

# CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

## Study Session Worksheet

**Presentation Date:** 6/11/13    **Approx Start Time:** 11:00 a.m.    **Approx Length:** 30 min

**Presentation Title:** File ZDO-243, Year One of the ZDO Audit, Focus on Industrial Lands

**Department:** DTD, Planning and Zoning

**Presenters:** Mike McCallister and Jennifer Hughes

**Other Invitees:** Barb Cartmill and Dan Chandler

**WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?** None. This is an informational presentation in preparation for a June 19 hearing on proposed Comprehensive Plan and Zoning and Development Ordinance legislative amendments. However, if the Board would like staff to be prepared at the hearing with any alternative language for the proposed amendments to the Comprehensive Plan or Zoning and Development Ordinance, direction during the study session would be helpful.

**EXECUTIVE SUMMARY:** The Planning and Zoning Division has initiated a five-year work program to "audit" the Zoning and Development Ordinance (ZDO). The ZDO, adopted in 1980 (with roots in the 1960 Zoning Ordinance, as amended), has been amended nearly 250 times since, resulting in regulations that are sometimes inconsistent, antiquated, cumbersome and disorganized. As a consequence, a comprehensive review and updating is proposed. The emphasis will be on the ZDO, but amendments to the Comprehensive Plan will be proposed as needed to resolve inconsistencies between the two documents. The overarching goals of the ZDO audit are to develop a more condensed, user-friendly document, consolidate zones and allow additional uses where appropriate, provide clear and consistent development standards, and maintain compliance with state and regional regulations. The intent is to complete, by the end of the five-year work program, a comprehensive review and proposed amendments for every section of the ZDO.

This first year of the work program has focused on the county's industrial zoning districts. There are two reasons for the decision to address these zoning provisions first: current economic concerns regarding job creation and ongoing code enforcement issues related to retail and service commercial uses in urban industrial zones. Last August, the Board held a study session to consider whether allowing retail and service commercial uses in urban industrial zones should be pursued. (These uses are largely prohibited under the current ZDO.) The Board directed staff to explore the full range of options for allowing these uses. A focus group of individuals with experience in industrial development and operating industrial businesses was formed to assist staff in the evaluation and development of draft amendments. (The membership list is attached.)

Draft code amendments, including a proposal to allow retail and service commercial uses with limits, were prepared by staff, and in May, the Planning Commission (PC) held a public hearing to consider the proposal (File ZDO-243). The PC recommended approval of a modified version of staff's initial proposal. Several members of the PC expressed significant concerns about the process that led up to the public hearing, as well as the content of the proposal. PC members argued for individual mailed notice to property owners who live near industrial lands and objected to what they felt was a vague Community Planning Organization/Hamlets/Villages/Interested Parties notice. Generally, several PC members argued against what they saw as a broad expansion of allowed uses in industrial zones and

proposals to repeal regulations that they view as essential for public safety and quality of life. Attached are a copy of the CPO/Hamlets/Villages/Interested Parties notice and materials provided to the Planning Commission that outline the public outreach process and the key issues/elements of the initial staff proposal for amending the ZDO. Also attached are zoning maps of the urban industrial areas.

Staff identified four key policy questions raised by the staff proposal.

1. **Should commercial uses (i.e. retail and service uses that may cater to the general public, as opposed to office, warehousing, distribution, wholesale sales and manufacturing uses) be allowed in urban industrial areas?** The county must comply with regional law (the Metro Urban Growth Management Functional Plan), which limits the scope of such commercial uses on designated industrial and employment lands; however, there appears to be enough flexibility in these regional requirements to permit at least small-scale commercial uses in industrial zones. The ZDO currently provides limited and very specific allowances for commercial uses in industrial zones (e.g., indoor recreational facilities such as gymnastics studios in all industrial zones, auto repair in the I-3 zone as a conditional use). Last summer the Board directed staff to research and consider the full extent of retail and service commercial uses that may be permitted in industrial zones, and discussion by the Industrial Lands Focus Group generally was supportive of allowing these uses, at least with the limits imposed by the Functional Plan. Issues that may result from allowing commercial uses in industrial zones include:

