shall be excluded from land area calculations; there is no density credit allowed for this area.

- b. Except as modified by policy 6.1, identified land movement areas, wetlands, and slopes over 25% percent shall not be developed; 50% percent of the density allowed by zoning may be transferred to an unrestricted area within the development.
 - c. Except as modified by policy 6.1, development shall not occur within stream corridor areas; 100% percent of the density allowed by zoning may be transferred to an unrestricted area.
- 6.1 Notwithstanding Policy 6.0, one single--family dwellingresidence may be developed on a lot of record, provided that such development is otherwise consistent with the provisions of the Comprehensive Plan and the Zoning and Development Ordinance. The policies stated in Policy 6.0-above apply only to residential development; all other development shall be controlled by otherthe provisions of the Comprehensive Plan and by the Zoning and Development Ordinance.

7.0 Implement dimensional and development standards to address compatibility, function, and aesthetics.

COMMERCIAL

1.0 The Community Commercial land use plan designation of the Comprehensive Plan may be applied inwithin the Mt. Hood urban area, according to the criteria for designation stated in Chapter 4, Land Use the Comprehensive Plan.

1.1 Implement the Community Commercial designation by application of only the Rural Tourist Commercial (RTC) zoning district.

1.2 Apply the density standards of Policy 5.2 of the Residential section to resort accommodations in Community Commercial areas.

2.0 The Rural Commercial land use plan designation of the Comprehensive Plan may be applied outside of the Mt. Hood urban area, according to the criteria for designation stated in Chapter 4 the Comprehensive Plan.

3.0 The Neighborhood Commercial zone shall not be applied in the Mt. Hood area.

4.0 Implement dimensional and development standards to address compatibility, function, and aesthetics.

OPEN SPACE

- 1.0 All areas within the 100--year floodplain, wetlands, and slopes exceeding 25% ~~percent~~ in the Mt. Hood area shall be designated Resource Protection Open Space. See Maps X-MH-1, X-MH-2, and X-MH-3.
- 2.0 For the Government Camp Urban Unincorporated Community, there are two ~~(2)~~ Open Space designations that are implemented through the Government Camp Open Space Management District: (1) Public and Community Use, and (2) Buffer areas.
 - 2.1 Designate Public and Community Use areas for utility facilities and public and private recreation uses and structures, including ski facilities, ice skating arenas, and indoor and other outdoor athletic and sport training facilities.
 - 2.2 Designate buffer areas as open to maintain the area's environmental character and residential privacy. Development shall be minimized in these areas to the fullest possible extent.
- 3.0 Open space uses shall not substantially contribute to vehicular trip generations.

PUBLIC FACILITIES

- 1.0 Prohibit lot divisions or development requiring subsurface disposal systems, within the Mt. Hood urban area, except for:
 - a. Remodeling or additions to existing development, when such remodeling would not require any alteration or expansion of the subsurface disposal system, or
 - b. Parcels with unique topographic or other natural features which make sewer extension impractical.
- 2.0 ~~Ensure~~Insure that subsurface sewage disposal systems in non-urban areas are allowed only when lot sizes give maximum assurance that no failures will occur that could require annexation to the Hoodland Service District.
- 3.0 Extension of sanitary sewer service to lands outside an unincorporated community boundary may be allowed in the Hoodland Service District or Government Camp Sanitary District boundary only under the following circumstances:

- a. The property is located within an acknowledged unincorporated community boundary or the sanitary sewer line extension is the only practicable alternative to resolve a health hazard as defined by the State of Oregon; or
 - b. The sanitary sewer extension provides service to an existing, committed nonforest public use area, such as Timberline Lodge and its related facilities, Silcox Hut, or a Boy Scout lodging facility provided: (1) these uses are approved as an exception to Statewide Planning Goal 4 ~~of the Statewide Planning Goals~~; and (2) the extension is approved as an exception to Statewide Planning Goal 11 ~~of the Statewide Planning Goals~~.
- 4.0 The Government Camp Water System Master Plan, dated July 2000, shall be acknowledged as the water element of the Government Camp Facilities Plan.
 - 5.0 The Government Camp Sanitary District Wastewater Facilities Plan, dated October 1995, shall be acknowledged as the sanitary sewer element of the Government Camp Facilities Plan.
 - 6.0 The Clackamas County shall acknowledge periodic updates of the sanitary sewer, water and transportation elements of the Government Camp Facilities Plan.
 - 7.0 Review of development applications shall be coordinated with all service agencies to ensure facility service capacity is available to new developments.

TRANSPORTATION

~~In addition to those policies which form a part of the Comprehensive Plan for the County, the~~ development of ~~the~~ roads shall be in accordance with the following policies.

- ~~1.0~~ ~~The functional classification and other design requirements found in Chapter 5, Transportation System Plan.~~
- 12.0 Encourage intersection improvements at the following intersections with Highway 26:
 - A. East Brightwood Loop
 - B. East Lolo Pass Road
 - C. East Welches Road

- D. Highway 35
 - E. Entrance to Multotorpor Ski Bowl facilities.
 - F. Government Camp Loop
- 3.0 Encourage development of a loop road south of Highway 26 in Government Camp. The loop would complete access from the west to the east side of Government Camp, and would improve access to the Multotorpor/Ski Bowl facilities. Interchanges should be developed at the intersections with Highway 26.
- 4.0 Cooperate with the Oregon Department of Transportation (ODOT) to maintain a reasonable level of service and safety on HighwayUS 26, in the Mt. Hood Corridor.
- 4.1 Limit access to Highway 26, and encourage shared access where access to Highway 26 is necessary.
 - 4.2 Encourage redesign of older platted areas along Highway 26, to reduce the number of access points.
 - 4.3 Encourage the development of alternatives to automobile transportation to ski facilities, to reduce parking needs at ski areas and to reduce congestion on Highway 26. Individual developers and existing resort facilities should be encouraged to provide shuttle systems ~~and~~/or other facilities such as an aerial tram between Government Camp and Timberline Lodge.
 - 4.4 Coordinate with the community and ~~ODOT Oregon Department of Transportation~~ to design safe and convenient pedestrian and bicycle crossings across HighwayHwy 26.
- 5.0 Cooperate with ~~ODOT the State Highway Department~~ to provide a rest area and information center between Sleepy Hollow and ZigzagZig-Zag.
- 6.0 Encourage development of a community-wide network of pedestrian trails.
- 6.1 Ensure continued public access to recreation trails shown on Map X-MH-5 and located within the Government Camp Urban Unincorporated Community boundary. Provisions may be made through appropriate legal documents, and may include requirements such as retaining conservation easements on these lands.

- 6.2 Encourage the efficient connection of Forest Service trails located outside the Government Camp Urban Unincorporated Community Boundary to trail systems located within the boundary, to provide an integrated network of walkways, bikeways, and trails.

PLANNING PROCESS

~~1.0 The Clackamas County Comprehensive Plan is applicable to the Mt. Hood area; however, the Mt. Hood Community Plan takes precedence where conflicts between the two documents exist.~~

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No amendments are made to the remainder of Chapter 10.

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No amendments are made to the remainder of Chapter 10.

~~305 RECREATIONAL RESIDENTIAL DISTRICT (RR)~~

~~305.01 PURPOSE~~

~~Section 305 is adopted to:~~

- ~~A. Implement the policies of the Comprehensive Plan for Rural areas regulated by the Mount Hood Community Plan; and~~
- ~~B. Maintain and enhance the natural environmental and living qualities of those areas which are recreational residential in character through conservation of natural resources and carefully controlled development.~~

~~305.02 AREA OF APPLICATION~~

~~A. Property may be zoned Recreational Residential if:~~

- ~~1. The site has a Comprehensive Plan designation of Rural;~~
- ~~2. The site is regulated by the Mount Hood Community Plan;~~
- ~~3. The criteria in Section 1202 are satisfied;~~
- ~~4. Parcels are generally two acres or smaller;~~
- ~~5. The area is significantly affected by development; and~~
- ~~6. There are no natural hazards, and the topography and soils conditions are well-suited for the location of homes.~~

~~305.03 PRIMARY USES~~

~~The following are primary uses in the Recreational Residential District:~~

- ~~A. One detached single family dwelling, residential home, or manufactured dwelling. A manufactured dwelling shall be subject to Section 824;~~
- ~~B. Bus shelters under the ownership and/or control of a city, county, state, or municipal corporation, subject to Section 823;~~
- ~~C. Utility carrier cabinets, subject to Section 830; and~~
- ~~D. Wireless telecommunication facilities listed in Subsection 835.04, 835.05(2), or 835.05(3), subject to Section 835.~~

~~305.04 ACCESSORY USES~~

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

- ~~B. Produce stands, subject to Section 815;~~
- ~~C. Livestock, subject to Section 821;~~
- ~~D. Home occupations, including bed and breakfast homestays, subject to Section 822;~~
- ~~E. Guest houses, subject to Section 833;~~
- ~~F. Signs, subject to Section 1010;~~
- ~~G. Solar energy systems;~~
- ~~H. Rainwater collection systems;~~
- ~~I. Electric vehicle charging stations for residents and their nonpaying guests; and~~
- ~~J. Family daycare providers.~~

~~305.05 CONDITIONAL USES~~

- ~~A. The following are conditional uses in the RR District, approval of which is subject to Section 1203:
 - ~~1. Churches, with a minimum site area of two acres, subject to Section 804;~~
 - ~~2. Schools, with a minimum site area of 10 acres, subject to Section 805;~~
 - ~~3. Daycare facilities, subject to Section 807;~~
 - ~~4. Service and recreational uses, subject to Section 813;~~
 - ~~5. Quarry activities or uses: rock, gravel, sand, soil, aggregates, and similar extractive activities and uses, but none within any stream corridor area or within 100 feet of the average annual high water mark of any stream, river, or other body of water, whichever is greater, subject to Section 818;~~
 - ~~6. Sanitary landfills, debris fills and solid waste transfer stations, with a minimum site area of three acres, subject to Section 819;~~
 - ~~7. Public or private energy source developments. Hydroelectric facilities shall be subject to Section 829;~~
 - ~~8. Bed and breakfast residences and inns, subject to Section 832;~~
 - ~~9. Wireless telecommunication facilities listed in Subsection 835.06(A), subject to Section 835;~~~~

- ~~10. Aircraft landing areas for use by emergency aircraft only (fire, rescue, etc.);~~
- ~~11. Guest ranches, lodges, campgrounds, and similar recreation operations, with a minimum site area of one acre; and~~
- ~~12. Home occupations to host events, subject to Section 806.~~

~~305.06 — PROHIBITED USES~~

~~In the Recreational Residential District, uses of structures and land not specifically permitted are prohibited.~~

~~305.07 — DIMENSIONAL STANDARDS~~

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

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

~~B. — Minimum Lot Size: New lots of record shall be a minimum of two acres in size, except as modified by Section 902.~~

~~C. — Density: Maximum density shall be calculated pursuant to Section 1012.~~

~~D. — Minimum Front Yard Setback: 20 feet from the front lot line or 40 feet from the centerline of the fronting road, whichever is greater, except as provided below:~~

- ~~E. Corner or Through Lots: Structures on corner or through lots shall observe the minimum front yard setback on one road and shall have the option of maintaining a 15-foot setback or 35 feet from the centerline of the fronting road, whichever is greater, on the other road. Structures located above 3,500 feet in elevation shall have the option of maintaining a 10-foot setback, or 30 feet from the centerline of the fronting road, whichever is greater, on the other road.~~
- ~~F. Minimum Side Yard Setback: 10 percent of the lot width calculated at the building line. However, regardless of lot width, a side yard setback shall not be less than five feet, and a side yard setback of more than 10 feet shall not be required.~~
- ~~G. Minimum Structure Separation: Above 3,500 feet in elevation, 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 Rear Yard Setback: 10 percent of the average lot depth. However, regardless of lot depth, a rear yard setback shall not be less than 10 feet, and a rear yard setback of more than 20 feet shall not be required.~~
- ~~I. Lot Coverage: A 20 percent lot coverage limitation shall apply to lots contained in any subdivision recorded prior to September 16, 1974. In a planned unit development, the lot coverage limitation shall be calculated as a percentage of the average lot size. In calculating the average, common areas shall be included in the total area but the result shall be divided only by the number of building lots.~~
- ~~J. Exceptions: Dimensional standards are subject to modification pursuant to Section 900.~~
- ~~K. Variances: The requirements of Subsections 305.07(C) through (I) may be modified pursuant to Section 1205.~~

~~305.08 DEVELOPMENT STANDARDS~~

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

- ~~A. — Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~
- ~~A. — Design Features: All dwellings, except temporary dwellings approved pursuant to Section 1204, shall include at least three of the following features visible to the road. If a dwelling is located on a corner lot, the features shall be visible to the road from which the dwelling takes access.~~
- ~~1. — A covered porch at least two feet deep;~~
 - ~~1. — An entry area recessed at least two feet from the exterior wall to the door;~~
 - ~~1. — A bay or bow window (not flush with the siding);~~
 - ~~1. — An offset on the building face of at least 16 inches from one exterior wall surface to the other;~~
 - ~~1. — A dormer;~~
 - ~~1. — A gable;~~
 - ~~1. — Roof eaves with a minimum projection of 12 inches from the intersection of the roof and the exterior walls;~~
 - ~~1. — Roofline offsets of at least 16 inches from the top surface of one roof to the top surface of the other;~~
 - ~~1. — An attached garage;~~
 - ~~1. — Orientation of the long axis and front door to the road;~~
 - ~~1. — A cupola;~~
 - ~~1. — A tile or shake roof;~~
 - ~~1. — Horizontal lap siding~~

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-248, 10/13/14]

~~306 — MOUNTAIN RECREATIONAL RESORT DISTRICT (MRR)~~

~~306.01 — PURPOSE~~

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

~~306.02 — AREA OF APPLICATION~~

~~Property may be zoned Mountain Recreational Resort if:~~

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

~~306.03 — PRIMARY USES~~

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

- ~~A. — Multifamily dwellings;~~
- ~~B. — Three family dwellings;~~
- ~~C. — Two family dwellings;~~
- ~~D. — One detached single family dwelling, residential home, or manufactured home. A manufactured home is subject to Section 824;~~
- ~~E. — Congregate housing facilities;~~
- ~~F. — Condominiums, subject to Section 803;~~
- ~~G. — Nursing homes, subject to Section 810;~~
- ~~H. — Bus shelters, subject to Section 823;~~
- ~~I. — Utility carrier cabinets, subject to Section 830;~~
- ~~J. — Bed and breakfast residences and inns, subject to Section 832;~~
- ~~K. — Wireless telecommunication facilities listed in Subsection 835.04(B), 835.04(C), 835.05(A)(2), or 835.05(A)(3), subject to Section 835;~~
- ~~L. — Lodging, boarding, and rooming houses for any number of guests;~~
- ~~M. — Public parks, playgrounds, recreational and community buildings and grounds, community gardens, public golf courses, tennis courts, and similar recreational uses, all of a noncommercial nature, provided that any principal~~

~~building or swimming pool shall be located a minimum of 30 feet from any other lot in a residential district;~~

~~N. — Park and ride facilities; and~~

~~O. — Hotels, motels, and associated convention facilities, except that a new hotel or motel in Rhododendron shall be limited to a maximum of 35 units.~~

~~306.04 — ACCESSORY USES~~

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

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

~~B. — Indoor and outdoor recreational facilities, such as swimming pools, saunas, game and craft rooms, exercise rooms, community meeting rooms, lounges, playgrounds, tennis and other courts, bike and walking trails, and pedestrian plazas and courts;~~

~~C. — Offices, buildings, and facilities required for the operation, administration, and maintenance of any planned recreational resort development;~~

~~D. — Parking structures;~~

~~E. — Repair and maintenance services;~~

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

~~G. — Self-service laundry facilities;~~

~~H. — Solar energy systems;~~

~~I. — Rainwater collection systems;~~

~~J. — Electric vehicle charging stations;~~

~~K. — Produce stands, subject to Section 815;~~

~~L. — Livestock, subject to Section 821;~~

~~M. — Home occupations, subject to Section 822;~~

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

~~O. — Family daycare providers; and~~

~~P. Signs, subject to Subsection 306.09(E).~~

~~306.05 LIMITED USES~~

~~A. Uses incidental to a primary use, including level three and four mobile vending units, subject to Section 837; eating and drinking establishments; sports equipment rental, sale, service, or repair; specialty shops; arts and crafts galleries; personal service establishments; campgrounds; and similar recreational operations are permitted provided:~~

- ~~1. Limited uses are provided for as an integral part of the general plan of the development;~~
- ~~2. Limited uses will not by reason of their location, construction, manner or timing of operations, signs, lighting, parking arrangements, or other characteristics have adverse effects on residential uses within or adjoining the zoning district or create traffic congestion or hazards to vehicular or pedestrian traffic; and~~
- ~~3. Any application for a limited use is approved in conjunction with or after building permits for the primary use.~~

~~306.06 CONDITIONAL USES~~

~~A. The following are conditional uses in the MRR District, approval of which is subject to Section 1203.~~

- ~~1. Churches, subject to Section 804;~~
- ~~2. Schools, subject to Section 805;~~
- ~~3. Daycare facilities, subject to Section 807;~~
- ~~4. Service and recreational uses, subject to Section 813, except that associated shops, garages, and general administrative offices may be included with public or private utility services, water storage facilities, and sanitary sewerage treatment systems;~~
- ~~5. Quarry activities or uses: rock, gravel, sand, soil, aggregates, and similar extractive activities and uses, but none within any stream corridor area or within 100 feet of the average annual high water mark of any stream, river, or other body of water, whichever is greater, subject to Section 818;~~
- ~~6. Sanitary landfills, debris fills, and solid waste transfer or processing stations, subject to Section 819;~~
- ~~7. Manufactured dwelling parks, subject to Section 825;~~

- ~~8. Public or private energy source development. Hydroelectric facilities shall be subject to Section 829;~~
- ~~9. Wireless telecommunication facilities listed in Subsection 835.06(A), subject to Section 835;~~
- ~~10. Personal use airports and helistops;~~
- ~~11. Recreational uses, including, but not limited to, ski areas and associated uses;~~
- ~~12. Multi-use developments, subject to Section 1016; and~~
- ~~13. The hosting of weddings, family reunions, class reunions, company picnics, and similar events.~~

~~306.07 — PROHIBITED AND PREEXISTING USES~~

~~A. — Prohibited Uses: The following uses shall be prohibited:~~

- ~~1. Uses of structures and land not specifically permitted;~~
- ~~2. The use of a residential trailer or mobile home as a dwelling, except within a lawfully established preexisting manufactured dwelling park or as authorized under Section 1204.~~

~~B. — Preexisting Uses:~~

- ~~1. The minimum lot size for a new lot created for a preexisting dwelling shall be calculated pursuant to Subsection 306.08(B).~~
- ~~1. A lot created for a preexisting dwelling shall not be included in the gross site area used to determine the maximum density for the remaining lot.~~

~~306.08 — DIMENSIONAL STANDARDS~~

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

- ~~1. Provide for the protection of the natural environment and the surrounding areas from potentially adverse influences;~~
- ~~1. Provide for and protect the unique character, livability, and scenic quality of the Mount Hood community;~~
- ~~1. Provide for fire safety and protection of all structures;~~
- ~~1. Protect the privacy and livability of on- and offsite dwellings and yard areas;~~

- ~~1. Provide for adequate light and air circulation between structures;~~
- ~~1. Provide for adequate snow slide area between structures above the 3,500-foot elevation;~~
- ~~1. Ensure consistency in the scale of structures, both vertically and horizontally; and~~
- ~~1. Provide for adequate open space within a development.~~

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

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

~~C. Scenic Roads: Structures built on lots adjacent to roads designated as scenic roads on Comprehensive Plan Map 5-1, *Scenic Roads*, should be set back a sufficient distance from the right-of-way to permit a landscaped or natural buffer area.~~

~~D. Minimum Perimeter Yard Setbacks: 10 feet to 30 feet depending on the following criteria:~~

- ~~1. Yard setback requirements in the abutting zoning district; and~~
- ~~1. Adjacent land use.~~

~~E. Setback Exception: No perimeter yard setback is required from property lines that abut a national forest.~~

~~F. Minimum Structure Separation: A minimum of 10 feet shall be required between all buildings, on or off site. Above 3,500 feet in elevation, the~~

~~P. Signs, subject to Subsection 306.09(E).~~

~~306.05 LIMITED USES~~

~~A. Uses incidental to a primary use, including level three and four mobile vending units, subject to Section 837; eating and drinking establishments; sports equipment rental, sale, service, or repair; specialty shops; arts and crafts galleries; personal service establishments; campgrounds; and similar recreational operations are permitted provided:~~

- ~~1. Limited uses are provided for as an integral part of the general plan of the development;~~
- ~~2. Limited uses will not by reason of their location, construction, manner or timing of operations, signs, lighting, parking arrangements, or other characteristics have adverse effects on residential uses within or adjoining the zoning district or create traffic congestion or hazards to vehicular or pedestrian traffic; and~~
- ~~3. Any application for a limited use is approved in conjunction with or after building permits for the primary use.~~

~~306.06 CONDITIONAL USES~~

~~A. The following are conditional uses in the MRR District, approval of which is subject to Section 1203.~~

- ~~1. Churches, subject to Section 804;~~
- ~~2. Schools, subject to Section 805;~~
- ~~3. Daycare facilities, subject to Section 807;~~
- ~~4. Service and recreational uses, subject to Section 813, except that associated shops, garages, and general administrative offices may be included with public or private utility services, water storage facilities, and sanitary sewerage treatment systems;~~
- ~~5. Quarry activities or uses: rock, gravel, sand, soil, aggregates, and similar extractive activities and uses, but none within any stream corridor area or within 100 feet of the average annual high water mark of any stream, river, or other body of water, whichever is greater, subject to Section 818;~~
- ~~6. Sanitary landfills, debris fills, and solid waste transfer or processing stations, subject to Section 819;~~
- ~~7. Manufactured dwelling parks, subject to Section 825;~~

- ~~8. Public or private energy source development. Hydroelectric facilities shall be subject to Section 829;~~
- ~~9. Wireless telecommunication facilities listed in Subsection 835.06(A), subject to Section 835;~~
- ~~10. Personal use airports and helistops;~~
- ~~11. Recreational uses, including, but not limited to, ski areas and associated uses;~~
- ~~12. Multi-use developments, subject to Section 1016; and~~
- ~~13. The hosting of weddings, family reunions, class reunions, company picnics, and similar events.~~

~~306.07 — PROHIBITED AND PREEXISTING USES~~

~~A. Prohibited Uses: The following uses shall be prohibited:~~

- ~~1. Uses of structures and land not specifically permitted;~~
- ~~2. The use of a residential trailer or mobile home as a dwelling, except within a lawfully established preexisting manufactured dwelling park or as authorized under Section 1204.~~

~~B. Preexisting Uses:~~

- ~~1. The minimum lot size for a new lot created for a preexisting dwelling shall be calculated pursuant to Subsection 306.08(B).~~
- ~~1. A lot created for a preexisting dwelling shall not be included in the gross site area used to determine the maximum density for the remaining lot.~~

~~306.08 — DIMENSIONAL STANDARDS~~

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

- ~~1. Provide for the protection of the natural environment and the surrounding areas from potentially adverse influences;~~
- ~~1. Provide for and protect the unique character, livability, and scenic quality of the Mount Hood community;~~
- ~~1. Provide for fire safety and protection of all structures;~~
- ~~1. Protect the privacy and livability of on- and offsite dwellings and yard areas;~~

~~separation distance between buildings with contiguous snowslide areas shall be a minimum of 20 feet. "Snowslide area" means the area around a structure that may be subject to snow buildup as a result of snow sliding from the sloped roof of the structure.~~

~~G. Maximum Building Height: 40 feet. This provision may be modified to allow a maximum height of 50 feet when necessary to accommodate understructure parking.~~

~~H. Building Height Exception: The maximum building height for hotel developments in Government Camp shall be 70 feet. This provision shall be modified to allow a maximum height of 87.5 feet when necessary to accommodate understructure parking or where a higher structure will preserve significant natural features or views.~~

~~I. Minimum Landscaping Area: 25 percent of the lot.~~

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

~~K. Variances: Dimensional standards may be modified pursuant to Section 1205.~~

~~306.09 DEVELOPMENT STANDARDS~~

~~A. General: Development shall be subject to the applicable provisions of Sections 1000 and 1100. In addition, except as otherwise indicated below, the standards applicable to the Medium Density Residential District shall apply.~~

~~A. 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.~~

~~A. Restricted Areas: Generally residential development is prohibited in the Floodplain Management District regulated by Section 703, river and stream corridors, wetlands, mass movement hazard areas regulated by Section 1003, and slopes greater than 25 percent. However, a single-family dwelling may be developed in a restricted area on a lot of record created prior to the adoption of this standard, subject to compliance with the applicable criteria in this Ordinance for such development. In the case of a land division, density accruing to restricted areas may be eligible for transfer to unrestricted areas as provided in Section 1012.~~

~~B. Building Design: The following standards shall apply to commercial developments in Government Camp. These are recommended for all other developments.~~

316 RURAL AREA RESIDENTIAL 1-ACRE (RA-1), RURAL AREA RESIDENTIAL 2-ACRE (RA-2), RECREATIONAL RESIDENTIAL (RR), RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5), FARM FOREST 10-ACRE (FF-10), AND FUTURE URBAN 10-ACRE (FU-10) DISTRICTS

316.01 PURPOSE

Section 316 is adopted to implement the policies of the Comprehensive Plan for Unincorporated Community Residential, Rural, and Future Urban areas.

316.02 APPLICABILITY

Section 316 applies to land in the Rural Area Residential 1-Acre (RA-1), Rural Area Residential 2-Acre (RA-2), Recreational Residential (RR), Rural Residential Farm Forest 5-Acre (RRFF-5), Farm Forest 10-Acre (FF-10), and Future Urban 10-Acre (FU-10) Districts, hereinafter collectively referred to as the rural residential and future urban residential zoning districts.

316.03 USES PERMITTED

A. Uses permitted in each rural residential and future urban residential zoning district are listed in Table 316-1, *Permitted Uses in the Rural Residential and Future Urban Residential Zoning Districts*. Uses not listed are prohibited.

B. As used in Table 316-1:

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 316-1.

C. Permitted uses are subject to the applicable provisions of Subsection 316.04, *Dimensional Standards*; Subsection 316.05, *Development Standard*; Section 1000, *Development Standards*; and Section 1100, *Development Review Process*.

Table 316-1: Permitted Uses in the Rural Residential and Future Urban Residential Zoning Districts

<u>Use</u>	<u>RA-1</u>	<u>RA-2</u>	<u>RR</u>	<u>RRFF-5</u>	<u>FF-10</u>	<u>FU-10</u>
<u>Accessory Buildings and Uses, Customarily Permitted, such as amateur (Ham) radio antennas and towers, arbors, bicycle racks, carports, citizen band transmitters and antennas, cogeneration facilities, courtyards, decks, decorative ponds, driveways, electric vehicle charging stations, family daycare providers, fountains, garages, garden sheds, gazebos, greenhouses, HVAC units, meeting facilities, outdoor kitchens, parking areas, patios, pergolas, pet enclosures, plazas, property management and maintenance offices, 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), rainwater collection systems, satellite dishes, self-service laundry facilities, shops, solar energy systems, storage buildings/rooms, television antennas and receivers, transit amenities, trellises, and utility service equipment</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>Accessory Kitchens</u>	<u>A¹</u>	<u>A¹</u>	<u>A¹</u>	<u>A¹</u>	<u>A¹</u>	<u>A¹</u>
<u>Aircraft Land Uses</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Aircraft Landing Areas</u>	<u>X</u>	<u>C</u>	<u>C²</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Bed and Breakfast Inns, subject to Section 832</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>X</u>
<u>Bed and Breakfast Residences, subject to Section 832</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Bus Shelters, subject to Section</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

~~308 RURAL AREA RESIDENTIAL 2-ACRE DISTRICT (RA-2)~~

~~308.01 PURPOSE~~

~~Section 308 is adopted to implement the policies of the Comprehensive Plan for Rural areas.~~

~~308.02 AREA OF APPLICATION~~

~~Property may be zoned Rural Area Residential 2-Acre District when the site has a Comprehensive Plan designation of Rural; the criteria in Policy 11.1 of the Rural section of Chapter 4 of the Comprehensive Plan are satisfied; and the criteria in Section 1202 are satisfied.~~

~~308.03 PRIMARY USES~~

~~The following are primary uses in the Rural Area Residential 2-Acre District:~~

- ~~A. Agriculture, horticulture, greenhouses, nurseries, timber growing, grazing, and the raising of livestock and animals. Inside the Portland Metropolitan Urban Growth Boundary, refer to Subsection 1002.03 regarding a development restriction that may apply if excessive tree removal occurs;~~
- ~~B. One detached single-family dwelling, residential home, or manufactured dwelling. A manufactured dwelling shall be subject to Section 824;~~
- ~~C. Public parks, playgrounds, recreational and community buildings and grounds, community gardens, public golf courses, tennis courts, and similar recreational uses, all of a noncommercial nature, provided that any principal building or swimming pool shall be located a minimum of 45 feet from any other lot in the residential district;~~
- ~~D. Bus shelters under the ownership and/or control of a city, county, state, or municipal corporation, subject to Section 823;~~
- ~~E. Utility carrier cabinets, subject to Section 830; and~~
- ~~F. Wireless telecommunication facilities listed in Subsection 835.04, 835.05(A)(2), or 835.05(A)(3), subject to Section 835.~~

~~308.04 ACCESSORY USES~~

~~The following are accessory uses in the Rural Area Residential 2-Acre District:~~

- ~~A. Uses and structures customarily accessory and incidental to a primary use;~~
- ~~B. Home occupations, including bed and breakfast homestays, subject to Section 822;~~

- ~~C. Produce stands, subject to the parking requirements of Section 1015;~~
- ~~D. Signs, subject to Section 1010;~~
- ~~E. Guest houses, subject to Section 833;~~
- ~~F. Solar energy systems;~~
- ~~G. Rainwater collection systems;~~
- ~~H. Electric vehicle charging stations for residents and their nonpaying guests; and~~
- ~~I. Family daycare providers.~~

~~308.05 CONDITIONAL USES~~

- ~~A. The following are conditional uses in the RA-2 District, approval of which is subject to Section 1203.
 - ~~1. Churches, subject to Section 804;~~
 - ~~2. Schools, subject to Section 805, except as restricted by Subsection 308.06(C);~~
 - ~~3. Daycare facilities, subject to Section 807;~~
 - ~~4. Cemeteries and crematoriums, subject to Section 808;~~
 - ~~5. Hospitals, subject to Section 809;~~
 - ~~6. Service and recreational uses, subject to Section 813;~~
 - ~~7. Surface mining, subject to Section 818;~~
 - ~~8. Sanitary landfills and debris fills, subject to Section 819;~~
 - ~~9. Hydroelectric facilities, subject to Section 829;~~
 - ~~10. Bed and breakfast residences and inns, subject to Section 832;~~
 - ~~11. Wireless telecommunication facilities listed in Subsection 835.06(A), subject to Section 835;~~
 - ~~12. Kennels, provided that the portion of the premises used is located a minimum of 200 feet from all property lines;~~
 - ~~13. Aircraft landing areas; and~~
 - ~~14. Home occupations to host events, subject to Section 806.~~~~

~~308.06 PROHIBITED USES~~

~~The following are prohibited uses in the Rural Area Residential 2-Acre District:~~

- ~~A. Uses of structures and land not specifically permitted;~~
- ~~B. A subdivision or partition within the Portland Metropolitan Urban Growth Boundary resulting in the creation of one or more lots or parcels of less than 20 acres in size; and~~
- ~~C. Schools within the areas identified as Employment, Industrial, and Regionally Significant Industrial on the Metro Region 2040 Growth Concept Map.~~

~~308.07 DIMENSIONAL STANDARDS~~

- ~~A. Purpose: The dimensional standards are intended to:
 - ~~1. Provide for and protect the unique character, livability, and scenic quality of rural areas of the County;~~
 - ~~1. Provide for fire safety and protection of all structures; and~~
 - ~~1. Protect the privacy and livability of dwellings and yard areas.~~~~
- ~~B. Minimum Lot Size: New lots of record shall be a minimum of two acres in size, except as restricted by Subsection 308.06(B) or as modified by Section 902.~~
- ~~C. Minimum Front Yard Setback: 30 feet.~~
- ~~D. Minimum Side Yard Setback: 10 feet.~~
- ~~E. Minimum Rear Yard Setback: 30 feet; however, accessory structures shall have a minimum rear yard setback of 10 feet.~~
- ~~F. Scenic Roads: Structures built on lots adjacent to roads designated as scenic on Comprehensive Plan Map 5-1, *Scenic Roads*, should be set back a sufficient distance from the right-of-way to permit a landscaped or natural buffer area.~~
- ~~G. Exceptions: Dimensional standards are subject to modification pursuant to Section 900.~~
- ~~H. Variances: The requirements of Subsections 308.07(C) through (E) may be modified pursuant to Section 1205.~~

~~308.09 DEVELOPMENT STANDARDS~~

- ~~A. General: Development shall be subject to the applicable provisions of Sections 1000 and 1100.~~
- ~~A. Parking: One off street parking space located behind the front yard setback line shall be provided for each dwelling unit.~~
- ~~A. 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-245, 7/1/13; Amended by Ord. ZDO-248, 10/13/14]

~~309 — RURAL RESIDENTIAL FARM FOREST 5-ACRE DISTRICT (RRFF-5)~~

~~309.01 — PURPOSE~~

~~Section 309 is adopted to implement the policies of the Comprehensive Plan for Rural areas.~~

~~309.02 — AREA OF APPLICATION~~

~~Property may be zoned Rural Residential Farm Forest 5-Acre District when the site has a Comprehensive Plan designation of Rural; the criteria in Policy 11.2 of the Rural section of Chapter 4 of the Comprehensive Plan are satisfied; and the criteria in Section 1202 are satisfied.~~

~~309.03 — PRIMARY USES~~

~~The following are primary uses in the Rural Residential Farm Forest 5-Acre District:~~

- ~~A. — One detached single family dwelling, residential home, or manufactured dwelling. A manufactured dwelling shall be subject to Section 824;~~
- ~~B. — Current employment of land for general farm uses, including:
 - ~~1. — Raising, harvesting, and selling of crops;~~
 - ~~2. — Feeding, breeding, selling, and management of livestock, poultry, fur-bearing animals, or honeybees;~~
 - ~~3. — Selling of products of livestock, poultry, fur-bearing animals, or honeybees;~~
 - ~~4. — Dairying and the selling of dairy products;~~
 - ~~5. — Preparation and storage of the products raised on such lands for man's use and animal use;~~
 - ~~6. — Distribution by marketing or otherwise of products raised on such lands; and~~
 - ~~7. — Any other agricultural use, horticultural use, animal husbandry, or any combination thereof;~~~~
- ~~C. — The propagation or harvesting of a forest product. Inside the Portland Metropolitan Urban Growth Boundary, refer to Subsection 1002.03 regarding a development restriction that may apply if excessive tree removal occurs;~~
- ~~D. — Public and private conservation areas and structures for the conservation of water, soil, forest, or wildlife habitat resources;~~

- ~~E. Fish and wildlife management programs;~~
- ~~F. Public and private parks, community gardens, campgrounds, playgrounds, recreational grounds, hiking and horse trails, pack stations, corrals, stables, and similar casual uses provided that such uses are not intended for the purpose of obtaining a commercial profit;~~
- ~~G. Bus shelters under the ownership and/or control of a city, county, state, or municipal corporation, subject to Section 823;~~
- ~~H. Utility carrier cabinets, subject to Section 830; and~~
- ~~I. Wireless telecommunication facilities listed in Subsection 835.04, 835.05(A)(2), or 835.05(A)(3), subject to Section 835.~~

~~309.04 ACCESSORY USES~~

~~The following are accessory uses in the Rural Residential Farm Forest 5-Acre District:~~

- ~~A. Uses and structures customarily accessory and incidental to a primary use;~~
- ~~B. Home occupations, including bed and breakfast homestays, subject to Section 822;~~
- ~~C. Produce stands, subject to the parking requirements of Section 1015;~~
- ~~D. Signs, subject to Section 1010;~~
- ~~E. Guest houses, subject to Section 833;~~
- ~~F. Solar energy systems;~~
- ~~G. Rainwater collection systems;~~
- ~~H. Electric vehicle charging stations for residents and their nonpaying guests; and~~
- ~~I. Family daycare providers.~~

~~309.05 CONDITIONAL USES~~

- ~~A. The following are conditional uses in the RRF 5 District, approval of which is subject to Section 1203.
 - ~~1. Churches, subject to Section 804;~~
 - ~~2. Schools, subject to Section 805, except as restricted by Subsection 309.06(E);~~~~

- ~~3. Daycare facilities, subject to Section 807;~~
- ~~4. Cemeteries, subject to Section 808;~~
- ~~5. Service and recreational uses that exceed the limits of Subsection 309.03(F), subject to Section 813;~~
- ~~6. Operations conducted for the exploration, mining, and processing of geothermal resources, aggregate and other mineral resources, or other subsurface resources, subject to Section 818;~~
- ~~7. Sanitary landfills and debris fills, subject to Section 819;~~
- ~~8. Hydroelectric facilities, subject to Section 829;~~
- ~~9. Bed and breakfast residences and inns, subject to Section 832;~~
- ~~10. Composting facilities, subject to Section 834;~~
- ~~11. Wireless telecommunication facilities listed in Subsection 835.06(A), subject to Section 835;~~
- ~~12. Kennels, provided that the portion of the premises used is located a minimum of 200 feet from all property lines;~~
- ~~13. Aircraft land uses;~~
- ~~14. Commercial recreational uses that exceed the limits of Subsection 309.03(F);~~
- ~~15. Commercial or processing activities that are in conjunction with timber and farm uses; and~~
- ~~16. Home occupations to host events, subject to Section 806.~~

~~309.06 — PROHIBITED USES~~

~~The following are prohibited uses in the Rural Residential Farm Forest 5-Acre District:~~

- ~~A. Uses of structures and land not specifically permitted;~~
- ~~B. Except as approved pursuant to Subsection 902.01(B)(4), a subdivision or partition within the urban growth boundaries of Sandy, Molalla, Estacada, and Canby resulting in the creation of one or more lots or parcels of less than five acres in size;~~

- ~~C. A subdivision or partition within the Portland Metropolitan Urban Growth Boundary resulting in the creation of one or more lots or parcels of less than 20 acres in size;~~
- ~~D. Subdivisions in areas defined as Future Urban in Chapter 4 of the Comprehensive Plan; and~~
- ~~E. Schools within the areas identified as Employment, Industrial, and Regionally Significant Industrial on the Metro Region 2040 Growth Concept Map.~~

~~309.07 DIMENSIONAL STANDARDS~~

- ~~A. Purpose: The dimensional standards are intended to:
 - ~~1. Provide for and protect the unique character, livability, and scenic quality of rural areas of the County;~~
 - ~~1. Provide for fire safety and protection of all structures;~~
 - ~~1. Protect the privacy and livability of dwellings and yard areas; and~~
 - ~~1. Preserve, within urban growth boundaries, large parcels of land for future development at urban densities.~~~~
- ~~B. Minimum Lot Size: New lots of record shall be a minimum of five acres in size, except as restricted by Subsections 309.06(B) through (D) or as modified by Section 902, 1013, or 1014. For the purpose of complying with the minimum lot size standard, lots that front on existing county or public roads may include the land area between the front property line and the middle of the road right-of-way.~~
- ~~C. Minimum Front Yard Setback: 30 feet; however, there shall be no minimum front yard setback for bus shelters and roadside stands of no more than 400 square feet in area and no more than 16 feet in height.~~
- ~~D. Minimum Side Yard Setback: 10 feet.~~
- ~~E. Minimum Rear Yard Setback: 30 feet; however, accessory structures shall have a minimum rear yard setback of 10 feet.~~
- ~~F. Scenic Roads: Structures built on lots adjacent to roads designated as scenic on Comprehensive Plan Map 5-1, *Scenic Roads*, should be set back a sufficient distance from the right-of-way to permit a landscaped or natural buffer area.~~
- ~~G. Exceptions: Dimensional standards are subject to modification pursuant to Section 900.~~

~~H. Variances: The requirements of Subsections 309.07(B) through (E) may be modified pursuant to Section 1205.~~

~~309.08 DEVELOPMENT STANDARDS~~

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

~~A. Future Urban Areas: A partition in an area defined as Future Urban by Chapter 4 of the Comprehensive Plan shall be approved only if the proposed locations of improvements, including easements, dedications, structures, wells, and on-site sewage disposal systems are consistent with the orderly future development of the property at appropriate urban densities on the basis of the following criteria. One or more of the following factors shall guide the determination of the most appropriate district to apply to a specific property or area:~~

~~1. Physical Site Conditions:~~

~~a. Land with soils subject to slippage, compaction, or high shrink-swell characteristics shall be zoned R-15 or R-20.~~

~~b. Land with slopes of:~~

~~i. 0 to 20 percent shall be considered for zones R-2.5, R-5, R-7 or R-8.5~~

~~ii. 20 percent or more shall be considered for zones R-10 to R-30.~~

~~2. Capacity of Facilities: Land shall be zoned to maximize the capacity of facilities such as streets, sewers, water and storm drainage systems.~~

~~3. Availability of Transit: Land within walking distance (approximately one-quarter mile) of transit service shall be zoned R-2.5, R-5, R-7 or R-8.5.~~

~~4. Proximity to Trip Generators: Areas in close proximity to jobs, shopping, cultural and activity centers shall be zoned R-2.5, R-5, R-7 or R-8.5.~~

~~5. Neighborhood Preservation and Variety: Areas that have historically developed on large lots where little vacant land exists shall remain zoned consistent with the existing development pattern.~~

- ~~6. Vacant Lands: Unless otherwise dictated by the preceding criteria, areas of mostly vacant and sparsely developed land shall be zoned R-2.5, R-5 or R-7. To achieve an average of 7,500 square feet or less per lot in Low Density Future Urban areas when conversion to Immediate Urban Low Density Residential occurs, the R-10 zone shall be limited to areas exceeding 20 percent slope and to Resource Protection areas. Flexible lot-size subdivisions and other buffering techniques shall be encouraged in those areas immediately adjacent to developed subdivisions with lots of 20,000 square feet or more to protect neighborhood character, while taking full advantage of allowed densities.~~
- ~~7. R-2.5: In addition to the above criteria, R-2.5 shall be applied only to:~~
- ~~a. Areas located within one-quarter mile of a designated Regional Center, Corridor or Main Street on Comprehensive Plan Map X-CRC-1, Clackamas Regional Center Area Design Plan Regional Center, Corridors and Station Community;~~
 - ~~b. Areas with access to a residential collector or higher functional class street; and~~
 - ~~c. Areas where the size of the site and adjoining properties zoned R-2.5 do not exceed 10 acres.~~
- ~~B. 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-245, 7/1/13; Amended by Ord. ZDO-246, 3/1/14; Amended by Ord. ZDO-249, 10/13/14; Amended by Ord. ZDO-248, 10/13/14]

~~310 FARM FOREST 10-ACRE DISTRICT (FF-10)~~

~~310.01 PURPOSE~~

~~Section 310 is adopted to implement the policies of the Comprehensive Plan for Rural areas.~~

~~310.02 AREA OF APPLICATION~~

~~Property may be zoned Farm Forest 10-Acre District when the site has been designated as Rural by the Comprehensive Plan; the criteria in Policy 11.3 of the Rural section of Chapter 4 of the Comprehensive Plan are satisfied; and the criteria in Section 1202 are satisfied.~~

~~310.03 PRIMARY USES~~

~~The following are primary uses in the Farm Forest 10-Acre District:~~

- ~~A. One detached single-family dwelling, residential home, or manufactured dwelling. A manufactured dwelling shall be subject to Section 824.~~
- ~~B. Current employment of land for general farm uses, including:
 - ~~1. Raising, harvesting, and selling of crops;~~
 - ~~2. Feeding, breeding, selling, and management of livestock, poultry, fur-bearing animals, or honeybees;~~
 - ~~3. Selling of products of livestock, poultry, fur-bearing animals, or honeybees;~~
 - ~~4. Dairying and the selling of dairy products;~~
 - ~~5. Preparation and storage of the products raised on such lands for man's use and animal use;~~
 - ~~6. Distribution by marketing or otherwise of products raised on such lands; and~~
 - ~~7. Any other agricultural use, horticultural use, animal husbandry, or any combination thereof;~~~~
- ~~C. Propagation or harvesting of a forest product. Inside the Portland Metropolitan Urban Growth Boundary, refer to Subsection 1002.03 regarding a development restriction that may apply if excessive tree removal occurs;~~
- ~~D. Public and private conservation areas and structures for the conservation of water, soil, forest, or wildlife habitat resources;~~

- ~~E. Fish and wildlife management programs;~~
- ~~F. Public and private parks, community gardens, campgrounds, playgrounds, recreational grounds, hiking and horse trails, pack stations, corrals, stables, and similar casual uses provided that such uses are not intended for the purpose of obtaining a commercial profit;~~
- ~~G. Bus shelters under the ownership and/or control of a city, county, state, or municipal corporation, subject to Section 823;~~
- ~~H. Utility carrier cabinets, subject to Section 830; and~~
- ~~I. Wireless telecommunication facilities listed in Subsection 835.04, 835.05(A)(2), or 835.05(A)(3), subject to Section 835.~~

~~310.04 ACCESSORY USES~~

~~The following are accessory uses in the Farm Forest 10-Acre District:~~

- ~~A. Uses and structures customarily accessory and incidental to a primary use;~~
- ~~B. Home occupations, including bed and breakfast homestays, subject to Section 822;~~
- ~~C. Produce stands, subject to the parking requirements of Section 1015;~~
- ~~D. Signs, subject to Section 1010;~~
- ~~E. Guest houses, subject to Section 833;~~
- ~~F. Solar energy systems;~~
- ~~G. Rainwater collection systems;~~
- ~~H. Electric vehicle charging stations for residents and their nonpaying guests; and~~
- ~~I. Family daycare providers.~~

~~310.05 CONDITIONAL USES~~

- ~~A. The following are conditional uses in the FF-10 District, approval of which is subject to Section 1203.
 - ~~1. Churches, subject to Section 804;~~
 - ~~2. Schools, subject to Section 805, except as restricted by Subsection 310.06(C);~~
 - ~~3. Daycare facilities, subject to Section 807;~~~~

- ~~4. Cemeteries, subject to Section 808;~~
- ~~5. Service and recreational uses that exceed the limits of Subsection 310.03(F), subject to Section 813;~~
- ~~6. Operations conducted for the exploration, mining, and processing of geothermal resources, aggregate and other mineral resources, or other subsurface resources, subject to Section 818;~~
- ~~7. Sanitary landfills and debris fills, subject to Section 819;~~
- ~~8. Hydroelectric facilities, subject to Section 829;~~
- ~~9. Bed and breakfast residences and inns, subject to Section 832;~~
- ~~10. Composting facilities, subject to Section 834;~~
- ~~11. Wireless telecommunication facilities listed in Subsection 835.06(A), subject to Section 835;~~
- ~~12. Kennels, provided that the portion of the premises used is located a minimum of 200 feet from all property lines;~~
- ~~13. Aircraft land uses;~~
- ~~14. Public and private parks, campgrounds, recreational grounds, hiking and horse trails, pack stations, corrals, boarding or riding stables, and other similar uses intended for the purpose of obtaining a commercial profit;~~
- ~~15. Commercial or processing activities that are in conjunction with timber and farm uses; and~~
- ~~16. Home occupations to host events, subject to Section 806.~~

~~310.06 PROHIBITED USES~~

~~The following are prohibited uses in the Farm Forest 10-Acre District:~~

- ~~A. Uses of structures and land not specifically permitted;~~
- ~~B. A subdivision or partition within the Portland Metropolitan Urban Growth Boundary resulting in the creation of one or more lots or parcels of less than 20 acres in size; and~~
- ~~C. Schools within the areas identified as Employment, Industrial, and Regionally Significant Industrial on the Metro Region 2040 Growth Concept Map.~~

~~310.07 — DIMENSIONAL STANDARDS~~

- ~~A. — Purpose: The dimensional standards are intended to:
 - ~~1. Provide for and protect the unique character, livability, and scenic quality of rural areas of the County;~~
 - ~~1. Provide for fire safety and protection of all structures;~~
 - ~~1. Protect the privacy and livability of dwellings and yard areas; and~~
 - ~~1. Preserve, within urban growth boundaries, large parcels of land for future development at urban densities.~~~~
- ~~B. — Minimum Lot Size: New lots of record shall be a minimum of 10 acres in size, except as restricted by Subsection 310.06(C) or as modified by Section 902 or 1013. For the purpose of complying with the minimum lot size standard, lots that front on existing county or public roads may include the land area between the front property line and the middle of the road right-of-way.~~
- ~~C. — Minimum Front Yard Setback: 30 feet; however, there shall be no minimum front yard setback for bus shelters and roadside stands of no more than 400 square feet in area and no more than 16 feet in height.~~
- ~~D. — Minimum Side Yard Setback: 10 feet.~~
- ~~E. — Minimum Rear Yard Setback: 30 feet; however, accessory structures shall have a minimum rear yard setback of 10 feet.~~
- ~~F. — Scenic Roads: Structures built on lots adjacent to roads designated as scenic on Comprehensive Plan Map 5-1, *Scenic Roads*, should be set back a sufficient distance from the right-of-way to permit a landscaped or natural buffer area.~~
- ~~G. — Exceptions: Dimensional standards are subject to modification pursuant to Section 900.~~
- ~~H. — Variances: The requirements of Subsections 310.07(B) through (E) may be modified pursuant to Section 1205.~~

~~310.08 — DEVELOPMENT STANDARDS~~

- ~~A. — General: Development shall be subject to the applicable provisions of Sections 1000 and 1100.~~
- ~~A. — Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-245, 7/1/13; Amended by Ord. ZDO-246, 3/1/14; Amended by Ord. ZDO-248, 10/13/14]

~~312 HOODLAND RESIDENTIAL DISTRICT (HR)~~

~~312.01 PURPOSE~~

~~Section 312 is adopted to:~~

- ~~A. Implement the policies of the Comprehensive Plan for Low Density Residential areas regulated by the Mount Hood Community Plan; and~~
- ~~B. Maintain and enhance the natural environmental and living qualities of those areas within the Mt. Hood Community which are recreational residential in character through conservation of natural resources and carefully controlled development.~~

~~312.02 AREA OF APPLICATION~~

~~Property may be zoned Hoodland Residential District if:~~

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

~~312.03 PRIMARY USES~~

~~The following are primary uses in the Hoodland Residential District:~~

- ~~A. One detached single family dwelling, residential home, or manufactured home. A manufactured home shall be subject to Section 824;~~
- ~~B. One attached single family dwelling per lot on up to 20 percent of the total number of lots in a subdivision or up to 100 percent of the lots in a planned unit development, subject to Section 838. If three or more dwelling units are attached to one another, design review shall be required pursuant to Section 1102.~~
- ~~C. Bus shelters, subject to Section 823;~~
- ~~D. Utility carrier cabinets, subject to Section 830;~~
- ~~E. Wireless telecommunication facilities listed in Subsection 835.04(B), 835.04(C), 835.05(A)(2), or 835.05(A)(3), subject to Section 835;~~
- ~~F. Public parks, playgrounds, recreational and community buildings and grounds, community gardens, public golf courses, tennis courts, and similar recreational uses, all of a noncommercial nature, provided that any principal building, swimming pool, or use shall be located a minimum of 45 feet from any other lot in a residential district; and~~

~~G. — Park and ride facilities.~~

~~312.04 — ACCESSORY USES~~

~~The following are accessory uses in the Hoodland Residential District:~~

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

~~B. — One accessory dwelling unit;~~

~~C. — Produce stands, subject to Section 815;~~

~~D. — Livestock, subject to Section 821;~~

~~E. — Home occupations, including bed and breakfast homestays, subject to Section 822;~~

~~F. — Guest houses, subject to Section 833;~~

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

~~H. — Solar energy systems;~~

~~I. — Rainwater collection systems;~~

~~J. — Electric vehicle charging stations for residents and their nonpaying guests;~~

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

~~L. — Family daycare providers.~~

~~312.05 — CONDITIONAL USES~~

~~A. — The following are conditional uses in the HR District, approval of which is subject to Section 1203.~~

~~1. — Condominium conversions, subject to Section 803;~~

~~2. — Churches, subject to Section 804;~~

~~3. — Schools, subject to Section 805;~~

~~4. — Daycare facilities, subject to Section 807;~~

~~5. — Nursing homes, subject to Section 810;~~

~~6. — Service and recreational uses, subject to Section 813;~~

- ~~7. Quarry activities or uses: rock, gravel, sand, soil, aggregates, and similar extractive activities and uses, but none within any stream corridor area or within 100 feet of the average annual high water mark of any stream, river, or other body of water, whichever is greater, subject to Section 818;~~
- ~~8. Sanitary landfills, debris fills and solid waste transfer stations, with a minimum site area of 3 acres, subject to Section 819;~~
- ~~9. Public or private energy source development. Hydroelectric facilities shall be subject to Section 829;~~
- ~~10. Bed and breakfast residences and inns, subject to Section 832;~~
- ~~11. Wireless telecommunication facilities listed in Subsection 835.06(A), subject to Section 835;~~
- ~~12. Personal use airports and helistops;~~
- ~~13. Guest ranches, lodges, campgrounds, and similar recreation operations, with a minimum site area of one acre;~~
- ~~14. Multi-use developments, subject to Section 1016; and~~
- ~~15. The hosting of weddings, family reunions, class reunions, company picnics, and similar events.~~

~~312.06 — PROHIBITED USES~~

~~The following are prohibited use in the Hoodland Residential District:~~

- ~~A. — Uses of structures and land not specifically permitted; and~~
- ~~B. — The use of a residential trailer or mobile home as a dwelling, except within a lawfully established preexisting manufactured dwelling park or as authorized under Section 1204.~~

~~312.07 — DIMENSIONAL STANDARDS~~

- ~~A. — Purpose: The dimensional standards are intended to:~~
 - ~~1. — Provide for the protection of the natural environment and the surrounding areas from potentially adverse influences;~~
 - ~~1. — Provide for and protect the unique character, livability, and scenic quality of the Mount Hood community;~~
 - ~~1. — Provide for fire safety and protection of all structures;~~

- ~~1. Protect the privacy and livability of on- and offsite dwellings and yard areas;~~
- ~~1. Provide for adequate light and air circulation between structures;~~
- ~~1. Provide for adequate snow slide area between structures above the 3,500-foot elevation;~~
- ~~1. Ensure consistency in the scale of structures, both vertically and horizontally; and~~
- ~~1. Provide for adequate open space within a development.~~
- ~~B. Density: The district land area for purposes of calculating density pursuant to Section 1012 is 10,890 square feet per primary dwelling unit.~~
- ~~C. Setback Exception: Notwithstanding Subsections 312.07(D), (E) and (G), no setback is required from property lines that abut a national forest.~~
- ~~D. Minimum Front Yard Setback: 20 feet from the front property line or 40 feet from the centerline of the fronting road, whichever is greater, except as provided below:
 - ~~1. Scenic Roads: Structures built on lots adjacent to roads designated as scenic roads on Comprehensive Plan Map 5-1, *Scenic Roads*, should be set back a sufficient distance from the right-of-way to permit a landscaped or natural buffer area.~~
 - ~~1. Corner or Through Lots: Structures on corner or through lots shall observe the minimum front yard setback on one road and shall have the option of maintaining a 15-foot setback or 35 feet from the centerline of the fronting road, whichever is greater, on the other road. Structures located above 3,500 feet in elevation shall have the option of maintaining a 10-foot setback, or 30 feet from the centerline of the fronting road, whichever is greater, on the other road.~~~~
- ~~E. Minimum Side Yard Setback: 10 percent of the lot width calculated at the building line. However, regardless of lot width, a side yard setback shall not be less than five feet, and a side yard setback of more than 10 feet shall not be required.~~
- ~~F. Minimum Structure Separation: Above 3,500 feet in elevation, the separation distance between buildings with contiguous snow slide areas shall be a minimum of 20 feet. "Snow slide area" means the area around the structure that may be subject to snow buildup as a result of snow sliding from the sloped roof of the structure.~~

- ~~G. — Minimum Rear Yard Setback: 10 percent of the average lot depth. However, regardless of lot depth, a rear yard setback shall not be less than 10 feet, and a rear yard setback of more than 20 feet shall not be required.~~
- ~~H. — Maximum Lot Coverage:
A 20 percent lot coverage limitation shall apply to lots contained in any subdivision recorded prior to September 16, 1974. In a planned unit development, the lot coverage limitation shall be calculated as a percentage of the average lot size. In calculating the average, common areas shall be included in the total area but the result shall be divided only by the number of building lots.~~
- ~~I. — Maximum Building Height: 40 feet. This provision may be modified to allow a maximum height of 50 feet when necessary to accommodate understructure parking.~~
- ~~J. — Exceptions: Dimensional standards are subject to modification pursuant to Section 900.~~
- ~~K. — Variance: Dimensional standards may be modified pursuant to Section 1205.~~

~~312.08 — 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. — Restricted Areas: Generally residential development is prohibited in the Floodplain Management District regulated by Section 703, river and stream corridors, wetlands, mass movement hazard areas regulated by Section 1003, and slopes greater than 25 percent. However, a single-family dwelling may be developed in a restricted area on a lot of record created prior to the adoption of this standard, subject to compliance with the applicable criteria in this Ordinance for such development. In the case of a land division, density accruing to restricted areas may be eligible for transfer to unrestricted areas as provided in Section 1012.~~
- ~~D. — Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

- ~~E. — Design Features: All dwellings, except temporary dwellings approved pursuant to Section 1204, shall include at least three of the following features visible to the road. If a dwelling is located on a corner lot, the features shall be visible to the road from which the dwelling takes access.~~
- ~~1. — A covered porch at least two feet deep;~~
 - ~~1. — An entry area recessed at least two feet from the exterior wall to the door;~~
 - ~~1. — A bay or bow window (not flush with the siding);~~
 - ~~1. — An offset on the building face of at least 16 inches from one exterior wall surface to the other;~~
 - ~~1. — A dormer;~~
 - ~~1. — A gable;~~
 - ~~1. — Roof eaves with a minimum projection of 12 inches from the intersection of the roof and the exterior walls;~~
 - ~~1. — Roofline offsets of at least 16 inches from the top surface of one roof to the top surface of the other;~~
 - ~~1. — An attached garage;~~
 - ~~1. — Orientation of the long axis and front door to the road;~~
 - ~~1. — A cupola;~~
 - ~~1. — A tile or shake roof;~~
 - ~~1. — Horizontal lap siding.~~

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-246, 3/1/14; Amended by Ord. ZDO-249, 10/13/14; Amended by Ord. ZDO-248, 10/13/14]

~~314 FUTURE URBAN 10-ACRE DISTRICT (FU-10)~~

~~314.01 PURPOSE~~

~~Section 314 is adopted to implement the goals and policies of the Comprehensive Plan for Future Urban areas.~~

~~314.02 AREA OF APPLICATION~~

~~The Future Urban 10-Acre District is applied to those areas designated as Future Urban by Chapter 4 of the Comprehensive Plan.~~

~~314.03 PRIMARY USES~~

~~The following are primary uses in the Future Urban 10-Acre District:~~

- ~~A. One detached single family dwelling, residential home, or manufactured dwelling. A manufactured dwelling shall be subject to Section 824;~~
- ~~B. Current employment of land for general farm uses including:
 - ~~1. Raising, harvesting, and selling of crops;~~
 - ~~2. Feeding, breeding, selling, and management of livestock, poultry, furbearing animals, or honeybees;~~
 - ~~3. Selling of products of livestock, poultry, furbearing animals, or honeybees;~~
 - ~~4. Dairying and selling of dairy products;~~
 - ~~5. Preparation and storage of the products raised on such lands for man's use and animal use;~~
 - ~~6. Distribution by marketing or otherwise of products raised on such lands; and~~
 - ~~7. Any other agricultural use, horticultural use, animal husbandry, or any combination thereof;~~~~
- ~~C. Propagation or harvesting of a forest product. Inside the Portland Metropolitan Urban Growth Boundary, refer to Subsection 1002.03 regarding a development restriction that may apply if excessive tree removal occurs;~~
- ~~D. Public and private conservation areas and structures for the conservation of water, soil, forest, or wildlife habitat resources;~~
- ~~E. Fish and wildlife management programs;~~

- ~~F. — Bus shelters under the ownership and/or control of a city, county, state, or municipal corporation, subject to the provisions of Section 823;~~
- ~~G. — Utility carrier cabinets, subject to Section 830; and~~
- ~~H. — Wireless telecommunication facilities listed in Subsection 835.04(B), 835.04(C), 835.05(A)(2), or 835.05(A)(3), subject to Section 835.~~

~~314.04 — ACCESSORY USES~~

- ~~A. — The following are accessory uses in the Future Urban 10-Acre District:~~
- ~~B. — Uses and structures customarily accessory and incidental to a primary use;~~
- ~~C. — Produce stands, which in addition to selling produce grown on site, may sell agricultural products that are produced in the surrounding community in which the stand is located;~~
- ~~D. — Signs, subject to Section 1010;~~
- ~~E. — Guest houses, subject to Section 833;~~
- ~~F. — Home occupations, including bed and breakfast homestays, subject to Section 822;~~
- ~~G. — Solar energy systems;~~
- ~~H. — Rainwater collection systems; and~~
- ~~I. — Electric vehicle charging stations for residents and their nonpaying guests.~~

~~314.05 — CONDITIONAL USES~~

- ~~A. — The following are conditional uses in the FU-10 District, approval of which are subject to Section 1203:~~
 - ~~1. — Expansion of existing churches, subject to Section 804;~~
 - ~~2. — Expansion of existing schools, subject to Section 805;~~
 - ~~3. — Expansion of existing daycare facilities, subject to Section 807;~~
 - ~~4. — Cemeteries, subject to Section 808;~~
 - ~~5. — Service and recreational uses, excluding recreational vehicle camping facilities, subject to Section 813;~~
 - ~~6. — Sanitary landfills, debris fills, and transfer stations, subject to Section 819;~~

- ~~7. Hydroelectric facilities, subject to Section 829;~~
- ~~8. Bed and breakfast residences, subject to Section 832;~~
- ~~9. Wireless telecommunication facilities listed in Subsection 835.06(A), subject to Section 835;~~
- ~~10. Aircraft land uses;~~
- ~~11. Public and private parks, campgrounds, playgrounds, recreational grounds, hiking and horse trails, pack stations, corrals, boarding or riding stables, and other similar uses; and~~
- ~~12. Home occupations to host events, subject to Section 806.~~

~~314.06 — PROHIBITED USES~~

~~The following are prohibited uses in the Future Urban 10-Acre District:~~

- ~~A. Uses of structures and land not specifically permitted;~~
- ~~A. Any division of land resulting in the creation of one or more parcels of less than 10 acres in size, except as modified by Subsection 902.01(B)(4);~~
- ~~A. Residential subdivisions;~~
- ~~A. The use of a residential trailer as a dwelling, except within a lawfully established pre-existing manufactured dwelling park or as authorized under Section 1204; and~~
- ~~A. Kennels.~~

~~314.07 — DIMENSIONAL STANDARDS~~

- ~~A. Purpose: The dimensional standards are intended to:
 - ~~1. Provide for fire safety and protection of all structures;~~
 - ~~1. Protect the privacy and livability of dwellings and yard areas; and~~
 - ~~1. Preserve, within urban growth boundaries, large parcels of land for future development at urban densities.~~~~
- ~~B. Minimum Lot Size: New lots of record shall be a minimum of 10 acres in size, except as modified by Subsection 902.01(B)(4). For the purpose of complying with the minimum lot size standard, lots that front on existing county or public roads may include the land area between the front property line and the middle of the road right-of-way.~~

- ~~C. Minimum Front Yard Setback: 30 feet; however, there shall be no minimum front yard setback for bus shelters and produce stands of no more than 100 square feet in area and no more than 16 feet in height.~~
- ~~D. Minimum Rear Yard Setback: 30 feet; however, accessory structures shall have a minimum rear yard setback of 10 feet.~~
- ~~E. Minimum Side Yard Setback: 10 feet.~~
- ~~F. Scenic Roads: Structures built on lots adjacent to roads designated as scenic on Comprehensive Plan Map 5-1, *Scenic Roads*, should be set back a sufficient distance from the right-of-way to permit a landscaped or natural buffer area.~~
- ~~G. Exceptions: Dimensional standards are subject to modification pursuant to Section 900.~~
- ~~H. Variances: The requirements of Subsections 314.07(C) through (E) may be modified pursuant to Section 1205.~~

~~314.08 DEVELOPMENT STANDARDS~~

- ~~A. General: Development is subject to the applicable provisions of Sections 1000 and 1100.~~
- ~~A. Partitions: A partition shall be approved only if the proposed locations of improvements, including easements, dedications, structures, wells, and on-site sewage disposal systems are consistent with the orderly future development of the property at appropriate urban densities on the basis of the following criteria:
 - ~~1. Physical Site Conditions:
 - ~~a. Land with soils subject to slippage, compaction, or high shrink-swell characteristics shall be zoned R-15 or R-20.~~
 - ~~b. Land with slopes of:
 - ~~i. 0 to 20 percent shall be considered for zones R-2.5, R-5, R-7 or R-8.5~~
 - ~~ii. 20 percent or more shall be considered for zones R-10 to R-30.~~~~~~
 - ~~2. Capacity of Facilities: Land shall be zoned to maximize the capacity of facilities such as streets, sewers, water and storm drainage systems.~~
 - ~~3. Availability of Transit: Land within walking distance (approximately one-quarter mile) of transit service shall be zoned R-2.5, R-5, R-7 or R-8.5.~~~~

- ~~4. Proximity to Trip Generators: Areas in close proximity to jobs, shopping, cultural and activity centers shall be zoned R-2.5, R-5, R-7 or R-8.5.~~
- ~~5. Neighborhood Preservation and Variety: Areas that have historically developed on large lots where little vacant land exists shall remain zoned consistent with the existing development pattern.~~
- ~~6. Vacant Lands: Unless otherwise dictated by the preceding criteria, areas of mostly vacant and sparsely developed land shall be zoned R-2.5, R-5 or R-7. To achieve an average of 7,500 square feet or less per lot in Low Density Future Urban areas when conversion to Immediate Urban Low Density Residential occurs, the R-10 zone shall be limited to areas exceeding 20 percent slope and to Resource Protection areas. Flexible lot-size subdivisions and other buffering techniques shall be encouraged in those areas immediately adjacent to developed subdivisions with lots of 20,000 square feet or more to protect neighborhood character, while taking full advantage of allowed densities.~~
- ~~7. R-2.5: In addition to the above criteria, R-2.5 shall be applied only to:
 - ~~a. Areas located within one-quarter mile of a designated Regional Center, Corridor or Main Street on Comprehensive Plan Map X-CRC-1, Clackamas Regional Center Area Design Plan Regional Center, Corridors and Station Community;~~
 - ~~b. Areas with access to a residential collector or higher functional class street; and~~
 - ~~c. Areas where the size of the site and adjoining properties zoned R-2.5 do not exceed 10 acres.~~~~
- ~~B. 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-245, 7/1/13; Amended by Ord. ZDO-246, 3/1/14; Amended by Ord. ZDO-249, 10/13/14; Amended by Ord. ZDO-248, 10/13/14]

~~separation distance between buildings with contiguous snowslide areas shall be a minimum of 20 feet. "Snowslide area" means the area around a structure that may be subject to snow buildup as a result of snow sliding from the sloped roof of the structure.~~

~~G. Maximum Building Height: 40 feet. This provision may be modified to allow a maximum height of 50 feet when necessary to accommodate understructure parking.~~

~~H. Building Height Exception: The maximum building height for hotel developments in Government Camp shall be 70 feet. This provision shall be modified to allow a maximum height of 87.5 feet when necessary to accommodate understructure parking or where a higher structure will preserve significant natural features or views.~~

~~I. Minimum Landscaping Area: 25 percent of the lot.~~

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

~~K. Variance: Dimensional standards may be modified pursuant to Section 1205.~~

~~306.09 DEVELOPMENT STANDARDS~~

~~A. General: Development shall be subject to the applicable provisions of Sections 1000 and 1100. In addition, except as otherwise indicated below, the standards applicable to the Medium Density Residential District shall apply.~~

~~A. 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.~~

~~A. Restricted Areas: Generally residential development is prohibited in the Floodplain Management District regulated by Section 703, river and stream corridors, wetlands, mass movement hazard areas regulated by Section 1003, and slopes greater than 25 percent. However, a single-family dwelling may be developed in a restricted area on a lot of record created prior to the adoption of this standard, subject to compliance with the applicable criteria in this Ordinance for such development. In the case of a land division, density accruing to restricted areas may be eligible for transfer to unrestricted areas as provided in Section 1012.~~

~~B. Building Design: The following standards shall apply to commercial developments in Government Camp. These are recommended for all other developments.~~

- ~~1. Exterior Building Materials: Primary and accessory structures shall use wood, stone, stone veneer, or stucco for exterior construction. Stucco and textured concrete may be used as secondary materials. Stucco must be acrylic based and combined with heavy timber, wood, or stone cladding. A rock, rock veneer, or textured concrete base shall be provided around building exteriors visible from roadways. No exposed plywood, particle board, plain concrete, cinder block, or grooved T1-11 is permitted.~~
 - ~~1. Roofing Materials: No composition shingles or galvanized or corrugated metal roofs are allowed.~~
 - ~~1. Design: Building design shall meet the design intent of mountain architecture as described in the Government Camp Design Guidelines Handbook. Examples of mountain architecture include "Cascadian", "Oregon Rustic", and the "National Park Style".~~
- ~~C. Signs: Permanent identification signs shall be subject to Subsections 1010.09(A)(1) through (5). Signs may be indirectly illuminated and shall be complementary to the unique character of the Mount Hood Community in the use of graphics, symbols, and natural materials. On-site directional signing shall be sensitive to the needs of tourists. Government Camp signs shall comply with Section 1010.~~
- ~~D. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-231, 1/31/12; amended by Ord. ZDO-246, 3/1/14; Amended by Ord. ZDO-248, 10/13/14]

~~307 RURAL AREA RESIDENTIAL 1-ACRE DISTRICT (RA-1)~~

~~307.01 PURPOSE~~

~~Section 307 is adopted to implement the policies of the Comprehensive Plan for Unincorporated Community Residential areas.~~

~~307.02 AREA OF APPLICATION~~

~~Property may be zoned Rural Area Residential 1-Acre District when the site has a Comprehensive Plan designation of Unincorporated Community Residential and the criteria in Section 1202 are satisfied.~~

~~307.03 PRIMARY USES~~

~~The following are primary uses in the Rural Area Residential 1-Acre District:~~

- ~~A. Agriculture, horticulture, greenhouses, nurseries, and timber growing. Inside the Portland Metropolitan Urban Growth Boundary, refer to Subsection 1002.03 regarding a development restriction that may apply if excessive tree removal occurs;~~
- ~~B. Livestock, subject to Section 821;~~
- ~~C. One detached single-family dwelling, residential home, or manufactured dwelling. A manufactured dwelling shall be subject to Section 824;~~
- ~~D. Public parks, playgrounds, recreational and community buildings and grounds, community gardens, public golf courses, tennis courts, and similar recreational uses, all of a noncommercial nature, provided that any principal building or swimming pool shall be located a minimum of 45 feet from any other lot in the residential district;~~
- ~~E. Bus shelters under the ownership and/or control of a city, county, state, or municipal corporation, subject to Section 823;~~
- ~~F. Utility carrier cabinets, subject to Section 830; and~~
- ~~G. Wireless telecommunication facilities listed in Subsection 835.04, 835.05(A)(2), or 835.05(A)(3), subject to Section 835.~~

~~307.04 ACCESSORY USES~~

~~The following are accessory uses in the Rural Area Residential 1-Acre District:~~

- ~~A. Uses and structures customarily accessory and incidental to a primary use;~~
- ~~B. Home occupations, including bed and breakfast homestays, subject to Section 822;~~

- ~~C. Produce stands, subject to the parking requirements of Section 1015;~~
- ~~D. Signs, subject to Section 1010;~~
- ~~E. Guest houses, subject to Section 833;~~
- ~~F. Solar energy systems;~~
- ~~G. Rainwater collection systems;~~
- ~~H. Electric vehicle charging stations for residents and their nonpaying guests; and~~
- ~~I. Family daycare providers.~~

~~307.05 CONDITIONAL USES~~

- ~~A. The following are conditional uses in the RA-1 District, approval of which is subject to Section 1203.
 - ~~1. Two-family dwellings, subject to Section 802;~~
 - ~~2. Churches, subject to Section 804;~~
 - ~~3. Schools, subject to Section 805, except as restricted by Subsection 307.06(C);~~
 - ~~4. Daycare facilities, subject to Section 807;~~
 - ~~5. Cemeteries and crematoriums, subject to Section 808;~~
 - ~~6. Service and recreational uses, subject to Section 813;~~
 - ~~7. Surface mining, subject to Section 818;~~
 - ~~8. Sanitary landfills and debris fills, subject to Section 819;~~
 - ~~9. Hydroelectric facilities, subject to Section 829;~~
 - ~~10. Bed and breakfast residences and inns, subject to Section 832;~~
 - ~~11. Wireless telecommunication facilities listed in Subsection 835.06(A), subject to Section 835;~~
 - ~~12. Kennels, provided that the portion of the premises used is located a minimum of 200 feet from all property lines; and~~
 - ~~13. Home occupations to host events, subject to Section 806.~~~~

~~307.06 PROHIBITED USES~~

~~The following are prohibited uses in the Rural Area Residential 1-Acre District:~~

- ~~A. Uses of structures and land not specifically permitted;~~
- ~~B. A subdivision or partition within the Portland Metropolitan Urban Growth Boundary resulting in the creation of one or more lots or parcels of less than 20 acres in size; and~~
- ~~C. Schools within the areas identified as Employment, Industrial, and Regionally Significant Industrial on the Metro Region 2040 Growth Concept Map.~~

~~307.07 DIMENSIONAL STANDARDS~~

- ~~A. Purpose: The dimensional standards are intended to:
 - ~~1. Provide for and protect the unique character, livability, and scenic quality of rural areas of the County;~~
 - ~~1. Provide for fire safety and protection of all structures; and~~
 - ~~1. Protect the privacy and livability of dwellings and yard areas.~~~~
- ~~B. Minimum Lot Size: New lots of record shall be a minimum of one acre in size, except as restricted by Subsection 307.06(B) or as modified by Section 902 or 1013.~~
- ~~C. Minimum Front Yard Setback: 30 feet.~~
- ~~D. Minimum Side Yard Setback: 10 feet; however, accessory structures shall have a minimum side yard setback of five feet.~~
- ~~E. Minimum Rear Yard Setback: 30 feet; however, accessory structures shall have a minimum rear yard setback of five feet.~~
- ~~F. Scenic Roads: Structures built on lots adjacent to roads designated as scenic on Comprehensive Plan Map 5-1, *Scenic Roads*, should be set back a sufficient distance from the right-of-way to permit a landscaped or natural buffer area.~~
- ~~G. Exceptions: Dimensional standards are subject to modification pursuant to Section 900.~~
- ~~H. Variances: The requirements of Subsections 307.07(B) through (E) may be modified pursuant to Section 1205.~~

~~307.08 — DEVELOPMENT STANDARDS~~

- ~~A. — General: Development shall be subject to the applicable provisions of Sections 1000 and 1100.~~
- ~~A. — Parking: One off street parking space located behind the front yard setback line shall be provided for each dwelling unit.~~
- ~~A. — 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-245, 7/1/13; Amended by Ord. ZDO-248, 10/13/14]

316 RURAL AREA RESIDENTIAL 1-ACRE (RA-1), RURAL AREA RESIDENTIAL 2-ACRE (RA-2), RECREATIONAL RESIDENTIAL (RR), RURAL RESIDENTIAL FARM FOREST 5-ACRE (RRFF-5), FARM FOREST 10-ACRE (FF-10), AND FUTURE URBAN 10-ACRE (FU-10) DISTRICTS

316.01 PURPOSE

Section 316 is adopted to implement the policies of the Comprehensive Plan for Unincorporated Community Residential, Rural, and Future Urban areas.

316.02 APPLICABILITY

Section 316 applies to land in the Rural Area Residential 1-Acre (RA-1), Rural Area Residential 2-Acre (RA-2), Recreational Residential (RR), Rural Residential Farm Forest 5-Acre (RRFF-5), Farm Forest 10-Acre (FF-10), and Future Urban 10-Acre (FU-10) Districts, hereinafter collectively referred to as the rural residential and future urban residential zoning districts.

316.03 USES PERMITTED

A. Uses permitted in each rural residential and future urban residential zoning district are listed in Table 316-1, *Permitted Uses in the Rural Residential and Future Urban Residential Zoning Districts*. Uses not listed are prohibited.

B. As used in Table 316-1:

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 316-1.

C. Permitted uses are subject to the applicable provisions of Subsection 316.04, *Dimensional Standards*; Subsection 316.05, *Development Standard*; Section 1000, *Development Standards*; and Section 1100, *Development Review Process*.

Table 316-1: Permitted Uses in the Rural Residential and Future Urban Residential Zoning Districts

<u>Use</u>	<u>RA-1</u>	<u>RA-2</u>	<u>RR</u>	<u>RRFF-5</u>	<u>FF-10</u>	<u>FU-10</u>
<u>Accessory Buildings and Uses, Customarily Permitted, such as amateur (Ham) radio antennas and towers, arbors, bicycle racks, carports, citizen band transmitters and antennas, cogeneration facilities, courtyards, decks, decorative ponds, driveways, electric vehicle charging stations, family daycare providers, fountains, garages, garden sheds, gazebos, greenhouses, HVAC units, meeting facilities, outdoor kitchens, parking areas, patios, pergolas, pet enclosures, plazas, property management and maintenance offices, 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), rainwater collection systems, satellite dishes, self-service laundry facilities, shops, solar energy systems, storage buildings/rooms, television antennas and receivers, transit amenities, trellises, and utility service equipment</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>Accessory Kitchens</u>	<u>A¹</u>	<u>A¹</u>	<u>A¹</u>	<u>A¹</u>	<u>A¹</u>	<u>A¹</u>
<u>Aircraft Land Uses</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Aircraft Landing Areas</u>	<u>X</u>	<u>C</u>	<u>C²</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Bed and Breakfast Inns, subject to Section 832</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>X</u>
<u>Bed and Breakfast Residences, subject to Section 832</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Bus Shelters, subject to Section</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>

~~308 RURAL AREA RESIDENTIAL 2-ACRE DISTRICT (RA-2)~~

~~308.01 PURPOSE~~

~~Section 308 is adopted to implement the policies of the Comprehensive Plan for Rural areas.~~

~~308.02 AREA OF APPLICATION~~

~~Property may be zoned Rural Area Residential 2-Acre District when the site has a Comprehensive Plan designation of Rural; the criteria in Policy 11.1 of the Rural section of Chapter 4 of the Comprehensive Plan are satisfied; and the criteria in Section 1202 are satisfied.~~

~~308.03 PRIMARY USES~~

~~The following are primary uses in the Rural Area Residential 2-Acre District:~~

- ~~A. Agriculture, horticulture, greenhouses, nurseries, timber growing, grazing, and the raising of livestock and animals. Inside the Portland Metropolitan Urban Growth Boundary, refer to Subsection 1002.03 regarding a development restriction that may apply if excessive tree removal occurs;~~
- ~~B. One detached single-family dwelling, residential home, or manufactured dwelling. A manufactured dwelling shall be subject to Section 824;~~
- ~~C. Public parks, playgrounds, recreational and community buildings and grounds, community gardens, public golf courses, tennis courts, and similar recreational uses, all of a noncommercial nature, provided that any principal building or swimming pool shall be located a minimum of 45 feet from any other lot in the residential district;~~
- ~~D. Bus shelters under the ownership and/or control of a city, county, state, or municipal corporation, subject to Section 823;~~
- ~~E. Utility carrier cabinets, subject to Section 830; and~~
- ~~F. Wireless telecommunication facilities listed in Subsection 835.04, 835.05(A)(2), or 835.05(A)(3), subject to Section 835.~~

~~308.04 ACCESSORY USES~~

~~The following are accessory uses in the Rural Area Residential 2-Acre District:~~

- ~~A. Uses and structures customarily accessory and incidental to a primary use;~~
- ~~B. Home occupations, including bed and breakfast homestays, subject to Section 822;~~

- ~~C. Produce stands, subject to the parking requirements of Section 1015;~~
- ~~D. Signs, subject to Section 1010;~~
- ~~E. Guest houses, subject to Section 833;~~
- ~~F. Solar energy systems;~~
- ~~G. Rainwater collection systems;~~
- ~~H. Electric vehicle charging stations for residents and their nonpaying guests; and~~
- ~~I. Family daycare providers.~~

~~308.05 CONDITIONAL USES~~

- ~~A. The following are conditional uses in the RA-2 District, approval of which is subject to Section 1203.
 - ~~1. Churches, subject to Section 804;~~
 - ~~2. Schools, subject to Section 805, except as restricted by Subsection 308.06(C);~~
 - ~~3. Daycare facilities, subject to Section 807;~~
 - ~~4. Cemeteries and crematoriums, subject to Section 808;~~
 - ~~5. Hospitals, subject to Section 809;~~
 - ~~6. Service and recreational uses, subject to Section 813;~~
 - ~~7. Surface mining, subject to Section 818;~~
 - ~~8. Sanitary landfills and debris fills, subject to Section 819;~~
 - ~~9. Hydroelectric facilities, subject to Section 829;~~
 - ~~10. Bed and breakfast residences and inns, subject to Section 832;~~
 - ~~11. Wireless telecommunication facilities listed in Subsection 835.06(A), subject to Section 835;~~
 - ~~12. Kennels, provided that the portion of the premises used is located a minimum of 200 feet from all property lines;~~
 - ~~13. Aircraft landing areas; and~~
 - ~~14. Home occupations to host events, subject to Section 806.~~~~

~~308.06 PROHIBITED USES~~

~~The following are prohibited uses in the Rural Area Residential 2-Acre District:~~

- ~~A. Uses of structures and land not specifically permitted;~~
- ~~B. A subdivision or partition within the Portland Metropolitan Urban Growth Boundary resulting in the creation of one or more lots or parcels of less than 20 acres in size; and~~
- ~~C. Schools within the areas identified as Employment, Industrial, and Regionally Significant Industrial on the Metro Region 2040 Growth Concept Map.~~

~~308.07 DIMENSIONAL STANDARDS~~

- ~~A. Purpose: The dimensional standards are intended to:
 - ~~1. Provide for and protect the unique character, livability, and scenic quality of rural areas of the County;~~
 - ~~1. Provide for fire safety and protection of all structures; and~~
 - ~~1. Protect the privacy and livability of dwellings and yard areas.~~~~
- ~~B. Minimum Lot Size: New lots of record shall be a minimum of two acres in size, except as restricted by Subsection 308.06(B) or as modified by Section 902.~~
- ~~C. Minimum Front Yard Setback: 30 feet.~~
- ~~D. Minimum Side Yard Setback: 10 feet.~~
- ~~E. Minimum Rear Yard Setback: 30 feet; however, accessory structures shall have a minimum rear yard setback of 10 feet.~~
- ~~F. Scenic Roads: Structures built on lots adjacent to roads designated as scenic on Comprehensive Plan Map 5-1, *Scenic Roads*, should be set back a sufficient distance from the right-of-way to permit a landscaped or natural buffer area.~~
- ~~G. Exceptions: Dimensional standards are subject to modification pursuant to Section 900.~~
- ~~H. Variances: The requirements of Subsections 308.07(C) through (E) may be modified pursuant to Section 1205.~~

~~308.09 DEVELOPMENT STANDARDS~~

- ~~A. General: Development shall be subject to the applicable provisions of Sections 1000 and 1100.~~
- ~~A. Parking: One off street parking space located behind the front yard setback line shall be provided for each dwelling unit.~~
- ~~A. 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-245, 7/1/13; Amended by Ord. ZDO-248, 10/13/14]

~~309 — RURAL RESIDENTIAL FARM FOREST 5-ACRE DISTRICT (RRFF-5)~~

~~309.01 — PURPOSE~~

~~Section 309 is adopted to implement the policies of the Comprehensive Plan for Rural areas.~~

~~309.02 — AREA OF APPLICATION~~

~~Property may be zoned Rural Residential Farm Forest 5-Acre District when the site has a Comprehensive Plan designation of Rural; the criteria in Policy 11.2 of the Rural section of Chapter 4 of the Comprehensive Plan are satisfied; and the criteria in Section 1202 are satisfied.~~

~~309.03 — PRIMARY USES~~

~~The following are primary uses in the Rural Residential Farm Forest 5-Acre District:~~

- ~~A. — One detached single family dwelling, residential home, or manufactured dwelling. A manufactured dwelling shall be subject to Section 824;~~
- ~~B. — Current employment of land for general farm uses, including:
 - ~~1. — Raising, harvesting, and selling of crops;~~
 - ~~2. — Feeding, breeding, selling, and management of livestock, poultry, fur-bearing animals, or honeybees;~~
 - ~~3. — Selling of products of livestock, poultry, fur-bearing animals, or honeybees;~~
 - ~~4. — Dairying and the selling of dairy products;~~
 - ~~5. — Preparation and storage of the products raised on such lands for man's use and animal use;~~
 - ~~6. — Distribution by marketing or otherwise of products raised on such lands; and~~
 - ~~7. — Any other agricultural use, horticultural use, animal husbandry, or any combination thereof;~~~~
- ~~C. — The propagation or harvesting of a forest product. Inside the Portland Metropolitan Urban Growth Boundary, refer to Subsection 1002.03 regarding a development restriction that may apply if excessive tree removal occurs;~~
- ~~D. — Public and private conservation areas and structures for the conservation of water, soil, forest, or wildlife habitat resources;~~

- ~~E. Fish and wildlife management programs;~~
- ~~F. Public and private parks, community gardens, campgrounds, playgrounds, recreational grounds, hiking and horse trails, pack stations, corrals, stables, and similar casual uses provided that such uses are not intended for the purpose of obtaining a commercial profit;~~
- ~~G. Bus shelters under the ownership and/or control of a city, county, state, or municipal corporation, subject to Section 823;~~
- ~~H. Utility carrier cabinets, subject to Section 830; and~~
- ~~I. Wireless telecommunication facilities listed in Subsection 835.04, 835.05(A)(2), or 835.05(A)(3), subject to Section 835.~~

~~309.04 ACCESSORY USES~~

~~The following are accessory uses in the Rural Residential Farm Forest 5-Acre District:~~

- ~~A. Uses and structures customarily accessory and incidental to a primary use;~~
- ~~B. Home occupations, including bed and breakfast homestays, subject to Section 822;~~
- ~~C. Produce stands, subject to the parking requirements of Section 1015;~~
- ~~D. Signs, subject to Section 1010;~~
- ~~E. Guest houses, subject to Section 833;~~
- ~~F. Solar energy systems;~~
- ~~G. Rainwater collection systems;~~
- ~~H. Electric vehicle charging stations for residents and their nonpaying guests; and~~
- ~~I. Family daycare providers.~~

~~309.05 CONDITIONAL USES~~

- ~~A. The following are conditional uses in the RRFF 5 District, approval of which is subject to Section 1203.
 - ~~1. Churches, subject to Section 804;~~
 - ~~2. Schools, subject to Section 805, except as restricted by Subsection 309.06(E);~~~~

- ~~3. Daycare facilities, subject to Section 807;~~
- ~~4. Cemeteries, subject to Section 808;~~
- ~~5. Service and recreational uses that exceed the limits of Subsection 309.03(F), subject to Section 813;~~
- ~~6. Operations conducted for the exploration, mining, and processing of geothermal resources, aggregate and other mineral resources, or other subsurface resources, subject to Section 818;~~
- ~~7. Sanitary landfills and debris fills, subject to Section 819;~~
- ~~8. Hydroelectric facilities, subject to Section 829;~~
- ~~9. Bed and breakfast residences and inns, subject to Section 832;~~
- ~~10. Composting facilities, subject to Section 834;~~
- ~~11. Wireless telecommunication facilities listed in Subsection 835.06(A), subject to Section 835;~~
- ~~12. Kennels, provided that the portion of the premises used is located a minimum of 200 feet from all property lines;~~
- ~~13. Aircraft land uses;~~
- ~~14. Commercial recreational uses that exceed the limits of Subsection 309.03(F);~~
- ~~15. Commercial or processing activities that are in conjunction with timber and farm uses; and~~
- ~~16. Home occupations to host events, subject to Section 806.~~

~~309.06~~ — ~~PROHIBITED USES~~

~~The following are prohibited uses in the Rural Residential Farm Forest 5-Acre District:~~

- ~~A. Uses of structures and land not specifically permitted;~~
- ~~B. Except as approved pursuant to Subsection 902.01(B)(4), a subdivision or partition within the urban growth boundaries of Sandy, Molalla, Estacada, and Canby resulting in the creation of one or more lots or parcels of less than five acres in size;~~

- ~~C. A subdivision or partition within the Portland Metropolitan Urban Growth Boundary resulting in the creation of one or more lots or parcels of less than 20 acres in size;~~
- ~~D. Subdivisions in areas defined as Future Urban in Chapter 4 of the Comprehensive Plan; and~~
- ~~E. Schools within the areas identified as Employment, Industrial, and Regionally Significant Industrial on the Metro Region 2040 Growth Concept Map.~~

~~309.07 DIMENSIONAL STANDARDS~~

- ~~A. Purpose: The dimensional standards are intended to:
 - ~~1. Provide for and protect the unique character, livability, and scenic quality of rural areas of the County;~~
 - ~~1. Provide for fire safety and protection of all structures;~~
 - ~~1. Protect the privacy and livability of dwellings and yard areas; and~~
 - ~~1. Preserve, within urban growth boundaries, large parcels of land for future development at urban densities.~~~~
- ~~B. Minimum Lot Size: New lots of record shall be a minimum of five acres in size, except as restricted by Subsections 309.06(B) through (D) or as modified by Section 902, 1013, or 1014. For the purpose of complying with the minimum lot size standard, lots that front on existing county or public roads may include the land area between the front property line and the middle of the road right-of-way.~~
- ~~C. Minimum Front Yard Setback: 30 feet; however, there shall be no minimum front yard setback for bus shelters and roadside stands of no more than 400 square feet in area and no more than 16 feet in height.~~
- ~~D. Minimum Side Yard Setback: 10 feet.~~
- ~~E. Minimum Rear Yard Setback: 30 feet; however, accessory structures shall have a minimum rear yard setback of 10 feet.~~
- ~~F. Scenic Roads: Structures built on lots adjacent to roads designated as scenic on Comprehensive Plan Map 5-1, *Scenic Roads*, should be set back a sufficient distance from the right-of-way to permit a landscaped or natural buffer area.~~
- ~~G. Exceptions: Dimensional standards are subject to modification pursuant to Section 900.~~

~~H. Variances: The requirements of Subsections 309.07(B) through (E) may be modified pursuant to Section 1205.~~

~~309.08 DEVELOPMENT STANDARDS~~

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

~~A. Future Urban Areas: A partition in an area defined as Future Urban by Chapter 4 of the Comprehensive Plan shall be approved only if the proposed locations of improvements, including easements, dedications, structures, wells, and on-site sewage disposal systems are consistent with the orderly future development of the property at appropriate urban densities on the basis of the following criteria. One or more of the following factors shall guide the determination of the most appropriate district to apply to a specific property or area:~~

~~1. Physical Site Conditions:~~

~~a. Land with soils subject to slippage, compaction, or high shrink-swell characteristics shall be zoned R-15 or R-20.~~

~~b. Land with slopes of:~~

~~i. 0 to 20 percent shall be considered for zones R-2.5, R-5, R-7 or R-8.5~~

~~ii. 20 percent or more shall be considered for zones R-10 to R-30.~~

~~2. Capacity of Facilities: Land shall be zoned to maximize the capacity of facilities such as streets, sewers, water and storm drainage systems.~~

~~3. Availability of Transit: Land within walking distance (approximately one-quarter mile) of transit service shall be zoned R-2.5, R-5, R-7 or R-8.5.~~

~~4. Proximity to Trip Generators: Areas in close proximity to jobs, shopping, cultural and activity centers shall be zoned R-2.5, R-5, R-7 or R-8.5.~~

~~5. Neighborhood Preservation and Variety: Areas that have historically developed on large lots where little vacant land exists shall remain zoned consistent with the existing development pattern.~~

- ~~6. Vacant Lands: Unless otherwise dictated by the preceding criteria, areas of mostly vacant and sparsely developed land shall be zoned R-2.5, R-5 or R-7. To achieve an average of 7,500 square feet or less per lot in Low Density Future Urban areas when conversion to Immediate Urban Low Density Residential occurs, the R-10 zone shall be limited to areas exceeding 20 percent slope and to Resource Protection areas. Flexible lot-size subdivisions and other buffering techniques shall be encouraged in those areas immediately adjacent to developed subdivisions with lots of 20,000 square feet or more to protect neighborhood character, while taking full advantage of allowed densities.~~
- ~~7. R-2.5: In addition to the above criteria, R-2.5 shall be applied only to:~~
- ~~a. Areas located within one-quarter mile of a designated Regional Center, Corridor or Main Street on Comprehensive Plan Map X-CRC-1, Clackamas Regional Center Area Design Plan Regional Center, Corridors and Station Community;~~
 - ~~b. Areas with access to a residential collector or higher functional class street; and~~
 - ~~c. Areas where the size of the site and adjoining properties zoned R-2.5 do not exceed 10 acres.~~
- ~~B. 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-245, 7/1/13; Amended by Ord. ZDO-246, 3/1/14; Amended by Ord. ZDO-249, 10/13/14; Amended by Ord. ZDO-248, 10/13/14]

~~310 FARM FOREST 10-ACRE DISTRICT (FF-10)~~

~~310.01 PURPOSE~~

~~Section 310 is adopted to implement the policies of the Comprehensive Plan for Rural areas.~~

~~310.02 AREA OF APPLICATION~~

~~Property may be zoned Farm Forest 10-Acre District when the site has been designated as Rural by the Comprehensive Plan; the criteria in Policy 11.3 of the Rural section of Chapter 4 of the Comprehensive Plan are satisfied; and the criteria in Section 1202 are satisfied.~~

~~310.03 PRIMARY USES~~

~~The following are primary uses in the Farm Forest 10-Acre District:~~

- ~~A. One detached single-family dwelling, residential home, or manufactured dwelling. A manufactured dwelling shall be subject to Section 824.~~
- ~~B. Current employment of land for general farm uses, including:
 - ~~1. Raising, harvesting, and selling of crops;~~
 - ~~2. Feeding, breeding, selling, and management of livestock, poultry, fur-bearing animals, or honeybees;~~
 - ~~3. Selling of products of livestock, poultry, fur-bearing animals, or honeybees;~~
 - ~~4. Dairying and the selling of dairy products;~~
 - ~~5. Preparation and storage of the products raised on such lands for man's use and animal use;~~
 - ~~6. Distribution by marketing or otherwise of products raised on such lands; and~~
 - ~~7. Any other agricultural use, horticultural use, animal husbandry, or any combination thereof;~~~~
- ~~C. Propagation or harvesting of a forest product. Inside the Portland Metropolitan Urban Growth Boundary, refer to Subsection 1002.03 regarding a development restriction that may apply if excessive tree removal occurs;~~
- ~~D. Public and private conservation areas and structures for the conservation of water, soil, forest, or wildlife habitat resources;~~

- ~~E. Fish and wildlife management programs;~~
- ~~F. Public and private parks, community gardens, campgrounds, playgrounds, recreational grounds, hiking and horse trails, pack stations, corrals, stables, and similar casual uses provided that such uses are not intended for the purpose of obtaining a commercial profit;~~
- ~~G. Bus shelters under the ownership and/or control of a city, county, state, or municipal corporation, subject to Section 823;~~
- ~~H. Utility carrier cabinets, subject to Section 830; and~~
- ~~I. Wireless telecommunication facilities listed in Subsection 835.04, 835.05(A)(2), or 835.05(A)(3), subject to Section 835.~~