- Potential for customer vehicles at high vehicle trip-generating businesses to compete with employee and freight delivery vehicles for limited transportation capacity in industrial areas
- Potential to reduce the supply of land available for industrial uses that generate family wage jobs and increase traded sector economic activity in the county
- Potential to increase vacancy rates in the county's established commercial centers (e.g., Clackamas Regional Center, McLoughlin Boulevard) due to statistically lower lease rates for industrial property
- Due to the small minimum lot size standard in Light Industrial and General Industrial Districts (20,000 square feet with design review, one acre without), the 20,000-square-foot per-development limit on retail and service uses may be insufficient to control the scope of these uses on industrial lands
- May result in incompatibility between adjacent uses, if retail/service uses are located next to intensive industrial activities
- Offers latitude to property owners in determining how to use their land
- Provides additional locations for new retail or service businesses
- Addresses some existing code violations where retail or service uses have located in industrial zones

**Planning Commission Recommendation:** Allow in Business Park District. Prohibit in General Industrial District (including existing conditional use for auto repair). Deadlocked 4-4 on whether to allow in Light Industrial District.

2. **Should additional uses be allowed in Rural Industrial areas and increased building floor area allowed for some individual Rural Industrial uses in Unincorporated Communities?** Section 604 currently allows manufacturing, warehousing, distribution and wholesale trade of listed products. If a product is not listed, an applicant would be required to file a land use application for Authorization of a Similar Use, which might be denied. The proposal is to allow manufacturing, warehousing, distribution and wholesale trade of all products (although certain products require a conditional use permit under the current code and would continue to require that under the proposal).

**Planning Commission Recommendation:** Adopt some new uses in each zone but specifically prohibit the heavier industrial uses in BP and, to a lesser extent, in LI. Continue to require conditional use permits for some uses that staff recommended as primary uses. The Planning Commission was not persuaded that placing a more intense industrial use inside a building was sufficient to mitigate impacts on nearby nonindustrial property. In addition, they felt that requiring a public hearing for certain uses was appropriate to allow neighbors to participate more easily and to allow specific uses to be more fully evaluated than can be done through the Design Review process or even no land use review, if the building is existing and a change of use is not significant enough to require Design Review.

**FINANCIAL IMPLICATIONS (current year and ongoing):** There are no quantified financial implications. It is possible that a more streamlined ZDO, including the repeal of some regulations, will reduce administrative costs to the county and compliance costs to the business community.

**LEGAL/POLICY REQUIREMENTS:** Legislative amendments to the Comprehensive Plan and ZDO must follow a process that is set forth in state law and/or the Plan and ZDO. The process followed for ZDO-243 (e.g., CPO notice, industrial property owner notice, newspaper notice, public hearings) is consistent with those requirements.

**PUBLIC/GOVERNMENTAL PARTICIPATION:**

Please refer to the attached memo to the Planning Commission, which details the outreach process followed thus far. No additional outreach is required beyond the public hearing scheduled for June 19; however, the Board can opt to direct staff to do additional outreach.

**OPTIONS:** Not applicable in the context of the study session. Following the public hearing, the Board may opt to accept the Planning Commission recommendation for amendments to the Comprehensive Plan and ZDO, adopt a modified set of amendments, or decline to amend.