~~310.04 ACCESSORY USES~~

~~The following are accessory uses in the Farm Forest 10-Acre District:~~

- ~~A. Uses and structures customarily accessory and incidental to a primary use;~~
- ~~B. Home occupations, including bed and breakfast homestays, subject to Section 822;~~
- ~~C. Produce stands, subject to the parking requirements of Section 1015;~~
- ~~D. Signs, subject to Section 1010;~~
- ~~E. Guest houses, subject to Section 833;~~
- ~~F. Solar energy systems;~~
- ~~G. Rainwater collection systems;~~
- ~~H. Electric vehicle charging stations for residents and their nonpaying guests; and~~
- ~~I. Family daycare providers.~~

~~310.05 CONDITIONAL USES~~

- ~~A. The following are conditional uses in the FF-10 District, approval of which is subject to Section 1203.
 - ~~1. Churches, subject to Section 804;~~
 - ~~2. Schools, subject to Section 805, except as restricted by Subsection 310.06(C);~~
 - ~~3. Daycare facilities, subject to Section 807;~~~~

- ~~4. Cemeteries, subject to Section 808;~~
- ~~5. Service and recreational uses that exceed the limits of Subsection 310.03(F), subject to Section 813;~~
- ~~6. Operations conducted for the exploration, mining, and processing of geothermal resources, aggregate and other mineral resources, or other subsurface resources, subject to Section 818;~~
- ~~7. Sanitary landfills and debris fills, subject to Section 819;~~
- ~~8. Hydroelectric facilities, subject to Section 829;~~
- ~~9. Bed and breakfast residences and inns, subject to Section 832;~~
- ~~10. Composting facilities, subject to Section 834;~~
- ~~11. Wireless telecommunication facilities listed in Subsection 835.06(A), subject to Section 835;~~
- ~~12. Kennels, provided that the portion of the premises used is located a minimum of 200 feet from all property lines;~~
- ~~13. Aircraft land uses;~~
- ~~14. Public and private parks, campgrounds, recreational grounds, hiking and horse trails, pack stations, corrals, boarding or riding stables, and other similar uses intended for the purpose of obtaining a commercial profit;~~
- ~~15. Commercial or processing activities that are in conjunction with timber and farm uses; and~~
- ~~16. Home occupations to host events, subject to Section 806.~~

~~310.06 — PROHIBITED USES~~

~~The following are prohibited uses in the Farm Forest 10-Acre District:~~

- ~~A. Uses of structures and land not specifically permitted;~~
- ~~B. A subdivision or partition within the Portland Metropolitan Urban Growth Boundary resulting in the creation of one or more lots or parcels of less than 20 acres in size; and~~
- ~~C. Schools within the areas identified as Employment, Industrial, and Regionally Significant Industrial on the Metro Region 2040 Growth Concept Map.~~

~~310.07 — DIMENSIONAL STANDARDS~~

- ~~A. — Purpose: The dimensional standards are intended to:
 - ~~1. Provide for and protect the unique character, livability, and scenic quality of rural areas of the County;~~
 - ~~1. Provide for fire safety and protection of all structures;~~
 - ~~1. Protect the privacy and livability of dwellings and yard areas; and~~
 - ~~1. Preserve, within urban growth boundaries, large parcels of land for future development at urban densities.~~~~
- ~~B. — Minimum Lot Size: New lots of record shall be a minimum of 10 acres in size, except as restricted by Subsection 310.06(C) or as modified by Section 902 or 1013. For the purpose of complying with the minimum lot size standard, lots that front on existing county or public roads may include the land area between the front property line and the middle of the road right-of-way.~~
- ~~C. — Minimum Front Yard Setback: 30 feet; however, there shall be no minimum front yard setback for bus shelters and roadside stands of no more than 400 square feet in area and no more than 16 feet in height.~~
- ~~D. — Minimum Side Yard Setback: 10 feet.~~
- ~~E. — Minimum Rear Yard Setback: 30 feet; however, accessory structures shall have a minimum rear yard setback of 10 feet.~~
- ~~F. — Scenic Roads: Structures built on lots adjacent to roads designated as scenic on Comprehensive Plan Map 5-1, *Scenic Roads*, should be set back a sufficient distance from the right-of-way to permit a landscaped or natural buffer area.~~
- ~~G. — Exceptions: Dimensional standards are subject to modification pursuant to Section 900.~~
- ~~H. — Variances: The requirements of Subsections 310.07(B) through (E) may be modified pursuant to Section 1205.~~

~~310.08 — DEVELOPMENT STANDARDS~~

- ~~A. — General: Development shall be subject to the applicable provisions of Sections 1000 and 1100.~~
- ~~A. — Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-245, 7/1/13; Amended by Ord. ZDO-246, 3/1/14; Amended by Ord. ZDO-248, 10/13/14]

~~312 HOODLAND RESIDENTIAL DISTRICT (HR)~~

~~312.01 PURPOSE~~

~~Section 312 is adopted to:~~

- ~~A. Implement the policies of the Comprehensive Plan for Low Density Residential areas regulated by the Mount Hood Community Plan; and~~
- ~~B. Maintain and enhance the natural environmental and living qualities of those areas within the Mt. Hood Community which are recreational residential in character through conservation of natural resources and carefully controlled development.~~

~~312.02 AREA OF APPLICATION~~

~~Property may be zoned Hoodland Residential District if:~~

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

~~312.03 PRIMARY USES~~

~~The following are primary uses in the Hoodland Residential District:~~

- ~~A. One detached single family dwelling, residential home, or manufactured home. A manufactured home shall be subject to Section 824;~~
- ~~B. One attached single family dwelling per lot on up to 20 percent of the total number of lots in a subdivision or up to 100 percent of the lots in a planned unit development, subject to Section 838. If three or more dwelling units are attached to one another, design review shall be required pursuant to Section 1102.~~
- ~~C. Bus shelters, subject to Section 823;~~
- ~~D. Utility carrier cabinets, subject to Section 830;~~
- ~~E. Wireless telecommunication facilities listed in Subsection 835.04(B), 835.04(C), 835.05(A)(2), or 835.05(A)(3), subject to Section 835;~~
- ~~F. Public parks, playgrounds, recreational and community buildings and grounds, community gardens, public golf courses, tennis courts, and similar recreational uses, all of a noncommercial nature, provided that any principal building, swimming pool, or use shall be located a minimum of 45 feet from any other lot in a residential district; and~~

~~G. — Park and ride facilities.~~

~~312.04 — ACCESSORY USES~~

~~The following are accessory uses in the Hoodland Residential District:~~

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

~~B. — One accessory dwelling unit;~~

~~C. — Produce stands, subject to Section 815;~~

~~D. — Livestock, subject to Section 821;~~

~~E. — Home occupations, including bed and breakfast homestays, subject to Section 822;~~

~~F. — Guest houses, subject to Section 833;~~

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

~~H. — Solar energy systems;~~

~~I. — Rainwater collection systems;~~

~~J. — Electric vehicle charging stations for residents and their nonpaying guests;~~

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

~~L. — Family daycare providers.~~

~~312.05 — CONDITIONAL USES~~

~~A. — The following are conditional uses in the HR District, approval of which is subject to Section 1203.~~

~~1. — Condominium conversions, subject to Section 803;~~

~~2. — Churches, subject to Section 804;~~

~~3. — Schools, subject to Section 805;~~

~~4. — Daycare facilities, subject to Section 807;~~

~~5. — Nursing homes, subject to Section 810;~~

~~6. — Service and recreational uses, subject to Section 813;~~

- ~~7. Quarry activities or uses: rock, gravel, sand, soil, aggregates, and similar extractive activities and uses, but none within any stream corridor area or within 100 feet of the average annual high water mark of any stream, river, or other body of water, whichever is greater, subject to Section 818;~~
- ~~8. Sanitary landfills, debris fills and solid waste transfer stations, with a minimum site area of 3 acres, subject to Section 819;~~
- ~~9. Public or private energy source development. Hydroelectric facilities shall be subject to Section 829;~~
- ~~10. Bed and breakfast residences and inns, subject to Section 832;~~
- ~~11. Wireless telecommunication facilities listed in Subsection 835.06(A), subject to Section 835;~~
- ~~12. Personal use airports and helistops;~~
- ~~13. Guest ranches, lodges, campgrounds, and similar recreation operations, with a minimum site area of one acre;~~
- ~~14. Multi-use developments, subject to Section 1016; and~~
- ~~15. The hosting of weddings, family reunions, class reunions, company picnics, and similar events.~~

~~312.06 — PROHIBITED USES~~

~~The following are prohibited use in the Hoodland Residential District:~~

- ~~A. — Uses of structures and land not specifically permitted; and~~
- ~~B. — The use of a residential trailer or mobile home as a dwelling, except within a lawfully established preexisting manufactured dwelling park or as authorized under Section 1204.~~

~~312.07 — DIMENSIONAL STANDARDS~~

- ~~A. — Purpose: The dimensional standards are intended to:~~
 - ~~1. — Provide for the protection of the natural environment and the surrounding areas from potentially adverse influences;~~
 - ~~1. — Provide for and protect the unique character, livability, and scenic quality of the Mount Hood community;~~
 - ~~1. — Provide for fire safety and protection of all structures;~~

- ~~1. Protect the privacy and livability of on- and offsite dwellings and yard areas;~~
- ~~1. Provide for adequate light and air circulation between structures;~~
- ~~1. Provide for adequate snow slide area between structures above the 3,500-foot elevation;~~
- ~~1. Ensure consistency in the scale of structures, both vertically and horizontally; and~~
- ~~1. Provide for adequate open space within a development.~~
- ~~B. Density: The district land area for purposes of calculating density pursuant to Section 1012 is 10,890 square feet per primary dwelling unit.~~
- ~~C. Setback Exception: Notwithstanding Subsections 312.07(D), (E) and (G), no setback is required from property lines that abut a national forest.~~
- ~~D. Minimum Front Yard Setback: 20 feet from the front property line or 40 feet from the centerline of the fronting road, whichever is greater, except as provided below:
 - ~~1. Scenic Roads: Structures built on lots adjacent to roads designated as scenic roads on Comprehensive Plan Map 5-1, *Scenic Roads*, should be set back a sufficient distance from the right-of-way to permit a landscaped or natural buffer area.~~
 - ~~1. Corner or Through Lots: Structures on corner or through lots shall observe the minimum front yard setback on one road and shall have the option of maintaining a 15-foot setback or 35 feet from the centerline of the fronting road, whichever is greater, on the other road. Structures located above 3,500 feet in elevation shall have the option of maintaining a 10-foot setback, or 30 feet from the centerline of the fronting road, whichever is greater, on the other road.~~~~
- ~~E. Minimum Side Yard Setback: 10 percent of the lot width calculated at the building line. However, regardless of lot width, a side yard setback shall not be less than five feet, and a side yard setback of more than 10 feet shall not be required.~~
- ~~F. Minimum Structure Separation: Above 3,500 feet in elevation, the separation distance between buildings with contiguous snow slide areas shall be a minimum of 20 feet. "Snow slide area" means the area around the structure that may be subject to snow buildup as a result of snow sliding from the sloped roof of the structure.~~

- ~~G. — Minimum Rear Yard Setback: 10 percent of the average lot depth. However, regardless of lot depth, a rear yard setback shall not be less than 10 feet, and a rear yard setback of more than 20 feet shall not be required.~~
- ~~H. — Maximum Lot Coverage:
A 20 percent lot coverage limitation shall apply to lots contained in any subdivision recorded prior to September 16, 1974. In a planned unit development, the lot coverage limitation shall be calculated as a percentage of the average lot size. In calculating the average, common areas shall be included in the total area but the result shall be divided only by the number of building lots.~~
- ~~I. — Maximum Building Height: 40 feet. This provision may be modified to allow a maximum height of 50 feet when necessary to accommodate understructure parking.~~
- ~~J. — Exceptions: Dimensional standards are subject to modification pursuant to Section 900.~~
- ~~K. — Variance: Dimensional standards may be modified pursuant to Section 1205.~~

~~312.08 — 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. — Restricted Areas: Generally residential development is prohibited in the Floodplain Management District regulated by Section 703, river and stream corridors, wetlands, mass movement hazard areas regulated by Section 1003, and slopes greater than 25 percent. However, a single-family dwelling may be developed in a restricted area on a lot of record created prior to the adoption of this standard, subject to compliance with the applicable criteria in this Ordinance for such development. In the case of a land division, density accruing to restricted areas may be eligible for transfer to unrestricted areas as provided in Section 1012.~~
- ~~D. — Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

- ~~E. — Design Features: All dwellings, except temporary dwellings approved pursuant to Section 1204, shall include at least three of the following features visible to the road. If a dwelling is located on a corner lot, the features shall be visible to the road from which the dwelling takes access.~~
- ~~1. — A covered porch at least two feet deep;~~
 - ~~1. — An entry area recessed at least two feet from the exterior wall to the door;~~
 - ~~1. — A bay or bow window (not flush with the siding);~~
 - ~~1. — An offset on the building face of at least 16 inches from one exterior wall surface to the other;~~
 - ~~1. — A dormer;~~
 - ~~1. — A gable;~~
 - ~~1. — Roof eaves with a minimum projection of 12 inches from the intersection of the roof and the exterior walls;~~
 - ~~1. — Roofline offsets of at least 16 inches from the top surface of one roof to the top surface of the other;~~
 - ~~1. — An attached garage;~~
 - ~~1. — Orientation of the long axis and front door to the road;~~
 - ~~1. — A cupola;~~
 - ~~1. — A tile or shake roof;~~
 - ~~1. — Horizontal lap siding.~~

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-246, 3/1/14; Amended by Ord. ZDO-249, 10/13/14; Amended by Ord. ZDO-248, 10/13/14]

~~314 FUTURE URBAN 10-ACRE DISTRICT (FU-10)~~

~~314.01 PURPOSE~~

~~Section 314 is adopted to implement the goals and policies of the Comprehensive Plan for Future Urban areas.~~

~~314.02 AREA OF APPLICATION~~

~~The Future Urban 10-Acre District is applied to those areas designated as Future Urban by Chapter 4 of the Comprehensive Plan.~~

~~314.03 PRIMARY USES~~

~~The following are primary uses in the Future Urban 10-Acre District:~~

- ~~A. One detached single family dwelling, residential home, or manufactured dwelling. A manufactured dwelling shall be subject to Section 824;~~
- ~~B. Current employment of land for general farm uses including:
 - ~~1. Raising, harvesting, and selling of crops;~~
 - ~~2. Feeding, breeding, selling, and management of livestock, poultry, furbearing animals, or honeybees;~~
 - ~~3. Selling of products of livestock, poultry, furbearing animals, or honeybees;~~
 - ~~4. Dairying and selling of dairy products;~~
 - ~~5. Preparation and storage of the products raised on such lands for man's use and animal use;~~
 - ~~6. Distribution by marketing or otherwise of products raised on such lands; and~~
 - ~~7. Any other agricultural use, horticultural use, animal husbandry, or any combination thereof;~~~~
- ~~C. Propagation or harvesting of a forest product. Inside the Portland Metropolitan Urban Growth Boundary, refer to Subsection 1002.03 regarding a development restriction that may apply if excessive tree removal occurs;~~
- ~~D. Public and private conservation areas and structures for the conservation of water, soil, forest, or wildlife habitat resources;~~
- ~~E. Fish and wildlife management programs;~~

- ~~F. — Bus shelters under the ownership and/or control of a city, county, state, or municipal corporation, subject to the provisions of Section 823;~~
- ~~G. — Utility carrier cabinets, subject to Section 830; and~~
- ~~H. — Wireless telecommunication facilities listed in Subsection 835.04(B), 835.04(C), 835.05(A)(2), or 835.05(A)(3), subject to Section 835.~~

~~314.04 — ACCESSORY USES~~

- ~~A. — The following are accessory uses in the Future Urban 10-Acre District:~~
- ~~B. — Uses and structures customarily accessory and incidental to a primary use;~~
- ~~C. — Produce stands, which in addition to selling produce grown on site, may sell agricultural products that are produced in the surrounding community in which the stand is located;~~
- ~~D. — Signs, subject to Section 1010;~~
- ~~E. — Guest houses, subject to Section 833;~~
- ~~F. — Home occupations, including bed and breakfast homestays, subject to Section 822;~~
- ~~G. — Solar energy systems;~~
- ~~H. — Rainwater collection systems; and~~
- ~~I. — Electric vehicle charging stations for residents and their nonpaying guests.~~

~~314.05 — CONDITIONAL USES~~

- ~~A. — The following are conditional uses in the FU-10 District, approval of which are subject to Section 1203.~~
 - ~~1. — Expansion of existing churches, subject to Section 804;~~
 - ~~2. — Expansion of existing schools, subject to Section 805;~~
 - ~~3. — Expansion of existing daycare facilities, subject to Section 807;~~
 - ~~4. — Cemeteries, subject to Section 808;~~
 - ~~5. — Service and recreational uses, excluding recreational vehicle camping facilities, subject to Section 813;~~
 - ~~6. — Sanitary landfills, debris fills, and transfer stations, subject to Section 819;~~

- ~~7. Hydroelectric facilities, subject to Section 829;~~
- ~~8. Bed and breakfast residences, subject to Section 832;~~
- ~~9. Wireless telecommunication facilities listed in Subsection 835.06(A), subject to Section 835;~~
- ~~10. Aircraft land uses;~~
- ~~11. Public and private parks, campgrounds, playgrounds, recreational grounds, hiking and horse trails, pack stations, corrals, boarding or riding stables, and other similar uses; and~~
- ~~12. Home occupations to host events, subject to Section 806.~~

~~314.06 — PROHIBITED USES~~

~~The following are prohibited uses in the Future Urban 10-Acre District:~~

- ~~A. Uses of structures and land not specifically permitted;~~
- ~~A. Any division of land resulting in the creation of one or more parcels of less than 10 acres in size, except as modified by Subsection 902.01(B)(4);~~
- ~~A. Residential subdivisions;~~
- ~~A. The use of a residential trailer as a dwelling, except within a lawfully established pre-existing manufactured dwelling park or as authorized under Section 1204; and~~
- ~~A. Kennels.~~

~~314.07 — DIMENSIONAL STANDARDS~~

- ~~A. Purpose: The dimensional standards are intended to:
 - ~~1. Provide for fire safety and protection of all structures;~~
 - ~~1. Protect the privacy and livability of dwellings and yard areas; and~~
 - ~~1. Preserve, within urban growth boundaries, large parcels of land for future development at urban densities.~~~~
- ~~B. Minimum Lot Size: New lots of record shall be a minimum of 10 acres in size, except as modified by Subsection 902.01(B)(4). For the purpose of complying with the minimum lot size standard, lots that front on existing county or public roads may include the land area between the front property line and the middle of the road right-of-way.~~

- ~~C. Minimum Front Yard Setback: 30 feet; however, there shall be no minimum front yard setback for bus shelters and produce stands of no more than 100 square feet in area and no more than 16 feet in height.~~
- ~~D. Minimum Rear Yard Setback: 30 feet; however, accessory structures shall have a minimum rear yard setback of 10 feet.~~
- ~~E. Minimum Side Yard Setback: 10 feet.~~
- ~~F. Scenic Roads: Structures built on lots adjacent to roads designated as scenic on Comprehensive Plan Map 5-1, *Scenic Roads*, should be set back a sufficient distance from the right-of-way to permit a landscaped or natural buffer area.~~
- ~~G. Exceptions: Dimensional standards are subject to modification pursuant to Section 900.~~
- ~~H. Variances: The requirements of Subsections 314.07(C) through (E) may be modified pursuant to Section 1205.~~

~~314.08 DEVELOPMENT STANDARDS~~

- ~~A. General: Development is subject to the applicable provisions of Sections 1000 and 1100.~~
- ~~A. Partitions: A partition shall be approved only if the proposed locations of improvements, including easements, dedications, structures, wells, and on-site sewage disposal systems are consistent with the orderly future development of the property at appropriate urban densities on the basis of the following criteria:
 - ~~1. Physical Site Conditions:
 - ~~a. Land with soils subject to slippage, compaction, or high shrink-swell characteristics shall be zoned R-15 or R-20.~~
 - ~~b. Land with slopes of:
 - ~~i. 0 to 20 percent shall be considered for zones R-2.5, R-5, R-7 or R-8.5~~
 - ~~ii. 20 percent or more shall be considered for zones R-10 to R-30.~~~~~~
 - ~~2. Capacity of Facilities: Land shall be zoned to maximize the capacity of facilities such as streets, sewers, water and storm drainage systems.~~
 - ~~3. Availability of Transit: Land within walking distance (approximately one-quarter mile) of transit service shall be zoned R-2.5, R-5, R-7 or R-8.5.~~~~

- ~~4. Proximity to Trip Generators: Areas in close proximity to jobs, shopping, cultural and activity centers shall be zoned R-2.5, R-5, R-7 or R-8.5.~~
- ~~5. Neighborhood Preservation and Variety: Areas that have historically developed on large lots where little vacant land exists shall remain zoned consistent with the existing development pattern.~~
- ~~6. Vacant Lands: Unless otherwise dictated by the preceding criteria, areas of mostly vacant and sparsely developed land shall be zoned R-2.5, R-5 or R-7. To achieve an average of 7,500 square feet or less per lot in Low Density Future Urban areas when conversion to Immediate Urban Low Density Residential occurs, the R-10 zone shall be limited to areas exceeding 20 percent slope and to Resource Protection areas. Flexible lot-size subdivisions and other buffering techniques shall be encouraged in those areas immediately adjacent to developed subdivisions with lots of 20,000 square feet or more to protect neighborhood character, while taking full advantage of allowed densities.~~
- ~~7. R-2.5: In addition to the above criteria, R-2.5 shall be applied only to:
 - ~~a. Areas located within one-quarter mile of a designated Regional Center, Corridor or Main Street on Comprehensive Plan Map X-CRC-1, Clackamas Regional Center Area Design Plan Regional Center, Corridors and Station Community;~~
 - ~~b. Areas with access to a residential collector or higher functional class street; and~~
 - ~~c. Areas where the size of the site and adjoining properties zoned R-2.5 do not exceed 10 acres.~~~~
- ~~B. 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-245, 7/1/13; Amended by Ord. ZDO-246, 3/1/14; Amended by Ord. ZDO-249, 10/13/14; Amended by Ord. ZDO-248, 10/13/14]

~~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, 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.~~~~

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- ~~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;~~
- ~~H. — Recreational vehicle camping facilities, subject to Subsection 813.01(D);~~
- ~~JJ. — Motels, hotels, and resort accommodations are subject to the density provisions of Subsection 504.07(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 504.07(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 or 835.05, 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 CONDITIONAL USES~~

~~The following are conditional uses in the RTC District, approval of which is subject to Section 1203.~~

~~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.~~

~~504.06 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.~~

~~504.07 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;~~
- ~~1. Ensure that the minimum operational requirements of the development are provided onsite;~~
- ~~1. Establish the maximum limits of development;~~
- ~~1. Provide for coordinated, pleasing and efficient utilization of Rural Tourist Commercial areas; and~~
- ~~1. 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 504.07(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 504.07(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.~~
- ~~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.~~
 - ~~1. 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:~~~~

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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. Variance: The standards of Subsection 504.07 may be modified pursuant to Section 1205.~~

~~504.08 DEVELOPMENT STANDARDS~~

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

~~A. 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.~~

~~A. 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.~~

~~1. Loading and Delivery: Shall not be located on Government Camp Loop unless there is no other access.~~

~~1. 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.~~

- ~~1. 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.~~
 - ~~1. Roofing Materials: No non-architectural composition shingles or galvanized or corrugated metal roofs are allowed.~~
 - ~~1. 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".~~
- ~~B. 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.~~
- ~~C. 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.~~
- ~~D. Manufactured Dwelling Parks: Redevelopment of a manufactured dwelling park with a different use shall require compliance with Subsection 825.03.~~

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-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; Amended by Ord. ZDO-250, 10/13/14; Amended by Ord. ZDO-248, 10/13/14]

~~505 — RURAL COMMERCIAL DISTRICT (RC)~~

~~505.01 — PURPOSE~~

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

~~505.02 — AREA OF APPLICATION~~

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

~~505.03 — PRIMARY USES~~

~~A. — The following are primary uses in the Rural Commercial District:~~

- ~~1. — Accounting and income tax services;~~
- ~~2. — Antique and second-hand stores;~~
- ~~3. — Apparel stores and dressmaking shops;~~
- ~~4. — Arts and crafts stores, including manufacturing of the crafts to be sold in that store and craft classes;~~
- ~~5. — Auto, truck, and equipment repair services, and sale of replacement parts;~~
- ~~6. — Bakeries;~~
- ~~7. — Banks, credit unions, and savings and loans;~~
- ~~8. — Barber and beauty shops;~~
- ~~9. — Bed and breakfast residences and inns, subject to Section 832;~~
- ~~10. — Billiard halls with no more than six tables and game rooms which provide no more than 20 mechanical or electronic games of science and skill;~~
- ~~11. — Book and stationery stores;~~
- ~~12. — Building materials retailers and plumbing, electrical, and building contractors;~~
- ~~13. — Catering establishments;~~
- ~~14. — Clothes pressing, alterations, and tailoring shops;~~
- ~~15. — Community and government services, such as community action agencies, extension services, fire stations, and post offices;~~

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- ~~16. Confectionery stores;~~
- ~~17. Daycare facilities and other adult or child care facilities, operated during the daytime, subject to Section 807;~~
- ~~18. Delicatessens and restaurants, excluding drive-in restaurants;~~
- ~~19. Drug stores;~~
- ~~20. Dry cleaners, laundry agencies, and self-service laundromats;~~
- ~~21. Electric vehicle charging stations;~~
- ~~22. Exercise and tanning studios;~~
- ~~23. Fabric and dry goods stores;~~
- ~~24. Firewood sales;~~
- ~~25. Feed stores, including wholesale and retail sales and storage;~~
- ~~26. Fertilizer and similar agricultural and forestry materials wholesale and retail sales and storage;~~
- ~~27. Florist and gift shops;~~
- ~~28. Food lockers;~~
- ~~29. Garden stores, including wholesale and retail sales of seeds, seedlings, and nursery stock;~~
- ~~30. Grocery and produce stores;~~
- ~~31. Gunsmiths;~~
- ~~32. Hardware and garden supply stores;~~
- ~~33. Housewares and household appliance and equipment sales and repair;~~
- ~~34. Insurance agents;~~
- ~~35. Leather goods and hides sales;~~
- ~~36. Locksmiths;~~
- ~~37. Logging contractors;~~
- ~~38. Liquor stores;~~

- ~~39. Meat and fish markets;~~
- ~~40. Mobile vending units;~~
- ~~41. Museums;~~
- ~~42. Offices for doctors, dentists, chiropractors, naturopathic treatment personnel, and other health service personnel; small clinics; and community healthcare programs;~~
- ~~43. Offices, meeting rooms, rental and sales outlets, and equipment storage for organizations related to farm or forestry uses such as water boards, farmers co-ops, granges, and wholesalers or retailers of farm or forestry equipment, materials, and products;~~
- ~~44. Photo finishing;~~
- ~~45. Pottery and ceramics stores, including manufacturing of pottery to be sold in that store, and classes;~~
- ~~46. Real estate agencies;~~
- ~~47. Service stations, subject to Section 820;~~
- ~~48. Shoe repair;~~
- ~~49. Taverns;~~
- ~~50. Telephone co-ops;~~
- ~~51. Upholstery shops, including retail sales;~~
- ~~52. Utility carrier cabinets, subject to Section 830;~~
- ~~53. Veterinary services and pet supply stores;~~
- ~~54. Video rental stores; and~~
- ~~55. Wireless telecommunication facilities listed in Subsection 835.04 or 835.05, subject to Section 835.~~

~~505.04 — ACCESSORY USES~~

~~A. — The following are accessory uses in the Rural Commercial District:~~

- ~~1. — Uses and structures customarily accessory and incidental to a primary use;~~

- ~~2. Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work;~~
- ~~3. Solar energy systems;~~
- ~~4. Rainwater collection systems;~~
- ~~5. The temporary storage within an enclosed structure of source-separated recyclable/reusable materials generated and/or used on-site prior to on-site reuse or removal by the generator or licensed or franchised collector to a user or broker;~~
- ~~6. Recyclable dropoff sites, subject to Section 819;~~
- ~~7. Drive-thru window service, subject to Subsections 827.02(C) through (E); and~~
- ~~8. Signs, subject to Section 1010.~~

~~505.05 — CONDITIONAL USES~~

~~A. The following are conditional uses in the RC District, approval of which is subject to Section 1203:~~

- ~~1. Churches, subject to Section 804;~~
- ~~2. Primary and secondary schools and trade schools for trades associated with agriculture and forestry industries, subject to Section 805, except as restricted by Subsection 505.06(A)(4);~~
- ~~3. Service and recreational uses, excluding recreational vehicle camping facilities, subject to Section 813;~~
- ~~4. Recycling centers and transfer stations, subject to Section 819;~~
- ~~5. Hydroelectric facilities, subject to Section 829;~~
- ~~6. Mini-storage facilities, vehicle storage, and recreational vehicle storage; and~~
- ~~7. The hosting of weddings, family reunions, class reunions, company picnics, and similar events.~~

~~505.06 — PROHIBITED AND PREEXISTING USES~~

~~A. The following are prohibited uses in the Rural Commercial District:~~

- ~~1. Uses of structures and land not specifically allowed;~~

- ~~2. New dwellings, except when accessory to a primary use;~~
 - ~~3. A subdivision or partition within the Portland Metropolitan Urban Growth Boundary resulting in the creation of one or more lots or parcels of less than 20 acres; and~~
 - ~~4. Schools within the areas identified as Employment, Industrial, and Regionally Significant Industrial on the Metro Region 2040 Growth Concept Map.~~
- ~~B. Lawfully established dwellings shall not be nonconforming uses and shall be allowed to remodel or expand without review under Section 1206.~~
- ~~C. Lawfully established commercial uses that existed on December 20, 2001, and are not otherwise provided for in this section, shall not be nonconforming uses and are allowed outright.~~

~~505.07 DIMENSIONAL STANDARDS~~

- ~~A. Purpose: The dimensional standards are intended to:~~
- ~~1. Provide for protection of surrounding properties and the historic character of unincorporated communities;~~
 - ~~1. Ensure that the minimum operational requirements of the development are provided on-site;~~
 - ~~1. Establish the maximum limits of development; and~~
 - ~~1. Ensure that the use and building scale are in character with the unincorporated community and appropriate to meet the needs of the unincorporated community and surrounding area residents.~~
- ~~B. Minimum Front Yard Setback: 30 feet.~~
- ~~C. Minimum Side Yard Setback: 10 feet; however, if the side yard abuts a more restricting zoning district, the minimum side yard setback shall be 20 feet.~~
- ~~D. Minimum Rear Yard Setback: 10 feet; however, if the rear yard abuts a more restrictive zoning district, the minimum rear yard setback shall be 20 feet.~~
- ~~E. Minimum Road Frontage: 50 feet.~~
- ~~F. Minimum Lot Size: None, except as restricted by Subsection 505.06(A)(3).~~
- ~~G. Minimum Landscaping Area: 15 percent of the lot.~~

~~H. — Maximum Building Floor Area:~~

~~1. — For a commercial use within an unincorporated community, the maximum building floor area per use shall be 4,000 square feet. However, a lawfully established use that existed on December 20, 2001, and serves the community or the travel needs of people passing through the area, may expand to occupy a maximum of 4,000 square feet of building floor area or 50 percent more building floor area than was occupied by the use on December 20, 2001, whichever is greater.~~

~~1. — For a commercial use outside an unincorporated community, the maximum building floor area per use shall be 3,000 square feet. However, a lawfully established use that existed on December 20, 2001, may expand to occupy a maximum of 3,000 square feet of building floor area or 25 percent more building floor area than was occupied by the use on December 20, 2001, whichever is greater.~~

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

~~J. — Variances: The requirements of Subsections 505.07(B) through (E) and (G) may be modified pursuant to Section 1102 when such modification is consistent with Section 1205. A proposed reduction that exceeds 20 percent of the requirement shall be processed as a separate variance application pursuant to Section 1205.~~

~~505.08 — DEVELOPMENT STANDARDS~~

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

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

~~C. — Signs: Signs shall be complementary to the historic character and rural scale of the unincorporated community in the use of graphics symbols, lighting, and natural materials.~~

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

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-235, 5/14/12; Amended by Ord. ZDO-248, 10/13/14]

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<u>Use</u>	<u>RA-1</u>	<u>RA-2</u>	<u>RR</u>	<u>RRFF-5</u>	<u>FF-10</u>	<u>FU-10</u>
823						
<u>Campgrounds</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Cemeteries, subject to Section 808</u>	<u>C</u>	<u>C</u>	<u>X</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Churches, subject to Section 804</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u> ³
<u>Commercial or Processing Activities that are in Conjunction with Farm or Forest Uses</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>C</u>	<u>C</u>	<u>X</u>
<u>Composting Facilities, subject to Section 834</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>C</u>	<u>C</u>	<u>X</u>
<u>Conservation Areas or Structures for the Conservation of Water, Soil, Forest, or Wildlife Habitat Resources</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Crematories, subject to Section 808</u>	<u>C</u>	<u>C</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Daycare Facilities, subject to Section 807</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u> ⁴
<u>Daycare Services, Adult</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u> ⁵
<u>Dwellings, Detached Single-Family</u>	<u>P</u> ⁶	<u>P</u> ⁶	<u>P</u> ⁶	<u>P</u> ⁶	<u>P</u> ⁶	<u>P</u> ⁶
<u>Dwellings, Two-Family, subject to Section 802</u>	<u>C</u> ⁶	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Energy Source Development</u>	<u>X</u>	<u>X</u>	<u>C</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Farm Uses, including:</u>						
<u>Raising, harvesting, and selling crops</u>	<u>P</u>	<u>P</u>	<u>P</u> ⁷	<u>P</u>	<u>P</u>	<u>P</u>
<u>Feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur-bearing animals, or honeybees</u>	<u>X</u> ⁸	<u>P</u>	<u>X</u> ⁸	<u>P</u>	<u>P</u>	<u>P</u>
<u>Dairying and the sale of dairy products</u>	<u>X</u> ⁸	<u>P</u>	<u>X</u> ⁸	<u>P</u>	<u>P</u>	<u>P</u>
<u>Any other agricultural or horticultural use or animal husbandry or any combination thereof</u>	<u>X</u> ⁸	<u>P</u>	<u>X</u> ⁸	<u>P</u>	<u>P</u>	<u>P</u>
<u>Preparation, storage, and disposal by marketing or otherwise of the products or by-products raised on such land for human or animal use</u>	<u>P</u>	<u>P</u>	<u>P</u> ⁷	<u>P</u>	<u>P</u>	<u>P</u>
<u>Propagation, cultivation, maintenance, and harvesting of</u>	<u>X</u> ⁸	<u>P</u>	<u>X</u> ⁸	<u>P</u>	<u>P</u>	<u>P</u>

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<u>Use</u>	<u>RA-1</u>	<u>RA-2</u>	<u>RR</u>	<u>RRFF-5</u>	<u>FF-10</u>	<u>FU-10</u>
<u>aquatic, bird, and animal species that are under the jurisdiction of the Oregon Fish and Wildlife Commission, to the extent allowed by the rules adopted by the commission</u>						
<u>Growing cultured Christmas trees</u>	<u>P</u>	<u>P</u>	<u>P⁷</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Fish or Wildlife Management Programs</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Forest Practices, including the following operations conducted on or pertaining to forestland: reforestation of forestland, road construction and maintenance, harvesting of forest tree species, application of chemicals, disposal of slash, and removal of woody biomass</u>	<u>P⁹</u>	<u>P⁹</u>	<u>P</u>	<u>P⁹</u>	<u>P⁹</u>	<u>P⁹</u>
<u>Fraternal Organization Lodges</u>	<u>C¹⁰</u>	<u>C¹⁰</u>	<u>C¹⁰</u>	<u>C¹⁰</u>	<u>C¹⁰</u>	<u>C¹⁰</u>
<u>Government Uses, unless such a use is specifically listed as a primary, accessory, conditional, or prohibited use in the applicable zoning district</u>	<u>C¹⁰</u>	<u>C¹⁰</u>	<u>C¹⁰</u>	<u>C¹⁰</u>	<u>C¹⁰</u>	<u>C¹⁰</u>
<u>Guest Houses and Studios, subject to Section 833</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>Guest Ranches and Lodges</u>	<u>X</u>	<u>X</u>	<u>C</u>	<u>X</u>	<u>X</u>	<u>X</u>
<u>Home Occupations, including bed and breakfast homestays, subject to Section 822¹¹</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>Home Occupations to Host Events, subject to Section 806</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Hydroelectric Facilities, subject to Section 829</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Kennels</u>	<u>C¹²</u>	<u>C¹²</u>	<u>X</u>	<u>C¹²</u>	<u>C¹²</u>	<u>X</u>
<u>Livestock, subject to Section 821</u>	<u>P</u>	<u>X⁸</u>	<u>A</u>	<u>X⁸</u>	<u>X⁸</u>	<u>X⁸</u>
<u>Manufactured Dwellings, subject to Section 824</u>	<u>P⁶</u>	<u>P⁶</u>	<u>P⁶</u>	<u>P⁶</u>	<u>P⁶</u>	<u>P⁶</u>
<u>Operations Conducted for the Exploration, Mining, or Processing of Geothermal Resources or Other Subsurface Resources</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>C</u>	<u>C</u>	<u>X</u>

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<u>Use</u>	<u>RA-1</u>	<u>RA-2</u>	<u>RR</u>	<u>RRFF-5</u>	<u>FF-10</u>	<u>FU-10</u>
<u>Produce Stands</u>	<u>A¹³</u>	<u>A¹³</u>	<u>A¹³</u>	<u>A¹³</u>	<u>A¹³</u>	<u>A^{13,14}</u>
<u>Public Utility Facilities</u>	<u>C^{10,15}</u>	<u>C^{10,15}</u>	<u>C^{10,15}</u>	<u>C^{10,15}</u>	<u>C^{10,15}</u>	<u>C^{10,15}</u>
<u>Radio and Television Transmission and Receiving Towers and Earth Stations</u>	<u>C^{10,16}</u>	<u>C^{10,16}</u>	<u>C^{10,16}</u>	<u>C^{10,16}</u>	<u>C^{10,16}</u>	<u>C^{10,16}</u>
<u>Recreational Uses, including boat moorages, community gardens, country clubs, equine facilities, gymnastics facilities, golf courses, horse trails, pack stations, parks, playgrounds, sports courts, swimming pools, ski areas, and walking trails¹⁷</u>	<u>C¹⁰</u>	<u>C^{10,18}</u>	<u>C¹⁰</u>	<u>C^{10,18}</u>	<u>C^{10,18}</u>	<u>C^{10,18}</u>
<u>Recreational Uses, Government- Owned, including amphitheaters; arboreta; arbors, decorative ponds, fountains, gazebos, pergolas, and trellises; ball fields; bicycle and walking trails; bicycle parks and skate parks; equine facilities; 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; horse trails; miniature golf, putting greens, and sports courts; pack stations; parks; picnic areas and structures; play equipment and playgrounds; nature preserves and wildlife sanctuaries; ski areas; tables and seating; and similar recreational uses¹⁷</u>	<u>P¹⁹</u>	<u>P¹⁹</u>	<u>P¹⁹</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Recreational Uses, Government- Owned Golf Courses¹⁷</u>	<u>P¹⁹</u>	<u>P¹⁹</u>	<u>P¹⁹</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Recreational Vehicle Camping Facilities, subject to Section 813</u>	<u>C¹⁰</u>	<u>C¹⁰</u>	<u>C¹⁰</u>	<u>C¹⁰</u>	<u>C¹⁰</u>	<u>X</u>
<u>Sanitary Landfills and Debris Fills, subject to Section 819</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>C</u>	<u>C</u>	<u>X</u>
<u>Schools, subject to Section 805</u>	<u>C²⁰</u>	<u>C²⁰</u>	<u>C</u>	<u>C²⁰</u>	<u>C²⁰</u>	<u>C²¹</u>
<u>Signs, subject to Section 1010</u>	<u>A²²</u>	<u>A²²</u>	<u>A²²</u>	<u>A²²</u>	<u>A²²</u>	<u>A²²</u>
<u>Surface Mining, subject to Section 818</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>C</u>	<u>C</u>	<u>X</u>

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<u>Use</u>	<u>RA-1</u>	<u>RA-2</u>	<u>RR</u>	<u>RRFF-5</u>	<u>FF-10</u>	<u>FU-10</u>
<u>Telephone Exchanges</u>	<u>C¹⁰</u>	<u>C¹⁰</u>	<u>C¹⁰</u>	<u>C¹⁰</u>	<u>C¹⁰</u>	<u>C¹⁰</u>
<u>Temporary Buildings for Uses Incidental to Construction Work.</u> Such buildings shall be removed upon completion or abandonment of the construction work.	<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>Transfer Stations, subject to Section 819</u>	<u>X</u>	<u>X</u>	<u>C</u>	<u>X</u>	<u>X</u>	<u>C</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>Wireless Telecommunication Facilities listed in Subsections 835.04 and 835.05(A)(2) and (3), subject to Section 835</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 835.06(A), subject to Section 835</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>

¹ An accessory kitchen is permitted only in a detached single-family dwelling or a manufactured dwelling. Only one accessory kitchen is permitted in each single-family dwelling or manufactured dwelling.

² Aircraft landing areas are permitted for use by emergency aircraft (fire, rescue, etc.) only.

³ This use is limited to alteration or expansion of a lawfully established church.

⁴ This use is limited to alteration or expansion of a lawfully established daycare facility.

⁵ This use is limited to alteration or expansion of a lawfully established adult daycare service.

⁶ Except as limited by Subsection 902.02, each lot of record may be developed with only one of the following: detached single-family dwelling, two-family dwelling (only if approved as a conditional use in the RA-1 District pursuant to Section 802), or manufactured dwelling.

⁷ This use is permitted only on lots larger than five acres.

- ⁸ Depending on the specific zoning district, livestock is either permitted as described under the use category of “farm uses” or is permitted as described under the use category of “livestock.”
- ⁹ For land inside the Portland Metropolitan Urban Growth Boundary, refer to Subsection 1002.03 regarding a development restriction that may apply if excessive tree removal occurs.
- ¹⁰ Uses similar to this may be authorized pursuant to Section 106, *Authorization of Similar Uses*.
- ¹¹ A use may be permitted as a home occupation, subject to Section 822, even if such use is also identified in another use listing in Table 316-1.
- ¹² The portion of the premises used shall be located a minimum of 200 feet from all property lines.
- ¹³ A produce stand shall be subject to the parking requirements of Section 1015, *Parking and Loading*.
- ¹⁴ In addition to selling produce grown on-site, a produce stand may sell agricultural products that are produced in the surrounding community in which the stand is located.
- ¹⁵ Public utility facilities shall not include shops, garages, or general administrative offices.
- ¹⁶ The base of such towers shall not be closer to the property line than a distance equal to the height of the tower.
- ¹⁷ This use may include concessions, restrooms, maintenance facilities, and similar support uses.
- ¹⁸ Equine facilities are a primary use, subject to the following standards and criteria:
- a. The number of horses shall be limited to no more than one horse per acre or five horses in total, whichever is less. Horses owned by the operator of the equine facility, or owned by a 501(c)(3) organization and being temporarily fostered by the operator of the equine facility, do not count toward the maximum number of horses. The one-horse-per-acre standard shall be calculated based on the area of the lot of record or tract on which the equine facility is located.
 - b. Services offered at the equine facility, such as riding lessons, training clinics, and schooling shows, shall be provided only to the family members and nonpaying guests of the operator of the equine facility, the owners of boarded horses, or the family members and nonpaying guests of the owners of boarded horses.
- ¹⁹ Any principal building or swimming pool shall be located a minimum of 45 feet from any other lot in a residential zoning district.

²⁰ Schools are prohibited within the areas identified as Employment, Industrial, and Regionally Significant Industrial on the Metro Region 2040 Growth Concept Map.

²¹ This use is limited to alteration or expansion of a lawfully established school.

²² Temporary signs regulated under Subsection 1010.13(A) are a primary use.

316.04 DIMENSIONAL STANDARDS

A. General: Dimensional standards applicable in the rural and future urban residential zoning districts are listed in Table 316-2, *Dimensional Standards in the Rural Residential and Future Urban Residential Zoning Districts*. As used in Table 316-2, numbers in superscript correspond to the notes that follow the table.

B. Modifications: The standards in Table 316-2 may be modified pursuant to Sections 800, *Special Use Requirements*; 902, *Lot Size Exceptions*; 903, *Setback Exceptions*; 904, *Other Exceptions*; 1013, *Planned Unit Developments*; 1014, *Design Standards for Land Divisions*; 1107, *Property Line Adjustments*; and 1205, *Variance*.

Table 316-2: Dimensional Standards in the Rural Residential and Future Urban Residential Zoning Districts

<u>Standard</u>	<u>RA-1</u>	<u>RA-2</u>	<u>RR</u>	<u>RRFF-5</u>	<u>FF-10</u>	<u>FU-10</u>
<u>Minimum Lot Size¹</u>	<u>1 acre²</u>	<u>2 acres²</u>	<u>2 acres</u>	<u>5 acres^{2,3}</u>	<u>10 acres^{2,3}</u>	<u>10 acres³</u>
<u>Minimum Front Yard Depth</u>	<u>30 feet</u>	<u>30 feet</u>	<u>15 feet, except 20 feet to garage and carport motor vehicle entries⁴</u>	<u>30 feet</u>	<u>30 feet</u>	<u>30 feet</u>
<u>Minimum Rear Yard Depth</u>	<u>30 feet⁵</u>	<u>30 feet⁶</u>	<u>15 feet</u>	<u>30 feet⁶</u>	<u>30 feet⁶</u>	<u>30 feet⁶</u>
<u>Minimum Side Yard Depth</u>	<u>10 feet⁷</u>	<u>10 feet</u>	<u>5 feet</u>	<u>10 feet</u>	<u>10 feet</u>	<u>10 feet</u>
<u>Maximum Lot</u>	<u>None</u>	<u>None</u>	<u>40 percent</u>	<u>None</u>	<u>None</u>	<u>None</u>

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<u>Coverage</u>						
<u>Minimum Building Separation above 3,500 Square Feet in Elevation</u>	<u>None</u>	<u>None</u>	<u>20 feet between buildings with contiguous snow slide areas</u>	<u>None</u>	<u>None</u>	<u>None</u>

¹ The minimum 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 lot size standard, 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 lot size inside the Portland Metropolitan Urban Growth Boundary shall be 20 acres. The 20-acre minimum lot size is applicable to a subdivision or partition, but not to a property line adjustment.

³ For the purpose of complying with the minimum lot size standard, lots with street frontage on County or public road rights-of-way may include the land area between the front lot line and the centerline of the road right-of-way.

⁴ For a corner lot located above 3,500 feet in elevation, the minimum depth of one of the front yards shall be 10 feet, except 20 feet to garage and carport motor vehicle entries.

⁵ The minimum rear yard depth for an accessory building shall be five feet.

⁶ The minimum rear yard depth for an accessory building shall be 10 feet.

⁷ The minimum side yard depth for an accessory building shall be five feet.

316.05 DEVELOPMENT STANDARD

Redevelopment of a manufactured dwelling park with a different use is subject to Subsection 825.03.

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.

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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*.