**RECOMMENDATION:** None, this is an informational presentation only.

**ATTACHMENTS:**

- Industrial Lands Focus Group membership list
- CPOs/Hamlets/Villages/Interested Parties notice
- Memo to the Planning Commission dated May 16, 2013
- Table 602-1, which identifies the initial staff proposal for permitted uses in the BP, LI and GI zones and how it differs from the current ZDO
- Summary of Key Elements of Proposed Amendments to the BP, LI, GI and RI Zoning Districts
- Zoning maps of the urban industrial areas

**SUBMITTED BY:**

Division Director/Head Approval *Mike McCallister*  
Department Director/Head Approval *A. S. Cartmill 6-5-13*  
County Administrator Approval \_\_\_\_\_

For information on this issue or copies of attachments, please contact Jennifer Hughes @ 503-742-4518

State regulations limit the size of some industrial uses inside Unincorporated Communities (e.g., Boring, Mulino) to 40,000 square feet of building floor area but allow larger buildings for other uses (e.g., uses authorized under Goals 3 and 4, uses that require proximity to a rural resource). Currently the ZDO restricts more uses to the 40,000-square-foot standard than is required under state law. The staff proposal was to allow all of the exceptions provided for in the rule, except for one that requires an extensive Comprehensive Plan analysis of work force projections.

**Planning Commission Recommendation:** Allow manufacturing, warehousing, distribution and wholesale trade of all products. Do not allow additional opportunities to increase industrial building size inside Unincorporated Communities.

3. **Should the ZDO continue to regulate hazardous uses, or is it more appropriate to rely on regulatory authorities with more expertise in this area?** Currently the ZDO includes the following regulations related to hazardous uses in the BP, LI and GI zones:

- In the GI zone, enumerated hazardous uses are prohibited in the Clackamas River Principal River Conservation Area (within ¼ mile of the mean high water line)
- In the GI zone, Hazardous Substances Containment Review by the county Department of Water Environment Services is required for enumerated hazardous uses in the Clackamas River Principal River Conservation Area
- In the BP, LI and GI zones, storage or use of hazardous materials in quantities classified under Group H, Division 1 or Division 2 Occupancies under the Oregon Structural Specialty Code requires a conditional use permit
- Conditional use criterion in LI and GI zones: "Shall not create hazardous, or potentially hazardous, conditions which cannot be contained within the premises in the event of an accident involving hazardous materials or processes;"

Staff is concerned that these regulations are duplicative with other regulatory requirements (building code, fire code, Department of Environmental Quality, Environmental Protection Agency). As a practical matter, if a conditional use permit is filed for a hazardous use, the Planning & Zoning Division will coordinate with these other regulatory authorities and is likely to rely on their rules—rules that will apply regardless of the need for a conditional use permit. In addition, WES does not have an existing Hazardous Substances Containment Review process, rules to administer such a process, or plans to adopt such rules. Finally, there is a policy choice to be made: Is it appropriate to prohibit broad categories of industrial uses on prime industrial land?

**Planning Commission Recommendation:** Do not repeal the prohibition on hazardous uses within ¼ mile of the Clackamas River in the GI zone. Eliminate the reference to Water Environment Services but require Planning & Zoning to administer the substantive standard regarding containment of hazardous substances. Do not repeal the requirement for a conditional use permit for certain hazardous uses in the BP, LI and GI zones. Repeal the specific conditional use criterion related to hazardous conditions in the LI and GI zones and instead rely on the general conditional use criteria.

4. **Is it appropriate to regulate uses in the three major urban industrial zones (Business Park, Light Industrial and General Industrial) through performance standards rather than prohibiting certain uses in zones intended to be less intensive?** Historically the BP zone is the least intense of the three major urban industrial zones; LI is moderately intense; and GI is the most intense. These distinctions derive from three sources: allowed uses, development standards and the degree to which outdoor operations are permitted. The staff proposal was to more closely align the allowed uses and development standards (although they would not match exactly) between the three zones and retain the existing limits or prohibitions on outdoor operations (display, storage, processing) that vary between the three zones.