Table 315-1: Permitted Uses in the Urban Residential Zoning Districts

Use	R-5 – R-30	VR-4/5 & VR-5/7	R-2.5	VTH	PMD	MR-1	MR-2	HDR	VA	SHD	RCHDR
Accessory Dwelling Units , subject to Section 839	A	A	A	A	X	X	X	X	X	X	X
Accessory Kitchens	A ¹	A ¹	A ¹	A ¹	X	A ¹	A ¹	X	X	X	X
Accessory Buildings and Uses, Customarily Permitted , such as <u>amateur (Ham) radio antennas and towers, arbors, bicycle racks, carports, citizen band transmitters and antennas, cogeneration facilities, courtyards, decks, decorative ponds, driveways, electric vehicle charging stations, family daycare providers, fountains, garages, garden sheds, gazebos, greenhouses, HVAC units, meeting facilities, outdoor kitchens, parking areas, patios, pergolas, pet enclosures, plazas, property management and maintenance offices, 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), rainwater collection systems, satellite dishes, self-service laundry facilities, shops, solar energy systems, storage buildings/rooms, television antennas and receivers, transit amenities, trellises, and</u>	A	A	A	A	A	A	A	A	A	A	A

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Use	R-5 – R-30	VR-4/5 & VR- 5/7	R-2.5	VTH	PMD	MR-1	MR-2	HDR	VA	SHD	RCHDR
utility service equipment; utility service equipment; HVAC units; television antennas and receivers; satellite dishes; amateur (Ham) radio towers; citizen band transmitters and antennas; solar energy systems; rainwater collection systems; electric vehicle charging stations; transit amenities; family daycare providers; garages; carports; bicycle racks; driveways; parking areas; decks; patios; outdoor kitchens; swimming pools; spas; saunas; storage buildings; shops; greenhouses; garden sheds; pet enclosures; arbors; trellises; pergolas; gazebos; fountains; decorative ponds; children’s play structures; sports courts; putting greens; community meeting rooms; recreational facilities, such as recreation and activity rooms, exercise and dance studios, playgrounds, and bicycle and walking trails; plazas; courtyards; self-service laundry facilities; storage rooms; property management and maintenance offices; and cogeneration facilities											
Bed and Breakfast Inns , subject to Section 832	C	X	C	X	X	P	P	P	X	L ³ ,C ⁴	L ²
Bed and Breakfast Residences , subject to Section 832	C	X	C	P	X	P	P	P	P	X	X
Bus Shelters , subject to Section 823	A	A	A	A	P	A	A	A	A	A	X

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Use	R-5 – R-30	VR-4/5 & VR-5/7	R-2.5	VTH	PMD	MR-1	MR-2	HDR	VA	SHD	RCHDR
Cemeteries , subject to Section 808	C	X	C	X	X	X	X	X	X	X	X
Civic and Cultural Facilities , including art galleries, libraries, museums, and visitor centers	X	X	X	X	X	X	X	L ⁵ ,C ⁶	X	L ³ ,C ⁴	L ²
Churches , subject to Section 804	C	C	C	X	X	C ⁷	C ⁷	C	X	C	C
Congregate Housing Facilities	X	X	X	P	P	P	P	P	P	P	P
Daycare Facilities , subject to Section 807	C	C	C	C	C	C	C	L ⁵ ,C	C	L ³ ,C ⁴	L ²
Daycare <u>Services</u> Facilities, Adult	C	C	C	C	C	C	C	L ⁵ ,C	C	L ³ ,C ⁴	L ²
Dwellings, Attached Single-Family , subject to Section 838	P ^{8,9}	P ^{8,10} ,C ^{8,11}	P	P	X	P	P	X	X	X	X
Dwellings, Clustered Single-Family	X	X	X	X	P	X	X	X	X	X	X
Dwellings, Detached Single-Family	P ⁸	P ⁸	X	X	X	X	X	X	X	X	X
Dwellings, Multifamily	X	X	X	P ¹²	P	P	P	P	P	P	P
Dwellings, Three-Family	C ¹³	C ¹³	X	P	P	P	P	P	P	X	X
Dwellings, Two-Family	C ¹³	C ¹³	X	P	P	P	P	P	P	X	X
Entertainment Facilities , including arcades, billiard halls, bowling alleys, miniature golf courses, and movie theaters	X	X	X	X	X	X	X	X	X	C ⁴	X
Fences and Retaining Walls	P	P	P	P	P	P	P	P	P	P	P
Financial Institutions , including banks, brokerages, credit unions, loan companies, and savings and loan associations	X	X	X	X	X	X	X	L ⁵ ,C ⁶	X	L ³ ,C ⁴	L ²

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Use	R-5 – R-30	VR-4/5 & VR-5/7	R-2.5	VTH	PMD	MR-1	MR-2	HDR	VA	SHD	RCHDR
Fitness Facilities , including athletic clubs, exercise studios, gymnasiums, and health clubs	X	X	X	X	X	X	X	L ⁵ ,C	X	L ^{3,14} , C	L ² ,C
Fraternal Organization Lodges	C ¹⁵	X	C ¹⁵	X	C ¹⁵	C ¹⁵	C ¹⁵	C ¹⁵	X	C ¹⁵	C ¹⁵
Government Uses , unless such a use is specifically listed as a primary, accessory, limited, conditional, or prohibited use in the applicable zoning district	C ¹⁵	X	C ¹⁵	X	C ¹⁵	C ¹⁵	C ¹⁵	C ¹⁵	X	C ¹⁵	C ¹⁵
Guest Houses or Studios , subject to Section 833	A	X	A	X	X	X	X	X	X	X	X
Home Occupations , including bed and breakfast homestays, subject to Section 822 ¹⁶	A	A	A	A	A	A	A	A	A	A	A
Horticulture, Nurseries, Hydroponics, and Similar Uses that Exceed an Accessory Use	C	X	X	X	X	X	X	X	X	X	X
Hosting of Weddings, Family Reunions, Class Reunions, Company Picnics, and Similar Events	C	X	C	X	X	C	C	C	X	C	X
Hotels and Associated Convention Facilities	X	X	X	X	X	X	X	X	X	C ¹⁷⁶	L ² ,C
Hydroelectric Facilities , subject to Section 829	C	X	C	X	X	C	C	C	X	C	X
Livestock , subject to Section 821	A	A	A	X	X	X	X	X	X	X	X

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Use	R-5 – R-30	VR-4/5 & VR-5/7	R-2.5	VTH	PMD	MR-1	MR-2	HDR	VA	SHD	RCHDR
Manufactured Home Parks , subject to Sections 824 and 825	C	X	C	X	C	P	X	X	X	X	X
Manufactured Homes , subject to Section 824	P ⁸	P ⁸	X	X	X	X	X	X	X	X	X
Multi-Use Developments , subject to Section 1016	C	X	X	X	X	C	X	C	X	C	X
Nursing Homes , subject to Section 810	C	C	C	P	P	P	P	P	P	P	P
Offices , including <u>accounting services</u> , 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, <u>income tax services</u> , insurance services, legal services, manufacturer’s representatives, office management services, property management services, real estate agencies, and travel agencies.	X	X	X	X	X	X	X	L ⁵ ,C ⁶	X	L ³ ,C ⁴	L ²
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	X	X	X	X	X	X	X	L ⁵ ,C ⁶	X	L ³ ,C ⁴	L ²

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Use	R-5 – R-30	VR-4/5 & VR- 5/7	R-2.5	VTH	PMD	MR-1	MR-2	HDR	VA	SHD	RCHDR
Parking Structures	X	X	X	X	X	A	A	A	X	A	A
Pedestrian Amenities	P	P	P	P	P	P	P	P	P	P	P
Produce Stands , subject to Section 815	A	A	A	X	X	X	X	X	X	X	X
Public Utility Facilities ¹⁸⁷	C ¹⁵	X	C ¹⁵	X	C ¹⁵	C ¹⁵	C ¹⁵	C ¹⁵	X	C ¹⁵	C ¹⁵
Radio and Television Studios , excluding transmission towers	X	X	X	X	X	X	X	X	X	L ³ ,C ⁴	X
Radio and Television Transmission and Receiving Towers and Earth Stations ¹⁹⁸	C ¹⁵	X	C ¹⁵	X	X	C ¹⁵	C ¹⁵	C ¹⁵	X	C ¹⁵	C ¹⁵
Recreational Vehicle Camping Facilities , subject to Section 813	X	X	X	X	X	C ¹⁵	C ¹⁵	C ¹⁵	X	X	X

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Use	R-5 – R-30	VR-4/5 & VR- 5/7	R-2.5	VTH	PMD	MR-1	MR-2	HDR	VA	SHD	RCHDR
Recreational Uses, Government-Owned , including parks, 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; <u>equine facilities</u> ; fitness and recreational facilities, such as exercise equipment, gymnasiums, and swimming pools; miniature golf, putting greens, and sports courts; picnic areas and structures; play equipment and playgrounds; nature preserves and wildlife sanctuaries; tables and seating; and similar recreational uses ²⁰⁺⁹	P ²¹⁰	P ²¹⁰	P ²¹⁰	P ²²⁺	P ²²⁺	P ²²⁺	P ²²⁺	P ²²⁺	P ²²⁺	P ²²⁺	P ²²⁺
Recreational Uses, Government-Owned Golf Courses ²⁰⁺⁹	P ²¹⁰	X	P ²¹⁰	X	C ¹⁵	P ²²⁺	P ²²⁺	C ¹⁵	X	C ¹⁵	C ¹⁵
Recreational Uses , including boarding or riding stables , boat moorages, country clubs, <u>equine facilities</u> , gymnastics facilities, golf courses, parks, and swimming pools ²⁰⁺⁹	C ¹⁵	X	C ¹⁵	X	C ¹⁵	C ¹⁵	C ¹⁵	C ¹⁵	X	C ¹⁵	C ¹⁵

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Use	R-5 – R-30	VR-4/5 & VR- 5/7	R-2.5	VTH	PMD	MR-1	MR-2	HDR	VA	SHD	RCHDR
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, <u>firewood</u> , flowers, food, furniture, garden supplies, <u>gun supplies</u> , <u>guns</u> , hardware, <u>hides</u> , interior decorating materials, jewelry, <u>leather</u> , 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, <u>tableware</u> , tobacco, toiletries, tools, toys, vehicle supplies, and videos	X	X	X	X	X	X	X	L ⁵ ,C ⁶	X	L ³ ,C ⁴	L ²
Schools , subject to Section 805	C	C	C	X	X	C	C	L ^{5,2,3,2,2} 43 C ^{6,2,3,2,2} 43	X	L ^{3,2,3,2,2} 43 C ^{4,2,3,2,2} 43	L ^{2,2,3,2,2} 43

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Use	R-5 – R-30	VR-4/5 & VR-5/7	R-2.5	VTH	PMD	MR-1	MR-2	HDR	VA	SHD	RCHDR
Services, Business , including computer rental workstations; leasing, maintenance, repair, and sale of communications and office equipment; mailing; notary public; photocopying; and printing	X	X	X	X	X	X	X	L ⁵ ,C ⁶	X	L ³ ,C ⁴	L ²
Services, Commercial—Construction and Maintenance , including contractors engaged in construction and maintenance of electrical and plumbing systems	X	X	X	X	X	X	X	X	X	C ⁴	X
Services, Commercial—Food and Beverage , including catering and eating and drinking establishments	X	X	X	X	X	X	X	L ⁵ ,C ⁶	X	L ³ ,C ⁴	L ²
Services, Commercial—Maintenance and Repair of any of the following: <u>appliances</u> , bicycles, electronic equipment, <u>guns</u> , <u>housewares</u> , musical instruments, optical goods, signs, small power equipment, <u>and</u> sporting goods, <u>and tools</u>	X	X	X	X	X	X	X	L ⁵ ,C ⁶	X	L ³ ,C ⁴	L ²
Services, Commercial—Maintenance and Repair of any of the following: all-terrain vehicles, automobiles, light trucks, motorcycles, and snowmobiles	X	X	X	X	X	X	X	X	X	C ⁴	X
Services, Commercial—Miscellaneous , including food lockers, interior decorating, locksmith, upholstery, and veterinary	X	X	X	X	X	X	X	L ⁵ ,C ⁶	X	L ³ ,C ⁴	L ²

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Use	R-5 – R-30	VR-4/5 & VR-5/7	R-2.5	VTH	PMD	MR-1	MR-2	HDR	VA	SHD	RCHDR
Services, Commercial—Personal and Convenience , including barbershops, beauty salons, dry cleaners, laundries, photo processing, seamstresses, shoe repair, tailors, <u>and</u> tanning salons, and video rental . Also permitted are incidental retail sales of products related to the service provided.	X	X	X	X	X	X	X	L ⁵ ,C ⁶	X	L ³ ,C ⁴	L ²
Services, Commercial—Studios of the following types: art, <u>craft</u> , dance, music, and photography	X	X	X	X	X	X	X	L ⁵ ,C ⁶	X	L ³ ,C ⁴	L ²
Signs , subject to Section 1010	A ²⁵⁴	A ²⁵⁴	A ²⁵⁴	A ²⁵⁴	A ²⁵⁴	A ²⁵⁴ ₄	A ²⁵⁴ ₄	A ²⁵⁴	A ²⁵⁴ ₄	A ²⁵⁴	A ²⁵⁴
Telephone Exchanges	C ¹⁵	X	C ¹⁵	X	C ¹⁵	C ¹⁵	C ¹⁵	C ¹⁵	X	C ¹⁵	C ¹⁵
Temporary Buildings for Uses Incidental to Construction Work . Such buildings shall be removed upon completion or abandonment of the construction work.	A	A	A	A	A	A	A	A	A	A	A
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	A	A	A	A	A	A	A	A
Transit Park-and-Rides	X	X	X	X	X	X	X	X	X	X	A

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Use	R-5 – R-30	VR-4/5 & VR- 5/7	R-2.5	VTH	PMD	MR-1	MR-2	HDR	VA	SHD	RCHDR
Utility Carrier Cabinets , subject to Section 830	P	P	P	P	P	P	P	P	P	P	P
Wireless Telecommunication Facilities listed in Subsections 835.04(B) and (C) and 835.05(A)(2) and (3), subject to Section 835	P	P	P	P	P	P	P	P	P	P	P
Wireless Telecommunication Facilities listed in Subsection 835.06(A), subject to Section 835	C	C	C	C	C	C	C	C	C	C	C

¹ An accessory kitchen is permitted only in an attached single-family dwelling, a detached single-family dwelling, or a manufactured home, to the extent that these dwelling types are permitted in the applicable zoning district. Only one accessory kitchen is permitted in each single-family dwelling or manufactured home.

² The limited use is permitted subject to the following criteria:

- a. The use shall be allowed only in a development meeting the minimum residential density for the entire site area.
- b. No outdoor storage of materials or display of merchandise associated with the use shall be allowed.

³ The limited use is permitted subject to the following criteria:

- a. The use shall be allowed only in a development meeting the minimum residential density for the entire site area.
- b. The total building floor area occupied by all limited uses shall not exceed 15 percent of the total building floor area occupied by primary uses.
- c. No outdoor storage of materials associated with the use shall be allowed.

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- d. The use shall not be of a type or intensity which produces odor, smoke, fumes, noise, glare, heat, or vibration which are detectable outside of the premises and are incompatible with primary uses.
- ⁴ The use shall be developed in conjunction with a primary use on the same site, which is developed at the maximum allowed density for the site area.
- ⁵ The limited use is permitted subject to the following criteria:
- a. The use shall be part of a development within a Design Plan area.
 - b. The use shall be allowed only in a development meeting the minimum residential density for the entire site area.
 - c. The total building floor area occupied by all limited uses shall not exceed 10 percent of the total building floor area occupied by primary uses. No single limited commercial use shall occupy more than 1,500 square feet of building floor area.
 - d. Allowing the use will not adversely impact the livability, value, and appropriate development of the site and abutting properties considering the location, size, design, and operating characteristics of the use.
 - e. No outdoor storage of materials associated with the use shall be allowed.
 - f. The use shall not be of a type or intensity which produces odor, smoke, fumes, noise, glare, heat, or vibration which are detectable outside of the premises and are incompatible with primary uses.
- ⁶ The use shall be developed in conjunction with a primary use on the same site, which is developed at the maximum allowed density for the site area. The total building floor area occupied by all limited uses, and by all conditional uses that are subject to Note 6 to Table 315-1, shall not exceed 10 percent of the total building floor area occupied by primary uses.
- ⁷ This use is limited to alteration or expansion of a church lawfully established prior to July 14, 1980. The use shall not extend beyond the property that was under the ownership of, or occupied by, the preexisting church and associated facilities prior to July 14, 1980.
- ⁸ Except as limited by Subsection 902.02, each lot of record may be developed with only one of the following: attached single-family dwelling—if permitted by Note 9 or 10 to Table 315-1—detached single-family dwelling, or manufactured home.
- ⁹ Attached single-family dwellings are permitted on 100 percent of the lots in a planned unit development and 20 percent of the lots in a subdivision that is not a planned unit development.

¹⁰ As a primary use, only two attached single-family dwellings may be attached in succession except 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*—in which case this limit does not apply.

¹¹ Attached single-family dwellings that do not comply with Note 10 to Table 315-1 are a conditional use.

¹² Multifamily dwellings are limited to those containing four dwelling units.

¹³ Two- and three-family dwellings are subject to Section 802, *Two- and Three-Family Dwellings*.

¹⁴ Only indoor facilities are permitted.

¹⁵ Uses similar to this use may be authorized pursuant to Section 106.

¹⁶ A use may be permitted as a home occupation, subject to Section 822, even if such use is also identified in another use listing in Table 315-1.

¹⁷⁶ Hotels in the SHD District are limited to a maximum of 80 units per gross acre.

¹⁸⁷ Public utility facilities shall not include shops, garages, or general administrative offices.

¹⁹⁸ The base of such towers shall not be closer to the property line than a distance equal to the height of the tower.

²⁰¹⁹ This use may include concessions, restrooms, maintenance facilities, and similar support uses.

²¹⁰ Any principal building, swimming pool, or use shall be located a minimum of 45 feet from any other lot in a residential zoning district.

²²¹ Any principal building or swimming pool shall be located a minimum of 30 feet from any other lot in a residential zoning district.

²³² Only commercial schools are permitted.

²⁴³ Schools are not subject to Section 805, *Schools*.

²⁵⁴ Temporary signs regulated under Subsection 1010.13(A) are a primary use.

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 Sections 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 Sections 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.

Table 315-2: Dimensional Standards in the Urban Low Density Residential Zoning Districts¹

Standard	R-2.5	R-5	R-7	R-8.5	R-10	R-15	R-20	R-30
Minimum Lot Size ²	2,500 square feet	5,000 square feet	7,000 square feet	8,500 square feet	10,000 square feet	15,000 square feet	20,000 square feet	30,000 square feet
Maximum Lot Coverage	40 percent							
Maximum Building Height	35 feet							
Minimum Front Yard Depth	15 feet, except 20 feet to garage and carport motor vehicle entries							
Minimum Rear Yard Depth	20 feet							
Minimum Side Yard Depth	5 feet							

¹ Refer to Subsections 315.04(B) and (C) and Table 315-3 for modifications and exceptions.

² The minimum 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 lot size standard, 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.

Table 315-3: Minimum Side and Rear Yard Depths for Certain Accessory Buildings in the Urban Low Density Residential Districts

Building Area	Building Height			
	≤ 8 feet	> 8 feet and ≤ 10 feet	> 10 feet and ≤ 15 feet	> 15 feet
≤ 100 square feet	None ¹	3 feet side and rear ¹	5 feet side and rear	5 feet side, 10 feet rear
> 100 square feet and ≤ 200 square feet	3 feet side and rear ¹	3 feet side and rear ¹	5 feet side and rear	5 feet side, 10 feet rear
> 200 square feet and ≤ to 500 square feet	5 feet side and rear ²	5 feet side and rear ²	5 feet side and rear ²	5 feet side, 10 feet rear
> 500 square feet	5 feet side; 10 feet rear	5 feet side; 10 feet rear	5 feet side, 10 feet rear	5 feet side, 10 feet rear

¹ This standard applies in the MR-1 District also.

² The accessory building shall be separated from other buildings by a minimum of three feet.

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		

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Standard	VR-5/7	VR-4/5	VTH
Accessory Building Standards			
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 1005.12(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.

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Table 315-5: Dimensional Standards in the PMD, MR-1, MR-2, HDR, VA, SHD, and RCHDR Districts

Standard	PMD	MR-1	MR-2	HDR	VA	SHD	RCHDR
District Land Area for Calculating Density Pursuant to Section 1012	3,630 square feet	3,630 square feet	2,420 square feet	1,742 square feet	1,500 square feet	726 square feet	Not Applicable
Minimum Dwelling Units per Net Acre	See Section 1012	See Section 1012	See Section 1012	See Section 1012	See Section 1012	See Section 1012	30 ¹
Minimum Site Area	Not Applicable	Not Applicable	Not Applicable	1 acre ^{2,3,4}	Not Applicable	3 acres ^{2,3,5}	3 acres ^{2,3,5}
Minimum Lot Size	None	None ⁶	None ⁷	None ^{8,9}	None	None ^{10,11}	None ^{10,11}
Minimum Front Yard Depth	25 feet	20 feet ¹²	20 feet ¹²	15 feet ^{12,13}	10 feet ^{14,15}	15 feet ^{12,13}	5 feet ^{12,13,16}
Maximum Front Yard Depth	None	None	None	None	18 feet ¹⁴	None	20 feet ^{12,13,16,17}
Minimum Rear Yard Depth	30 feet ¹⁸	20 feet ¹²	20 feet ¹²	See Subsection 1018.12 ¹²	None ^{14,15}	See Subsection 1018.12 ¹²	See Subsection 1018.12 ^{12,19}
Minimum Side Yard Depth	30 feet ¹⁸	One story: five feet; two stories: seven feet; three stories: 15 feet. For each story higher than three, an additional five feet of yard depth shall be required. ^{12,20}		See Subsection 1018.12 ¹²	None	See Subsection 1018.12 ¹²	See Subsection 1018.12 ^{12,21}
Maximum Lot Coverage	None	50 percent ²²	50 percent	50 percent	50 percent	None	None
Maximum Building Height	None	None	None	None	45 feet ²³	None	None
Minimum Building Separation	10 feet	None	None	See Subsection 1018.12	20 feet between multifamily dwellings	See Subsection 1018.12	See Subsection 1018.12

- ¹ Net acreage shall be calculated pursuant to Subsections 1012.08(A) and (B).
- ² Minimum site area means minimum gross site area, including land dedicated for roadway purposes. Site area means one of the following:
 - A single tax lot, or two or more contiguous tax lots under the same ownership; or
 - Two or more contiguous tax lots under separate ownership, provided that:
 - All individual property owners are members of a group formed for the purpose of developing the properties as a single planned development; and
 - All individual tax lot ownerships are converted into development shares prior to any building permit being issued for the project; or the group shall record, in the office of the County Clerk, a contract and associated deed restrictions, 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.
- ³ Primary and accessory uses may be established on site areas smaller than the minimum site area standard, if the site area is physically separated from all other undeveloped or underdeveloped properties in the subject zoning district.
- ⁴ The minimum site area standard applies to high density developments.
- ⁵ The minimum site area standard applies to developments combining primary, accessory, and limited uses.
- ⁶ The minimum lot size for a lot developed with a detached single-family dwelling classified as a nonconforming use shall be 3,630 square feet.
- ⁷ 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.
- ⁸ If a lot is created for a detached single-family dwelling classified as a nonconforming use, the minimum lot size for the other lot(s) created by the land division shall be one acre.
- ⁹ If a lot less than one acre in size results from a property line adjustment, it may not be developed unless combined with other property as provided under Note 2 to Table 315-5.
- ¹⁰ If a lot is created for a detached single-family dwelling classified as a nonconforming use, the minimum lot size for the other lot(s) created by the land division shall be three acres.
- ¹¹ If a lot less than three acres in size results from a property line adjustment, it may not be developed unless combined with other property as provided under Note 2 to Table 315-5.

- 12 The minimum yard depth standards of Table 315-2, *Dimensional Standards in the Urban Low Density Residential Districts*, as modified by Subsection 315.04(C), apply to detached single-family dwellings that are nonconforming uses, as well as to structures that are accessory to such dwellings.
- 13 Yard depth standards may be modified through design review pursuant to Section 1102. Approval shall not be granted unless the modification requested is necessary to allow development of primary uses at densities allowed for the site area.
- 14 If the front or rear lot line abuts Sunnyside Road, the minimum yard depth shall be 65 feet from the centerline of Sunnyside Road, and the maximum yard depth shall be 75 feet from the centerline of Sunnyside Road.
- 15 Awnings, porches, and bays may extend a maximum of six feet into the minimum yard depth.
- 16 For buildings used exclusively for residential purposes, the minimum front yard depth shall be 15 feet, and there shall be no maximum yard depth.
- 17 The maximum yard depth may be exceeded to accommodate plazas identified on Comprehensive Plan Map X-CRC-3, *Clackamas Regional Center Area Design Plan Urban Design Elements*.
- 18 The minimum yard depth standard applies only from lot lines that are on the perimeter of the project.
- 19 If the rear yard abuts an OSM District or a residential zoning district other than HDR, SHD, or RCHDR, the minimum rear yard depth shall be 20 feet.
- 20 If the side yard abuts an Urban Low Density Residential, VR-5/7, or VR-4/5 District, the minimum side yard depth for a two-story building shall be 10 feet.
- 21 If the side yard abuts an OSM District or a residential zoning district other than HDR, SHD, or RCHDR, the minimum side yard depth shall be 15 feet.
- 22 Maximum lot coverage does not apply to swimming pools.
- 23 The maximum height of tower elements shall be 60 feet, provided that such elements do not have a footprint exceeding 400 square feet.

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~~ single-family dwellings and manufactured homes, except temporary dwellings approved pursuant to Section 1204, shall include at least three of the following features visible to the roadstreet. ~~If the single-family dwelling or manufactured home is located (if on a corner lot, the features shall be visible from~~ the single-family dwelling or manufactured home is located ~~to the roadstreet from which~~ 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).

[Added by Ord. ZDO-249, 10/13/14; Amended by Ord. ZDO-250, 10/13/14]

317 MOUNTAIN RECREATIONAL RESORT (MRR) AND HOODLAND RESIDENTIAL (HR) DISTRICTS

317.01 PURPOSE

Section 317 is adopted to implement the policies of the Comprehensive Plan for Mountain Recreation areas and Low Density Residential areas regulated by the Mount Hood Community Plan.

317.02 APPLICABILITY

Section 317 applies to land in the Mountain Recreational Resort (MRR) and Hoodland Residential (HR) Districts.

317.03 USES PERMITTED

A. Uses permitted in the MRR and HR Districts are listed in Table 317-1, *Permitted Uses in the MRR and HR Districts*. Uses not listed are prohibited, except that in the MRR District, uses similar to one or more of the listed limited uses may be authorized pursuant to Section 106, *Authorization of Similar Uses*.

B. As used in Table 317-1:

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 Uses*.
5. "X" means the use is prohibited.
6. Numbers in superscript correspond to the notes that follow Table 317-1.

C. Permitted uses are subject to the applicable provisions of Subsection 317.04, *Dimensional Standards*; Subsection 317.05, *Development Standards*; Section 1000, *Development Standards*; and Section 1100, *Development Review Process*.

Table 317-1: Permitted Uses in the MRR and HR Districts

Use	MRR	HR
Accessory Buildings and Uses, Customarily Permitted , such as amateur (Ham) radio antennas and towers, arbors, bicycle racks, carports, citizen band transmitters and antennas, cogeneration facilities, courtyards, decks, decorative ponds, driveways, electric vehicle charging stations, family daycare providers, fountains, garages, garden sheds, gazebos, greenhouses, HVAC units, meeting facilities, outdoor kitchens, parking areas, patios, pergolas, pet enclosures, plazas, property management and maintenance offices, 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), rainwater collection systems, satellite dishes, self-service laundry facilities, shops, solar energy systems, storage buildings/rooms, television antennas and receivers, transit amenities, trellises, and utility service equipment	A	A
Accessory Dwelling Units , subject to Section 839	X	A
Accessory Kitchens	A ¹	A ¹
Airports, Personal-Use	C	C
Bed and Breakfast Inns , subject to Section 832	P	C
Bed and Breakfast Residences , subject to Section 832	P	C
Bus Shelters , subject to Section 823	P	P
Campgrounds	C	C
Churches , subject to Section 804	C	C
Civic and Cultural Facilities , including art galleries, libraries, museums, and visitor centers	L ²	X
Congregate Housing Facilities	P	X
Daycare Facilities , subject to Section 807	C	C
Daycare Services, Adult	C	C
Dwellings, Attached Single-Family , subject to Section 838	P ³	P ^{3,4}
Dwellings, Detached Single-Family	P ³	P ³
Dwellings, Multifamily	P	X
Dwellings, Three Family	P	X
Dwellings, Two-Family	P	X
Energy Source Development	C	C
Farmers’ Markets, subject to Section 840	<u>A</u>	<u>A</u>
Fraternal Organization Lodges	C ⁵	C ⁵
Government Uses , unless such a use is specifically listed as a primary, accessory, limited, conditional, or prohibited use in the applicable zoning district	C ⁵	C ⁵
Guest Houses and Studios , subject to Section 833	X	A
Guest Ranches and Lodges	X	C
Helistops, Personal-Use	C	C

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

Use	MRR	HR
Home Occupations , including bed and breakfast homestays, subject to Section 822 ⁶	A	A
Hosting of Weddings, Family Reunions, Class Reunions, Company Picnics, and Similar Events	C	C
Hotels ⁷	P ⁸	X
Hydroelectric Facilities , subject to Section 829	C	C
Livestock , subject to Section 821	A	A
Manufactured Homes , subject to Section 824	P ³	P ³
Manufactured Home Parks , subject to Section 825	C	X
Mobile Vending Units , subject to Section 837	L ^{2,9}	X
Motels ⁷	P ⁸	X
Multi-Use Developments , subject to Section 1016	C	C
Nursing Homes , subject to Section 810	P	C
Parking Structures	A	X
Produce Stands , subject to Section 815	A	A
Public Utility Facilities	C ⁵	C ^{5,10}
Radio and Television Transmission and Receiving Towers and Earth Stations	C ^{5,11}	C ^{5,11}
Recreational Uses , including boat moorages, community gardens, country clubs, equine facilities, gymnastics facilities, golf courses, horse trails, pack stations, parks, playgrounds, sports courts, swimming pools, ski areas, and walking trails ¹²	C ⁵	C ⁵
Recreational Uses, Government-Owned , including amphitheaters; arboreta; arbors, decorative ponds, fountains, gazebos, pergolas, and trellises; ball fields; bicycle and walking trails; bicycle parks and skate parks; equine facilities; 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; horse trails; miniature golf, putting greens, and sports courts; pack stations; parks; picnic areas and structures; play equipment and playgrounds; nature preserves and wildlife sanctuaries; ski areas; tables and seating; and similar recreational uses ¹²	P ¹³	P ¹⁴
Recreational Uses, Government-Owned Golf Courses ¹²	P ¹³	P ¹⁴
Recreational Vehicle Camping Facilities , subject to Section 813	C ⁵	C ⁵
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, tableware, tobacco, toiletries, tools, toys, vehicle supplies, and videos.	L ²	X

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

Use	MRR	HR
Services, Commercial—Food and Beverage , including catering and eating and drinking establishments	L ²	X
Services, Commercial—Maintenance and Repair , of any of the following: bicycles and sporting goods	L ²	X
Services, Commercial—Personal and Convenience , including barbershops, beauty salons, dry cleaners, laundries, photo processing, seamstresses, shoe repair, tailors, and tanning salons. Also permitted are incidental retail sales of products related to the service provided.	L ²	X
Services, Commercial—Studios of the following types: art, craft, dance, music, and photography	L ²	X
Schools , subject to Section 805	C	C
Signs , subject to Section 1010	A ¹⁵	A ¹⁵
Surface Mining , subject to Section 818	X	X
Telephone Exchanges	C ⁵	C ⁵
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
Temporary Buildings for Uses Incidental to Construction Work. Such buildings shall be removed upon completion or abandonment of the construction work.	A	A
Transit Park-and-Rides	P	P
Transfer Stations , subject to Section 819	C	C
Utility Carrier Cabinets , subject to Section 830	P	P
Wireless Telecommunication Facilities listed in Subsections 835.04(B) and (C) and 835.05(A)(2) and (3), subject to Section 835	P	P
Wireless Telecommunication Facilities listed in Subsection 835.06(A), subject to Section 835	C	C

¹ An accessory kitchen is permitted only in a detached single-family dwelling or a manufactured dwelling. Only one accessory kitchen is permitted in each single-family dwelling or manufactured dwelling.

² The limited use is permitted subject to the following criteria:

- a. The use shall be incidental to a primary use.
- b. The use shall be provided for as an integral part of the general plan of the development.
- c. The use shall not, by reason of its location, construction, manner or timing of operations, signs, lighting, parking arrangements, or other characteristics, have adverse effects on residential uses within or adjoining the MRR District or create traffic congestion or hazards to vehicular or pedestrian traffic.

- ³ Except as limited by Subsection 902.02, each lot of record may be developed with only one of the following: attached single-family dwelling, detached single-family dwelling, or manufactured home.
- ⁴ Attached single-family dwellings are permitted on a maximum of 100 percent of the lots in a planned unit development and a maximum of 20 percent of the lots in a subdivision that is not a planned unit development.
- ⁵ Uses similar to this may be authorized pursuant to Section 106, *Authorization of Similar Uses*.
- ⁶ A use may be permitted as a home occupation, subject to Section 822, even if such use is also identified in another use listing in Table 317-1.
- ⁷ Also permitted are associated convention facilities.
- ⁸ A new hotel or motel in Rhododendron shall be limited to a maximum of 35 units. A new hotel or motel in Government Camp shall be limited to a maximum of 100 units.
- ⁹ Only level three and four mobile vending units are permitted.
- ¹⁰ Public utility facilities shall not include shops, garages, or general administrative offices.
- ¹¹ The base of such towers shall not be closer to the property line than a distance equal to the height of the tower.
- ¹² This use may include concessions, restrooms, maintenance facilities, and similar support uses.
- ¹³ Any principal building or swimming pool shall be located a minimum of 30 feet from any other lot in a residential zoning district.
- ¹⁴ Any principal building, swimming pool, or use shall be located a minimum of 45 feet from any other lot in a residential zoning district.
- ¹⁵ Temporary signs regulated under Subsection 1010.13(A) are a primary use.

317.04 DIMENSIONAL STANDARDS

- A. General: Dimensional standards applicable in the MRR and HR Districts are listed in Table 317-2, *Dimensional Standards in the MRR and HR Districts*. As used in Table 317-2, numbers in superscript correspond to the notes that follow the table.
- B. Modifications: The standards in Table 317-2 may be modified pursuant to Section 800, *Special Use Requirements*; Section 902, *Lot Size Exceptions*; Section 903, *Setback Exceptions*; Section 904, *Other Exceptions*; Section 1013, *Planned*

Unit Developments; Section 1107, *Property Line Adjustments*; and Section 1205, *Variance*s.

Table 317-2: Dimensional Standards in the MRR and HR Districts

Standard	MRR	HR
District Land Area for Calculating Density Pursuant to Section 1012, <i>Density</i>	See Section 1012	10,890 square feet
Minimum Front Yard Depth	15 feet, except 20 feet to garage and carport motor vehicle entries ¹	15 feet, except 20 feet to garage and carport motor vehicle entries ²
Minimum Rear Yard Depth	10 feet ^{3,4,5}	15 feet ⁴
Minimum Side Yard Depth	10 feet ^{3,4,5}	5 feet ⁴
Maximum Lot Coverage	None	40 percent
Maximum Building Height	40 feet ^{6,7}	40 feet ⁶
Minimum Building Separation above 3,500 Feet in Elevation	20 feet between buildings with contiguous snow slide areas	20 feet between buildings with contiguous snow slide areas
Maximum Building Floor Space per Commercial Use	4,000 square feet, except 8,000 square feet in Government Camp ⁸	Not Applicable

¹ In Government Camp, the minimum front yard depth shall be 10 feet, except 20 feet to garage and carport motor vehicle entries.

² For a corner lot in Government Camp, the minimum depth of one of the front yards shall be 10 feet, except 20 feet to garage and carport motor vehicle entries.

³ The minimum rear and side yard depth standards applicable in the HR District apply to detached single-family dwellings and manufactured homes, as well as to structures that are accessory to such detached single-family dwellings and manufactured homes.

⁴ If the yard abuts a national forest, there shall be no minimum yard depth.

⁵ Except as established by Note 3 or 4 to Table 317-2, if a rear yard or a side yard abuts an HR District or abuts a lot in the MRR District developed with a single-family dwelling or a manufactured home, the applicable minimum yard depth standard for a building shall be based on the height of that building, as follows:

Building Height	Minimum Yard Depth
≤ 20 feet	10 feet
> 20 feet and ≤ 30 feet	15 feet
> 30 feet and ≤ 40 feet	20 feet
> 40 feet and ≤ 50 feet	25 feet
> 50 feet	30 feet

- ⁶ The maximum building height may be increased to 50 feet to accommodate understructure parking.
- ⁷ For a hotel in Government Camp, the maximum building height shall be 70 feet and may be increased to 87.5 feet to accommodate understructure parking or to preserve natural features or views.
- ⁸ No maximum applies to hotels and motels.

317.05 DEVELOPMENT STANDARDS

The following development standards apply:

- A. 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 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: Single-family dwellings and manufactured homes, except temporary dwellings approved pursuant to Section 1204, shall include at least three of the following features visible to the road. If the single-family dwelling or manufactured home is located on a corner lot, the features shall be visible from the road from which the single-family dwelling or manufactured home 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. Restricted Areas: Generally residential development is prohibited in the Floodplain Management District regulated by Section 703, river and stream corridors, wetlands, mass movement hazard areas regulated by Section 1003, and on slopes greater than 25 percent. However, a single-family dwelling or manufactured home may be developed in a restricted area on a lot of record created prior to the adoption of this standard, subject to compliance with the applicable criteria in this Ordinance for such development. In the case of a land division, density accruing to restricted areas may be eligible for transfer to unrestricted areas as provided in Section 1012, *Density*.

513 RURAL TOURIST COMMERCIAL (RTC) AND RURAL COMMERCIAL (RC) DISTRICTS

513.01 PURPOSE

Section 513 is adopted to implement the policies of the Comprehensive Plan for Community Commercial areas regulated by the Mount Hood Community Plan and for Rural Commercial areas.

513.02 APPLICABILITY

Section 513 applies to land in the Rural Tourist Commercial (RTC) and Rural Commercial (RC) Districts.

513.03 USES PERMITTED

A. Uses permitted in the RTC and RC Districts are listed in Table 513-1, *Permitted Uses in the RTC and RC 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*.

B. As used in Table 513-1:

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. “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.
5. “X” means the use is prohibited.
6. Numbers in superscript correspond to the notes that follow Table 513-1.

C. Permitted uses are subject to the applicable provisions of Subsection 513.04, *Dimensional Standards*; Subsection 513.05, *Development Standard*; Section 1000, *Development Standards*; and Section 1100, *Development Review Process*.

Table 513-1: Permitted Uses in the RTC and RC Districts

<u>Use</u>	<u>RTC</u>	<u>RC</u>
<u>Accessory Uses, Customarily Permitted, such as amateur (Ham) radio antennas and towers, arbors, bicycle racks, carports, citizen band transmitters and antennas, cogeneration facilities, courtyards, decks, decorative ponds, driveways, electric vehicle charging stations, family daycare providers, fountains, garages, garden sheds, gazebos, greenhouses, HVAC units, meeting facilities, outdoor kitchens, parking areas, patios, pergolas, pet enclosures, plazas, property management and maintenance offices, 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), rainwater collection systems, satellite dishes, self-service laundry facilities, shops, solar energy systems, storage buildings/rooms, television antennas and receivers, transit amenities, trellises, and utility service equipment</u>	<u>A</u>	<u>A</u>
<u>Assembly Facilities, including auditoriums, churches¹, community centers, convention facilities, exhibition halls, fraternal organization lodges, senior centers, and theaters for the performing arts</u>	<u>P</u>	<u>P,C²</u>
<u>Bed and Breakfast Inns, subject to Section 832</u>	<u>P</u>	<u>P</u>
<u>Bed and Breakfast Residences, subject to Section 832</u>	<u>P</u>	<u>P</u>
<u>Bus Shelters, subject to Section 823</u>	<u>P</u>	<u>P</u>
<u>Civic and Cultural Facilities, including art galleries, libraries, museums, and visitor centers</u>	<u>P</u>	<u>P</u>
<u>Contractors, Logging</u>	<u>P</u>	<u>P</u>
<u>Daycare Facilities, subject to Section 807</u>	<u>P</u>	<u>P</u>
<u>Daycare Services, Adult</u>	<u>P</u>	<u>P</u>
<u>Drive-Thru Window Services, subject to Section 827</u>	<u>X</u>	<u>A</u>
<u>Dwellings, Detached Single-Family</u>	<u>P³,A</u>	<u>A</u>
<u>Electric Vehicle Charging Stations</u>	<u>P</u>	<u>P</u>
<u>Employee Amenities, including cafeterias, clinics, daycare facilities⁴, fitness facilities, lounges, and recreational facilities</u>	<u>A</u>	<u>A</u>
<u>Entertainment Facilities, including arcades, billiard halls, and movie theaters</u>	<u>P</u>	<u>P</u>
<u>Financial Institutions, including banks, brokerages, credit unions, loan companies, and savings and loan associations</u>	<u>P</u>	<u>P</u>
<u>Fitness Facilities, including athletic clubs, exercise studios, gymnasiums, and health clubs</u>	<u>P</u>	<u>P</u>
<u>Government Uses, including fire stations, police stations, and post offices</u>	<u>P</u>	<u>P</u>
<u>Government Uses, unless such a use is specifically listed as a primary, accessory, conditional, or prohibited use in the applicable zoning district</u>	<u>S</u>	<u>C</u>
<u>Home Occupations, including bed and breakfast homestays, subject to Section 822</u>	<u>A</u>	<u>A</u>
<u>Hosting of Weddings, Family Reunions, Class Reunions, Company Picnics, and Similar Events</u>	<u>C</u>	<u>C</u>

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<u>Use</u>	<u>RTC</u>	<u>RC</u>
<u>Hotels</u>	<u>P⁵</u>	<u>S⁶</u>
<u>Hydroelectric Facilities</u> , subject to Section 829	<u>C</u>	<u>C</u>
<u>Mobile Vending Units</u> , subject to Section 837	<u>P</u>	<u>P</u>
<u>Motels</u>	<u>P⁵</u>	<u>S⁶</u>
<u>Offices</u> , including administrative, business, corporate, governmental, and professional offices. Examples include offices for the following: accounting services, architectural services, business management services, call centers, employment agencies, engineering services, governmental services, income tax 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>Offices and Outpatient Clinics</u> —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>P</u>	<u>P</u>
<u>Parking Lots</u>	<u>A</u>	<u>A</u>
<u>Parking Structures, Community</u>	<u>P⁷</u>	<u>X</u>
<u>Pedestrian Amenities</u>	<u>P</u>	<u>P</u>
<u>Public Utility Facilities</u>	<u>S</u>	<u>C</u>
<u>Radio and Television Transmission and Receiving Towers and Earth Stations</u>	<u>S⁸</u>	<u>C⁸</u>
<u>Recreational Uses</u> , including boat moorages, community gardens, country clubs, equine facilities, gymnastics facilities, golf courses, horse trails, pack stations, parks, playgrounds, sports courts, swimming pools, ski areas, and walking trails ⁹	<u>C</u>	<u>C</u>
<u>Recreational Uses, Government-Owned</u> , including amphitheaters; arboreta; arbors, decorative ponds, fountains, gazebos, pergolas, and trellises; ball fields; bicycle and walking trails; bicycle parks and skate parks; equine facilities; 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; horse trails; miniature golf, putting greens, and sports courts; pack stations; parks; picnic areas and structures; play equipment and playgrounds; nature preserves and wildlife sanctuaries; ski areas; tables and seating; and similar recreational uses ⁹	<u>P</u>	<u>P</u>
<u>Recreational Uses, Government-Owned Golf Courses</u> ⁹	<u>P</u>	<u>P</u>
<u>Recreational Vehicle Camping Facilities</u> , subject to Section 813	<u>P</u>	<u>X</u>
<u>Recycling Centers</u> , subject to Section 819	<u>C</u>	<u>C</u>
<u>Recyclable Drop-Off Sites</u> , subject to Section 819	<u>A</u>	<u>A</u>
<u>Resort Accommodations</u>	<u>P⁵</u>	<u>S⁶</u>
<u>Retailing</u> —whether by sale, lease, or rent—of any of the following new or used products: Class I, III, and IV all-terrain vehicles, as defined by Oregon Revised Statutes Chapter 801; motorcycles; and snowmobiles	<u>S</u>	<u>P</u>
<u>Retailing</u> —whether by sale, lease, or rent—of any of the following new	<u>P</u>	<u>P</u>

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<u>Use</u>	<u>RTC</u>	<u>RC</u>
<u>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, firewood, flowers, food, furniture, garden supplies, gun supplies, guns, hardware, hides, interior decorating materials, jewelry, leather, 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, tableware, tobacco, toiletries, tools, toys, vehicle supplies, and videos</u>		
<u>Retailing</u> —whether by sale, lease, or rent—of any of the following new or used products: <u>animal feed, building materials, farm equipment, forestry equipment, and livestock supplies</u>	<u>P</u>	<u>P</u>
<u>Schools</u> ¹⁰	<u>P</u>	<u>P,C^{2,11}</u>
<u>Service Stations</u> , subject to Section 820	<u>P</u>	<u>P</u>
<u>Services, Commercial—Construction and Maintenance</u> , including <u>contractors engaged in construction and maintenance of buildings, electrical systems, and plumbing systems</u>	<u>P</u>	<u>P</u>
<u>Services, Commercial—Food and Beverage</u> , including <u>catering and eating and drinking establishments</u>	<u>p¹²</u>	<u>p¹²</u>
<u>Services, Commercial—Maintenance and Repair</u> of any of the following: <u>appliances, bicycles, electronic equipment, guns, housewares, musical instruments, optical goods, signs, small power equipment, sporting goods, and tools</u>	<u>P</u>	<u>P</u>
<u>Services, Commercial—Maintenance and Repair</u> of any of the following: <u>all-terrain vehicles, automobiles, light trucks, motorcycles, and snowmobiles</u>	<u>P</u>	<u>P</u>
<u>Services, Commercial— Maintenance and Repair</u> of any of the following: <u>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; and recreational vehicles</u>	<u>S</u>	<u>P</u>
<u>Services, Commercial—Miscellaneous</u> , including <u>food lockers, interior decorating, locksmith, upholstery, and veterinary</u>	<u>P</u>	<u>P</u>
<u>Services, Commercial—Mini-Storage/Self-Storage Facilities</u>	<u>C¹³</u>	<u>C</u>
<u>Services, Commercial—Personal and Convenience</u> , including <u>barbershops, beauty salons, dry cleaners, laundries, photo processing, seamstresses, shoe repair, tailors, and tanning salons. Also permitted are incidental retail sales of products related to the service provided.</u>	<u>P</u>	<u>P</u>
<u>Services, Commercial—Storage</u> of any of the following: <u>all-terrain vehicles, automobiles, light trucks, motorcycles, and snowmobiles</u>	<u>S</u>	<u>C</u>
<u>Services, Commercial—Storage</u> of any of the following: <u>boats; heavy trucks such as dump trucks, moving trucks, and truck tractors; large cargo trailers such as semitrailers; large construction equipment such as</u>	<u>S</u>	<u>C</u>

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<u>Use</u>	<u>RTC</u>	<u>RC</u>
<u>backhoes and bulldozers; large farm equipment such as tractors and combines; large forestry equipment; large mineral extraction equipment; and recreational vehicles</u>		
<u>Services, Commercial—Studios of the following types: art, craft, dance, music, and photography</u>	<u>P</u>	<u>P</u>
<u>Signs, subject to Section 1010</u>	<u>A¹⁴</u>	<u>A¹⁴</u>
<u>Telephone Exchanges</u>	<u>S</u>	<u>C</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>Temporary Buildings for Uses Incidental to Construction Work.</u> Such buildings shall be removed upon completion or abandonment of the construction work.	<u>A</u>	<u>A</u>
<u>Theme Parks and Amusement Parks</u>	<u>C</u>	<u>S</u>
<u>Transfer Stations, subject to Section 819</u>	<u>C</u>	<u>C</u>
<u>Transit Park-and-Rides</u>	<u>P</u>	<u>P</u>
<u>Utility Carrier Cabinets, subject to Section 830</u>	<u>P</u>	<u>P</u>
<u>Wholesaling—whether by sale, lease, or rent—of any of the following new or used products: animal feed, farm equipment, farm materials, farm products, fertilizer, forestry equipment, forestry materials, forestry products, mulch, nursery stock, seeds, and seedlings</u>	<u>P</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>P</u>

¹ Churches are not subject to Section 804, Churches.