## Industrial Lands Focus Group

	Name	Profession	Company	Phone #	Email	Address
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2	Bill Avison	President	Avison Lumber Co.	W: (503) 946-6191 Fax: (503) 210-1200	<a href="mailto:bill@avison.com">bill@avison.com</a>	P.O. Box 439 Molalla, OR 97038
3	Matt Butts	Project Manager - Planning	Group Mackenzie	W: (503) 224-9560 H: (503) 722-4052 Fax: (503) 228-1285	<a href="mailto:mwbutts@gmail.com">mwbutts@gmail.com</a>	2345 Michael Drive West Linn, OR 97068 P.O. Box 14310 Portland, OR 97293
4	Terry Emmert	Business Owner	Emmert International	(503) 655-7191	<a href="mailto:t Emmert@emmertintl.com">t Emmert@emmertintl.com</a>	11811 SE Hwy 212 Clackamas OR 97015
5	Terry Hauck	Real Estate Lawyer	Schwabe, Williamson & Wyatt	(503) 796-2974 (503) 222-9981 Fax: (503) 796-2900	<a href="mailto:thauck@schwabe.com">thauck@schwabe.com</a>	PacWest Center 1211 SW Fifth Avenue, Suite 1900 Portland, OR 97204
6	Jim Rodrigues	Developer	ProLogis	(503) 276-7375 (971) 832-4877	<a href="mailto:jrodrigues@prologis.com">jrodrigues@prologis.com</a>	4380 SW Macadam Ave, Ste 285 Portland OR 97239
7	Stuart Skaug	Real Estate Broker/ Industrial	CBRE	(503) 221-4822	<a href="mailto:Stuart.skaug@cbre.com">Stuart.skaug@cbre.com</a>	CBRE 1300 SW Fifth Ave Portland, OR 97201
8	Dennis Vaughn	Owner - Vice President of Operations	Bob's Red Mill Natural Foods, Inc.	W: (971) 206-2236 C: 503-703-6436 Fax: (971) 206-1253	<a href="mailto:dennisV@bobsredmill.com">dennisV@bobsredmill.com</a> <a href="mailto:Julie@bobsredmill.com">Julie@bobsredmill.com</a>	13521 SE Pheasant Ct Milwaukie, Oregon 97222

## MEMORANDUM

**TO:** Community Planning Organizations, Hamlets, Villages and Other Interested Parties

**FROM:** Jennifer Hughes, Principal Planner

**DATE:** April 8, 2013

**SUBJECT:** File ZDO-243; Proposed Comprehensive Plan and ZDO Amendments: Year One of the ZDO "Audit"—**Focus on Industrial Lands**

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**Clackamas County is proposing amendments to the text of the Clackamas County Comprehensive Plan (Plan) and Zoning and Development Ordinance (ZDO). Because this amendment may affect your community or area of interest, we want to give you and your organization the opportunity to review and comment on the proposed changes before or at public hearings scheduled in front of the Planning Commission on May 13, 2013, and in front of the Board of County Commissioners on June 5, 2013.**

The Planning and Zoning Division is in the first year of a five-year "audit" of the ZDO. The ZDO, adopted in 1980, has been amended nearly 250 times since. As a result, the document has become somewhat unwieldy, and could benefit from a comprehensive reorganization and update. Goals of the audit project include: eliminating redundant and obsolete provisions, resolving inconsistencies, standardizing formatting and terminology, and reorganizing the document to improve ease of use and implementation by the public and staff. In addition to these "housekeeping" tasks, policy considerations will be addressed.

Industrial lands are the focus of year one of the ZDO audit. Amendments are proposed for the five sections of the ZDO that implement the county's industrial zones. Related amendments are proposed throughout the ZDO, and to the Plan, to ensure consistency. Although the emphasis is on industrial zones, the package includes an unrelated amendment regarding signs and amendments to the definitions section. The proposed Plan amendments are to Chapter 4 (Land Use) and Chapter 8 (Economics), and Map IV-8 (Urban Growth Concept). Substantial ZDO text amendments are proposed to Sections 602 (Light Industrial District), 603 (General Industrial District), 604 (Rural Industrial District) and 606 (Business Park District). Less substantive revisions are proposed to Section 601 (Campus Industrial District). Proposed changes to these sections have a ripple effect, requiring amendments to the following sections, due in some cases to proposals to consolidate related regulations in common locations: 503 (General Commercial District), 834 (Composting/Yard Debris Processing Facility), 1005 (Sustainable Site and Building Design), 1009 (Landscaping), 1010 (Signs), 1015 (Parking and Loading), 1016 (Multi-use Development), 1206 (Nonconforming Use), 1704 (Corridor Commercial District). Finally, amendments are proposed to Section 202, Definitions, to repeal obsolete definitions and amend

others that are out of sync with state law, and to Section 1010 to allow certain signs to locate in the front yard setback area. Throughout, housekeeping changes are proposed where warranted (correcting citations, formatting, etc.).