² A church, fraternal organization lodge, or school is a conditional use if the building floor space exceeds 4,000 square feet.

³ On a lot of record created on or before December 7, 1983, one detached single-family dwelling is a primary use. Otherwise, detached-single family dwellings are permitted only as an accessory use.

⁴ Daycare facilities as an employee amenity are not subject to Section 807, Daycare Facilities.

⁵ A hotel, motel, or resort accommodations development in Government Camp shall be limited to a maximum of 50 units per acre or 100 units in total, whichever is less. A hotel, motel, or resort accommodations development in Rhododendron shall be limited to a maximum number of units per acre calculated pursuant to Table 1012-2, or 35 units in total, whichever is less. A hotel, motel, or resort accommodations development in Wemme/Welches shall be limited to a maximum number of units per acre calculated pursuant to Table 1012-2.

⁶ If a hotel, motel, or resort accommodations development is authorized as a similar use inside an unincorporated community, it shall be subject to Oregon Administrative Rules 660-022-0030(5).

- ⁷ Parking structures are permitted only in Government Camp and only if they are consistent with an adopted community parking plan.
- ⁸ The base of such towers shall not be closer to the property line than a distance equal to the height of the tower.
- ⁹ This use may include concessions, restrooms, maintenance facilities, and similar support uses.
- ¹⁰ Schools are not subject to Section 805, *Schools*.
- ¹¹ Schools are prohibited within the areas identified as Employment, Industrial, and Regionally Significant Industrial on the Metro Region 2040 Growth Concept Map.
- ¹² Drive-in restaurants are prohibited.
- ¹³ No outside storage shall be permitted.
- ¹⁴ Temporary signs regulated under Subsection 1010.13(A) are a primary use.

513.04 DIMENSIONAL STANDARDS

A. General: Dimensional standards applicable in the RTC and RC Districts are listed in Tables 513-2, *Dimensional Standards in the RTC and RC Districts, Except in Government Camp*, and 513-3, *Dimensional Standards in Government Camp*. As used in Tables 513-2 and 513-3, numbers in superscript correspond to the notes that follow the tables.

B. Modifications: The standards in Tables 513-2 and 513-3 may be modified pursuant to Section 800, *Special Use Requirements*; Section 903, *Setback Exceptions*; Section 904, *Other Exceptions*; Section 1013, *Planned Unit Developments*; Section 1107, *Property Line Adjustments*; and Section 1205, *Variance*.

Table 513-2: Dimensional Standards in the RTC and RC Districts, Except in Government Camp

<u>Standard</u>	<u>RTC</u>	<u>RC</u>
<u>Minimum Lot Size</u>	<u>None</u>	<u>None¹</u>
<u>Minimum Front Yard Depth</u>	<u>25 feet</u>	<u>30 feet</u>
<u>Minimum Rear Yard Depth</u>	<u>10 feet^{2,3}</u>	<u>10 feet⁴</u>
<u>Minimum Side Yard Depth</u>	<u>10 feet^{2,5}</u>	<u>10 feet⁶</u>
<u>Maximum Building Floor Space</u>	<u>4,000 square feet⁷</u>	<u>4,000 square feet^{7,8}</u>

<u>per Commercial Use in an Unincorporated Community</u>		
<u>Maximum Building Floor Space per Commercial Use outside an Unincorporated Community</u>	<u>Not Applicable</u>	<u>3,000 square feet^{7,9}</u>

¹ The minimum lot size inside the Portland Metropolitan Urban Growth Boundary shall be 20 acres. The 20-acre minimum lot size is applicable to a subdivision or partition, but not to a property line adjustment.

² If the yard abuts a national forest, there shall be no minimum yard depth.

³ If the rear yard abuts an RR or HR District, the minimum shall be 20 feet.

⁴ If the rear yard abuts a residential zoning district, the minimum shall be 20 feet.

⁵ If the side yard abuts an RR or HR District, the minimum shall be 20 feet.

⁶ If the side yard abuts a residential zoning district, the minimum shall be 20 feet.

⁷ No maximum applies to hotels, motels, and resort accommodations.

⁸ A lawfully established commercial use that existed on December 20, 2001, and serves the community or the travel needs of people passing through the area, may expand to occupy a maximum of 4,000 square feet of building floor space or 50 percent more building floor space than was occupied by the use on December 20, 2001, whichever is greater.

⁹ A lawfully established commercial use that existed on December 20, 2001, may expand to occupy a maximum of 3,000 square feet of building floor space or 25 percent more building floor space than was occupied by the use on December 20, 2001, whichever is greater.

Table 513-3: Dimensional Standards in Government Camp

<u>Standard</u>	<u>RTC</u>
<u>Minimum Front Yard Depth unless the Front Yard abuts Government Camp Loop</u>	<u>10 feet, except 20 feet to garage and carport motor vehicle entries</u>
<u>Minimum Front Yard Depth if the Front Yard abuts Government Camp Loop</u>	<u>4 feet¹</u>
<u>Maximum Front Yard Depth if the Front Yard abuts Government Camp Loop</u>	<u>10 feet²</u>

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<u>Minimum Rear Yard Depth</u>	<u>10 feet^{3,4}</u>
<u>Minimum Side Yard Depth</u>	<u>None</u>
<u>Maximum Building Height</u>	<u>70 feet⁵</u>
<u>Minimum Building Separation above 3,500 Feet in Elevation</u>	<u>20 feet between buildings with contiguous snow slide areas</u>
<u>Maximum Building Floor Space per Commercial Use</u>	<u>8,000 square feet⁶</u>

¹ There shall be no minimum setback for building cantilevers with a minimum vertical clearance of eight feet above any pedestrian pathway, sidewalk, or walkway. Structures less than 10 feet from the front lot line shall be designed to include measures to protect the public and vehicles from snow slide incidents.

² The maximum front yard depth standard may be exceeded to the minimum extent necessary to accommodate public plaza space. Detached single-family dwellings are exempt from complying with the maximum front yard depth standard.

³ If the rear yard abuts a national forest, there shall be no minimum yard depth.

⁴ If the rear yard abuts an HR District, the minimum shall be 20 feet.

⁵ The maximum building height may be increased to 87.5 feet to accommodate understructure parking or to preserve natural features or views.

⁶ No maximum applies to hotels, motels, and resort accommodations.

513.05 DEVELOPMENT STANDARD

Redevelopment of a manufactured dwelling park with a different use is subject to Subsection 825.03.

Ordinance ZDO-252
Zoning and Development Ordinance Amendments

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

106 AUTHORIZATION OF SIMILAR USES

106.01 APPLICABILITY

The sections of this Ordinance that regulate individual zoning districts identify the uses permitted in those districts. In addition:

- A. In the following zoning districts, uses similar to one or more of the listed uses for that zoning district may be authorized: PMD, ~~RTC, RC,~~ NC, C-2, RCC, RTL, CC, C-3, PMU, SCMU, OA, OC, RCO, VCS, VO, ~~RTC, RC,~~ CI, BP, LI, GI, and RI Districts;
- B. In the following zoning districts, uses similar to one or more of the listed limited uses for that zoning district may be authorized as a limited use: HDR, SHD, ~~and~~ RCHDR, and MRR Districts;
- C. Tables 315-1, Permitted Uses in the Urban Residential Zoning Districts, 316-1, Permitted Uses in the Rural Residential and Future Urban Residential Zoning Districts, and 317-1, Permitted Uses in the MRR and HR Districts, ~~identify~~ identifies instances where uses similar to a listed conditional use may be authorized as a conditional use; ~~and~~
- D. Conditional uses similar to one or more of the listed conditional uses for the Historic Landmark, Historic District, and Historic Corridor overlay zoning district may be authorized; ~~and~~
- ~~E. Uses similar to one or more of the listed uses in Section 813, Service and Recreational Uses, may be authorized in those zoning districts that permit service and recreational uses pursuant to Section 813.~~

106.02 PROCESS AND STANDARDS

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

- A. Authorization of a similar use is a type of interpretation application processed pursuant to Section 1308, Interpretation.
- B. A use may not be authorized as a similar use if it is specifically listed as prohibited in the applicable zoning district. “Specifically listed” does not include general references to prohibited uses, such as “uses of structures and land not specifically allowed.”

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

[Adopted by Ord. ZDO-235, 5/14/12; Amended by Ord. ZDO-249, 10/13/14; Amended by Ord. ZDO-248, 10/13/14]

202 **DEFINITIONS**

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

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

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

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

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

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

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

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

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

"Adult cabaret" is an establishment having as its primary attraction live exhibitions (either for direct viewing, closed circuit viewing, or viewing through a

transparent partition) for patrons, either individually, or in groups, where the exhibition material presented is characterized by an emphasis on nudity and/or specified sexual activities, as defined in this ordinance.

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

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

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

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

ALLEY: A travel way that is used primarily for vehicular service access to the back or side of properties otherwise abutting on a street.

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

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

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

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

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

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

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

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

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

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

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

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

subject to Section 832 and all requirements of the underlying district.

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

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

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

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

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

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

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

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

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

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

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

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

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

BULK PLANT: Hazardous substances at the bulk plant level are manufactured, collected, repackaged, stored, or distributed, but are generally not used on the site. The primary emphasis of uses at the bulk plant level is on hazardous substances. Materials are stored in large permanent tanks. Bulk plant quantities are larger than amounts transported in or out in any single shipment. Processors of hazardous

substances will generally be at this level. Uses which produce hazardous substances as a by-product or accessory to another product are not in this category.

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

COGENERATION FACILITY: A facility that produces, through the sequential use of energy, electric energy and useful thermal energy including but not limited to heat or steam, used for industrial, commercial, heating, or cooling purposes; and is more than 50 percent owned by a person who is not an electric utility, an electric holding company, an affiliated interest, or any combination thereof.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

EQUINE FACILITY: Premises that are used for the stabling or training of equines, including, but not limited to, providing riding lessons, training clinics, and schooling shows.

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

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

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

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

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

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

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

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

GOVERNMENT CAMP: The unincorporated community of Government Camp, as

identified on Comprehensive Plan Map X-MH-4, Government Camp Village Plan, Land Use Plan & Boundary.

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

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

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

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

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

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

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

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

cultural resource district pursuant to this ordinance.

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

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

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

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

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

HOUSEKEEPING UNIT: A living arrangement within a dwelling unit in which the kitchen, living and dining rooms, and other general living areas of the dwelling unit are shared in common, and the duties, rights, and obligations associated with the performance of domestic tasks and management of household affairs, are shared by the residents by virtue of legal relationship or mutual agreement. Such a living arrangement also may include the provision of food, shelter, personal services, care, and when appropriate, a planned treatment or training program of counseling, therapy, or other rehabilitative social service, for persons of similar or compatible conditions or circumstances who are members of the resident family.

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

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

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

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

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

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

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

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

KITCHEN, ACCESSORY: A kitchen that complies with all of the following standards:

- It shall be incidental to a primary dwelling.
- It shall be located in a room that is approved for residential occupancy and used for a purpose in addition to that of a kitchen (e.g., a recreation room, a bedroom).
- It shall not be located in a detached accessory building.
- Any of the following features shall be located within a contiguous area that is no more than 30 inches deep and 10 feet long: cooking appliances, sinks, refrigerators, dishwashers, counters, and cabinets.

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

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

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

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

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

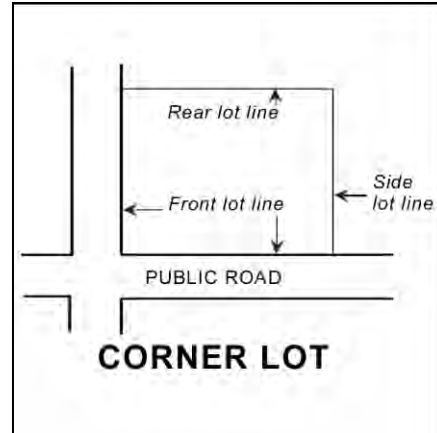
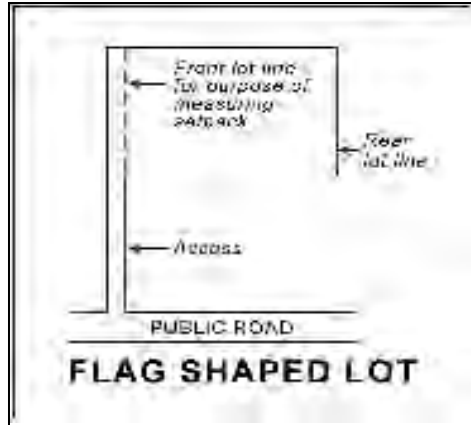
LOT, CORNER: A lot with street frontage on two streets intersecting at a corner of the lot. A lot within the radius curve of a single street is not a corner lot. A lot with access limited to, and frontage on, a state, County, public or private road and also with frontage on an intersecting private road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

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

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

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

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



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

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

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

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

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

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

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

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

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

MAJOR TRANSIT STOP: A transit center, major bus stop, or light rail stop, as identified on Comprehensive Plan Map 5-8a, *Transit, Urban*.

MAJOR TRANSIT STREET: A street with a Frequent Service Bus Line, as identified on Comprehensive Plan Map 5-8a, *Transit, Urban*; existing or planned High Capacity Transit, as identified on Comprehensive Plan Map 5-8c, *High Capacity Transit (HCT) System Plan*; or both.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

PLAT, FINAL: A final map and other writing containing all the descriptions, locations, specifications, dedications, provisions, and information concerning a partition or subdivision.

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

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

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

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

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

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

PROFESSIONAL SERVICES: Activities such as those offered by a physician, surgeon, dentist, lawyer, architect, engineer, accountant, artist, teacher, real estate agent, and insurance agent.

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

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

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

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

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

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

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

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

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

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

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

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

RHODODENDRON: *The unincorporated community of Rhododendron, as identified on Comprehensive Plan Map IV-7, Non-Urban Area Land Use Plan, Mt. Hood Corridor Land Use Plan.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SIGN, RESIDENTIAL: Any sign associated with a dwelling.

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

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

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

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

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

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

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

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

SNOW SLIDE AREA: The area around a building that may be subject to snow buildup as a result of snow sliding from the sloped roof of the building.

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

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

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

- A. Environmentally hazardous wastes as defined in ORS 466.055;
- B. Materials used for fertilizer or for other productive purposes on land in agricultural operations in the growing and harvesting of crops or the raising of fowl or animals. This exception does not apply to the keeping of animals on land which has been zoned for residential non-agricultural purposes;
- C. Septic tank and cesspool pumping or chemical toilet waste;
- D. For purposes of Article V of this Ordinance, reusable beverage containers as defined in ORS 459A;
- E. Source separated, principal recyclable materials as defined in ORS 459A and the Rules promulgated thereunder and under this Ordinance, which have been purchased or exchanged for fair market value, unless said principal recyclable materials create a public nuisance pursuant to Article II of this Ordinance;
- F. Applications of industrial sludges or industrial waste by-products authorized through a Land Use Compatibility Statement of Management Plan approval and that have been applied to agricultural lands according to accepted agronomic practices or accepted method approved by the Land Use Compatibility Statement or Management Plan, but not to exceed 100 dry tons per acre annually;

- G. Stabilized municipal sewage sludge applied for accepted beneficial uses on land in agricultural, non-agricultural, or silvicultural operations;
- H. Sludge derived products applied for beneficial uses on land in landscaping projects.

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

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

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

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

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

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

STREET: See "ROAD".

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

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

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

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

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

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

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

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

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

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

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

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

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

TRANSIT STOP: Any posted bus or light rail stop.

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

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

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

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

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

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

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

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

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

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

WEMME/WELCHES: *The unincorporated community of Wemme/Welches, as identified on Comprehensive Plan Map IV-7, Non-Urban Area Land Use Plan, Mt. Hood Corridor Land Use Plan.*

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

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

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

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

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

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-231, 1/31/12; Amended by Ord. ZDO-232, 3/12/12; Amended by Ord. ZDO-234, 6/7/12; Amended by Ord. ZDO-243, 9/9/13; Amended by Ord. ZDO-246, 3/1/14; Amended by Ord. ZDO-249, 10/13/14; Amended by Ord. ZDO-248, 10/13/14]

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.

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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*.

Table 315-1: Permitted Uses in the Urban Residential Zoning Districts

Use	R-5 – R-30	VR-4/5 & VR-5/7	R-2.5	VTH	PMD	MR-1	MR-2	HDR	VA	SHD	RCHDR
Accessory Dwelling Units , subject to Section 839	A	A	A	A	X	X	X	X	X	X	X
Accessory Kitchens	A ¹	A ¹	A ¹	A ¹	X	A ¹	A ¹	X	X	X	X
Accessory Buildings and Uses, Customarily Permitted , such as <u>amateur (Ham) radio antennas and towers, arbors, bicycle racks, carports, citizen band transmitters and antennas, cogeneration facilities, courtyards, decks, decorative ponds, driveways, electric vehicle charging stations, family daycare providers, fountains, garages, garden sheds, gazebos, greenhouses, HVAC units, meeting facilities, outdoor kitchens, parking areas, patios, pergolas, pet enclosures, plazas, property management and maintenance offices, 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), rainwater collection systems, satellite dishes, self-service laundry facilities, shops, solar energy systems, storage buildings/rooms, television antennas and receivers, transit amenities, trellises, and</u>	A	A	A	A	A	A	A	A	A	A	A

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Use	R-5 – R-30	VR-4/5 & VR- 5/7	R-2.5	VTH	PMD	MR-1	MR-2	HDR	VA	SHD	RCHDR
utility service equipment; utility service equipment; HVAC units; television antennas and receivers; satellite dishes; amateur (Ham) radio towers; citizen band transmitters and antennas; solar energy systems; rainwater collection systems; electric vehicle charging stations; transit amenities; family daycare providers; garages; carports; bicycle racks; driveways; parking areas; decks; patios; outdoor kitchens; swimming pools; spas; saunas; storage buildings; shops; greenhouses; garden sheds; pet enclosures; arbors; trellises; pergolas; gazebos; fountains; decorative ponds; children’s play structures; sports courts; putting greens; community meeting rooms; recreational facilities, such as recreation and activity rooms, exercise and dance studios, playgrounds, and bicycle and walking trails; plazas; courtyards; self-service laundry facilities; storage rooms; property management and maintenance offices; and cogeneration facilities											
Bed and Breakfast Inns , subject to Section 832	C	X	C	X	X	P	P	P	X	L ³ ,C ⁴	L ²
Bed and Breakfast Residences , subject to Section 832	C	X	C	P	X	P	P	P	P	X	X
Bus Shelters , subject to Section 823	A	A	A	A	P	A	A	A	A	A	X

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Use	R-5 – R-30	VR-4/5 & VR-5/7	R-2.5	VTH	PMD	MR-1	MR-2	HDR	VA	SHD	RCHDR
Cemeteries , subject to Section 808	C	X	C	X	X	X	X	X	X	X	X
Civic and Cultural Facilities , including art galleries, libraries, museums, and visitor centers	X	X	X	X	X	X	X	L ⁵ ,C ⁶	X	L ³ ,C ⁴	L ²
Churches , subject to Section 804	C	C	C	X	X	C ⁷	C ⁷	C	X	C	C
Congregate Housing Facilities	X	X	X	P	P	P	P	P	P	P	P
Daycare Facilities , subject to Section 807	C	C	C	C	C	C	C	L ⁵ ,C	C	L ³ ,C ⁴	L ²
Daycare <u>Services</u> Facilities, Adult	C	C	C	C	C	C	C	L ⁵ ,C	C	L ³ ,C ⁴	L ²
Dwellings, Attached Single-Family , subject to Section 838	P ^{8,9}	P ^{8,10} ,C ^{8,11}	P	P	X	P	P	X	X	X	X
Dwellings, Clustered Single-Family	X	X	X	X	P	X	X	X	X	X	X
Dwellings, Detached Single-Family	P ⁸	P ⁸	X	X	X	X	X	X	X	X	X
Dwellings, Multifamily	X	X	X	P ¹²	P	P	P	P	P	P	P
Dwellings, Three-Family	C ¹³	C ¹³	X	P	P	P	P	P	P	X	X
Dwellings, Two-Family	C ¹³	C ¹³	X	P	P	P	P	P	P	X	X
Entertainment Facilities , including arcades, billiard halls, bowling alleys, miniature golf courses, and movie theaters	X	X	X	X	X	X	X	X	X	C ⁴	X
Fences and Retaining Walls	P	P	P	P	P	P	P	P	P	P	P
Financial Institutions , including banks, brokerages, credit unions, loan companies, and savings and loan associations	X	X	X	X	X	X	X	L ⁵ ,C ⁶	X	L ³ ,C ⁴	L ²

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Use	R-5 – R-30	VR-4/5 & VR-5/7	R-2.5	VTH	PMD	MR-1	MR-2	HDR	VA	SHD	RCHDR
Fitness Facilities , including athletic clubs, exercise studios, gymnasiums, and health clubs	X	X	X	X	X	X	X	L ⁵ ,C	X	L ^{3,14} , C	L ² ,C
Fraternal Organization Lodges	C ¹⁵	X	C ¹⁵	X	C ¹⁵	C ¹⁵	C ¹⁵	C ¹⁵	X	C ¹⁵	C ¹⁵
Government Uses , unless such a use is specifically listed as a primary, accessory, limited, conditional, or prohibited use in the applicable zoning district	C ¹⁵	X	C ¹⁵	X	C ¹⁵	C ¹⁵	C ¹⁵	C ¹⁵	X	C ¹⁵	C ¹⁵
Guest Houses or Studios , subject to Section 833	A	X	A	X	X	X	X	X	X	X	X
Home Occupations , including bed and breakfast homestays, subject to Section 822 ¹⁶	A	A	A	A	A	A	A	A	A	A	A
Horticulture, Nurseries, Hydroponics, and Similar Uses that Exceed an Accessory Use	C	X	X	X	X	X	X	X	X	X	X
Hosting of Weddings, Family Reunions, Class Reunions, Company Picnics, and Similar Events	C	X	C	X	X	C	C	C	X	C	X
Hotels and Associated Convention Facilities	X	X	X	X	X	X	X	X	X	C ¹⁷⁶	L ² ,C
Hydroelectric Facilities , subject to Section 829	C	X	C	X	X	C	C	C	X	C	X
Livestock , subject to Section 821	A	A	A	X	X	X	X	X	X	X	X

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Use	R-5 – R-30	VR-4/5 & VR-5/7	R-2.5	VTH	PMD	MR-1	MR-2	HDR	VA	SHD	RCHDR
Manufactured Home Parks , subject to Sections 824 and 825	C	X	C	X	C	P	X	X	X	X	X
Manufactured Homes , subject to Section 824	P ⁸	P ⁸	X	X	X	X	X	X	X	X	X
Multi-Use Developments , subject to Section 1016	C	X	X	X	X	C	X	C	X	C	X
Nursing Homes , subject to Section 810	C	C	C	P	P	P	P	P	P	P	P
Offices , including <u>accounting services</u> , 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, <u>income tax services</u> , insurance services, legal services, manufacturer’s representatives, office management services, property management services, real estate agencies, and travel agencies.	X	X	X	X	X	X	X	L ⁵ ,C ⁶	X	L ³ ,C ⁴	L ²
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	X	X	X	X	X	X	X	L ⁵ ,C ⁶	X	L ³ ,C ⁴	L ²

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Use	R-5 – R-30	VR-4/5 & VR- 5/7	R-2.5	VTH	PMD	MR-1	MR-2	HDR	VA	SHD	RCHDR
Parking Structures	X	X	X	X	X	A	A	A	X	A	A
Pedestrian Amenities	P	P	P	P	P	P	P	P	P	P	P
Produce Stands , subject to Section 815	A	A	A	X	X	X	X	X	X	X	X
Public Utility Facilities ¹⁸⁷	C ¹⁵	X	C ¹⁵	X	C ¹⁵	C ¹⁵	C ¹⁵	C ¹⁵	X	C ¹⁵	C ¹⁵
Radio and Television Studios , excluding transmission towers	X	X	X	X	X	X	X	X	X	L ³ ,C ⁴	X
Radio and Television Transmission and Receiving Towers and Earth Stations ¹⁹⁸	C ¹⁵	X	C ¹⁵	X	X	C ¹⁵	C ¹⁵	C ¹⁵	X	C ¹⁵	C ¹⁵
Recreational Vehicle Camping Facilities , subject to Section 813	X	X	X	X	X	C ¹⁵	C ¹⁵	C ¹⁵	X	X	X

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Use	R-5 – R-30	VR-4/5 & VR-5/7	R-2.5	VTH	PMD	MR-1	MR-2	HDR	VA	SHD	RCHDR
Recreational Uses, Government-Owned , including parks, 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; <u>equine facilities</u> ; fitness and recreational facilities, such as exercise equipment, gymnasiums, and swimming pools; miniature golf, putting greens, and sports courts; picnic areas and structures; play equipment and playgrounds; nature preserves and wildlife sanctuaries; tables and seating; and similar recreational uses ²⁰⁺⁹	P ²¹⁰	P ²¹⁰	P ²¹⁰	P ²²⁺	P ²²⁺	P ²²⁺	P ²²⁺	P ²²⁺	P ²²⁺	P ²²⁺	P ²²⁺
Recreational Uses, Government-Owned Golf Courses ²⁰⁺⁹	P ²¹⁰	X	P ²¹⁰	X	C ¹⁵	P ²²⁺	P ²²⁺	C ¹⁵	X	C ¹⁵	C ¹⁵
Recreational Uses , including boarding or riding stables , boat moorages, country clubs, <u>equine facilities</u> , gymnastics facilities, golf courses, parks, and swimming pools ²⁰⁺⁹	C ¹⁵	X	C ¹⁵	X	C ¹⁵	C ¹⁵	C ¹⁵	C ¹⁵	X	C ¹⁵	C ¹⁵

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Use	R-5 – R-30	VR-4/5 & VR-5/7	R-2.5	VTH	PMD	MR-1	MR-2	HDR	VA	SHD	RCHDR
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, <u>firewood</u> , flowers, food, furniture, garden supplies, <u>gun supplies</u> , <u>guns</u> , hardware, <u>hides</u> , interior decorating materials, jewelry, <u>leather</u> , 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, <u>tableware</u> , tobacco, toiletries, tools, toys, vehicle supplies, and videos	X	X	X	X	X	X	X	L ⁵ ,C ⁶	X	L ³ ,C ⁴	L ²
Schools , subject to Section 805	C	C	C	X	X	C	C	L ^{5,2,3,2,2} 43 C ^{6,2,3,2,2} 43	X	L ^{3,2,3,2,2} 43 C ^{4,2,3,2,2} 43	L ^{2,2,3,2,2} 43

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Use	R-5 – R-30	VR-4/5 & VR-5/7	R-2.5	VTH	PMD	MR-1	MR-2	HDR	VA	SHD	RCHDR
Services, Business , including computer rental workstations; leasing, maintenance, repair, and sale of communications and office equipment; mailing; notary public; photocopying; and printing	X	X	X	X	X	X	X	L ⁵ ,C ⁶	X	L ³ ,C ⁴	L ²
Services, Commercial—Construction and Maintenance , including contractors engaged in construction and maintenance of electrical and plumbing systems	X	X	X	X	X	X	X	X	X	C ⁴	X
Services, Commercial—Food and Beverage , including catering and eating and drinking establishments	X	X	X	X	X	X	X	L ⁵ ,C ⁶	X	L ³ ,C ⁴	L ²
Services, Commercial—Maintenance and Repair of any of the following: <u>appliances</u> , bicycles, electronic equipment, <u>guns</u> , <u>housewares</u> , musical instruments, optical goods, signs, small power equipment, <u>and</u> sporting goods, <u>and tools</u>	X	X	X	X	X	X	X	L ⁵ ,C ⁶	X	L ³ ,C ⁴	L ²
Services, Commercial—Maintenance and Repair of any of the following: all-terrain vehicles, automobiles, light trucks, motorcycles, and snowmobiles	X	X	X	X	X	X	X	X	X	C ⁴	X
Services, Commercial—Miscellaneous , including food lockers, interior decorating, locksmith, upholstery, and veterinary	X	X	X	X	X	X	X	L ⁵ ,C ⁶	X	L ³ ,C ⁴	L ²

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Use	R-5 – R-30	VR-4/5 & VR-5/7	R-2.5	VTH	PMD	MR-1	MR-2	HDR	VA	SHD	RCHDR
Services, Commercial—Personal and Convenience , including barbershops, beauty salons, dry cleaners, laundries, photo processing, seamstresses, shoe repair, tailors, <u>and</u> tanning salons, and video rental . Also permitted are incidental retail sales of products related to the service provided.	X	X	X	X	X	X	X	L ⁵ ,C ⁶	X	L ³ ,C ⁴	L ²
Services, Commercial—Studios of the following types: art, <u>craft</u> , dance, music, and photography	X	X	X	X	X	X	X	L ⁵ ,C ⁶	X	L ³ ,C ⁴	L ²
Signs , subject to Section 1010	A ²⁵⁴	A ²⁵⁴	A ²⁵⁴	A ²⁵⁴	A ²⁵⁴	A ²⁵⁴ ₄	A ²⁵⁴ ₄	A ²⁵⁴	A ²⁵⁴ ₄	A ²⁵⁴	A ²⁵⁴
Telephone Exchanges	C ¹⁵	X	C ¹⁵	X	C ¹⁵	C ¹⁵	C ¹⁵	C ¹⁵	X	C ¹⁵	C ¹⁵
Temporary Buildings for Uses Incidental to Construction Work . Such buildings shall be removed upon completion or abandonment of the construction work.	A	A	A	A	A	A	A	A	A	A	A
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	A	A	A	A	A	A	A	A
Transit Park-and-Rides	X	X	X	X	X	X	X	X	X	X	A

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Use	R-5 – R-30	VR-4/5 & VR-5/7	R-2.5	VTH	PMD	MR-1	MR-2	HDR	VA	SHD	RCHDR
Utility Carrier Cabinets , subject to Section 830	P	P	P	P	P	P	P	P	P	P	P
Wireless Telecommunication Facilities listed in Subsections 835.04(B) and (C) and 835.05(A)(2) and (3), subject to Section 835	P	P	P	P	P	P	P	P	P	P	P
Wireless Telecommunication Facilities listed in Subsection 835.06(A), subject to Section 835	C	C	C	C	C	C	C	C	C	C	C

¹ An accessory kitchen is permitted only in an attached single-family dwelling, a detached single-family dwelling, or a manufactured home, to the extent that these dwelling types are permitted in the applicable zoning district. Only one accessory kitchen is permitted in each single-family dwelling or manufactured home.

² The limited use is permitted subject to the following criteria:

- a. The use shall be allowed only in a development meeting the minimum residential density for the entire site area.
- b. No outdoor storage of materials or display of merchandise associated with the use shall be allowed.

³ The limited use is permitted subject to the following criteria:

- a. The use shall be allowed only in a development meeting the minimum residential density for the entire site area.
- b. The total building floor area occupied by all limited uses shall not exceed 15 percent of the total building floor area occupied by primary uses.
- c. No outdoor storage of materials associated with the use shall be allowed.

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- d. The use shall not be of a type or intensity which produces odor, smoke, fumes, noise, glare, heat, or vibration which are detectable outside of the premises and are incompatible with primary uses.
- ⁴ The use shall be developed in conjunction with a primary use on the same site, which is developed at the maximum allowed density for the site area.
- ⁵ The limited use is permitted subject to the following criteria:
- a. The use shall be part of a development within a Design Plan area.
 - b. The use shall be allowed only in a development meeting the minimum residential density for the entire site area.
 - c. The total building floor area occupied by all limited uses shall not exceed 10 percent of the total building floor area occupied by primary uses. No single limited commercial use shall occupy more than 1,500 square feet of building floor area.
 - d. Allowing the use will not adversely impact the livability, value, and appropriate development of the site and abutting properties considering the location, size, design, and operating characteristics of the use.
 - e. No outdoor storage of materials associated with the use shall be allowed.
 - f. The use shall not be of a type or intensity which produces odor, smoke, fumes, noise, glare, heat, or vibration which are detectable outside of the premises and are incompatible with primary uses.
- ⁶ The use shall be developed in conjunction with a primary use on the same site, which is developed at the maximum allowed density for the site area. The total building floor area occupied by all limited uses, and by all conditional uses that are subject to Note 6 to Table 315-1, shall not exceed 10 percent of the total building floor area occupied by primary uses.
- ⁷ This use is limited to alteration or expansion of a church lawfully established prior to July 14, 1980. The use shall not extend beyond the property that was under the ownership of, or occupied by, the preexisting church and associated facilities prior to July 14, 1980.
- ⁸ Except as limited by Subsection 902.02, each lot of record may be developed with only one of the following: attached single-family dwelling—if permitted by Note 9 or 10 to Table 315-1—detached single-family dwelling, or manufactured home.
- ⁹ Attached single-family dwellings are permitted on 100 percent of the lots in a planned unit development and 20 percent of the lots in a subdivision that is not a planned unit development.

¹⁰ As a primary use, only two attached single-family dwellings may be attached in succession except 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*—in which case this limit does not apply.

¹¹ Attached single-family dwellings that do not comply with Note 10 to Table 315-1 are a conditional use.

¹² Multifamily dwellings are limited to those containing four dwelling units.

¹³ Two- and three-family dwellings are subject to Section 802, *Two- and Three-Family Dwellings*.

¹⁴ Only indoor facilities are permitted.

¹⁵ Uses similar to this use may be authorized pursuant to Section 106.

¹⁶ A use may be permitted as a home occupation, subject to Section 822, even if such use is also identified in another use listing in Table 315-1.

¹⁷⁶ Hotels in the SHD District are limited to a maximum of 80 units per gross acre.

¹⁸⁷ Public utility facilities shall not include shops, garages, or general administrative offices.

¹⁹⁸ The base of such towers shall not be closer to the property line than a distance equal to the height of the tower.

²⁰¹⁹ This use may include concessions, restrooms, maintenance facilities, and similar support uses.

²¹⁰ Any principal building, swimming pool, or use shall be located a minimum of 45 feet from any other lot in a residential zoning district.

²²¹ Any principal building or swimming pool shall be located a minimum of 30 feet from any other lot in a residential zoning district.

²³² Only commercial schools are permitted.

²⁴³ Schools are not subject to Section 805, *Schools*.

²⁵⁴ Temporary signs regulated under Subsection 1010.13(A) are a primary use.

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 Sections 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 Sections 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.

Table 315-2: Dimensional Standards in the Urban Low Density Residential Zoning Districts¹

Standard	R-2.5	R-5	R-7	R-8.5	R-10	R-15	R-20	R-30
Minimum Lot Size ²	2,500 square feet	5,000 square feet	7,000 square feet	8,500 square feet	10,000 square feet	15,000 square feet	20,000 square feet	30,000 square feet
Maximum Lot Coverage	40 percent							
Maximum Building Height	35 feet							
Minimum Front Yard Depth	15 feet, except 20 feet to garage and carport motor vehicle entries							
Minimum Rear Yard Depth	20 feet							
Minimum Side Yard Depth	5 feet							

¹ Refer to Subsections 315.04(B) and (C) and Table 315-3 for modifications and exceptions.

² The minimum 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 lot size standard, 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.

Table 315-3: Minimum Side and Rear Yard Depths for Certain Accessory Buildings in the Urban Low Density Residential Districts

Building Area	Building Height			
	≤ 8 feet	> 8 feet and ≤ 10 feet	> 10 feet and ≤ 15 feet	> 15 feet
≤ 100 square feet	None ¹	3 feet side and rear ¹	5 feet side and rear	5 feet side, 10 feet rear
> 100 square feet and ≤ 200 square feet	3 feet side and rear ¹	3 feet side and rear ¹	5 feet side and rear	5 feet side, 10 feet rear
> 200 square feet and ≤ to 500 square feet	5 feet side and rear ²	5 feet side and rear ²	5 feet side and rear ²	5 feet side, 10 feet rear
> 500 square feet	5 feet side; 10 feet rear	5 feet side; 10 feet rear	5 feet side, 10 feet rear	5 feet side, 10 feet rear

¹ This standard applies in the MR-1 District also.

² The accessory building shall be separated from other buildings by a minimum of three feet.

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		

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Standard	VR-5/7	VR-4/5	VTH
Accessory Building Standards			
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 1005.12(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.

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Table 315-5: Dimensional Standards in the PMD, MR-1, MR-2, HDR, VA, SHD, and RCHDR Districts

Standard	PMD	MR-1	MR-2	HDR	VA	SHD	RCHDR
District Land Area for Calculating Density Pursuant to Section 1012	3,630 square feet	3,630 square feet	2,420 square feet	1,742 square feet	1,500 square feet	726 square feet	Not Applicable
Minimum Dwelling Units per Net Acre	See Section 1012	See Section 1012	See Section 1012	See Section 1012	See Section 1012	See Section 1012	30 ¹
Minimum Site Area	Not Applicable	Not Applicable	Not Applicable	1 acre ^{2,3,4}	Not Applicable	3 acres ^{2,3,5}	3 acres ^{2,3,5}
Minimum Lot Size	None	None ⁶	None ⁷	None ^{8,9}	None	None ^{10,11}	None ^{10,11}
Minimum Front Yard Depth	25 feet	20 feet ¹²	20 feet ¹²	15 feet ^{12,13}	10 feet ^{14,15}	15 feet ^{12,13}	5 feet ^{12,13,16}
Maximum Front Yard Depth	None	None	None	None	18 feet ¹⁴	None	20 feet ^{12,13,16,17}
Minimum Rear Yard Depth	30 feet ¹⁸	20 feet ¹²	20 feet ¹²	See Subsection 1018.12 ¹²	None ^{14,15}	See Subsection 1018.12 ¹²	See Subsection 1018.12 ^{12,19}
Minimum Side Yard Depth	30 feet ¹⁸	One story: five feet; two stories: seven feet; three stories: 15 feet. For each story higher than three, an additional five feet of yard depth shall be required. ^{12,20}		See Subsection 1018.12 ¹²	None	See Subsection 1018.12 ¹²	See Subsection 1018.12 ^{12,21}
Maximum Lot Coverage	None	50 percent ²²	50 percent	50 percent	50 percent	None	None
Maximum Building Height	None	None	None	None	45 feet ²³	None	None
Minimum Building Separation	10 feet	None	None	See Subsection 1018.12	20 feet between multifamily dwellings	See Subsection 1018.12	See Subsection 1018.12

- 1 Net acreage shall be calculated pursuant to Subsections 1012.08(A) and (B).
- 2 Minimum site area means minimum gross site area, including land dedicated for roadway purposes. Site area means one of the following:
 - A single tax lot, or two or more contiguous tax lots under the same ownership; or
 - Two or more contiguous tax lots under separate ownership, provided that:
 - All individual property owners are members of a group formed for the purpose of developing the properties as a single planned development; and
 - All individual tax lot ownerships are converted into development shares prior to any building permit being issued for the project; or the group shall record, in the office of the County Clerk, a contract and associated deed restrictions, 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.
- 3 Primary and accessory uses may be established on site areas smaller than the minimum site area standard, if the site area is physically separated from all other undeveloped or underdeveloped properties in the subject zoning district.
- 4 The minimum site area standard applies to high density developments.
- 5 The minimum site area standard applies to developments combining primary, accessory, and limited uses.
- 6 The minimum lot size for a lot developed with a detached single-family dwelling classified as a nonconforming use shall be 3,630 square feet.
- 7 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.
- 8 If a lot is created for a detached single-family dwelling classified as a nonconforming use, the minimum lot size for the other lot(s) created by the land division shall be one acre.
- 9 If a lot less than one acre in size results from a property line adjustment, it may not be developed unless combined with other property as provided under Note 2 to Table 315-5.
- 10 If a lot is created for a detached single-family dwelling classified as a nonconforming use, the minimum lot size for the other lot(s) created by the land division shall be three acres.
- 11 If a lot less than three acres in size results from a property line adjustment, it may not be developed unless combined with other property as provided under Note 2 to Table 315-5.

- ¹² The minimum yard depth standards of Table 315-2, *Dimensional Standards in the Urban Low Density Residential Districts*, as modified by Subsection 315.04(C), apply to detached single-family dwellings that are nonconforming uses, as well as to structures that are accessory to such dwellings.
- ¹³ Yard depth standards may be modified through design review pursuant to Section 1102. Approval shall not be granted unless the modification requested is necessary to allow development of primary uses at densities allowed for the site area.
- ¹⁴ If the front or rear lot line abuts Sunnyside Road, the minimum yard depth shall be 65 feet from the centerline of Sunnyside Road, and the maximum yard depth shall be 75 feet from the centerline of Sunnyside Road.
- ¹⁵ Awnings, porches, and bays may extend a maximum of six feet into the minimum yard depth.
- ¹⁶ For buildings used exclusively for residential purposes, the minimum front yard depth shall be 15 feet, and there shall be no maximum yard depth.
- ¹⁷ The maximum yard depth may be exceeded to accommodate plazas identified on Comprehensive Plan Map X-CRC-3, *Clackamas Regional Center Area Design Plan Urban Design Elements*.
- ¹⁸ The minimum yard depth standard applies only from lot lines that are on the perimeter of the project.
- ¹⁹ If the rear yard abuts an OSM District or a residential zoning district other than HDR, SHD, or RCHDR, the minimum rear yard depth shall be 20 feet.
- ²⁰ If the side yard abuts an Urban Low Density Residential, VR-5/7, or VR-4/5 District, the minimum side yard depth for a two-story building shall be 10 feet.
- ²¹ If the side yard abuts an OSM District or a residential zoning district other than HDR, SHD, or RCHDR, the minimum side yard depth shall be 15 feet.
- ²² Maximum lot coverage does not apply to swimming pools.
- ²³ The maximum height of tower elements shall be 60 feet, provided that such elements do not have a footprint exceeding 400 square feet.

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~~ single-family dwellings and manufactured homes, except temporary dwellings approved pursuant to Section 1204, shall include at least three of the following features visible to the roadstreet. ~~If the single-family dwelling or manufactured home is located (if on a corner lot, the features shall be visible from~~ the features shall be visible from ~~to the roadstreet from which~~ the roadstreet from which ~~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).

[Added by Ord. ZDO-249, 10/13/14; Amended by Ord. ZDO-250, 10/13/14]

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*.