You are encouraged to review the draft amendments, posted on the county web site at <http://www.clackamas.us/planning/zdoproposed.html> However, highlights of the proposal are as follows:

- Consolidate Sections 602 (Light Industrial District), 603 (General Industrial District) and 606 (Business Park District) of the ZDO into one Section 602, regulating all three zones. No zone changes of individual properties are proposed.
- Expand the list of permitted uses in the Light Industrial, General Industrial and Business Park Districts and move some uses from the conditional use category to the primary use category. In particular: more uses are listed specifically, in lieu of the current allowance for “compatible use” determinations; most uses are proposed to be allowed in all three zones with limits or prohibitions on outdoor operations (display, storage, processing) that vary between the three zones as they do currently; retail and service uses catering to the general public are proposed to be primary uses (most are currently prohibited) within the square footage limits required by regional regulations and with prohibitions on drive-thrus and outdoor operations.
- Repeal land use regulations that restrict or prohibit certain hazardous uses in the Light Industrial, General Industrial and Business Park Districts because these uses are regulated in other ways (e.g., building code, fire code, Department of Environmental Quality regulations).
- Prohibit schools and limit parks and places of assembly in Regionally Significant Industrial Areas (RSIAs) in the Light Industrial, General Industrial and Business Park zones, as required by new regional regulations. (Currently the RSIA designation does not apply to any land zoned Business Park, however.)
- Modify dimensional standards (e.g., repeal the requirement to consolidate existing lots in the BP zone to achieve a minimum three-acre development site, reduce setbacks in some cases)
- Expand the permitted uses in the Rural Industrial District to allow all manufacturing, warehousing and distribution, and wholesale trade, rather than limiting these to only specific products, as is done currently.
- Allow increased building square footage for some categories of industrial uses in unincorporated communities (e.g., Boring, Mulino) consistent with the limitations of state law.
- Allow freestanding signs for service, recreational, and institutional uses to locate within the front yard setback area, as is allowed for virtually all other freestanding signs.
- Amend Comprehensive Plan Map IV-8 to add Regionally Significant Industrial Areas, previously designated by the Metropolitan Service District (Metro).

The Planning Commission public hearing will begin at 6:30 p.m., Monday, May 13, 2013, at the Development Services Building Auditorium, Rm. 115, 150 Beaver Creek Rd., Oregon City, to consider these amendments. **You are invited to attend the hearing and present oral comments to the Planning Commission. Typically, written correspondence received at least one week prior to the hearing will be included in the Planning Commission packets. Written testimony received after that time will be emailed to the Planning Commission, or provided to the Planning Commission on the evening of the hearing.**

The Board of County Commissioners will consider the Planning Commission's recommendations on the proposed amendments beginning at 9:30 a.m., Wednesday, June 5, 2013, at the Public Services Building, Board of County Commissioners Hearing Room, 2051 Kaen Rd., Oregon City. **Once again, you are invited to attend the hearing and present oral comments to the Commissioners. The Board will consider all written testimony submitted to the Planning Commission and will accept additional written testimony up to, and on the day of, the hearing.**

For additional information regarding these proposed amendments, please contact Jennifer Hughes at (503) 742-4518 or [jenniferh@co.clackamas.or.us](mailto:jenniferh@co.clackamas.or.us). The draft amendments are also available for review on the county web site at <http://www.clackamas.us/planning/zdoproposed.html>



MEMORANDUM

TO: Planning Commission  
FROM: Jennifer Hughes, Principal Planner  
RE: File ZDO-243, Zoning and Development Ordinance Audit—Year One  
DATE: May 16, 2013

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A number of concerns were raised by the Planning Commission during the May 13<sup>th</sup> public hearing on File ZDO-243. The purpose of this memo and the attachments is to respond to those concerns and to provide additional explanatory materials requested by the Commission for use at the continued public hearing on May 20, 2013.