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

Use	NC	C-2	RCC	RTL	CC	C-3	PMU ¹	SCMU	OA ^{2,3}	OC	RCO
<p>Accessory Uses, Customarily Permitted, <u>such as including amateur (Ham) radio antennas and towers, arbors, bicycle racks, carports, citizen band transmitters and antennas, cogeneration facilities, courtyards, decks, decorative ponds, driveways, electric vehicle charging stations, family daycare providers, fountains, garages, garden sheds, gazebos, greenhouses, HVAC units, meeting facilities, outdoor kitchens, parking areas, patios, pergolas, pet enclosures, plazas, property management and maintenance offices, 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), rainwater collection systems, satellite dishes, self-service laundry facilities, shops, solar energy systems, storage buildings/rooms storage of building maintenance and landscape maintenance equipment, television antennas and receivers, and transit amenities, trellises, and utility service equipment</u></p>	A	A	A	A	A	A	A	A	A	A	A
<p>Accessory Uses, Customarily Permitted Accessory to a Dwelling⁴, such as amateur (Ham) radio towers; arbors; carports; citizen band transmitters and antennas; community meeting rooms; courtyards; decks; decorative ponds; driveways; family daycare providers;</p>	A	A	A	A	A	A	A	A	A	A	A

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

Use	NC	C-2	RCC	RTL	CC	C-3	PMU ¹	SCMU	OA ^{2,3}	OC	RCO
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											
Assembly Facilities , including auditoriums, churches, community centers, convention facilities, exhibition halls, fraternal organization lodges, senior centers, and theaters for the performing arts ⁴⁵	C	P	P,C ⁴⁴ ₅	P	P	P	P	P	S	P,C ^{44,5}	P,C ⁴⁴ ₅
Bed and Breakfast Residences and Inns , subject to Section 832	P	P	X	P	P	P	X	X	X	P	X
Bus Shelters , subject to Section 823	A	A	P	P	P	P	P	P	A	P	P
Civic and Cultural Facilities , including art galleries, libraries, museums, and visitor centers	P	P	P	P	P	P	P	P	P	P	P
Congregate Housing Facilities	X	X	P ^{6,7}	P ⁸	P ⁸	P ⁸	P	P	L	P ⁸	P ^{6,7}
Daycare Facilities, subject to Section 807	P	P	P	P	P	P	P	P	P	L ¹⁰ ,C	L ¹¹ ,C
Daycare Services, Adult	P	P	P	P	P	P	P	P	P	L ¹⁰ ,C	L ¹¹ ,C
Drive-Thru Window Services , subject to Section 827	C	A	A ¹²	A	A	A	A ¹³	X	X	A ¹³	A ¹³
Dwellings, Attached Single-Family	X	A	X	A	X	A	P	P	L ¹⁴	X	X
Dwellings, Detached Single-Family	A	A	X	A	X	A	X	X	X	X	X
Dwellings, Multifamily	X	X	P ⁶	P ⁸	P ⁸	P ⁸	P	P	L ⁹	P ⁸	P ⁶

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

Use	NC	C-2	RCC	RTL	CC	C-3	PMU¹	SCMU	OA^{2,3}	OC	RCO
Dwellings, Three-Family	X	X	X	P	P	P	P	P	L ⁹	P ⁸	X
Dwellings, Two-Family	X	A	X	P	P	P	P	P	L ⁹	P ⁸	X
Electric Vehicle Charging Stations	A,C	P	A	A,C	P	P	A	A	A	A	A
Employee Amenities , including cafeterias, clinics, daycare facilities ¹⁵ , fitness facilities, lounges, and recreational facilities	A	A	A	A	A	A	A	A	A ¹⁶	A ¹⁶	A ¹⁶
Entertainment Facilities , including arcades, billiard halls, bowling alleys, miniature golf courses, and movie theaters	C ¹⁷	P ¹⁷	P ¹⁷	P	P	P	P ¹⁷	P ^{17,18}	S	C ^{17,32}	L ^{11,17}
Financial Institutions , including banks, brokerages, credit unions, loan companies, and savings and loan associations	P	P	P	P	P	P	P	P	P	P	P
Fitness Facilities , including athletic clubs, exercise studios, gymnasiums, and health clubs	P ¹⁷	P ¹⁷	P ¹⁷	P	P	P	P ¹⁷	P ^{17,18}	L ^{17,38}	C ¹⁷	L ^{17,19}
Government Uses , including fire stations, police stations, and post offices	C	P	P	P	P	P	P	P	P	P	P
Heliports	X	X	C ²⁰	C	C	C	X	X	X	C ²⁰	C ²⁰
Helistops	X	X	C ²⁰	C	C	C	C	C	X	C ²⁰	C ²⁰
Home Occupations , subject to Section 822	A	A	A	A	A	A	A	A	A	A	A
Hospitals , subject to Section 809	X	X	X	X	X	X	X	X	X	C	C
Hotels	P	P	P	P	P	P	P	P ¹⁸	S	L ^{10,21} ,C ²¹	P ²¹
Hydroelectric Facilities , subject to Section 829	X	C	X	C	X	C	X	X	X	X	X
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.	S ³⁹	S ⁴⁰	S	S	P	P	S	P ^{22,23}	S	P ²⁴	S

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

Use	NC	C-2	RCC	RTL	CC	C-3	PMU ¹	SCMU	OA ^{2,3}	OC	RCO
Mobile Vending Units , subject to Section 837	P	P	P	P	P	P	P	P	A ²⁵	A ²⁵	A ²⁵
Motels	P	P	P	P	P	P	P	P ¹⁸	S	L ^{10,26} , C ²⁶	L ¹¹
Multi-Use Developments , subject to Section 1016	X	X	X	X	X	C	X	X	X	C	X
Nursing Homes , subject to Section 810	X	X	X	X	X	X	P	P	L	X	X
Offices , including administrative, business, corporate, governmental, and professional offices. Examples include offices for the following: <u>accounting services</u> , architectural services, business management services, call centers, employment agencies, engineering services, governmental services, <u>income tax services</u> , insurance services, legal services, manufacturer’s representatives, office management services, property management services, real estate agencies, and travel agencies.	P	P	P	P	P	P	P	P	P	P	P
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.	P	P	P	P	P	P	P	P	P	P	P
Parking Lots	A	A	A	A	P	P	A	A	A	P ²⁷	A
Parking Structures	X	A ²⁸	P ²⁷	P ²⁷	P	P	A	A	A ²⁸	P ²⁷	P ²⁷
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; <u>boarding or riding stables</u> ;	P	P	P	P	P	P	P	P	P	P	P

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

Use	NC	C-2	RCC	RTL	CC	C-3	PMU ¹	SCMU	OA ^{2,3}	OC	RCO
boat moorages and ramps; community buildings and grounds; community and ornamental gardens; courtyards and plazas; equine facilities ; 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.											
Pedestrian Amenities	P	P	P	P	P	P	P	P	P	P	P
Public Utility Facilities	S	C	C ²⁹	C ²⁹	C	C	S	S	S	S	S
Race Tracks, Outdoor	X	X	X	X	X	C	X	X	X	X	X
Radio and Television Studios , excluding transmission towers	C	P	P	P	P	P	P	P	S	P	P
Radio and Television Transmission and Receiving Towers and Earth Stations ³⁰	S	C	S	S	C	C	S	S	S	S	S
Radio and Television Transmission and Receiving Earth Stations	S	C	C	C	C	C	A	S	S	S	S
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.	P ¹⁷	P ¹⁷	P ¹⁷	P	P	P	P ¹⁷	P ^{17, 18}	S	C ¹⁷	L ^{17, 19}
Recyclable Drop-Off Sites , subject to Section 819	A	A	X	X	A	A	X	X	X	X	X

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

Use	NC	C-2	RCC	RTL	CC	C-3	PMU ¹	SCMU	OA ^{2,3}	OC	RCO
Research Facilities and Laboratories , including medical laboratories, medical research, product design and testing, and product research and development	S	S	S	S	P	P	P ²⁴	P	P ³¹	P ³¹	P ²⁴
Retailing —whether by sale, lease, or rent—of new or used products	S	S	P	P	P	P	P	P ¹⁸	S	C ³²	L ¹¹
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, <u>firewood</u> , flowers, food, furniture, garden supplies, <u>gun supplies</u> , <u>guns</u> , hardware, <u>hides</u> , interior decorating materials, jewelry, <u>leather</u> , 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, <u>tableware</u> , tobacco, toiletries, tools, toys, vehicle supplies, and videos-	P	P	P	P	P	P	P	P ¹⁸	S	C ³²	L ¹¹
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	S	S	P	P	P	P	X	X	X	C ³²	L ¹¹
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	X	X	X	P	P	P	X	X	X	X	X

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

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Use	NC	C-2	RCC	RTL	CC	C-3	PMU ¹	SCMU	OA ^{2,3}	OC	RCO
Services, Commercial—Maintenance and Repair of any of the following: all-terrain vehicles, automobiles, light trucks, motorcycles, and snowmobiles	C	P	P	P	P	P	X	X	X	C ³²	L ¹¹
Services, Commercial—Maintenance and Repair 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	X	X	X	P	P	P	X	X	X	X	X
Services, Commercial—Miscellaneous , including food lockers, interior decorating, locksmith, upholstery, and veterinary	P	P	P	P	P	P	P	P ¹⁸	S	C ³²	L ¹¹
Services, Commercial—Personal and Convenience , 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.	P	P	P	P	P	P	P	P ¹⁸	L ³⁸	L ¹⁰	L ¹¹
Services, Commercial—Mini-Storage/Self-Storage Facilities	S	S	X	C	P	P	X	X	S	X	X
Services, Commercial—Storage of any of the following: all-terrain vehicles, automobiles, light trucks, motorcycles, and snowmobiles	S	S	X	C	P	P	X	X	X	X	X
Services, Commercial—Storage of any of the following: boats; heavy trucks such as dump	X	X	X	C	P	P	X	X	X	X	X

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Use	NC	C-2	RCC	RTL	CC	C-3	PMU ¹	SCMU	OA ^{2,3}	OC	RCO
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											
Services, Commercial—Studios of the following types: art, <u>craft</u> , dance, and music, <u>and photography</u>	P	P	P	P	P	P	P	P ¹⁸	S	P	P
Services, Commercial—Truck Stops	X	X	X	X	P	P	X	X	X	X	X
Services, Information , including blueprinting, bookbinding, photo processing, photo reproduction, printing, and publishing	S	S	S	S	P	P	P	P ²²	P	P	P
Signs , subject to Section 1010	A ³⁷	A ³⁷	A ³⁷	A ³⁷	A ³⁷	A ³⁷	A ³⁷	A ³⁷	A ³⁷	A ³⁷	A ³⁷
Stadiums, Outdoor	X	X	X	X	X	C	X	X	X	X	X
Telephone Exchanges	S	C	C	C	C	C	S	S	S	S	S
Temporary Buildings for Uses Incidental to Construction Work , provided that such buildings shall be removed upon completion or abandonment of the construction work	A	A	A	A	A	A	A	A	A	A	A
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	A	A	A	A	A	A	A	A
Transit Facilities , including transit centers, transit park-and-rides, transit stations, and transit	S	S	P	P	P	P	P	P	S	P	P

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Use	NC	C-2	RCC	RTL	CC	C-3	PMU ¹	SCMU	OA ^{2,3}	OC	RCO
stops											
Utility Carrier Cabinets , subject to Section 830	P	P	P	P	P	P	P	P	P	P	P
Wireless Telecommunication Facilities listed in Subsection 835.04, subject to Section 835	P	P	P	P	P	P	P	P	P	P	P
Wireless Telecommunication Facilities listed in Subsection 835.05, subject to Section 835	P	P	P	P	P	P	P	X	P	P	P
Wireless Telecommunication Facilities listed in Subsection 835.06(A), subject to Section 835	C	X	X	X	X	X	X	X	X	X	X

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.~~

~~^{4S} Churches are not subject to Section 804, *Churches*.~~

~~⁵ An assembly facility with a maximum capacity of more than 500 people is a conditional use.~~

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.

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

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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*.

34 Only commercial schools are permitted.

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- 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.~~

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 1013, Planned Unit Developments*; 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.

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

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

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Standard	NC	C-2	RCC	RTL¹	CC	C-3	PMU	SCMU	OA	OC¹	RCO
Minimum Front Yard Depth	0	15 feet	5 feet ¹²	15 feet	15 feet	15 feet	None	See Subsection 1005.10	10 feet	15 feet	5 feet ¹²
Minimum Rear Yard Depth	0	0 ¹³	0 ¹⁴	0 ¹⁵	0 ¹⁵	0 ¹⁵	0 ^{11,13}	See Subsection 1005.10	10 feet ¹⁶	10 feet ¹⁷	0 ¹⁸
Minimum Side Yard Depth	0	0 ¹⁹	0 ¹⁹	0 ²⁰	0 ²⁰	0 ²⁰	0 ^{11,19}	See Subsection 1005.10	6 feet ²¹	10 feet ²²	0 ¹⁹
Maximum Building Height	35 feet	None ²³	None	None	None	None	None	None	45 feet	None ²⁴	None
Minimum Floor Area Ratio	None	None	0.3 for a retail development; 0.5 for an office development ²⁵	None	None	None	None, except as set forth in Table 510-3	None	None	None	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}

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Standard	NC	C-2	RCC	RTL¹	CC	C-3	PMU	SCMU	OA	OC¹	RCO
Maximum Building Floor Area per Use	5,000 square feet	None	None	None	None	None	None, except as set forth in Subsection 510.05(I)(1)	None	None	None	None
Minimum Density	None	None	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 ²⁸	None	None	None	None, except as set forth in Table 510-3	20 dwelling units per net acre for residential development; none for mixed-use development ²⁸	None	None	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 ²⁸

Notes to Table 510-2:

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- 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.
- 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).

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- 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.
- 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.

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- 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.
- 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).

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.

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

Land Uses & Areas Required	PMU1
Office uses ¹ , minimum square feet	525,000 square feet
Retail, entertainment, hotel, service commercial, theater, 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	one-half- to one-acre plaza
Entertainment/recreational facility	
Transit facilities	
Land Uses & Areas Required	PMU 2, 3, 4, and 5
Office uses ¹ or residential uses ² , minimum site area	50 percent
Office uses ¹ , minimum floor area ratio (FAR)	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.
Retail uses and service commercial uses, minimum FAR	0.3, calculated pursuant to Subsection 1005.03(R)
Residential density ²	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).
Land Uses & Areas Required	PMU6
Phase one, minimum FAR	0.3, calculated pursuant to Subsection 1005.03(R)
Subsequent phases, minimum FAR	0.6, calculated pursuant to Subsection 1005.03(R)
Dwelling units, minimum number	395

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.

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.~~

[Added by Ord. ZDO-250, 10/13/14]

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.~~

601.02 APPLICABILITY

Section 601 applies to land in the Campus Industrial (CI) District.

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 ~~permitted~~allowed as accessory uses in the ~~CI 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 ~~permitted~~allowed on a limited basis as part of the development of ~~the City of Clackamas~~ 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:
 - 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;

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- 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 following are conditional uses in the CI District, approval of which is subject to Section 1203:

- A. Conversion of multifamily dwellings into condominiums, subject to Section 803;
- B. ~~The following Service and recreational~~ uses that exceed a primary or accessory use, ~~subject to Section 813;~~
 1. Recreational areas, uses, and facilities, including country clubs, lodges, fraternal organizations, swimming pools, gymnastics facilities, golf courses, equine facilities, boat moorages, parks, and concessions;
 2. City, county, state, federal, service district, and municipal corporation uses or buildings;
 3. Telephone exchanges and public utility structures without shops, garages, or general administrative offices;
 4. 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
 5. Recreational vehicle camping facilities, 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 ~~CI Campus Industrial~~ District, except as provided in Section 106, *Authorization of Similar Uses.*

601.08 DIMENSIONAL STANDARDS

The following dimensional standards apply in the CI District.

- A. Purpose: The dimensional standards are intended to:
 1. Encourage coordinated development, and the most efficient and maximum use of the ~~CI Campus Industrial~~ District;
 2. Provide for adequate structure separation to ensure air and light access and fire safety and protection for all development site areas and structures within the district and adjoining districts;
 3. Provide for a compatible mix of uses supportive of public transportation facilities;

4. Provide for the protection of adjacent properties; and
 5. Provide for open space and outdoor activity areas.
- B. Site Area Requirements: A "site area" for purposes of Section 601 shall be the total land area to be developed as a unit, prior to the creation of any new parcels or lots within the land area. A site area may be either of the following:
1. A single tax lot, or two or more contiguous tax lots, under the same ownership.
 2. Two or more contiguous tax lots under separate ownership, provided that:
 - a. All individual property owners are members of a group formed for the purpose of developing the properties as a single planned development, and
 - b. All individual tax lot ownerships are converted into development shares prior to any building permit being issued for the project, or
 - c. The group shall record, in the office of the County Clerk, a contract in which all members agree to subject the use and development of individual tax lots or ownerships to the development plan for the site area as approved by the County. No permit shall be issued on any separate tax lot or ownership for any structure or use not indicated on the County approved development plan for the site area.
- C. Minimum Site Area:
1. Developments which include uses under at least two of the primary use categories under Subsection 601.03(A) through (D) shall require a minimum site area of three acres.
 2. Developments which include only uses under Subsection 601.03(A) and accessory uses shall require a minimum site area of two acres.
 3. Developments which include only uses under Subsection 601.03(D) shall require a minimum site area of one acre.
- D. Undersized Lots: Any primary use under Subsection 601.03, and its associated accessory and limited uses, may be established on a lot smaller than the minimum site area that is physically separated from all other underdeveloped properties in this district, or that is approved as a conditional use under Subsection 601.06(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 subject to 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-K.~~ Exceptions to Dimensional Standards: The requirements of ~~Subsection~~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 ~~CICampus Industrial~~ District.

- A. General: Development is subject to the applicable provisions of Sections 1000, Development Standards, and 1100, Development Review Process.

~~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.B. 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; Amended by Ord. ZDO-249, 10/13/14; Amended by Ord. ZDO-250, 10/13/14; Amended by Ord. ZDO-248, 10/13/14]

604 RURAL INDUSTRIAL DISTRICT (RI)

604.01 PURPOSE

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

604.02 APPLICABILITY

Section 604 applies to land in the Rural Industrial (RI) District.

604.03 USES PERMITTED

Uses permitted in the RI District are listed in Table 604-1, *Permitted Uses in the RI 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 604-1:

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

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

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Table 604-1: Permitted Uses in the RI District

Comment [JH1]: This table will be reorganized in alphabetical order by the name of the use.

Use	RI
A - Construction and Maintenance Contractors 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
F - Farmers' Markets, subject to Section 840	<u>P</u>
B - Indoor Recreational Facilities 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.	P
C - Lawfully Established Industrial Uses that existed on December 20, 2001, and are not otherwise listed in Table 604-1	P
D - Light Metal and Fiberglass Fabrication	P
E - Manufacturing 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 ¹
F - Ornamental and Horticultural Nurseries	P
G - Repair and Refinishing of Furniture and Household Goods	P
H - Repair of Motor Vehicles	P
I - Retail Sales of Lumber and Building Materials	P
J - Sales, Rental, Storage, Repair, and Servicing of equipment and materials associated with farm and forest uses, road maintenance, mineral extraction, and construction	P
K - Sheet Metal and Machine Shops	P
L - Small Power Production Facilities, provided that if it is a hydroelectric facility, it shall be subject to Section 829	P
M - Upholstery Shops	P

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Use	RI
N -Utility Carrier Cabinets, subject to Section 830	P
O -Veterinary Hospital	P
P -Warehousing and Distribution This category includes establishments primarily engaged in operating warehousing and distribution facilities for general merchandise, refrigerated goods, and other products and materials that have been manufactured and generally are being stored in anticipation of delivery to the final customer. A range of logistical services may be provided, including labeling, packaging, price marking and ticketing, and transportation arrangement. This category includes the transportation and distribution of cargo using motor vehicles or rail spurs and may include loading docks and parking of cargo transport vehicles. Mini-storage facilities are not included in this category.	P ¹
Q -Wholesale Trade 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 ¹
R -Wireless Telecommunication Facilities, subject to Section 835	P
S -Accessory Uses permitted in the RA-2 District, provided that such uses are accessory to a single-family dwelling that is a nonconforming use	A
T -Bus Shelters, subject to Section 823	A
U -Cogeneration Facilities	A
V -Dwellings	A
W -Electric Vehicle Charging Stations	A
X -Employee Amenities, such as clinics, daycare facilities, lounges, cafeterias, and recreational facilities	A
Y -Level One Mobile Vending Units, subject to Section 837	A
Z -Offices	A
AA -Parking, Storage, Repair, and Servicing of Fleet Vehicles	A
BB -Pedestrian Amenities	A
CC -Rainwater Collection Systems	A
DD -Recyclable Drop-off Sites, subject to Section 819	A
EE -Retail Sales of products that are manufactured on the subject property, distributed from the subject property, warehoused on the subject property, or sold on a wholesale basis from the subject property	A

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Use	RI
FF -Satellite Dishes	A
GG -Signs, subject to Section 1010	A ²
HH -Solar Energy Systems	A
I -Temporary Buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work.	A
J -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
KK -Animal Slaughtering and Rendering, Distillation of Bones, and Leather Tanning	C
LL -Auto Wrecking Yard and Junkyards, subject to Section 817	C
MM -Composting Facilities, subject to Section 834	C
NN -Government and Special District Uses	C ³
OO -Heliports	C
PP -Hosting of weddings, family reunions, class reunions, company picnics, and similar events	C
QQ -Incineration and Reduction of Offal, Dead Animals, and Solid Waste	C
RR -Manufacturing, transportation, distribution, warehousing, and wholesale trade of the following: explosive materials and devices, fertilizer, natural gas, pesticides, petroleum, and petroleum products	C
SS -Private commercial, noncommercial, or nonprofit recreational areas, uses, and facilities, including country clubs, lodges, fraternal organizations, swimming pools, gymnastics facilities, golf courses, equine facilities, boat moorages, parks, and concessions	C
TT -Public Utility Facilities without shops, garages, or general administrative offices.	C
UU -Radio and Television Transmission and Receiving Towers and Earth Stations, provided that the base of such towers shall not be closer to the property line than a distance equal to the height of the tower	C
VV -Recycling Centers and Transfer Stations, subject to Section 819	C
WW -Surface Mining, subject to Section 818	C
XX -Telephone Exchanges	C

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Notes to Table 604-1:

- ¹ Manufacturing, transportation, distribution, warehousing, and wholesale trade of certain products are conditional uses, when specifically listed as such in Table 604-1.
- ² Temporary signs regulated under Subsection 1010.13(A) are a primary use.
- ³ A government or special district use is a conditional use only if the proposed use does not also fall within one of the categories identified as a primary or accessory use.

604.04 DIMENSIONAL STANDARDS

The following dimensional standards apply in the RI District.

- A. Minimum Front Yard Depth: The minimum front yard depth is 30 feet.
- B. Minimum Rear Yard Depth: The minimum rear yard depth is 30 feet if the rear yard abuts a residential zoning district and 10 feet if the rear yard abuts a commercial zoning district. In either case, an additional five feet of yard depth is required for each additional 10-foot height increment, or portion thereof, for structures over 35 feet in height.
- C. Minimum Side Yard Depth: The minimum side yard depth is 30 feet if the side yard abuts a residential zoning district and 10 feet if the side yard abuts a commercial zoning district. In either case, an additional five feet of yard depth is required for each additional 10-foot height increment, or portion thereof, for structures over 35 feet in height.
- D. Nonconforming Dwellings: Notwithstanding Subsections 604.04(B) and (C), the minimum rear and side yard depth standards applicable in the RA-2 District apply to dwellings that are nonconforming uses, as well as to uses that are accessory to such dwellings.
- E. Minimum Lot Size: There is no minimum lot size standard, except within the Portland Metropolitan Urban Growth Boundary, where the minimum lot size is 20 acres. The 20-acre minimum lot size is applicable to a subdivision or partition~~land division~~, but not to a property line adjustment.
- F. Maximum Building Floor Space:
 1. For an industrial use within an unincorporated community, the maximum building floor space per use shall be 40,000 square feet, except that no limit shall apply to:
 - a. Uses authorized under Statewide Planning Goals 3 and 4;
 - b. Expansion of a use that existed on December 5, 1994;

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- c. Uses that require proximity to a rural resource, as defined in Oregon Administrative Rules 660-004-0022(3)(a);
 - d. New uses that will not exceed the capacity of water and sewer service available to the site on December 5, 1994, or, if such services are not available to the site, the capacity of the site itself to provide water and absorb sewage; and
 - e. Uses sited on abandoned or diminished mill sites.
2. For an industrial use outside an unincorporated community, the maximum building floor space per use shall be 39,500 square feet, except:
 - a. No limit shall apply to the primary processing of raw material produced in rural areas or to uses sited on abandoned or diminished mill sites.
 - b. A lawfully established use that existed on December 20, 2001 may expand to occupy a maximum of 40,000 square feet of building floor space or 25 percent more building floor space than was occupied by the use on December 20, 2001, whichever is greater.

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

604.05 DEVELOPMENT STANDARD

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]

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

707.01 PURPOSE

Section 707 is adopted to:

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

707.02 APPLICABILITY

- A. Section 707 applies to designated Historic Landmarks, Historic Districts, and Historic Corridors.

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

1. Architectural Significance

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

2. Environmental Significance

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

3. Historical Significance
 - a. It is associated with the life or activities of a person, group, organization, or institution that has made a significant contribution to the community, state, or nation. (up to 10 points)
 - b. It is associated with an event that has made a significant contribution to the community, state, or nation. (up to 10 points)
 - c. It is associated with, and illustrative of, broad patterns of cultural, social, political, economic, or industrial history in the community, state, or nation. (up to 10 points)
 - d. It possesses the potential for providing information of a prehistoric or historic nature. (up to 10 points)
- C. Historic District: Criteria for designation of a Historic District on the County zoning and Comprehensive Plan maps are as follows:
 1. The area is listed as a National Register Historic District; or
 2. The area includes a significant concentration or linkage of sites, buildings, structures, objects or landscapes which are unified visually by style, plan, or physical development and distinguished by association with historic periods, events, people, or cultural trends; and
 3. The area is of sufficient size and scope, and the component parts are cohesive enough to adequately represent, demonstrate, or commemorate the significant historic period, event, people, or trend; and
 4. A substantial number of the component parts within the area are exceptionally well preserved.
- D. Historic Corridor: Property designated as a Historic Corridor on the County zoning and Comprehensive Plan maps shall satisfy one or both of the following criteria:
 1. The property, site, trail, roadway, or rail corridor is associated with events that have made a significant contribution to the broad patterns of our history or are likely to yield additional information in the future, categorized under one or more of the following theme areas:
 - a. archeology and prehistory;
 - b. exploration;
 - c. western migration;

- d. settlement;
 - e. agriculture;
 - f. commerce and industry;
 - g. transportation technology;
 - h. government, politics, and military activities; and
 - i. culture.
2. The property or site is necessary to provide for the continuity of, or future use of, the historic trail, roadway, or rail corridor.

E. Contributing Resource:

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

707.03 BARLOW ROAD HISTORIC CORRIDOR

- A. Intent: Subsection 707.03 is intended to provide for the preservation and protection of the Barlow Road Historic Corridor. The intent is to preserve the privacy of private property owners along the Barlow Road Historic Corridor. There is no intent by the County to condemn private property now or in the future.

- B. The Barlow Road Historic Corridor is defined by the Barlow Road Background Report and Management Plan maps and shown on Comprehensive Plan Map 3-2. Within the corridor, the following provisions shall apply:
1. The Barlow Road Historic Corridor is defined as a 40-foot-wide historic corridor as shown on the Clackamas County assessor maps, identified through the Barlow Road Survey Project 1991-1992, and adopted through the historic corridor designation process within the provisions of Section 707. In the Government Camp area, north of Highway 26, the historic corridor width is 20 feet.
 2. Third priority property segments shall be allowed to develop for primary uses allowed in the underlying zoning district. Significant development shall be reviewed as described in Subsection 707.03(B)(3). Where physical evidence of the Barlow Road exists, property owners are encouraged to preserve the evidence.
 3. The Historic Review Board shall review and make recommendations pertaining to proposed significant development within the historic corridor. Significant development shall include: zone change, conditional use, and subdivision applications; commercial, industrial, and multifamily development applications; and mining and gravel extraction. The recommendation shall be made to the review authority, identified pursuant to Table 1307-1, for the significant development. A site analysis shall be submitted for any significant development by the applicant indicating potential impacts to the historic corridor. To the maximum practicable extent, the historic corridor shall be protected as open space. Where physical evidence of the Barlow Road exists, such as wagon ruts, such evidence shall not be disturbed by development unless it is shown that the property cannot be developed if the historic corridor is preserved.
 4. Where road segments include portions of a County road, the Historic Review Board shall review and make recommendations to the County about any proposed right-of-way expansion or realignment to ensure that original features of the Barlow Road are retained where possible.
 5. Where State Highways are aligned with the Barlow Road Historic Corridor, proposed right-of-way expansion or realignment will be reviewed as outlined under Subsection 707.07, when historic resource sites identified in the Clackamas County Cultural Resources Inventory, Barlow Road Survey Project or other identified potential sites may be impacted.

6. Within the Highest and Secondary Priority Barlow Road Historic Corridor as defined on the Clackamas County assessor maps, the following activities are prohibited: structural development, mining, highway or road building, cultivation, utility line/pipeline development, vehicular use, and other uses which would cause major surface disturbance to the road remains. Limited disturbance to the corridor shall be allowed when necessary to service the underlying use, such as sewer and utility lines.

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

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

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

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

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

- A. Intent: Subsection 707.04 is intended to provide interim protection measures for structures listed on the Clackamas County Cultural Resources Inventory. After a complete survey and evaluation of significance and upon designation of significant properties as Historic Landmarks within each study area or Inventoried Book, the interim protection measures will cease to apply.
- B. Cultural Resource Inventory Properties: Review of significant development shall occur for any property listed on the Clackamas County Cultural Resources Inventory as per provisions set forth in Section 707. Significant development includes: zone change, conditional use, and subdivision applications; commercial, industrial, and multifamily development applications; and demolition permit applications.

707.05 USES PERMITTED

A. Primary Uses: A Historic Landmark or properties within a Historic District or Historic Corridor may be used for any use which is allowed in the underlying zoning district, including home occupations, provided such use is not detrimental to the preservation of the historic resource, subject to the specific requirements for the use, and all other requirements of Section 707.

B. Conditional Uses: In urban and rural zoning districts, uses listed in Subsection 707.05(B)(2), which are not otherwise allowed in the underlying zoning district, are conditional uses, approval of which is subject to Section 1203, *Conditional Use*

1. In addition, the following criteria apply:

- a. The use will preserve or improve a resource which would probably not be preserved or improved otherwise;
- b. The use will not require the extension or development of urban services in rural areas;
- c. The use will not adversely affect surrounding natural resource uses; and
- d. The use will utilize existing structures rather than new structures, except where new structures are determined by the Historic Review Board to be in the best interest of preserving the historic resource. All structures of any form or size, including new structures, shall satisfy Subsection 707.07.

2. The following conditional uses may be permitted. In addition, uses similar to one or more of the listed uses may be authorized pursuant to Section 106, *Authorization of Similar Uses*.

- a. Art and music studios;
- b. Galleries;
- c. Offices;
- d. Craft shops;
- e. Bed and breakfast residences and inns, subject to Section 832;
- f. Gift shops;
- g. Museums;
- h. Catering services;

- i. Book stores;
- j. Boutiques;
- k. Restaurants;
- l. Antique shops;
- m. Community centers for civic or cultural events; and
- n. ~~In the RA-1 District, r~~Replacement of a historic landmark dwelling with an additional dwelling on the same site and continued use of the existing dwelling for ~~Rural-r~~Residential purposes, provided:
 - i. The existing dwelling is listed individually on the National Register of Historic Places or on state and local registers as a Historic Landmark;
 - ii. The existing dwelling is maintained under an approved plan for rehabilitation (e.g. Secretary of Interior guidelines); and
 - iii. There is a recorded deed recognition statement with the County that the additional dwelling is authorized only for the duration of the historic resource and to inform subsequent purchasers. ~~-A lot with an additional dwelling approved subject to this provision may not be divided pursuant to Subsection 902.01(B)(3)-~~

707.06 HISTORIC REVIEW BOARD

A Historic Review Board shall be established pursuant to Subsection 1307.03 and shall have the following responsibilities:

- A. Carry out the duties described for it in Section 707 and otherwise assist the Board of County Commissioners on historic preservation matters;
- B. Review and make recommendations on proposals to alter the exterior of a Historic Landmark or primary, secondary, or contributing structure within a Historic District or Historic Corridor, subject to Subsection 707.07;
- C. Review and make recommendations on all proposed new construction within a Historic District or Corridor, or on property on which a Historic Landmark is located, subject to Subsection 707.07;
- D. Review and make recommendations on all applications referred by the Board of County Commissioners, Hearings Officer, Planning Commission, or Design Review Committee;

- E. Review and make recommendations on all applications for zoning of a Historic Landmark, a Historic District, or a Historic Corridor, subject to Subsections 707.02 and 707.07;
- F. Review and make recommendations on all requests for moving or demolition of a Historic Landmark, subject to Subsection 707.07;
- G. Review and make recommendations to the Hearings Officer on all conditional use applications under Subsection 707.05(B);
- H. Review and make recommendations on all partitions and subdivisions of designated properties, subject to Subsection 707.07;
- I. Disseminate information to educate the public as to state and federal laws protecting antiquities and historic places;
- J. Act as a coordinator for local preservation groups, educational workshops, signing and monumentation projects, and other similar programs;
- K. Advise interest groups, agencies, boards, commissions, and citizens on matters relating to historic preservation within the County;
- L. Ensure that information on inventoried historic properties is updated and maintained; and
- M. Continue to add to the Clackamas County Cultural Resources Inventory when appropriate.

707.07 THE REVIEW PROCESS

Subsection 707.07 applies to all Historic Landmarks, properties within Historic Districts and Historic Corridors, and contributing resources therein.

- A. Designation and Zoning: Comprehensive Plan designation and zoning of a Historic Landmark, Historic District, or Historic Corridor shall be subject to the procedures identified in Section 1307 for Comprehensive Plan amendments and zone changes, respectively. In addition:
 - 1. The Historic Review Board shall evaluate proposed designation and zoning of a Historic Landmark, Historic District, or Historic Corridor and shall make a recommendation to the Board of County Commissioners.

2. Pending Permits: No building permit for altering or moving any proposed Historic Landmark or any building within an area proposed for designation as a Historic Landmark, Historic District, or Historic Corridor, shall be issued while any advertised public hearing or any appeal affecting the proposed designation of the area or building is pending. In addition, demolition of a building affected by a pending public hearing or appeal under Subsection 707.07(A) shall be a violation of this Ordinance.

B. Application Requirements:

In addition to the submittal requirements identified in Subsection 1307.07(C), applications for alteration and development shall include:

1. A written description of the boundaries of the proposed Historic District, if applicable, or the location of the site;
2. A map illustrating the boundaries of the proposed Historic District, if applicable, or the location of the site;
3. A list of exterior materials pertinent to the application request;
4. Drawings of elevations of affected structure(s):
 - a. Drawings shall indicate dimensions and be to scale.
 - b. Photographs may be used in lieu of drawings for small projects.
5. Floor plans of affected structure(s); and
6. Site plan showing relationship of structure(s) to roadways, parking areas, access drives, landscape features, plant materials, fences, and other pertinent elements, drawn to scale.

C. Alteration and Development:

1. Maintenance: The normal responsibilities of the property owner to care, repair, and replace with like materials shall be reviewed as a Type I application pursuant to Section 1307. Normal maintenance may include but not be limited to:
 - a. Painting and related preparation of the structure. Original paint colors or colors appropriate to the historic period should be used on Historic Landmark buildings;
 - b. Repair and/or replacement of roofing materials with the same kind of roof materials existing;

- c. Grounds care and maintenance required or the permitted use on the property;
 - d. Replacement of fences, shrubs, or other yard fixtures or landscaping with like type and/or style;
 - e. Existing materials may be replaced in kind for a small portion of either building or grounds because of damage or decay of materials; and
 - f. Installation and maintenance of irrigation systems.
2. Minor Alterations: Minor alterations shall be reviewed as Type II applications pursuant to Section 1307. In addition, the review authority may consult with the Historic Review Board, or any member thereof, in applying the provisions of Subsection 707.07(C)(2). An alteration shall be considered minor when the result of the proposed action is to restore portions of the exterior to the original historic appearance while performing repairs, such as:
- a. Addition of gutters and downspouts;
 - b. Repairing or providing a compatible new foundation that does not result in raising or lowering the building elevation;
 - c. Change in material to match original type of material on the structure or grounds;
 - d. Change in type of roof material in character with the original roofing material; and
 - e. Replacement of storm windows or doors.
3. Major Alterations: Major alterations shall be reviewed as Type II applications pursuant to Section 1307. Approval of an application for a major alteration shall be subject to the following criteria for rehabilitation:
- a. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
 - b. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

- c. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
 - d. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
 - e. Distinctive features, finished, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
 - f. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
 - g. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the least damaging or gentlest means possible.
 - h. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
 - i. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
 - j. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property, including historic plant materials, and its environment would be unimpaired.
4. New Construction: Applications for proposed structures on a Historic Landmark site, or within a Historic District or Historic Corridor shall be reviewed as Type II applications pursuant to Section 1307. Approval of an application shall be subject to the following criteria:
- a. The design of the proposed structure is compatible with the design of the landmark building(s) on the site or in the district or corridor considering scale, style, height, and architectural detail, materials, and colors.

- b. The location and orientation of the new structure on the site is consistent with the typical location and orientation of similar structures on the site or within the district or corridor, considering setbacks, distances between structures, location of entrances, and similar siting considerations.
 - c. Changes to yard areas including planters, fences, ponds, walkways and landscape materials should be compatible with the overall historic setting.
 - d. Scale of commercial use: Individual permitted uses shall be of a scale appropriate to serve properties surrounding the historic overlay.
5. Maximum Building Floor Area:
- a. For a commercial use within an unincorporated community, the maximum building floor area per use shall be 4,000 square feet. However, a lawfully established use that existed on December 20, 2001, and serves the community or the travel needs of people passing through the area, may expand to occupy a maximum of 4,000 square feet of building floor area or 50 percent more building floor area than was occupied by the use on December 20, 2001, whichever is greater.
 - b. For a commercial use in a non-urban area outside an unincorporated community, the maximum building floor area per use shall be 3,000 square feet. However, a lawfully established use that existed on December 20, 2001, may expand to occupy a maximum of 3,000 square feet of building floor area or 25 percent more building floor area than was occupied by the use on December 20, 2001, whichever is greater.
 - c. Preexisting Commercial Uses: Lawfully established commercial uses that are located on land with a Comprehensive Plan designation of Unincorporated Community Residential or Rural, existed on December 20, 2001, and are not otherwise provided for in the underlying zoning district or this overlay zone shall not be nonconforming uses and are allowed outright.
6. Partitions and Subdivisions: The Historic Review Board shall review and make recommendations on proposed partitions or subdivisions of sites designated as a Historic Landmark site or located within a Historic District or Historic Corridor. The recommendation shall be made to the review authority, identified pursuant to Table 1307-1, for the partition or subdivision application. Review of proposed subdivisions or partitions shall be subject to the following criteria:

- a. The partition or subdivision does not allow a significant feature of the original site, as identified in the designation action and inventory, to be located on a separate site from the landmark.
 - b. The partition or subdivision allows adequate setbacks from landmark improvements to provide for buffering and mitigation of impacts associated with development of the new parcels.
 - c. Yard and landscaped areas including large trees and shrubs associated with the Historic Landmark structure shall be retained with the structure whenever possible.
7. Modifications to Certain Regulations: Regulations pertaining to signs, fence and wall provisions, general provisions regarding height, yards, area, lot width, frontage, depth, coverage, number of off-street parking spaces required, and regulations prescribing setbacks may be modified, if the modifications:
- a. Are necessary to preserve the historic character, appearance or integrity of the proposed Historic Landmark, Historic District or Historic Corridor; and
 - b. Are in accordance with the purposes of the zoning and sign regulations.
- D. Moving or Demolition of a Historic Landmark or Contributing Resource: No building identified as a primary, secondary, or contributing structure within a Historic District or Corridor, or designated as a Historic Landmark, shall be intentionally moved or demolished, unless approval is granted pursuant to Subsection 707.07(D). Moving or demolition of a Historic Landmark or Contributing Resource shall be reviewed as a Type III application pursuant to Section 1307. In addition:
1. The applicant shall prepare and submit a plan for preservation of the Historic Landmark prior to filing an application for moving or demolition.
 - a. The preservation plan shall include a narrative describing how the applicant will accomplish the following:
 - i. Advertise the resource in local, regional, and historic preservation newspapers of general circulation in the area once per week during the pre-application period and shall provide evidence of such advertising;
 - ii. Give public notice by placing a sign on the subject property informing the public of intended action which will remove or demolish the structure and including the County department and telephone number to call for further information. The sign shall remain on the subject property until a permit is issued.;

- iii. Prepare and make available information related to the history and sale of the subject property to all who inquire;
 - iv. Provide information regarding the proposed use for the Historic Landmark site; and
 - v. Keep a record of the parties who have expressed an interest in purchasing or relocating the structure. To ensure that an adequate effort has been made to secure a relocation site, the applicant shall provide a list of property locations and owners who were contacted regarding purchase of a relocation site.
- b. Following receipt of the preservation plan, the Planning Director shall issue a media release to local and state newspapers of general circulation in the County. The media release shall include, but not be limited to, a description of the significance of the Historic Landmark, the reasons for the proposed moving or demolition, and the possible options for preserving the Historic Landmark.
2. Approval of an application to move a Historic Landmark or contributing resource shall be subject to the following criteria:
- a. Relocation is the only alternative for preservation of the Historic Landmark or contributing resource;
 - b. The proposed relocation site will not greatly reduce the historical and/or architectural significance of the Historic Landmark or contributing resource; the site is a contextually appropriate setting; it is within the County and preferably within the neighborhood within which it is currently located;
 - c. The designated resource cannot reasonably be used in conjunction with the proposed use;
 - d. The continued location of the landmark or contributing resource on the proposed development site precludes development on the site which would provide a greater community benefit;
 - e. The designated landmark or contributing resource is structurally capable of relocation;

- f. If the landmark or contributing resource is relocated within the County, the owner of the relocation site agrees, as a condition of the purchase agreement, to apply within 90 days of relocation to the County for designation as a Historic Landmark, to be protected under the provisions of Section 707;
 - g. The loss of the landmark or contributing resource will not affect the integrity of the Historic District or Historic Corridor; and
 - h. Adequate effort has been made to seek a relocation site within the Historic District or Corridor.
3. The review authority for an application to demolish a Historic Landmark or contributing resource within a Historic District or Historic Corridor shall consider the following:
- a. All plans, drawings, and photographs submitted by the applicant;
 - b. Information presented at the public hearing concerning the proposed work; proposal;
 - c. The Comprehensive Plan;
 - d. The purposes of Section 707 as set forth in Subsection 707.01;
 - e. The criteria used in the original designation of the Historic Landmark, Historic District, or Historic Corridor in which the property under consideration is situated;
 - f. The historical and architectural style, the general design, arrangement, materials of the structure in question, or its appurtenant fixtures; the relationship of such features to the other buildings within the district or corridor; and the position of the building in relation to public rights-of-way and to other buildings and structures in the area;
 - g. The effects of the proposed work upon the protection, enhancement, perpetuation, and use of the district or corridor which cause it to possess a special character or special historical or aesthetic interest or value;
 - h. Whether suspension of the proposed demolition will involve substantial hardship to the applicant, and whether approval of the request would act to the substantial detriment of the public welfare and would be contrary to the intent and purposes of Section 707; and

- i. When applicable, the findings of the building official in determining the status of the subject building as a dangerous building under County Code Chapter 9.01, *Uniform Code for the Abatement of Dangerous Buildings*, and the feasibility of correcting the deficiencies to meet the requirements of the building official rather than demolishing the building.
4. The application may be approved in consideration of Subsections 707.07(D)(2) and (3).
5. The application may be suspended, if, in the interest of preserving historic values for public benefit, the building should not be moved or demolished.
6. If the application is suspended, the written decision shall be transmitted to the building official along with a request that the enforcement of any applicable Notice and Order of the building official be stayed during the pendency of an appeal, or for a period of not more than 60 days from the date of the suspension decision. During this stay of moving or demolition, the following actions may be taken:
 - a. The building official may require the owner or other party responsible for the subject building to take appropriate actions, other than demolition, to protect the public from hazardous conditions associated with the building.
 - b. The applicant may be required to continue to carry out the pre-application plan activities through the entire stay of moving or demolition.
 - c. The Historic Review Board may research programs or projects underway which could result in public or private acquisition of the subject building and site, and assess the potential for the success of these programs or projects.
 - i. If the Historic Review Board determines that there are reasonable grounds to believe that such program or project may be successful, it may extend the suspension period up to 30 additional days per extension, not to exceed a total of 120 days from the date of the decision suspending the application.
 - ii. If the Historic Review Board determines that all such programs or projects are unlikely to be successful, and the applicant has not withdrawn his application or taken appropriate alternative action to correct the hazards associated with the subject building as provided in a Notice and Order of the building official, then, at the end of the suspension period, the Planning Director may issue a permit for moving or demolition, subject to all other applicable regulations.

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

7. When moving or demolition is imminent, whether by direct approval or if efforts during the pre-application preservation plan and suspension period are unsuccessful, the following complete documentation of the structure(s) is required to be submitted to the County by the applicant:
 - a. Floor plans to scale of the structure(s) and related structures;
 - b. Site plan to scale showing surrounding roadways, landscaping, natural features, structure(s), and related structures;
 - c. Drawings to scale or photographs of all exterior elevations;
 - d. Photographs of architectural detail not shown in elevation photographs;
and
 - e. The Historic Preservation League of Oregon or local preservation group to be given opportunity to salvage and record the resource.
8. A moving or demolition permit for a landmark found to comply with Subsection 707.07(D) shall not be issued until all development permit applications for the new use or development have been approved by the County.

[Amended by Ord. ZDO-235, 5/14/12; Amended by Ord. ZDO-248, 10/13/14]

711 GOVERNMENT CAMP OPEN SPACE MANAGEMENT DISTRICT (GCOSM)

711.01 PURPOSE

The intent of the Government Camp Open Space Management District is to preserve and manage the Government Camp Village open space resources for the benefit, health, and welfare of the people. These resources provide the community with recreation, water quality treatment facilities, natural protection areas and pedestrian networks. Management of these resources will help protect, enhance and maintain the quality of living and environmental character of the Government Camp Village.

711.02 AREAS OF APPLICATION

The Government Camp Open Space Management District shall apply to those areas within the Government Camp Village, as described in the Mount Hood Community Plan, and have the following characteristics:

- A. Parks, whether existing, acquired, or dedicated in the future (see Section 1011 for dedication requirements);
- B. Public and private recreation areas, including areas used for skiing, skating, skateboarding, hiking, biking and other similar activities.
- C. Natural and historic areas that are dedicated to the public or preserved through an easement.
- D. Areas that buffer existing residential development for the purpose of providing privacy and maintaining the natural character and quality of living in the community.
- E. Areas necessary for utility facilities, such as sewage treatment plants, public water facilities or water quality treatment facilities.

711.03 PRIMARY USES

- A. Public and private outdoor recreation areas, including hiking and biking trails, and ski transportation facilities such as chairlifts and gondolas.
- B. Nature trails, bird sanctuaries, nature conservancies, and other similar natural areas.
- C. Utility carrier cabinets, subject to Section 830.
- D. Water quality treatment facilities, except those listed as conditional uses in Subsection 711.05.

711.04 ACCESSORY USES

- A. Accessory uses listed below may be allowed provided landscaping in compliance with Section 1009 is used to obscure visual impacts:
1. Restroom and locker room facilities;
 2. Information and interpretive centers, provided they are not enclosed;
 3. Maintenance buildings and support facilities customarily associated with a primary use;
 4. Rainwater collection facilities;
 5. Solar collection systems; and
 6. Electric vehicle charging stations.

711.05 CONDITIONAL USES

A. The following are conditional uses in the GCOSM District, approval of which is subject to Section 1203, ~~Conditional Use for conditional uses and Subsection 504.07(J) for commercial development. Approval shall not be granted if the proposed use requires a new access to Highway 26 or additional parking, unless such access and parking receive approval from the Oregon Department of Transportation.~~

1. Medical clinics, when associated with and incidental to a primary use;
2. Sport shops, restaurants, and other concession sales uses when associated and incidental to a primary use; and
3. Sewage treatment plants.

B. Conditional uses are subject to the following standards and criteria:

1. Approval shall not be granted if the proposed use requires a new access to Highway 26 or additional parking, unless such access and parking receive approval from the Oregon Department of Transportation.
2. The maximum building floor space per commercial use shall be 8,000 square feet.

711.06 PROHIBITED USES

A. Private outdoor recreation uses that generate vehicular trips, excluding uses for the Summit or Multorpor Ski Bowl Ski Areas that do not exceed the United States Forest Service (USFS) Persons at One Time (PAOT) limits. See the table below for the PAOT limits:

US Forest Service Permitted Recreation Facility	US Forest Service Persons at One Time (PAOT) limits
Summit Ski Area	1500
Multorpor Ski Bowl (Ski Bowl West and Ski Bowl Multorpor Combined)	7800

711.07 BUFFER AREAS

- A. Buffer areas shall be maintained in natural vegetation, except for minor developments such as:
 - 1. Extending and connecting trail systems;
 - 2. Posting directional, interpretative and warning signs not exceeding three square feet for trails;
 - 3. Bridges or constructed walkways;
 - 4. Lift and tram towers; and
 - 5. Development of connecting roads to lands within ~~the Government Camp Urban Unincorporated Community boundary~~ shall be minimized to the fullest possible extent.

711.08 DIMENSIONAL STANDARDS

- A. Purpose: The dimensional standards are intended to:
 - 1. Provide for the protection of the natural environment and the surrounding areas from potentially adverse influences;
 - 2. Provide for and protect the unique character, livability, and scenic quality of the Mt. Hood Community;
 - 3. Provide for fire safety and protection, and adequate snowslide area, between all structures;
 - 4. Protect the privacy and livability of on- and off-site dwellings and yard areas; and
 - 5. Provide for adequate open space within and between developments.
- B. Perimeter Requirements For All Structures:
 - 1. Minimum Front Yard ~~Depth~~~~Setback~~: 30 feet.

2. Minimum Rear Yard ~~Depth~~~~Setback~~: 30 feet.
3. Minimum Side Yard ~~Depth~~~~Setback~~: 10 feet.

711.09 DEVELOPMENT STANDARDS

~~Development of Ce~~conditional uses in the ~~GCOSM Government Camp Open Space Management~~ District ~~are~~is subject to the applicable provisions of Section 1000, ~~Development Standards~~, and the review procedures ~~of set forth in~~ Section 1102, ~~Design Review~~. In addition, ~~improvements shall meet~~ the following ~~development~~ standards ~~apply~~:

- A. Landscape the site to produce a setting appropriate to the area's character and development's function.
- B. Provide an efficient internal circulation system and facilities layout plan. Additionally, provide for both motorized and non-motorized connections to external circulation systems and trails.
- C. Maximize access for pedestrians, bicyclists, transit riders, and the disabled in active recreation areas.
- D. Park facilities shall comply with the classifications and standards ~~of~~ ~~in~~ ~~the~~ ~~Parks and Recreation s~~Section of ~~Chapter 9, Open Space, Parks, and Historic Sites, of~~ the Comprehensive Plan.
- E. Screening and buffering of adjacent residential zoning districts shall occur pursuant to Section 1009, ~~Landscaping~~.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-248, 10/13/14]

804 CHURCHES

804.01 APPLICABILITY

Section 804 applies to churches.

804.02+ GENERAL~~CONDITIONAL~~ STANDARDS

Churches shall comply with tThe following ~~conditional~~ standards ~~shall apply~~:

- A. Maximum Lot Coverage: 50 percent.
- B. Maximum Building Height: 50 feet.
- C. Minimum Front Yard ~~Depth~~~~Setback~~: 30 feet.
- D. Minimum Side and Rear Yard ~~Depths~~~~Setbacks~~: 20 feet. This distance shall be increased by five feet for each story in excess of two.

804.03 STANDARD IN THE RR DISTRICT

In the RR District, the minimum site area for churches shall be two acres.

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

813 **RECREATIONAL VEHICLE CAMPING FACILITIES SERVICE AND RECREATIONAL USES**

813.01 **APPLICABILITY**

Section 813 applies to recreational vehicle camping facilities.

~~813.01~~ ~~ALLOWED USES~~

~~The following are service and recreational uses. In addition, uses similar to one or more of the listed uses may be authorized pursuant to Section 106, *Authorization of Similar Uses*:~~

- ~~A. Private commercial, noncommercial, or nonprofit recreational areas, uses, and facilities, including country clubs, lodges, fraternal organizations, swimming pools, gymnastics facilities, golf courses, boarding or riding stables, boat moorages, parks, and concessions;~~
- ~~B. City, county, state, federal, service district, and municipal corporation uses or buildings. These do not include uses or buildings otherwise specifically listed as conditional uses in individual zoning districts or identified in Subsections 813.01(C) or (D);~~
- ~~C. Telephone exchanges, railroad rights-of-way, and public utility structures without shops, garages, or general administrative offices. Radio and television transmission and receiving towers and earth stations, provided that the base of such towers shall not be closer to the property line than a distance equal to the height of the tower. Wireless telecommunication facilities, amateur (Ham) radio towers, citizen band transmitters and antennas, and essential public communication services are excluded from this subsection; and~~

813.02 **STANDARDS**

~~D.~~ Recreational vehicle camping facilities; shall comply with~~subject to~~ the following standards:

A1. Locational Standards:

- 1a. Within an urban area, recreational vehicle camping facilities shall be located on a road with a functional classification of minor arterial or higher, and shall be no more than one-half~~1/2~~ mile from a major arterial or freeway/expressway.
- 2b. Outside an urban area, recreational vehicle camping facilities shall be located no more than one~~1~~ mile from a major arterial or freeway/expressway.