Outreach

Some Planning Commissioners expressed dismay at a perceived lack of outreach or transparency regarding ZDO-243 and frustration that the proposal was not altered significantly as a result of Planning Commission feedback during a prior work session. Outreach included the following:

- BCC study session on retail and service uses in the urban industrial zones. BCC directed staff to consider the full range of options for allowing these uses.
- Article in *Citizen News* regarding the five-year ZDO audit, including a clear statement that the project would include policy choices about the balance between regulation and development opportunities. The article provided an opportunity to comment or to be added to the project contact list.
- Formation of an eight-member focus group of private-sector citizens with expertise in various aspects of industrial development, which held a series of four meetings to review the existing ZDO provisions for industrial lands and advise staff on possible amendments
- Planning Commission work session in mid-March, at which time staff raised several significant policy issues associated with this project. As noted in the approved minutes from the work session, staff advised the Planning Commission that the proposal discussed during the work session was likely to be similar to the proposal the Commission would see at the upcoming public hearing.

- Notice of the public hearings, a description of the proposal and a web link to the full proposal sent to all Community Planning Organizations, Hamlets and Villages, as well as a list of interested parties, in early April
- Individual property owner notice mailed to more than 400 owners of land zoned Light Industrial, General Industrial, Business Park or Rural Industrial
- Staff presentation or project update to three Community Planning Organizations (Eagle Creek, Boring and Oak Grove), the McLoughlin Area Plan Implementation Team, the North Clackamas Chamber of Commerce Manufacturers' Roundtable, the Clackamas County Economic Development Commission, and the Clackamas River Water Providers
- Coordination with Metro, the Cities of Milwaukie and Happy Valley, and the Department of Land Conservation and Development
- Posting of the proposal, including the notice of public hearings, on the Proposed Amendments section of the Planning & Zoning Division's website since early April
- Publishing in *The Oregonian* of a notice of the scheduled public hearings

### Permitted Uses

Several Planning Commissioners had significant reservations about the degree to which this proposal expands permitted uses in all industrial zones (except Campus Industrial) and decreases the differences between the uses allowed in the Light Industrial, General Industrial and Business Park Districts. By way of background, the format of proposed Table 602-1, *Permitted Uses in the BP, LI, and GI Districts*, is modeled after the approach taken in the City of Gresham's code. Staff reviewed industrial zoning district provisions in the codes of Washington County, Gresham, Wilsonville, Happy Valley and Milwaukie. The goal was to draft a comprehensive list of uses appropriate in industrial areas. The resulting list is more extensive and detailed than the current use lists in the ZDO. The proposal rests on two key concepts, each of which represents a policy choice for decision makers.

- The list of primary uses should be expanded in lieu of continuing to require land use applications for "compatible use" determinations. From an administrative standpoint, staff believes that it is preferable to decide upfront that certain uses are appropriate in one or more of the applicable industrial zones and clearly provide for those in the ZDO.
- The distinctions drawn by the ZDO between the three major urban industrial zones (Light Industrial, General Industrial and Business Park) can be maintained by continuing to limit levels of industrial activity that occur outdoors, rather than by outright prohibiting as many uses as are currently prohibited. For example, in the Light Industrial District, wrecking yards currently are prohibited, as is outdoor processing. However, under this proposal, wrecking could occur as a primary use in the LI zone, provided that it occurs inside, with only the limited outdoor storage already permitted in the zone.

### Additional Discussion Materials

The Commission requested that staff provide additional materials on the proposed changes to increase clarity. Because of the proposed restructuring of parts of the ZDO, it may be difficult to track the substance of the draft amendments. Attached are several documents that may be helpful.