B2. Campsite/Area Requirements:

1a. In areas served by public sewer, the maximum number of campsites shall not exceed one+ per 1,500 square feet of net site area.

2b. In areas not served by public sewer, the maximum number of campsites allowed shall be subject to review and approval by the Soils Section of Water Environment Services.

3e. Each campsite shall be at least 1,000 square feet, exclusive of roadways.

C3. Improvements: Each recreational vehicle campsite shall include the following:

- a. Electrical service hookup;
- b. Potable water hookup;
- c. Sewage disposal service; and
- d. Landscaping in areas that are not intended to be occupied by the recreational vehicle or used for a parking space.

D4. Parking Requirements:

1a. Each recreational vehicle campsite shall include one+ recreational vehicle parking space with minimum dimensions of 12 feet by 20 feet.

2b. Parking spaces shall be provided for the manager and employees of the recreational vehicle camping facility.

3e. A minimum of one+ parking space per campsite shall be provided in addition to the space required for parking of a recreational vehicle. The additional space need not be located on the same site as the recreational vehicle space.

4d. Within an urban area, parking spaces shall be hard-surfaced. Outside an urban area, a graveled surface with a minimum base of three3 inches of crushed rock or better may be substituted for hard surfacing.

~~5. Dimensional Standards: The dimensional standards shall be the same as those required in the zoning district in which the subject property is located.~~

E6. Accessory Uses: The following accessory uses and structures may be provided at a scale intended to serve the tenants of the recreational vehicle camping facility:

- a. A caretaker's/manager's dwelling or office;
- b. Recreational areas and equipment;
- c. Clubhouses;
- d. Tourist information centers;

- e. Laundry, restroom, and shower facilities;
- f. Storage and/or maintenance buildings; and
- g. Uses similar to one or more of those specified in Subsection ~~813.02(E)~~813.01(D)(6).

F7. Access and Circulation:

- 1a. The location of access driveways shall be subject to approval by the Department of Transportation and Development.
- 2b. Any driveway, or portion thereof, which does not provide for continuous circulation shall not exceed 600 feet in length and shall terminate with a turnaround having a minimum diameter of 60 feet.
- 3e. The minimum driveway width for two-way traffic shall be 24 feet, except that if parking is permitted on the margins of the driveway, the minimum driveway width shall be 32 feet. The minimum driveway width for one-way traffic shall be 16 feet, except that if parking is permitted on the margins of the driveway, the minimum driveway width shall be 24 feet.
- 4d. Driveways shall be hard-surfaced.

G8. Screening: Except as necessary to accommodate access driveways and corner vision requirements, the facility shall be screened on all sides by sight-obscuring plant materials or fencing, or a combination thereof, with a minimum height of ~~six~~6 feet.

H9. Maintenance: Storage of materials or equipment shall be within enclosed structures. Trash receptacles shall be provided in convenient locations for use by guests of the camping facility and in such number and of such capacity that there is no uncovered accumulation of trash at any time.

~~10. Other Regulations: Recreational vehicle camping facilities shall comply with all applicable rules and regulations of the Public Health Department and state agencies governing such facilities.~~

[Amended by Ord. ZDO-235, 5/14/12; Amended by Ord. ZDO-248, 10/13/14]

819 SANITARY LANDFILLS, DEBRIS FILLS, RECYCLING CENTERS, TRANSFER STATIONS, AND RECYCLABLE DROPOFF SITES

819.01 SANITARY LANDFILLS AND DEBRIS FILLS

A. General Standards: - ~~All such facilities~~ Sanitary landfills and debris fills shall comply with all aspects of the Clackamas County Solid Waste and Waste Management Ordinance, requirements of the ~~Clackamas~~ County Department of Transportation and Development, rules and regulations of the Oregon ~~State~~ Department of Environmental Quality, and the Metropolitan Service District.

819.02 RECYCLING CENTERS AND TRANSFER STATIONS

A. Mitigation Standards:

1. Traffic

- a. The road access system to the facility shall be adequate to handle traffic generated by the use. The County shall require the necessary traffic measures to insure the facility use is consistent with the County transportation system. The facility shall have access to major roadways and truck routes. The facility shall have an operational plan that assures those traveling to the facility, particularly trucks, travel primarily on truck routes identified by the County.
- b. Posting of Routes - The operator shall provide signage so that routes to the facility are posted and include information on fees for dumping, including differential fees for covered and uncovered loads. Signage shall be subject to the applicable County or state regulations.
- c. A detailed traffic study including onsite circulation shall be required as a means for the County to assess appropriate traffic impact measures. The study shall be based on the Metropolitan Service District's (Metro's) traffic data methodology. Such a study must be performed by an engineer registered in the State of Oregon.

2. Odor

- a. Emissions (odors) from the facility shall not exceed the standards set forth in Oregon Administrative Rules ~~OAR~~ Chapter 340, Division 21, Section 050.
- b. Notwithstanding Subsection 819.02(A)(2)(a)2a, above, the design and operation of the facility shall eliminate odors that would be irritating or annoying to facility personnel and to the surrounding community. Potential causes of odors and their elimination through proper design and operating procedures shall include:

~~i.(1)~~ Spillage of acceptable waste around the feeding or processing equipment shall be removed daily; and

~~ii.(2)~~ Adequate ventilation and collection of dust generated during acceptable waste handling and processing shall be provided.

c. The following minimum procedural steps shall be taken to abate odors:

~~i.(1)~~ A comprehensive program of manual and machine cleaning, combined with disinfection and vector control procedures shall be prepared in writing;

~~ii.(2)~~ A plan shall be prepared which minimizes the generation of wastewater associated with hosing down equipment, tipping areas, and platforms in the facility. Compressed air or vacuum equipment shall be used for cleaning, where feasible; and

~~iii.(3)~~ A plan shall be prepared for effective dust collection and adequate ventilation.

d. Each of the programs or plans required by ~~Subsection 819.02(A)(2)(c)2e,~~ ~~above~~, shall be approved by Metro, and compliance therewith shall be required of any facility operator pursuant to applicable Metro regulations.

3. Dust

a. A dust control plan shall be submitted to the Oregon Department of Environmental Quality (DEQ) for approval. A copy of the approved plan shall be submitted to the County prior to operation of the facility.

b. Access and onsite roads shall be maintained to prevent excessive dust.

4. Noise

a. The facility's operation shall be in compliance with the standards of DEQ. A copy of the DEQ approval shall be submitted to the County prior to issuance of a building permit.

b. Noise in the receiving area shall be controlled by effective design of the building walls and roof.

5. Storage

a. Any storage of material shall occur only in a totally enclosed area with proper air quality controls. The storage of uncompacted material shall not exceed one day.

- b. Source separated materials (excluding yard debris) shall be stored in containers. These containers must be located in an enclosed area.
 - c. Yard debris shall be removed at least on a weekly basis. Storage shall not exceed requirements established by ~~DEQ~~the Department of Environmental Quality.
 - d. Temporary storage areas for all recovered materials from processing shall be totally enclosed.
6. Salvaging of Materials
- a. Salvaging of recyclable materials shall not be authorized unless permitted in accordance with Metro's approved operating plan.
 - b. Any authorized salvaging shall require a County recycling license or permit, if applicable.
7. Sanitary Sewage/Processing Wastewater/Stormwater
- a. The facility shall comply with all applicable federal, state, and sanitary district regulations.
 - b. The operator shall prepare a stormwater management plan for the stormwater collection/disposal system which shall include emergency spill containment and cleanup measures and water quality mitigation measures when appropriate. Management ~~p~~Plan approval by the County is required.
8. Signing, Building, and Site Design
- a. The County shall review the site-specific mitigation plan, signing, building, and site design plan to determine whether the plans are consistent with the standards of ~~this Ordinance~~the Clackamas County Zoning and Development Ordinance.
 - b. Any truck-washing area shall be covered with a canopy-type roof.
 - c. Paved parking adequate for facility personnel, users, and visitors shall be included in the site design. All parking and loading areas must be paved.
 - d. The project design shall include onsite landscaping and screening provisions that will complement and enhance the character of the area. At least 15 percent of the developed site area shall be landscaped. All landscaped areas must have an irrigation system with automatic controls and maintained as required in Section 1009.
 - e. All the facility's onsite utilities--power, telephone, water, sanitation, lighting,

etc.--shall be underground.

f. Site lighting shall be designed to avoid glare, and deflected so as not to shine onto adjacent properties and roadways.

g. Signing

~~i.(1)~~ A clearly visible and legible identification sign shall be maintained at the entrance to the facility. The sign content shall contain, at a minimum, the ~~following: name of facility, name of operator/phone number, and hours of operation.~~

~~(a) Name of facility~~

~~(b) Name of operator/phone number~~

~~(c) Hours of operation~~

~~ii.(2)~~ A sign(s) describing recycling services and fees shall be posted at the facility.

9. Hazardous Waste Handling

- a. No disposal of hazardous and biomedical wastes on site shall be allowed except in accordance with ~~Oregon Revised Statutes~~ORS 459 and OAR Chapter 340.
- b. The operator shall provide a covered area for handling or storage of incidental hazardous (such as household hazardous materials), toxic, or other detrimental materials. The area shall provide positive isolation from sanitary and storm sewer systems.
- c. The operator shall prepare and implement an incidental hazardous waste containment and cleanup plan as approved by the County and DEQ.

10. Safety Measures

- a. Transfer of waste from one vehicle or container to another vehicle or container shall be done within an enclosed containment area designed to assure that waste materials do not fall onto the ground or enter the groundwater, water feature, water system, drainageway, or drainage system.
- b. The facility shall establish and implement emergency operating procedures to ensure that minimal risk exists to the public in the case of an emergency. The procedures shall include training programs and practice drills.

11. Identified Environmental Concern Areas

- a. The facility shall be designed to protect identified environmentally sensitive

areas. Identified environmentally sensitive areas shall be those included in Chapter 3 of the ~~County~~ Comprehensive Plan.

- b. The facility's development shall include provisions for mitigation of potential impacts on drainageways and wildlife corridors.

12. Economic Impacts

- a. Metro shall provide for the collection and disbursement of a community enhancement fee for all mixed waste entering the facility. The purpose of the fee is to provide a fund to enhance the area around the facility.

The fee will be collected and a fund shall be established as required by the Plan and shall be administered in accordance therewith.

- b. Metro shall provide for the collection and disbursement of a recycling fee based on the sale of recyclable materials collected at the facility. Said fee shall be used for recycling education and promotion within the County.

13. Litter

The operator/Metro shall ensure that a specific plan for the operation of any facility will be adopted to control and provide for the removal of facility-related litter along routes leading to and in the vicinity of the proposed facility. The litter control plan shall include at least the following elements:

- a. Establish, at the expense of the private operator or Metro, as appropriate, gates, signs, and other traffic control devices that direct facility-related traffic to the facility along approved routes and prevent facility-related traffic from negatively impacting surrounding sensitive areas identified in the Comprehensive Plan.
- b. Primary Impact Area - Metro shall establish, after consultation with the County, as part of its approval of any facility, a primary impact area in which the operator will assume responsibility for removal of litter and illegally dumped waste. The initial primary impact area will cover all routes to the facility for a distance of up to one-half ~~(1/2)~~ mile from the facility entrance. The approval shall provide that the boundaries may be adjusted by Metro based on problems which arise after the facility is in operation.

Secondary Impact Area - Metro shall provide for removal of litter and illegally dumped waste on a weekly basis within at least a two-~~(2)~~ mile radius of the facility.

- c. Establish a patrol and schedule for removal of litter and illegally dumped waste within the primary impact area. Litter removal within the primary impact area must be completed for the entire area at least twice each day, seven days each

week.

- d. The facility operator shall document and remove, for proper disposal, all illegal dumping occurring in the primary impact area. The operator shall remove illegally dumped waste within 24 hours of the discovery of the illegal dump and/or within 12 hours of being notified of the illegal dump by the County. The parties agree to take measures consistent with their resources to enforce codes and regulations to prohibit illegal dumping.
- e. The operator shall post at the facility, in a location visible to the public, the proper routes providing access to the facility and the fees for bringing both covered and uncovered loads to the facility.
- f. The operator shall annually publish and distribute throughout the area served by the facility a brochure which includes the proper routes providing access to the facility and the fees for bringing both covered and uncovered loads to the facility, and which both explains and encourages recycling.

B. RR and HR Districts Standard: In the RR and HR Districts, the minimum site area for transfer stations shall be three acres.

819.03 RECYCLABLE DROPOFF SITES

A. Recyclable dropoff sites are allowed in the following zoning districts as accessory uses:

1. ~~NC District~~Neighborhood Commercial (NC);
2. ~~C-2 District~~Community Commercial (C-2);
3. ~~CC District;~~
4. ~~C-3 District~~General Commercial;
5. ~~RTC District~~Rural Tourist Commercial;
6. ~~RC District~~Rural Commercial; and
7. ~~RI District~~Rural Industrial.

B. Siting may also include traditional locations for this use, such as:

1. Schools; ~~public and private~~
2. Churches;
3. Fraternal lodges;
4. Senior citizen and other community buildings; and
5. Other public facilities.

C. Standards

1. Shall not be placed in public rights-of-way.
2. Shall not obstruct any entrances, exits, onsite traffic circulation, or parking.

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3. Shall not be placed in required landscape areas.
4. Shall be clean, attractively painted, and maintained at all times.
5. Shall be kept clean and free of debris. All unwanted materials and debris shall be properly disposed of. Cleanliness shall be a continuing obligation of the operator and site owner.
6. Shall be designed such that collected recyclable materials are totally enclosed and cannot be removed by unauthorized parties.
7. Siting, maintenance, and hauling shall be coordinated through the area's franchised collector or by a party licensed and/or permitted by the ~~Clackamas~~ County ~~Community Environment Section~~.
8. Shall only be used for the collection of domestic recyclable or reusable materials such as paper, corrugated paper, glass, tin, aluminum, plastics, and clothing. Yard debris, appliances, or other large items which may otherwise be repairable, recyclable, or reusable are not acceptable.
9. Shall be removed or emptied within five (~~5~~) days of becoming full, to avoid accumulation of materials outside the box or depot trailer.
10. Shall be labeled identifying the owner and telephone number to contact in the event that the container and surrounding area becomes a nuisance. Labeling must also clearly identify the material(s) accepted, and warn that any other items are not acceptable.
11. The local fire marshal shall be consulted concerning design and siting of dropboxes and mobile depots.

823 BUS SHELTERS

823.01 APPLICABILITY

Section 823 applies to bus shelters.

823.02 SUBMITTAL REQUIREMENTS

All applications for bus shelters shall include a site plan drawn to scale and including the following:

- A. Proposed location(s) of the bus shelter(s);
- B. Location of all trees on the site on which the bus shelter is to be located;
- C. Location of all public rights-of-way adjacent to the property;
- D. Location of all drainage channels, ways, or easements on or adjacent to the property; and
- E. Location of all public or private utilities on or adjacent to the property.

823.03 FACTORS FOR REVIEW

The following factors shall be considered in the review of a bus shelter:

- A. The impact of the bus shelter on adjacent properties;
- B. The impact of the bus shelter on traffic and pedestrian safety; and
- C. The impact of the bus shelter on drainage.

823.04 CONDITIONAL STANDARDS

- A. No advertising shall be allowed on bus shelters.
- B. A concrete apron shall be provided to facilitate safe pedestrian circulation around the shelter and between the shelter and the street.
- C. Bus shelters shall not be placed on a bikeway.
- D. Bus shelters shall be provided with waste and cigarette disposal receptacles and shall be maintained to present an attractive appearance.
- E. Bus shelters shall not be subject to the yard depthsetback standards of this Ordinance.

F. In the RA-1, RA-2, RR, RRFF-5, FF-10, and FU-10 Districts, bus shelters shall be under the ownership and/or control of a city, county, state, or

municipal corporation.

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

825 MANUFACTURED DWELLING PARKS AND MANUFACTURED HOME PARKS

825.01 APPLICABILITY

This section ~~applies~~shall apply to manufactured dwelling parks and manufactured home parks.

825.02 CONDITIONAL STANDARDS

The following conditional standards shall apply:

- A. Manufactured ~~dwelling parks and manufactured~~ home parks shall comply with the applicable provisions of Section 1000.
- B. The density of manufactured ~~homes~~dwellings in a ~~manufactured dwelling park or~~ manufactured home park shall be subject to the density requirements of the underlying zoning district and Section 1012, Density.
- C. Manufactured ~~dwelling parks and manufactured~~ home parks shall observe a minimum front yard setback of 25 feet from all perimeter public streets. Within an MR-1 District, a minimum perimeter setback of 10 feet from side and rear property lines shall be required.

Within an Urban Low Density Residential District, carports, interior drives and the park perimeter shall be subject to a minimum setback of 20 feet. A minimum 10-foot separation shall be maintained between manufactured homesdwellings.

- D. Access drives shall be provided to each manufactured homedwelling space, shall be continuous, shall connect with a public street, and shall have a minimum width of 20 feet for interior circulation. The point of access to the street shall be a minimum of 32 feet in width.
- E. A minimum five-foot-wide, hard-surfaced sidewalk or pathway system shall be provided within the park.
- F. Access drives within the ~~manufactured dwelling park or~~ manufactured home park shall be hard-surfaced according to the standards established by the ~~County Department of Transportation and Development~~ for subdivision streets of comparable widths. Each manufactured homedwelling space shall be improved with one concrete patio, or rot-resistant wood deck, having a minimum area of 150 square feet, and one crushed rock, or better, manufactured homedwelling pad.
- G. Storage and similar accessory structures may be located within any manufactured homedwelling space, but shall not be attached to any manufactured homedwelling, and shall comply with the setback requirements of Subsection 825.02(C).

- H. Expansions of a ~~manufactured dwelling park or~~ manufactured home park shall conform substantially with Section 825.
- I. The entire ~~manufactured dwelling park or~~ manufactured home park, or each phase of manufactured ~~homedwelling~~ development, shall comply with Section 825 prior to occupancy.
- J. A minimum of 200 square feet of usable outdoor passive or active recreation space shall be provided.
 - 1. Outdoor recreation areas shall be designed for adequate surveillance opportunities.
 - 2. Recreation areas shall be conveniently located and accessible to all manufactured ~~homesdwellings~~.
- K. In an Urban Low Density Residential or MR-1 District, a minimum area of one acre shall be required for a ~~manufactured dwelling park or~~ manufactured home park. Land area less than one acre may be added to an approved ~~manufactured dwelling park or~~ manufactured home park.

825.03 REDEVELOPMENT

- A. A manufactured dwelling park shall not be redeveloped with a different use until:
 - 1. The manufactured dwelling park landlord submits a plan for relocation of the existing tenants to the County Administrator or designee of the Administrator which includes a schedule of amounts required to be paid to affected park tenants under Subsection 825.03(B) and a plan for making these payments to affected park tenants upon cancellation of affected rental agreements; and
 - 2. The County Administrator or designee of the Administrator approves the relocation plan and notifies the Planning Director of the approval. The County Administrator or designee of the Administrator may require the park landlord to deposit into escrow the amounts required to be paid to affected park tenants under Subsection 825.03(B) as a condition for approval under this subsection.
- B. If a manufactured dwelling park is to be closed or partially closed under conditions that require a payment under Section 2(1)(b), Chapter 906, Oregon Laws 2007, then in addition to and not in lieu of the payment to be made under Section 2(1)(b), Chapter 906, Oregon Laws 2007, the landlord or other person responsible for making the payment under Section 2(1)(b), Chapter 906, Oregon Laws 2007, shall make an additional payment to each tenant whose rental agreement with the landlord is terminated as a result of the change in use in compliance with Section 2(4), Chapter 906, Oregon Laws 2007. A separate

payment shall be made for each space for which a rental agreement is terminated. The amount of the payment shall equal:

1. A sum of \$11,000 for a single-wide manufactured dwelling, \$16,000 for a double wide manufactured dwelling, and \$20,500 for a triple-wide manufactured dwelling; minus
 2. The sum of the payment required to be made under Section 2(1)(b), Chapter 906, Oregon Laws 2007, the tax credit to which the tenant is entitled under Section 17, Chapter 906, Oregon Laws 2007, and any other government assistance to which the tenant is entitled by reason of the change in use of the park, as of the date a relocation plan is submitted for approval under Subsection 825.03(A).
- C. Notwithstanding Subsection 825.03(B), for calendar years beginning on or after January 1, 2009, the payment amount described in Subsection 825.03(B) shall be adjusted by the percentage change by which the monthly averaged consumer price index for the preceding calendar year differs from the monthly averaged consumer price index for the 2007 calendar year. As used in Subsection 825.03(C), “consumer price index” means the US Bureau of Labor Statistics Consumer Price Index - All Urban Consumers (CPI-U), US City Average, All Items.
- D. As used in Subsection 825.03, “manufactured dwelling park” has the meaning given that term in Oregon Revised Statutes 90.100.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-249, 10/13/14]

827 DRIVE-THRU WINDOW SERVICES

827.01 APPLICABILITY

Section 827 ~~applies~~shall apply to ~~all~~ drive-thru window service ~~s~~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. This criterion does not apply in the RC District;
- B. Shall not limit or preclude the development of pedestrian-oriented or transit-supportive uses, or adversely impact such uses on adjacent properties. This criterion does not apply in the RC District;
- 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.

[Amended by Ord. ZDO-250, 10/13/14]

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 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. Building Design Standards: Attached single-family dwellings shall comply with Subsection 1005.04(F). However, where Subsections 1005.12(A) and (B) apply and Subsection 1005.04(F) conflicts with Subsections 1005.12(A) and (B), Subsections 1005.12(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.B. Maximum Lot Coverage:~~ The maximum lot coverage for a lot of record developed with an attached single-family dwelling shall be 50 percent.

~~D.C. 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.A.~~ 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(~~AB~~) and (~~BC~~) 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.A.~~ Configuration: Attached single-family dwellings shall orient to and line streets with a series of attached “rowhouse” units.

~~BC.~~ Site and Building Design: Attached single-family dwellings shall comply with Subsections 1005.12(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.C. Maximum Lot Coverage: The maximum lot coverage for a lot of record developed with an attached single-family dwelling shall be 65 percent.~~

~~E.D. Maximum Building Height: The maximum building height shall be 35 feet.~~

~~F.E. 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.

[Added by Ord. ZDO-249, 10/13/14; Amended by Ord. ZDO-250, 10/13/14]

902 LOT SIZE EXCEPTIONS

902.01 MINIMUM LOT SIZE EXCEPTIONS

- A. Minimum lot size exceptions do not apply within the Portland Metropolitan Urban Growth Boundary in the following zones: RA-1, RA-2, RRFF-5, FF-10, RC, and RI.
- B. The subdividing and partitioning of land shall comply with the minimum lot size provisions of the applicable underlying zoning district, except under the following circumstances:
1. Bonus Density: A smaller lot size is necessary to provide bonus density dwelling units awarded under Section 1012, Density.
 2. Planned Unit Developments and Flexible-Lot-Size Developments: The smaller lots are within a planned unit development as provided under Section 1013, Planned Unit Developments, or a flexible-lot-size development as provided under Subsection 1014.04(B).
 3. Two or More Lawfully Established Dwellings on One Lot of Record: The smaller lot size is necessary to allow separate ownership of each of two or more lawfully established dwellings located on one lot of record with a Comprehensive Plan designation of Low Density Residential, Unincorporated Community Residential, or Rural. The number of separate lots created under this provision shall not exceed the number of lawfully established dwellings located on the lot prior to the division. This provision shall not apply to the creation of separate lots for accessory dwellings established on a lot with a Comprehensive Plan designation of Agriculture, Forest, or Rural, or for accessory dwelling units or guest houses, or for manufactured dwellings and residential trailers established under a temporary permit or within a manufactured dwelling park, or for dwellings established as a “replacement” for a historic landmark dwelling, where the continued use of the historic landmark dwelling for residential purposes was permitted as a conditional use in an HL, HD, or HC overlay zoning district.
 4. Conditional Use: The smaller lot size is for a conditional use, and the proposed lot satisfies the lot size and other special use requirements for the use, as specified in this Ordinance.
 5. Comprehensive Plan Boundary: When through a legislative zone change, a lot of record is divided by a Comprehensive Plan (Plan) boundary, the lot of record may be divided along the Plan boundary (access strips and parcels of less than one acre are excluded), provided:
 - a. The Plan boundary divides an Urban Plan designation from a Rural,

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Agriculture, or Forest Plan designation, or the Plan boundary divides a Rural Plan designation from an Agriculture or Forest Plan designation; and

- b. A lot of record, created pursuant to Subsection 902.01(B)(5), with an Agriculture or Forest Plan designation shall not be less than 80 acres.

902.02 MINIMUM LOT SIZE

No dwelling shall be built on a lot of record containing less than 3,000 square feet in area unless otherwise permitted in the applicable underlying zoning district.

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

903 SETBACK EXCEPTIONS

903.01 REVERSE FRONTAGE, DOUBLE FRONTAGE, ~~AND THROUGH, AND CORNER~~ LOTS

Structures on reverse frontage, double frontage, and through, ~~and corner~~ lots shall comply with the front yard setback from both streets, except ~~as provided below: that on a reverse frontage lot, the~~

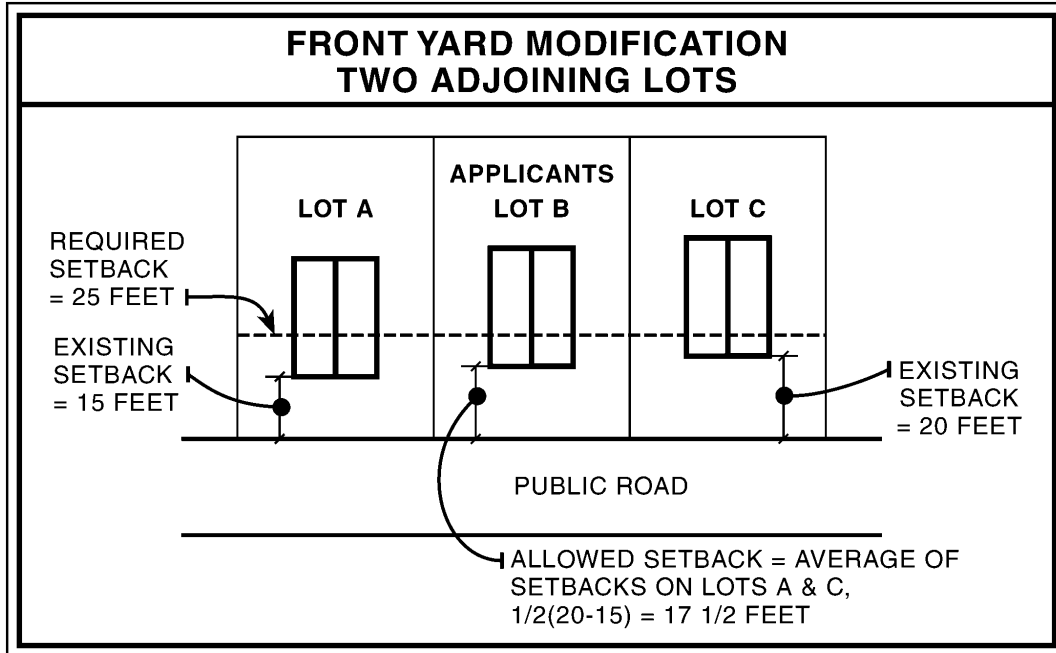
~~A. Reverse Frontage Lots: The~~ lot line abutting one of the streets shall be designated as the rear lot line as provided in Section 202, *Definitions*.

~~B. Corner Lots: Front yard setback standards for corner lots in the RR and HR Districts are set forth in Sections 305 and 312, respectively.~~

903.02 FRONT YARD MODIFICATION

The purpose of this section is to provide for flexibility in administering the front yard setback regulations of this Ordinance in specific situations. The front yard of a lot may be modified to present a continuous appearance when adjoining lots on the same side of the street have front yards less than required. This applies to adjoining lots with nonconforming front yards which existed before the district was adopted. Flag lots are excluded when referring to adjoining lots. The following exceptions to the front yard requirements for a lot are authorized in all districts.

A. If there are dwellings or structures other than accessory structures on both adjoining lots on the same side of the street with front yards less than the required setback, then the front yard setbacks for the lot shall not be less than the average of the setbacks on the adjoining lots (see illustration for front yard modification, two adjoining lots).



- B. If there is a primary use structure on one adjoining lot on the same side of the street with a front yard less than the required setback, then the front yard for the lot shall not be less than the average of the required setback and the setback on the adjoining lot with the nonconforming setback.
- C. Front yards on corner lots shall not be less than the average of the setback of the front yard on the adjoining lot on the same street and the required setback.
- D. In no case shall signs be considered as structures for the purpose of front yard modifications. When a building setback is modified under these provisions, the setback for the sign provided in conjunction with the building may be modified to the same extent as the modified building setback.

903.03 ADDITIONS TO EXISTING STRUCTURES

When a structure exists at the time when a zone is adopted that would not be allowed in that zone by reasons of setback restrictions, additions to this structure not conforming to the front yard setbacks shall be allowed, provided: (5/21/79)

- A. The setback distance will not be decreased by the addition;
- B. The addition conforms to all other provisions of the zoning district; and
- C. The addition shall not be greater than 40 percent of the square footage on the ground level of the existing structure.

903.04 PUBLIC DEDICATIONS

Setback restrictions of this Ordinance shall not apply to existing structures whose setback is reduced by a public dedication. Additions to such structures shall be allowed subject to Subsection 903.03.

903.05 USES EXEMPT FROM SETBACK REQUIREMENTS

Setback limitations stipulated elsewhere in this Ordinance shall not apply to:

- A. Bus shelters which are intended for use by the general public and are under the ownership and/or control of a city, county, state, or municipal corporation;
- B. The side and rear yards of underground structures, except:
 - 1. Where the perimeter wall of the structure is above the natural elevation of the adjacent ground, in which case the setback provisions of the applicable zoning district and Subsection 903.06(C) shall apply.
 - 2. All openings into the structure, including doors, windows, skylights, plumbing, intake and exhaust vents, shall meet the minimum setbacks of the applicable zoning district;
- C. Entryway approval pursuant to Section 1016;
- D. The side and rear yards of ground-mounted solar energy systems extending less than six feet above finished grade; and
- E. The side and rear yards of rainwater collection facilities extending less than six feet above finished grade.

903.06 PROJECTIONS INTO REQUIRED YARDS

Architectural features and certain structures may project into required yards, as follows:

- A. Architectural features may project into the required yard not more than one-third the distance of the setback requirement, and not exceeding 40 inches into any required yard adjoining a street right-of-way.
- B. Open unenclosed fire escapes may project a distance not exceeding 48 inches.
- C. An uncovered porch, deck, terrace, patio, or underground structure extending no more than two and one-half feet above the finished grade may extend within three feet of a side lot line or within 10 feet of a front or rear lot line.

903.07 FLAG LOTS

The location of side, rear, and front lot lines and yards may be modified during the review of a partition, subdivision, variance, or building permit application to allow flexibility in the placement of structures on flag lots ~~if when the following conditions apply:~~

~~A. The modification is consistent with the purposes for the dimensional standards as specified in the applicable zoning district, and~~

AB. It is not possible to extend an easement to serve additional properties due to physical conditions such as topographic barriers or existing structures; or

BC. It is not necessary to extend an easement to serve additional property because such properties are already fully developed or have access from other existing roads or easements.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-249, 10/13/14]

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 depths may be reduced or waived to minimize disturbance of natural landforms or vegetation. If a yard depth 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 depths 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 depth line.
1. If the minimum front yard depth standard is less than 20 feet, the front yard depth may be increased to 20 feet provided pedestrian amenities are developed within the yard.
 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 line. If the minimum front yard depth standard is zero, up to 20 feet of additional front yard depth 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 line. Up to 20 feet of additional front yard depth 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:
- 1a. Sidewalks or raised walking surfaces on both sides;
 - 2b. Curbs;
 - 3e. Street trees, pursuant to Subsection 1007.08; and
 - 4d. Pedestrian-scale lighting.
 - 5e. Private streets may also provide on-street parking and at-grade loading zones, as applicable.
- H. Internal Streets:
- 1a. Internal streets may be required to connect to adjacent properties to increase connectivity and provide grid patterns that allow for future development.
 - 2b. Internal streets shall be designed to allow for future development when applicable.
 - 3e. Development shall provide, when applicable, direct street and pedestrian connections between developments and schools, parks, open space, shopping areas, employment areas, and transit stops.
 - 4d. 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.

1005.09 REGIONAL CENTER DESIGN STANDARDS

Subsection 1005.09 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 1005.09 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.

- D. 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;
 - 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 1005-2;
 - 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.
- c. 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 1005.10(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 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

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 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.
 - 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 1005.10(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 1005-5):
 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 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(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 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 facade. 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

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 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.

1005.12 SUNNYSIDE VILLAGE STANDARDS

Subsection 1005.12 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 1005.12 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:
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.

1005.13 GOVERNMENT CAMP STANDARDS

Subsection 1005.13 applies in Government Camp. Where these standards conflict with other provisions in Section 1000, Subsection 1005.13 shall take precedence.

A. MRR District: In the MRR District, the following standards shall apply to commercial developments.

1. Exterior Building Materials: Primary and accessory structures shall use wood, stone, stone veneer, or stucco for exterior construction. Stucco and textured concrete may be used as secondary materials. Stucco must be acrylic-based and combined with heavy timber, wood, or stone cladding. A rock, rock veneer, or textured concrete base shall be provided around building exteriors

visible from roadways. No exposed plywood, particle board, plain concrete, cinder block, or grooved T1-11 is permitted.

2. Roofing Materials: No composition shingles or galvanized or corrugated metal roofs are allowed.

3. Design: Building design shall meet the design intent of mountain architecture as described in the Government Camp Design Guidelines Handbook. Examples of mountain architecture include "Cascadian", "Oregon Rustic", and the "National Park Style".

B. RTC District: In the RTC District, the following 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. 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, shall not project beyond the lot lines, and shall be consistent with the building design and materials and existing 10-foot-wide sidewalk fronting Government Camp Loop. A covered walkway shall extend along the entire frontage of the building.

3. Exterior Building Materials: Building and accessory structures shall use wood, stone, stone veneer, or stucco for exterior construction. Stucco and textured concrete may be used as secondary materials. Stucco must be acrylic-based and combined with heavy timber, wood, or stone cladding. A rock, rock veneer, or textured concrete base shall be provided around building exteriors with street frontage. No exposed plywood, particle board, plain concrete, cinder block, or grooved T1-11 is permitted.

4. Roofing Materials: No non-architectural composition shingles or galvanized or corrugated metal roofs are allowed.

5. 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".

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-243, 9/9/13; Amended by Ord. ZDO-246, 3/1/14; Amended by Ord. ZDO-249, 10/13/14; Amended by Ord. ZDO-250, 10/13/14]

1006 WATER SUPPLY, SANITARY SEWER, SURFACE WATER, AND UTILITIES CONCURRENCY

1006.01 PURPOSE

- A. To provide adequate services and facilities appropriate to the scale and type of development concurrently with the development it is intended to serve.
- B. Implement the groundwater protection provisions of the ~~Clackamas County~~ Comprehensive Plan.
- C. Assure that developments that rely on groundwater have sufficient water available to serve the proposed uses.
- D. Allow an assessment of the impact that a proposed development to be served by well(s) may have on the sustainability of the affected aquifer.
- E. This ordinance is not intended to act as a guarantee that a property owner will locate an adequate water supply, that a water supply will continue to provide adequate water, or that a water supply will be exempt from further regulation.
- F. Support and encourage sustainable development in the planning and provision of utility services and infrastructure.

1006.02 GENERAL STANDARDS

- A. The location, design, installation, and maintenance of all utility lines and facilities shall be carried out with minimum feasible disturbance of soil and site consistent with the rules and regulations of districts for surface water management.
- B. All development which has a need for electricity, gas and communications services shall install them pursuant to the requirements of the district or company serving the development. Except where otherwise prohibited by the utility district or company, all such facilities shall be installed underground.
- C. Street lights shall be required for all development inside the Portland Metropolitan urban growth boundary.
 - 1. Street lighting shall be installed pursuant to the requirements of the County Service District No. 5 and the company serving the development. In every instance, a street light shall be installed where a new road intersects the County right of way and, in the case of subdivisions, at every intersection within the subdivision.
 - 2. Areas outside County Service District No. 5 shall annex to the district through petition to the district.

- D. Easements shall be provided along property lines as deemed necessary by the Department of Transportation and Development, special districts, and utility companies. Easements for special purpose uses shall be of a width deemed appropriate by the responsible agency. Such easements shall be designated on the final plat of all subdivision, and on the final map of all partitions.
- E. All development which has a need for, or will be provided with public or community water service shall install water service facilities and grant necessary easements pursuant to the requirements of the district or company serving the development.
- F. Approval of a development that requires public or community water service shall be granted only if the applicant provides a preliminary statement of feasibility from the water system service provider.
1. The statement shall verify that water service, including fire flows, is available in levels appropriate for the development and that adequate water system capacity is available in source, supply, treatment, transmission, storage and distribution. Alternatively, the statement shall verify that such levels and capacity can be made available through improvements completed by the developer or the system owner.
 2. If the statement indicates that water service is adequate with the exception of fire flows, the applicant shall provide a statement from the fire district serving the subject property that states that an alternate method of fire protection, such as an on-site water source or a sprinkler system, is acceptable.
 3. The statement shall be dated no more than one year prior to the date a complete land use application is filed and need not reserve water system capacity for the development.
- G. Prior to final approval of any partition or subdivision, the applicant shall provide evidence that any wells in the tract subject to temporary or permanent abandonment under ORS 537.665 have been properly abandoned.
- H. A final plat for any partition or subdivision in a Sensitive Groundwater Area relying on an exempt-use well or wells shall contain the following notation:
- “The property herein described is situated in a “Sensitive Groundwater Area” based on regulatory action by the State of Oregon. The availability of groundwater may be limited, and if a long-term decline in water supply occurs the property owner may need to find an alternate source. Clackamas County is not responsible for deepening or replacing wells that fail to produce an adequate supply of groundwater, or that are subject to regulatory action by the State of Oregon.”*

1006.03 WATER SUPPLY STANDARDS INSIDE THE PORTLAND METROPOLITAN URBAN GROWTH BOUNDARY AND MOUNT HOOD URBAN AREA.

The provisions of this section apply within the Portland Metropolitan urban growth boundary and Mount Hood urban area:

- A. Land divisions or other development requiring water service shall not be approved, except as provided in [Subsection 1006.03\(D\)](#)~~below~~, unless they can be served by a public water system in compliance with drinking water standards as determined by the Oregon Health Division.
- B. New development requiring water service within the boundaries of a water service system, created pursuant to ORS Chapters 264, 450, or 451, shall receive service from this system.
- C. New public water systems shall not be created unless formed pursuant to ORS Chapters 264, 450, or 451.
- D. A ~~legal~~ lot of record not located within the approved boundaries of a public water system may be served by an alternative water source.

1006.04 DEFINITIONS

Unless specifically defined in Subsection 1006.04 [or in Section 202](#), words or phrases used in Section 1006 shall be interpreted to give them the same meaning as they have in common usage and to give Section 1006 its most reasonable application.

- A. “Aquifer” means a layer of rock or alluvial deposit which holds water.
- B. “Development permit” means any county partition or subdivision approval; approval of commercial, institutional or industrial development; or residential building or manufactured dwelling placement permit, including any land-use decision, as defined in ORS 197.015, required by this ordinance to be made prior to issuance of the residential building or manufactured dwelling placement permit.
- C. “Exempt-use well” means a well from which groundwater is used as defined in ORS 537.545(1) as amended.
- D. “Groundwater” means any water, except capillary moisture, beneath the land surface or beneath the bed of any stream, lake, reservoir or other body of surface water, whatever may be the geological formation or structure in which such water stands, flows, percolates or otherwise moves.
- E. “Permitted well” means a well from which the intended use of water requires a registration, certificate of registration, application for a permit, permit,

certificate of completion or groundwater right certificate under ORS 537.505 to 537.795 and 537.992.

- F. “Sensitive Groundwater Area” means any area classified by the State of Oregon as a groundwater limited area, critical groundwater area or other area where new groundwater appropriations are restricted by the State of Oregon.
- G. “Unreasonably interfere” means a proposed development will result in one or more senior ground water appropriators being unable to obtain either the permitted or the customary quantity of ground water, whichever is less, from a reasonably efficient well that fully penetrates the aquifer where the aquifer is relatively uniformly permeable. However, in aquifers where flow is predominantly through fractures, full penetration may not be required as a condition of finding substantial or undue interference.

1006.05 WATER SUPPLY STANDARDS OUTSIDE THE PORTLAND METROPOLITAN URBAN GROWTH BOUNDARY AND MOUNT HOOD URBAN AREA

The provisions of this section apply outside the Portland Metropolitan Urban Growth Boundary and the Mount Hood urban area.

- A. Applicants for any development permit shall specify a lawful water source for the proposed development, such as a public or community water system, certificated water right or exempt-use well.
- B. All subdivisions outside of the Portland Metropolitan Urban Growth Boundary proposing to use an exempt-use well or wells and all land divisions, and new industrial, commercial or institutional development located within a Sensitive Groundwater area and proposing to use an exempt-use well or wells must affirmatively demonstrate:
 - 1. That the subject aquifer is capable of sustaining the proposed development with sufficient potable water.
 - 2. That the proposed development is not likely to unreasonably interfere with existing wells.
 - 3. That the proposed development is not likely to contribute to the overdraft of the affected aquifer.
- C. Unless waived by the Planning Director, an applicant for any proposed development subject to ~~ZDO-§~~Subsection 1006.05(B) shall submit a hydrogeologic review with the subject application. The purposes of a hydrogeologic review are to provide information and professional analysis regarding the geology and hydrogeology of the area in the immediate vicinity of the proposed development for the County to determine compliance with

~~ZDO §-Subsection~~ 1006.05(B)(1) ~~through-~~ (3). Study findings, maps, and conclusions shall be presented in a clear and understandable report.

1. A hydrogeologic review report shall include sufficient evidence and analysis to demonstrate compliance with ~~SubsectionZDO~~ 1006.05(B), and at a minimum, shall include the following information:
 - a. A map showing all lots and parcels within at least one-quarter mile of the proposed development;
 - b. The location, as determined by publicly available information, of all known wells on all lots or parcels within at least one-quarter mile of the proposed development, and the quantity of water permitted to be used;
 - c. The estimated use of groundwater within at least one-quarter mile of the proposed development, including but not limited to, 400 gallons/day of household use for each lot and parcel, 2,000 gallons/day for lawn and landscape irrigation from June through September, and water use from permitted wells. The estimated use of groundwater shall include any development or tentative land division which has been approved by the county, and shall assume development of a single-family residence on each undeveloped lot or parcel.
 - d. The quantity of water the proposed land use will utilize. If the proposal is for residential use, water use shall be calculated as 400 gallons/day per household and 2000 gallons/day for lawn and landscape irrigation from June through September. If the proposal is for a land division for residential purposes, all proposed lots or parcels shall be included in the calculation, and the calculation shall assume that the remainder of the tract will be developed at its allowed density.
 - e. Identification of aquifers in the area of the subject property;
 - f. Compilation and review of available geologic and hydrogeologic studies of the review area;
 - g. Compilation and evaluation of available well deepening and replacement well information in the review area;
 - h. Compilation and analysis of existing geologic information, including representative well logs, physical location of representative wells, and an evaluation of the local stratigraphy and geologic structure in the review area;
 - i. Compilation and analysis of existing and available water level and pump test information including evaluation of long-term stability and sustainability of groundwater levels (heads); and

- j. Interpretation of the information gathered for Subsections 1006.05(C)(1)(a) through (i) ~~of this section~~, including preparation of geologic and hydrogeologic maps and cross sections necessary to support and/or illustrate the interpretation.
- 2. A hydrogeologic review shall conclude that there is sufficient information to demonstrate compliance with ~~ZDO §~~Subsection 1006.05(B), and may need to be based on draw down tests or other physical measurements where necessary.
- 3. The Planning Director may, at the Director's discretion, allow an applicant to modify the water use assumptions used in the hydrogeologic review where an applicant proposes enforceable water conservation and/or reuse measures, including but not limited to:
 - a. Gray water use;
 - b. Water conserving appliances and fixtures;
 - c. Landscaping with drought resistant plants; or
 - d. Rainwater harvest and/or the use of cisterns.To be deemed enforceable, any conservation or reuse measure must be approved by County Counsel.
- D. All reviews and plans required by Subsection 1006.05~~this Section~~ shall be reviewed by a qualified professional of the County's choice during the development review process. Such review shall include examination to ensure required elements have been completed, study procedures and assumptions are generally accepted, and all conclusions and recommendations are supported and reasonable.
- E. Outside of Sensitive Groundwater Areas, the Planning Director may, at the Director's discretion, waive some or all of the requirements for a hydrogeologic review where an applicant demonstrates through well logs or other evidence that the specified information is not necessary to determine compliance with ~~Subsection ZDO~~ 1006.05(B).
- F. Water service for partitions and subdivisions shall be provided according to the provisions of ORS 92.090. When no water is to be provided by a public or community water system, there shall be a note on the final plat indicating that no public water service is being provided, in addition to the filing and disclosure requirements of ORS 92.090.
- G. Approved land divisions at densities requiring public water service shall include a note on the final plat indicating public water service is required for development.

- H. For any subdivision of 11 lots or more, all lots shall be served by a single public or community water source.

1006.06 PUBLIC SANITARY SEWER STANDARDS

- A. All development which has a need for public/private sanitary sewers shall install the facilities pursuant to the requirements of the district or company serving the development. Installation of such facilities shall be coordinated with the extension of necessary water services and storm drainage facilities.
- B. Approval of a development that requires public sanitary sewer service shall be granted only if the applicant provides a preliminary statement of feasibility from the sanitary sewage treatment service provider and the collection system service provider.
 - 1. The statement shall verify that sanitary sewer capacity in the wastewater treatment system and the sanitary sewage collection system is available to serve the development or can be made available through improvements completed by the developer or the system owner.
 - 2. The service provider may require preliminary sanitary sewer system plans and calculations for the proposed development prior to signing a preliminary statement of feasibility.
 - 3. The statement shall be dated no more than one year prior to the date a complete land use application is filed and need not reserve sanitary sewer system capacity for the development.

C. Hotels and motels are permitted in unincorporated communities only if served by a community sewer system.

1006.07 SUBSURFACE SEWAGE DISPOSAL STANDARDS

- A. All development proposing subsurface sewage disposal shall receive approval for the system from the Clackamas County Water Environment Services, Soils Section prior to submittal of a land use application to the County for development. Said systems shall be installed pursuant to ORS 454.605-454.745 and Chapters 171, 523 and 828, Oregon Administrative Rules 340, Divisions 71 and 73 and the policies of the Clackamas County, WES, Soils Section.
- B. Within the Portland Metropolitan urban growth boundary and the Mount Hood urban area, all land divisions or other development requiring subsurface disposal systems shall be prohibited except for:
 - 1. A lot of record legally recorded prior to adoption of this Ordinance.

2. Parcels of ~~ten~~(10) acres or larger in areas designated as future urbanizable.
3. Parcels that do not have a sanitary sewerage system that is legally and physically available as defined in OAR 340-071-0160(4)(f), including parcels which have unique topographic or other natural features which make sewer extension impractical as determined on a case-by-case basis.
4. Areas under a sewer moratorium with sewer services five years or more away if the area is annexed into a city or district which can assure that future delivery of sewerage services is planned.

1006.08 SURFACE WATER MANAGEMENT STANDARDS

- A. All developments shall provide for positive drainage and adequate conveyance of storm and surface water runoff from roofs, footings, foundations, and other impervious or near-impervious surfaces to an appropriate discharge point and shall:
 1. Comply with the requirements of any special districts with surface water management regulatory jurisdiction; or
 2. The requirements of Section 1008, Storm Drainage, and the County Roadway Standards in areas not under the jurisdiction of a surface water management regulatory authority.
- B. Installation of stormwater management and conveyance facilities shall be coordinated with the extension of necessary water and sanitary sewer services.
- C. Approval of a development shall be granted only if the applicant provides a preliminary statement of feasibility from the surface water management regulatory authority. The statement shall verify that adequate surface water management, treatment and conveyance is available to serve the development or can be made available through improvements completed by the developer or the system owner.
 1. The service provider may require a preliminary storm water management plan, storm drainage report, natural resource assessment and buffer analysis prior to signing the preliminary statement of feasibility.
 2. In those areas that are not within a surface water management district, the preliminary statement of feasibility shall be signed by the County Department of Transportation and Development, Engineering Division.

3. The statement shall be dated no more than one year prior to the date a complete land use application is filed and need not reserve surface water treatment and conveyance system capacity for the development.

1006.09 EXCEPTIONS

- A. A land use application shall be deemed complete and may be approved without the submittal of one or more of the preliminary statements of feasibility required by Subsections 1006.02, 1006.06, and 1006.08 if the applicant demonstrates that a good faith attempt has been made to obtain the statement(s). At a minimum, demonstration of a good faith attempt shall require the applicant to submit the following:
 1. A statement signed by the applicant indicating that the service provider or surface water management authority has not responded to a request for a preliminary statement of feasibility or has refused to issue one. When the refusal to issue a preliminary statement of feasibility is based upon a finding that adequate service cannot be provided, such refusal shall not qualify for an exception under this subsection; and
 2. A copy of a letter delivered to the service provider or surface water management authority clearly requesting a preliminary statement of feasibility. The letter shall be dated no less than 30 days prior to the submittal of the land use application.
- B. In the absence of evidence in the record to the contrary, it shall be presumed that the failure of a service provider or surface water management authority to respond to a request for a preliminary statement of feasibility constitutes a finding of adequacy of service. This presumption shall be for the purposes of land use application approval only and does not guarantee that service can be provided.

1006.10 ADMINISTRATION

- A. For subdivisions, partitions, and commercial, industrial, and institutional developments, the provisions of Section 1006~~this chapter~~ shall be applied during the development review process.

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.
 - 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	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 Government Camp, 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 1009.12(A).

- 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 1009.09, as well as outdoor recreational areas in the ~~MRR 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.

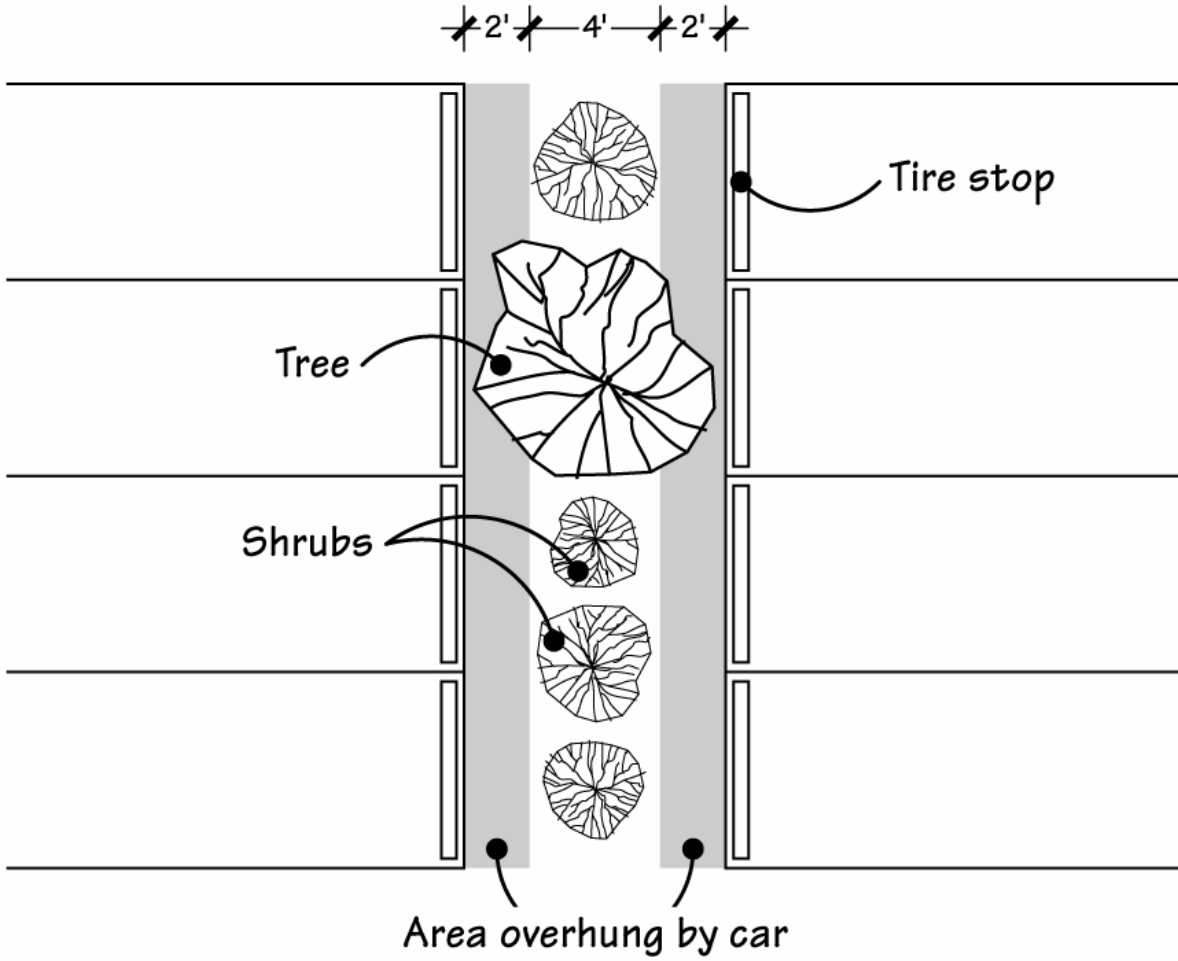
- H. Area occupied by walls, fences, or trellises constructed to comply with Subsections 1009.04 and 1009.05 shall count toward the minimum landscaped area required by Table 1009-1.
- I. In ~~the MR-1, MR-2, and HDR~~Medium, Medium-High, and High Density Residential Districts, the following may comprise 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:

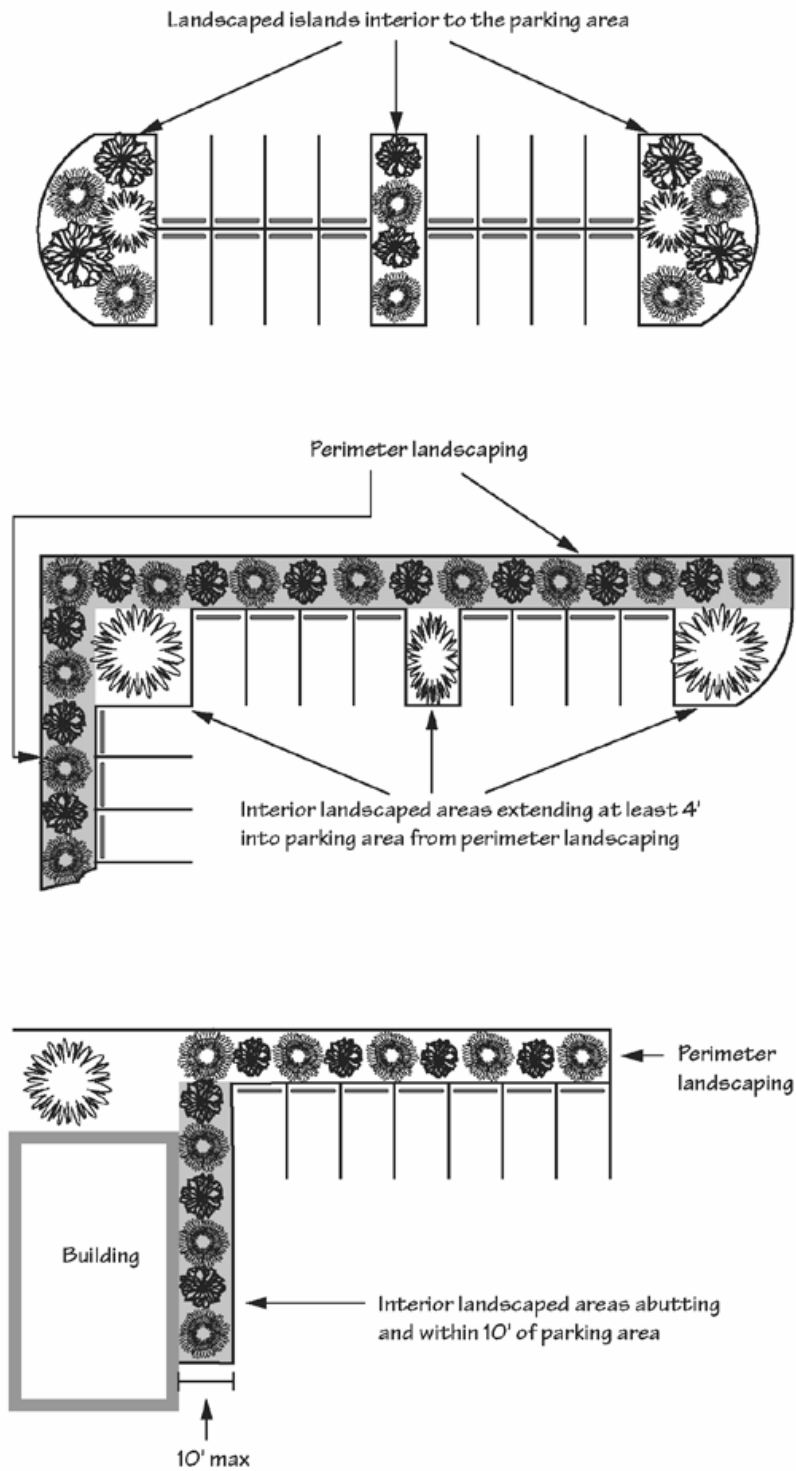
- A. Surface parking areas that include more than 15 parking spaces shall comply with the following landscaping requirements:
 1. Twenty-five square feet of landscaping per parking space, excluding perimeter parking spaces, shall be provided, except that the standard shall be reduced to 20 square feet 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.
 - 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;
 - 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)~~ 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 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, VR-5/7, VR-4/5, Recreational Residential, RA-1Rural Area Residential 1 Acre, RA-2Rural Area Residential 2 Acre, RR, RRFF-5Rural Residential Farm Forest 5-Acre, FF-10Farm Forest 10-Acre, FU-10, or HRHoodland 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 SCENIC ROADS

In the RA-1, RA-2, RRF-5, FF-10, FU-10, MRR, and HR Districts, structures built on lots adjacent to roads designated as scenic roads on Comprehensive Plan Map 5-1, *Scenic Roads*, should be set back a sufficient distance from the right-of-way to permit a landscaped or natural buffer area.

1009.07 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.

1009.08 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.

1009.09 OUTDOOR RECREATIONAL AREAS

An outdoor recreational area shall be provided in developments of two-family, three-family, or multifamily dwellings in the ~~MR-1 Medium Density Residential~~, ~~MR-2 Medium High Density Residential~~, and ~~HDR High Density Residential zoning~~ districts, and in developments of three-family or multifamily dwellings, including mixed-use developments that include these uses, in the SCMU 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, in the SCMU 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.

1009.10 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.

1009.11 PLANTING AND MAINTENANCE

- A. Impervious weed barriers (e.g, plastic sheeting) are prohibited.
- 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 [1311404, Completion of Improvements, Sureties, and Maintenance](#), 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 1009.11(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.

1009.12 GOVERNMENT CAMP RTC DISTRICT STANDARDS

Subsection 1009.12 applies in Government Camp in the RTC District. Where these standards conflict with other provisions in Section 1000, *Development Standards*, Subsection 1009.12 shall take precedence.

A. 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 landscaping requirements.

1. Square footage required: A minimum of 100 square feet of plaza space may be provided for developments with up to 1,999 square feet. Developments 2,000 square feet and larger may provide a minimum of 150 square feet. This shall be developed as one contiguous space. Developments 5,000 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: Ten 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 1,999 square feet of floor area. One additional seating space shall be provided for each 1,000 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.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-243, 9/9/13; Amended by Ord. ZDO-246, 3/1/14; Amended by Ord. ZDO-249, 10/13/14; Amended by Ord. ZDO-250, 10/13/14]

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.

D. MRR District: In the MRR District, permanent identification signs shall be subject to Subsections 1010.09(A)(1) through (5). Signs may be indirectly illuminated and shall be complementary to the unique character of the Mount Hood Community in the use of graphics, symbols, and natural materials. Onsite directional signing shall be sensitive to the needs of tourists. Where these standards conflict with other provisions in Section 1010, except Subsection 1010.15, Subsection 1010.06(D) shall take precedence. Where these standards conflict with Subsection 1010.15, Subsection 1010.15 shall take precedence.

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 ~~recreational vehicle camping facilities~~service and recreational uses regulated by Section 813, other uses regulated by Section 813 prior to (insert effective date of ZDO-252), 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. NC District: 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. VCS District: 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. VO District: 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.

G. RTC District: In the RTC District, all signs shall be complementary to the unique historic character of the Mount 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. Where these standards conflict with other provisions in Section 1010, except Subsection 1010.15, Subsection 1010.09(G) shall take precedence. Where these standards conflict with Subsection 1010.15, Subsection 1010.15 shall take precedence.

H. RC District: In the RC District, signs shall be complementary to the historic character and rural scale of the unincorporated community in the use of graphics, symbols, lighting, and natural materials. Where these standards conflict with other provisions in Section 1010, Subsection 1010.09(H) shall take precedence.

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 center 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 ~~RTC~~Rural Tourist Commercial (RTC) and ~~MRR~~Mountain Recreational Resort zoning Districts in Government Camp and in the ~~HR~~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:

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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.

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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; Amended by Ord. ZDO-250, 10/13/14]

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) District	726
High Density Residential (HDR) District	1,742
Medium High Density Residential (MR-2) District	2,420
Medium Density Residential (MR-1) District	3,630
Planned Medium Density Residential (PMD) District	3,630
R-2.5 District	2,500
R-5 District	5,000
R-7 District	7,000
R-8.5 District	8,500
R-10 District	10,000
R-15 District	15,000
R-20 District	20,000
R-30 District	30,000
Village Apartment (VA) District	1,500
Village Townhouse (VTH) District	2,000

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Zoning District	District Land Area (in square feet)
Village Small Lot Residential (VR-4/5) District	4,000
Village Standard Lot Residential (VR-5/7) District	5,000
Mountain Recreational Resort (MRR) District in Government Camp	1,980
Mountain Recreational Resort (MRR) District in Wemme/Welches and Rhododendron	See Table 1012-2
Hoodland Residential (HR) District	10,890
Recreational Resort (RR) District	87,120

Table 1012-2

Dwelling Unit Size (in square feet)	District Land Area in MRR District in Wemme/Welches (in square feet)	District Land Area in MRR District in Rhododendron (in square feet)
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 600 400-599	3,111	3,630
<u>Less than 400</u>	<u>1,361</u>	<u>1,980</u>

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;
 - 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; Amended by Ord. ZDO-249, 10/13/14; Amended by Ord. ZDO-250, 10/13/14]

1013 PLANNED UNIT DEVELOPMENTS

1013.01 PURPOSE

Section 1013 is adopted to:

- A. Encourage a creative approach in the development of land and an efficient, aesthetic, and desirable use of open area, while maintaining the same population density permitted in the zoning district in which the project is located;
- B. Allow flexibility in design, placement of buildings, use of open space, circulation facilities, and off-street parking areas;
- C. Utilize the potential of sites characterized by special features of geography, topography, size, and shape; and
- D. Allow a mixture of densities between zoning districts when more than one district is included in the development.

1013.02 APPLICABILITY

- A. Planned unit developments may be established in urban and rural residential, commercial, or industrial districts on parcels of land which are suitable for and of sufficient size to be planned and developed in a manner consistent with the purpose of Section 1013. Notwithstanding the preceding statement, planned unit developments are not permitted in the FU-10 District.
- B. Developments on property in an Urban Low Density Residential, MRR, or HR District shall be developed as planned unit developments when at least one of the following criteria applies:
 - 1. The site is larger than one acre and 10 percent or more of the site is designated Open Space on Comprehensive Plan Map IV-6, *North Urban Area Land Use Plan Map*; X-MH-1, *Resource Protection Open Space*; X-MH-2, *Resource Protection Open Space*; X-MH-3, *Resource Protection Open Space*; or X-MH-5, *Government Camp Village Plan Resource Protection Open Space*; or
 - 2. The proposed development includes attached single-family dwellings on more than 20 percent of the proposed lots. Developments in the R-2.5 District are exempt.

1013.03 PRIMARY USES

- A. Uses listed as primary uses in the zoning district in which the development is located.

1013.04 ACCESSORY USES

- A. Recreational facilities, including, but not limited to, tennis courts, swimming pools, and playgrounds;
- B. Open space uses, including, but not limited to, nature trails, bird sanctuaries, and nature conservatories;
- C. Offices, buildings, and facilities required for the operation, administration, and maintenance of any planned unit development and for recreation purposes, such as golf courses, recreation rooms, and vehicle storage areas; and
- D. Bus shelters, subject to Section 823.

1013.05 CONDITIONAL USES

- A. In a residential zoning district, the following are conditional uses, approval of which is subject to Section 1203.
 - 1. Churches, subject to Section 804;
 - 2. Schools, subject to Section 805;
 - 3. Libraries;
 - 4. Community halls;
 - 5. Convenience establishments of a commercial and service nature, including stores, laundry and dry-cleaning agencies and establishments, beauty shops, barber shops, and convenience grocery stores (but specifically excluding gas stations, repair garages, and drive-through eating and drinking establishments) provided:
 - a. Such convenience establishments shall be an integral part of the general plan of development for the planned unit development and provide facilities related to the needs of the prospective residents.
 - b. Such convenience establishments and their parking, loading, and maneuvering areas shall occupy an area not exceeding a ratio of one-half acre per 100 dwelling units.
 - c. Such convenience establishments shall be located, designed, and operated to efficiently serve frequent trade and service needs of persons residing in the planned unit development and not persons residing elsewhere.
 - d. Such convenience establishments shall not, by reason of their location, construction, manner or hour of operation, signs, lighting, parking

arrangements, or other characteristics, have adverse effects on residential uses within or adjoining the zoning district or create traffic congestion or hazards to vehicular or pedestrian traffic.

- e. Such convenience establishments are prohibited unless existing as a part of a planned unit development of a minimum of 100 dwelling units. No building permit for any convenience establishment shall be issued until a minimum of 100 dwelling units are constructed within a development.

1013.06 DIMENSIONAL AND DEVELOPMENT STANDARDS

- A. General: If the standards of Section 1013 conflict with other provisions in Section 1000, *Development Standards*, Section 1013 shall take precedence.
- B. Site Adaptation: To the maximum extent possible, the plan and design of the development shall assure that natural or unique features of the land and environment are preserved.
- C. Lot Arrangement: All lots within the development shall have reasonable access to open space or recreation areas.
- D. Minimum Lot Size:
 - 1. Designated nonresidential tracts are exempt from the specified minimum lot size.
 - 2. The maximum density permitted under Section 1012, *Density*, shall not be exceeded.
 - 3. Minimum lot sizes for each zoning district apply as follows. There is no minimum lot size where none is specified. Notwithstanding the remainder of Subsection 1013.06(D)(3), the minimum lot size inside the Portland Metropolitan Urban Growth Boundary shall be 20 acres in the following zoning districts: RA-1, RA-2, RRFF-5, FF-10, RC, and RI.
 - a. VTH District: 2,000 square feet
 - b. VR-4/5 District: 2,000 square feet
 - c. VR-5/7 District: 4,000 square feet
 - d. RR, RA-2, RRFF-5, and FF-10 Districts: Two acres, except that the minimum lot size in the RRFF-5 and FF-10 Districts within the urban growth boundaries of the cities of Canby, Estacada, Molalla, and Sandy shall be five acres.

E. Maximum Number of Lots: In the RA-2, RR, RRFF-5, and FF-10 Districts, the number of residential lots in a planned unit development shall not exceed 10.

F. Open Space:

1. A minimum of 20 percent of the gross site area shall be open space.
2. Open space tracts may include bicycle or pedestrian trails; natural or landscaped buffer areas; covered bus stops; significant natural vegetation or landscape features; and community recreation facilities, such as tennis courts, recreation buildings, or swimming pools.
3. Open space shall not include parking areas, except those areas in conjunction with recreation facilities, or roadways.
4. Filling or placement of debris within the open space area is prohibited, unless specifically authorized by the Planning Director.
5. Private vehicle access easements serving neighboring properties are prohibited within the open space area.
6. Developments shall be designed so that no dwelling unit is located more than 1000 feet from an open space area.
7. Individual open space areas should be large enough to be usable unless the open space is intended to protect significant natural features from impacts associated with use or development. As a guideline, a minimum of 5,000 square feet is suggested.
8. Prior to final plat approval, all improvements associated with the open space, such as recreation centers, swimming pools, and tennis courts, shall be constructed or a surety shall be provided to the County pursuant to Section ~~1311+104~~, *Completion of Improvements, Sureties, and Maintenance Bonding*.

G. Community Services:

1. The County may request the dedication of proposed open space land which is reasonably suited for use as a County or North Clackamas Parks and Recreation District (NCPRD) park or for recreation purposes, taking into consideration such factors as size, shape, topography, geology, access, location, and applicable Comprehensive Plan policies, when such dedication is consistent with the ability of the County or NCPRD to maintain such parks.
2. Planned unit developments of 250 lots or dwelling units shall be required to dedicate land for school uses when determined necessary to meet the needs of the school district. This dedicated land may be calculated as part of the required open space.

H. Minimum Yard Requirements:

1. Perimeter Yard Depths: Yard depths from lot lines on the perimeter of the plat shall be the same as are required in the applicable zoning district.
2. Minimum Side Yard Depth: None.
3. Minimum Front Yard Depth: 20 feet, except where the applicable zoning district permits a smaller front yard depth.
4. Minimum Rear Yard Depth: None.

I. Maximum Lot Coverage: In the Urban Low Density Residential Districts, the maximum lot coverage shall be 65 percent.

J. Parking:

1. A minimum of two off-street parking spaces per dwelling unit shall be provided.
2. Off-street parking may be provided on each lot or in parking areas in proximity to the dwelling units they serve.
3. Guest parking may be required after consideration of street type, width, traffic volume, transit amenities, and pedestrian circulation.
4. Sufficient parking space may be required for storage of residents' recreational vehicles. If required, recreational vehicle parking shall be located so as to be compatible with the surrounding development. If located on the perimeter of the development, it shall be screened from adjacent properties.

K. Homeowners Association:

1. A nonprofit incorporated homeowners association, or an alternative acceptable to the Office of County Counsel, shall be required if other satisfactory arrangements, such as a County service district, have not been made for ownership of, improving, operating, and maintaining common facilities, including open space, roads, drives, service and parking areas, and recreation areas, and for snow removal and storage. The following principles shall be observed in the formation of any homeowners association and shall be reviewed by the Office of County Counsel:
 - a. A homeowners association shall be incorporated prior to approval and recording of the final plat, or any portion thereof.
 - b. Membership shall be mandatory for each home buyer and any successive

buyer.

- c. The open space restrictions and homeowners association shall continue in perpetuity, unless the planned unit development approval is modified pursuant to Section 1309, or a new application provided for by this Ordinance is filed and approved.
 - d. The homeowners association shall be responsible for liability insurance, local taxes, and the maintenance of recreational and other facilities.
 - e. Homeowners shall pay their pro rata share of the cost, or the assessment levied by the association shall become a lien on the property.
 - f. The homeowners association shall be able to adjust the assessment to meet changes needed.
2. An alternative to a homeowners association may include deed restrictions or conservation easements when the County determines such will protect the purpose of this Ordinance and be in the public's interest.

1013.07 REVIEW PROCEDURE

- A. Planned unit developments are subject to review pursuant to Section 1105, *Subdivisions, Partitions, Replats, Condominium Plats, and Vacations of Recorded Plats 1106, Partitions.*

[Amended by Ord. ZDO-248, 10/13/14]

1014 DESIGN STANDARDS FOR LAND DIVISIONS

1014.01 PURPOSE

Section 1014 is adopted to ensure that land divisions occur in an orderly, efficient, sustainable, and cost-effective manner, while preserving the livability of the County.

1014.02 APPLICABILITY

Section 1014 ~~applies~~ shall apply to subdivisions and partitions.

1014.03 GENERAL DESIGN STANDARDS

- A. Every lot or parcel shall abut or have adequate access to a County, public, or private road or access drive and shall conform to the minimum frontage requirement of the applicable zoning district, unless a variance to these standards is approved.
- B. Lots or parcels shall be designed, when appropriate, to allow for the future re-division of the property and a master plan depicting potential future lot or parcel configurations shall be provided when any proposed lot or parcel is of sufficient size to be re-divided without exceeding the base density of the parent lot or parcel.
- C. Residential lots that have street frontage along two opposite boundaries shall be prohibited, except:
 - 1. For reverse frontage lots necessary to separate residential development from arterial streets;
 - 2. To overcome specific disadvantages of topography, orientation, or parent lot or parcel configuration, as necessary to permit compliance with the minimum density standard required under Section 1012; or
 - 3. Where alleys are provided for rear-loaded lot or parcel layouts.
- D. Developments with reverse frontage lots or parcels shall have a restriction in favor of the County at least one-foot wide along the lot or parcel lines abutting the arterial street, across which there shall be no access. Alternatively, there shall be a note on the final plat stating that direct access to the arterial street will not be allowed.

1014.04 MINIMUM AND MAXIMUM LOT ~~OR PARCEL~~ SIZE

- A. Lots ~~and~~ parcels in subdivisions and partitions shall comply with the minimum and maximum lot size standards of the applicable zoning district, unless a planned unit development is approved pursuant to Section 1013, *Planned Unit Developments*, or except as provided in Subsections 1014.04(B) through (F). In

any case, the overall density of the subdivision or partition shall comply with Section 1012, *Density*.

- B. Flexible-lot-size developments are permitted in the following zoning districts and with the following minimum lot or parcel sizes:
1. R-2.5 District: The smallest lot or parcel size permitted is 2,000 square feet, except that perimeter lots or parcels adjacent to an R-5, R-7, R-8.5, R-10, R-15, R-20, or R-30 District shall be a minimum of 2,500 square feet.
 2. R-5, R-7, R-8.5, R-10, R-15, R-20, and R-30 Districts: The smallest lot or parcel size permitted is 80 percent of the minimum lot or parcel size specified in the applicable zoning district for detached single-family dwellings and 2,000 square feet for attached single-family dwellings.
 3. VR-5/7 District: The smallest lot or parcel size permitted is 4,000 square feet.
 4. VR-4/5 District: The smallest lot or parcel size permitted is 2,000 square feet.
 5. MR-1 and MR-2 Districts for Attached Single-Family Dwellings: The smallest lot or parcel size permitted is 1,800 square feet.
 6. ~~RRFF-5~~Rural Residential Farm/Forest 5-Acre District outside the Portland Metropolitan Urban Growth Boundary and outside the urban growth boundaries of the cities of Canby, Estacada, Molalla, and Sandy: The smallest lot or parcel size permitted is two acres, and the average lot size shall be no less than five acres.
- C. In the VTH District, except as provided in Subsection 1013.06(D)(3)(a), each lot or parcel for an attached single-family dwelling shall have a minimum size of 2,000 square feet and a maximum size of 3,000 square feet, or each lot or parcel for an attached single-family dwelling shall have a minimum size of 2,000 square feet and the average size of all lots or parcels for attached single-family dwellings shall not exceed 2,500 square feet.
- D. Except as provided in Subsections 1013.06(D)(3)(b), 1014.04(B)(4), and 1014.04(F), each lot or parcel in the VR-4/5 District shall be no smaller than 4,000 square feet and no larger than 5,000 square feet, or each lot or parcel shall be a minimum of 4,000 square feet and the average size of all lots or parcels shall not exceed 5,000 square feet.
- E. Except as provided in Subsections 1013.06(D)(3)(c), 1014.04(B)(3) and 1014.04(F), each lot or parcel in the VR-5/7 District shall be no smaller than 5,000 square feet and no larger than 7,000 square feet, or each lot or parcel shall

be a minimum of 5,000 square feet and the average size of all lots or parcels shall not exceed 6,500 square feet.

- F. The following are exceptions to the lot and parcel size requirements of Subsections 1014.04(D) and (E):
1. A portion of a property may be left capable of further division if a master plan is provided demonstrating that the remaining property can be developed consistent with applicable standards. Any area included within the master plan shall not be included for purposes of calculating allowable lot size pursuant to Subsections 1014.04(D) and (E).
 2. The maximum size of a lot or parcel created for a preexisting dwelling shall be 15,000 square feet when the lot or parcel is not intended to be divided further in the future and no master plan has been prepared. Such a lot shall not be included for purposes of calculating allowable lot or parcel size pursuant to Subsections 1014.04(D) and (E). No maximum lot or parcel size shall apply to preexisting dwellings in a Resource Protection Area, as shown on Comprehensive Plan Map X-SV-1, *Sunnyside Village Plan Land Use Plan Map*.
 3. Resource Protection Area, as shown on Comprehensive Plan Map X-SV-1, shall not be included in the lot- or parcel-size calculations required pursuant to Subsections 1014.04(D) and (E). Instead, density transfer may be used pursuant to Section 1012 or Resource Protection Area may be developed at a density of one dwelling unit per acre.
 4. The maximum individual and maximum average lot size standards apply only to lots or parcels for single-family dwellings and manufactured homes.

1014.05 ZERO-LOT-LINE DEVELOPMENTS

Within Urban Low Density Residential zoning districts, subdivisions and partitions may be designed to allow the construction of single-family dwellings, manufactured homes, and accessory structures with zero setback from the side or rear lot line, provided that:

- A. The final approved plat includes a diagram, approved by the County Building Codes Division, indicating the buildable area of each lot; and
- B. Minimum yard setbacks from lot lines on the perimeter of the subdivision or partition shall be the same as are otherwise required in the applicable zoning district.

1014.06 FUTURE URBAN AREAS

If the subject property is a Future Urban Area, as defined by Chapter 4 of the Comprehensive Plan, a subdivision or partition shall be approved only if the proposed locations of improvements, including easements, dedications, structures, wells, and on-site sewage disposal systems, are consistent with the orderly future development of the subject property at appropriate urban densities.

[Amended by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-249, 10/13/14]

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*; 1015-4, *Minimum Required Bicycle Parking Spaces*; and 1015-5, *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

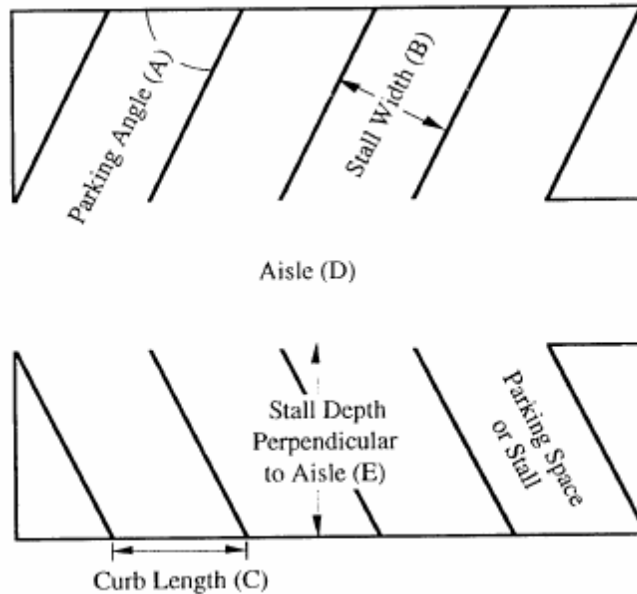
- A. Off-street parking areas shall be provided in defined areas of the subject property and shall meet the following requirements for location of the parking area on the site:
 - 1. No area shall be considered a parking space unless it can be shown that the area is accessible and usable for that purpose and has required maneuvering area for the vehicles.
 - 2. Automobile parking areas shall be separated from bicycle parking areas and from loading areas to the extent possible.
 - 3. Commercial or recreational vehicle storage areas shall be located in areas that are farther from building entrances than parking spaces for customers and employees.

- B. Off-street parking areas shall be designed to meet the following requirements:
 - 1. Parking areas must meet the requirements of the Americans with Disabilities Act.
 - 2. Except for parallel parking spaces, the minimum size for all standard parking spaces shall be 8.5 feet wide and 16 feet long.
 - 3. Minimum dimensions of curb length, stall depth, and parking lot aisles are based on the parking space orientation as follows:

Table 1015-1: Minimum Parking Space and Aisle Dimensions

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

Figure 1015-1: Parking Dimension Factors



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

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Land Use Category	Minimum Parking Spaces	Maximum Parking Spaces (Urban Zone A)	Maximum Parking Spaces (Urban Zone B)
25,000 to 49,999 square feet	1.42	None	None
50,000 to 79,999 square feet	1.25	None	None
80,000 square feet and greater	1	None	None
Medical and Dental Clinics	3.5	4.9	5.9
Movie Theaters (per seat)	0.3	0.4	0.5
Nursing Homes, Welfare or Correctional Institutions, and Institutions for Children (per bed)	0.2	None	None
Office Uses (includes Office Park, “Flex-Space”, Government Office and Miscellaneous Services)	2.7	3.4	4.1
Places of Worship (per seat located in main assembly room), unless a school, daycare, or similar facility is proposed in conjunction with primary use, in which case it shall have separate parking requirement	0.5, or 1 per 5.3 feet of bench length in main assembly room	0.6	0.8
Produce Stands (per stand)	4	None	None
Dwellings, including			
Single-Family Dwelling or Manufactured Dwelling in Urban Low Density Residential, VR-4/5 Village Small Lot, or VR-5/7 Village Standard Lot Residential, RA-1, or RA-2 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

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

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

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Land Use Category	Minimum Parking Spaces	Maximum Parking Spaces (Urban Zone A)	Maximum Parking Spaces (Urban Zone B)
Theaters, Dance Halls, Community Clubs, Skating Rinks, Public Meeting Places (per seat, or 1 per 100 sq. ft. exclusive of stage)	0.25	None	None
Warehouse and Storage Distribution, and Terminals (air, rail, truck, water, etc.) **Maximum parking requirements apply only to warehouses 150,000 gross square feet or greater.			
Zero to 49,999 square feet	0.3	None	None
50,000 square feet and over	0.2	0.4**	0.5**

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

Parking Space Orientation	Minimum Length of Uninterrupted Curb per Parking Space
Parallel	22 feet
45-Degree Angle	12 feet
60-Degree Angle	12 feet
90-Degree Angle	12 feet

- 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 1015-4, *Minimum Required Bicycle Parking Spaces*, are required.
- 8. Notwithstanding Table 1015-4, 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 1015-4: Minimum Required Bicycle Parking Spaces

Land Use Category	Minimum Bicycle Parking Spaces*
Elementary Schools, Junior High Schools, Middle Schools, Senior High Schools, and Colleges (per classroom)	2 (maximum required spaces – 100)
Multifamily Dwellings (per dwelling unit)	0.5
Park-and-Ride Lots, Transit Centers, and Community Parks (per acre)	5
Preschools	4
Residential Care Facilities, Nursing Homes, and Hospitals (per 8 beds)	1
Retail and Commercial including offices and clinics	
Per 2,500 square feet, up to 50,000 square feet	1

Land Use Category	Minimum Bicycle Parking Spaces*
Per each additional 5,000 square feet	1
Theaters, Places of Worship, Auditoriums, Dance Halls and other Public Assembly Places (per 40 seats or per 40 persons of design capacity, whichever is greater)	1
Warehouses and industrial buildings without attached offices, automotive service uses such as service stations and tire stores, and businesses selling large items such as major appliances, furniture, cars, or boats (per 10,000 square feet of building area)	1

* Minimums outside the UGB are 20 percent of the requirement listed in Table 1015-4.

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.
 - 4. In the RTC District in Government Camp, loading and delivery shall not be located on Government Camp Loop unless there is no other access.
- 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 1015-5,

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 1015-5 are required.

Table 1015-5: 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	

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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	

CLACKAMAS COUNTY ZONING AND DEVELOPMENT ORDINANCE

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; Amended by Ord. ZDO-250, 10/13/14]

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 APPLICABILITY

Section 1016 applies to multi-use developments. Multi-use developments are conditional uses in the zoning districts where they are permitted. The provisions of Section 1016 shall be applied as part of the conditional use review process under Section 1203 and, if required, the design review process under Section 1102.

1016.03 APPROVAL CRITERIA

Approval of a multi-use development shall be subject to the following criteria:

- A. Multi-use developments are listed as a conditional use in the zoning district in which the site is located.
- B. 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.
- C. 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 subject property associated with multi-use developments.
- D. 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.

1016.04 DETERMINATION OF USES

The following provisions shall determine the uses allowed in a multi-use development.

- A. Use Selection: Uses shall be selected from those categories (or subcategories) of uses which are required, permitted, or limited in the subject zoning district, as specified in Table 1016-1, *Determination of Use Chart*.
- B. Required Uses: Required uses 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: Permitted uses may occupy the floor area or land area that remains after subtracting the required and limited use area.

- E. Residential District/Limited Uses: In low density residential zoning 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 zoning 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 MR-1 and HDR Districts, and 50 percent of the base density in the SHD 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 zoning districts, the multi-use development 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 subject zoning district pursuant to Table 1016-1, *Determination of Use Chart*, subject to 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 CI and OC 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 neighborhood retail and service commercial uses 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, *Daycare Facilities*;
 - 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, *Bed and Breakfast Residences and Inns*;
 - w. Wireless telecommunication facilities listed in Subsection 835.04, subject to Section 835, *Wireless Telecommunication Facilities*;
 - x. Preexisting retail or service commercial uses; and
 - y. Mobile vending units, subject to Section 837, *Mobile Vending Units*.
- 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 Districts and ~~HRHoodland Residential~~ District).
 - 2. MR-1 District primary uses, subject to Section 315.
 - 3. HDR District primary uses, subject to Section 315.
 - 4. SHD District primary uses, subject to Section 315.
 - 5. MRR District primary uses, subject to Section ~~317306~~.

- 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 for the multi-use development.

- 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.

1016.07 PROHIBITED USES

The following uses shall be prohibited in a multi-use development.

- A. New dwellings, manufactured dwellings, and manufactured dwelling parks, except as permitted within low density or medium density residential districts;
- B. Outdoor storage of materials or products;
- C. Drive-thru window service, except those associated with a bank, credit union, or other financial institution, subject to Section 827, *Drive-Thru Window Service*; and
- D. Industrial uses listed in Table 602-1, *Permitted Uses in the BP, LI, and GI Districts*, 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. R-7 through R-30 Districts: 30 acres
 - b. HR District: 30 acres
 - c. MR-1 District: 10 acres
 - d. MRR District: 10 acres

- e. HDR District: Five acres
 - f. SHD District: Five acres
 - g. C-3 District: One acre
 - h. OC District: 10 acres
 - i. CI District: 20 acres
 - j. OSM District: 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 subject zoning 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 District, the minimum street frontage shall be 100 feet.
 - 6. Maximum building height: Same as subject zoning district.
 - 7. Minimum landscaping/open space area requirements: The minimum landscaped area standards under Table 1009-1, *Minimum Landscaped Area*, shall be modified as follows:
 - a. In the C-3 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 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 Section 900. However, except for minimum landscape provisions, these requirements may be reduced up to 20 percent through design review pursuant to Section 1102 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 that exceed 20 percent of the requirement shall be subject to Section 1205, *Variance*.

1016.09 DEVELOPMENT STANDARDS

A multi-use development shall comply with Section 1000, *Development Standards*. In addition, the following standards and objectives shall apply:

- A. Site Planning and Design: The overall site 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, *Sustainable Site and Building Design*, 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, *Landscaping*, 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, *Parking and Loading*, 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, *Signs*, 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; and
 - d. Description of how the proposed signing plan satisfies the criteria set forth in this Ordinance pertaining to size, design, placement, height, and number of signs.
 2. Standards: The signing master plan shall be reviewed under 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 pursuant to 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 on-building 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; and
 - 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. Interior circulation roads may be required to be named. Such names shall be subject to County 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.

Table 1016-1: Determination of Use Chart

DISTRICTS	RESIDENTIAL					COMMERCIAL		INDUSTRIAL	
	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									
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)

Table 1016-1: Determination of Use Chart

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; Amended by Ord. ZDO-249, 10/13/14; Amended by Ord. ZDO-250, 10/13/14; Amended by Ord. ZDO-248, 10/13/14]

1102 DESIGN REVIEW

1102.01 PURPOSE AND APPLICABILITY

Section 1102 ~~is adopted to provide standards, criteria, and procedures under which design review may be approved. Design review is required for~~applies to all:

- A. ~~De~~development, redevelopment, expansions, and improvements in ~~all~~ commercial and industrial, ~~and multifamily~~ zoning districts, except for uses approved through a zone change to NC District;
- B. Development, redevelopment, expansions, and improvements in the following residential zoning districts: VTH, PMD, MR-1, MR-2, HDR, VA, SHD, RCHDR, and MRR;
- C. The following uses in the Urban Low Density Residential Districts: attached single-family dwellings, two-family dwellings, three-family dwellings, and condominiums;
- D. Attached single-family dwellings in the HR District if three or more dwelling units are attached to one another;
- E. Master plans required pursuant to Subsection 1102.03; and
- F. ~~to O~~ther 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. In addition, in the HR District, Section 1102 applies to attached single-family dwellings if three or more dwelling units are attached to one another and to condominiums.~~

~~1102.02~~ **CRITERIA AND PROCEDURE**

- ~~A. — Except as set forth in Subsection 1102.02(F), design review shall require a Type II application pursuant to Section 1307. The proposed development shall be subject to Section 1000, *Development Standards*, 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.~~~~
- ~~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 recommendation prior to rendering a 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.~~
- ~~D. An application shall be forwarded to the Design Review Committee for review and recommendation if requested by the applicant or required by the Hearings Officer or the Board of County Commissioners.~~
- ~~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 require a Type III application pursuant to Section 1307.~~
- ~~G. 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.~~~~
- ~~H. If the design review approval is not implemented within the initial approval period established by Subsection 1102.02(G), a two-year time extension may be approved pursuant to Section 1310.~~
- ~~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 pursuant to Section 1310.~~

~~1102.03 DESIGN REVIEW COMMITTEE~~

~~A Design Review Committee shall be established pursuant to Subsection 1307.03 and shall have the responsibilities assigned to it by Section 1102.~~

1102.024 SUBMITTAL REQUIREMENTS

In addition to the submittal requirements identified in Subsection 1307.07(C), an application for design review shall include:

A. A narrative describing the proposed use;

~~B. Calculations demonstrating compliance with the density standards of Section 1012, if applicable;~~

BC. An engineering geologic study, if required pursuant to Section 1002, Protection of Natural Features, or 1003, Hazards to Safety;

CD. Preliminary statements of feasibility, if required pursuant to Section 1006, Water Supply, Sanitary Sewer, Surface Water, and Utilities Concurrency;

DE. A transportation impact study, if required pursuant to Section 1007, Roads and Connectivity;

E. Calculations demonstrating compliance with Section 1012, Density, if applicable;

F. 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;

G. An existing conditions map of the subject property showing:

1. 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.

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2. 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;
 3. Drainage;
 4. Potential hazards to safety, including areas identified as mass movement, flood, soil, or fire hazards pursuant to Section 1003;
 5. Marsh or wetland areas, underground springs, wildlife habitat areas, and surface features such as earth mounds and large rock outcroppings;
 6. 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, ~~at a scale of not more than~~ 1" inch equals 400' feet, may be submitted and only those trees that will be affected by the proposed development need be sited accurately;
 7. Location of any overlay ~~zoning districts~~ zones regulated by Section 700, ~~Special Districts (e.g. Floodplain Management District, Willamette River Greenway, Historic Landmark)~~;
 8. Noise sources;
 9. Sun and wind exposure;
 10. Significant views; and
 11. Existing structures, impervious surfaces, utilities, landscaping, and easements;
- H. A proposed site plan showing:
1. The subject property, including contiguous property under the same ownership as the subject property, and adjacent properties;
 2. Property lines and dimensions for the subject property. Indicate any proposed changes to these;
 3. Natural features to be retained;
 4. 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;
 5. The location of at least one temporary benchmark and spot elevations;

6. Location and dimensions of structures, impervious surfaces, and utilities, whether proposed or existing and intended to be retained. For phased developments, include future buildings;
7. Approximate location and size of storm drainage facilities;
8. 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; walkways; and pedestrian crossings;
9. Orientation of structures showing windows and doors;
10. Location and type of lighting;
11. Service areas for waste disposal, recycling, loading, and delivery;
12. Location of mail boxes; and
13. Freestanding signs;
- I. 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;
- J. Architectural drawings, including:
 1. Building elevations, including any building signs. Identify the dimensions, area, color, materials, and means of illumination of such signs;
 2. Building sections;
 3. Floor plans;
 4. Color and type of building materials; and
 5. 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;
- K. A general landscape development plan, which shall include the elements required on the proposed site plan and:
 1. Existing plants and groups of plants proposed;
 2. 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;
 3. Erosion controls, including plant materials and soil stabilization, if any;

4. Irrigation system (i.e. underground sprinklers or hose bibs);
 5. Landscape-related structures such as fences, terraces, decks, patios, shelters and play areas; and
 6. Open space or recreation areas, if applicable.
- L. In addition to the requirements of Subsection 1102.024(H), 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.

~~M. 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.~~

1102.03 APPROVAL CRITERIA

Design review requires review as a Type II application pursuant to Section 1307, Procedures—except that design review of a master plan in the PMU District requires review as a Type III application pursuant to Section 1307—and shall be subject to the following standards and criteria:

- A. The proposed development shall be subject to Section 1000, *Development Standards*, and the standards of the applicable zoning district.

B. Master plan approval shall be required as follows:

1. In the PMU District, a master plan shall be required for the entire property for which development is proposed and shall address the applicable standards 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.
2. 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 with a Comprehensive Plan land use designation of Office Apartment, to ensure compliance with this Ordinance.

3. Upon application for development of any portion of the VO District, the applicant shall submit a master plan for the entire VO District, to ensure compliance with this Ordinance.
4. 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 with the design review 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 applicable standards 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.

1102.04 DESIGN REVIEW COMMITTEE

A Design Review Committee shall be established pursuant to Subsection 1307.03 and shall have the responsibilities assigned to it by Subsection 1102.04.

A. The Planning Director may review and render a decision on a Type II application for design review or forward the application to the Design Review Committee for review and recommendation prior to rendering a 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.
- B. An application shall be forwarded to the Design Review Committee for review and recommendation if requested by the applicant or required by the Hearings Officer or the Board of County Commissioners.
- C. 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.

1102.05 APPROVAL PERIOD AND TIME EXTENSION

- A. Except as set forth in Subsection 1102.05(B), approval of design review is valid for four years from the date of the final decision. If the County's final 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:
 - a. A building permit for a new primary structure that was part of the design review approval; or
 - b. A permit issued by the County for parking lot or road improvements required by the design review approval.
- B. Approval of design review for a master plan in the PMU District is valid for 10 years from the date of the final decision. If the County's final 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.

C. If the design review approval is not implemented within the initial approval period established by Subsection 1102.05(A), a two-year time extension may be approved pursuant to Section 1310, *Time Extension*.

D. If the approval of a master plan in the PMU District is not implemented within the initial approval period established by Subsection 1102.05(B), a five-year time extension may be approved pursuant to Section 1310.

~~1102.05 — MAINTENANCE~~

~~All approved onsite improvements shall be the ongoing responsibility of the property owner or occupant.~~

~~1102.06 — COMPLIANCE~~

~~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; Amended by Ord. ZDO-249, 10/13/14; Amended by Ord. ZDO-250, 10/13/14; Amended by Ord. ZDO-248, 10/13/14]