- The draft of Table 602-1 with a column added for notes identifying the most substantive changes proposed to the various types of uses
- A list of key changes, organized by zone, proposed to the Business Park, Light Industrial, General Industrial and Rural Industrial sections of the ZDO
- Zoning maps that cover land zoned Business Park, Light Industrial and General Industrial. There will be a rural zoning map available for review during the continued public hearing, but in the meantime, you can review it online here:

[http://www.clackamas.us/planning/documents/ZoningFull\\_17Sept2012.pdf](http://www.clackamas.us/planning/documents/ZoningFull_17Sept2012.pdf)

The map is very large, so you will need to zoom and then pan in order to view individual Rural Industrial sites.

Please note that the drafts of the proposed code amendments, provided to you previously, are the most detailed and authoritative source regarding the proposal.

**Proposed Table 602-1 with Explanatory Notes**

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

Use	BP	LI	GI	Status of Use in Current ZDO
<p><b>A. Construction and Maintenance Contractors</b></p> <p>This category includes contractors engaged in construction and maintenance of buildings and their component parts (e.g., roofing, siding, windows), fencing, decking, building systems (e.g., plumbing, electrical, mechanical), landscaping, and infrastructure (e.g., roads, utilities). Also included are excavation contractors, building movers, pest control services, and janitorial services.</p>	P	P	P	Not explicitly provided for in BP, LI or GI
<p><b>B. Heavy Truck and Heavy Equipment Uses</b></p> <p>This category includes sales, rental, storage, repair, and servicing of heavy trucks such as dump trucks, moving trucks, and truck tractors; large construction equipment such as backhoes and bulldozers; large farm equipment such as tractors and combines; and large cargo trailers such as semitrailers. Sales, rental, storage, repair, and servicing of passenger vehicles, recreational vehicles, and boats are excluded from this category but are included in the “retail and professional services that cater to daily customers/retail commercial uses” category.</p>	P	P	P	Not explicitly provided for in BP, LI or GI, except that truck storage or repair is prohibited in BP and truck repair, maintenance, and fueling services are primary uses in GI
<p><b>C. Indoor Recreational Facilities</b></p> <p>This category includes indoor facilities for such sports as dance, gymnastics, martial arts, soccer, basketball, and skating. These facilities may be used for instruction, practice,</p>	P <sup>1</sup>	P <sup>1</sup>	P <sup>1</sup>	Primary use in BP, LI and GI, except there is no reference to “dance”

and competitions. Health and fitness clubs are excluded from this category but are included in the “retail and professional services that cater to daily customers/retail commercial uses” category.				
<p><b>D. Industrial Trade Schools</b></p> <p>This category includes training facilities whose primary purpose is to provide training to meet industrial needs. These facilities also may be referred to as technical schools, vocational schools, and career schools. Industrial trade schools provide training in such occupational skills as welding, operation and repair of industrial machinery, and truck driving.</p>	P	P	P	Business or vocational schools and college or university extension facilities are conditional uses in BP, LI and GI
<p><b>E. Information Services</b></p> <p>This category includes establishments engaged in producing and distributing information; providing the means to transmit or distribute these products, as well as data or communications; and processing data. Examples include publishing industries such as book, periodical, and software publishing; computer systems design; internet web search services; internet service providers; radio, television, motion picture, and recording studios; computer data storage services; optical scanning and imaging services; and financial transaction processing such as credit card transaction and payroll processing services. These businesses primarily serve other industries or deliver their products to the end user through means other than on-site pickup by the customer. Few general public customer visits per day are generated.</p>	P	P	P	Not explicitly provided for in BP, LI or GI, unless it qualifies as a permitted office use
<p><b>F. Manufacturing</b></p> <p>This category includes establishments engaged in the mechanical, physical, or chemical transformation of materials, substances, or components into new products, including the</p>	P	P	P	Manufacturing, except for primary processing of raw materials in BP, is a primary use in BP, LI and GI

<p>assembly of component parts. Examples of manufacturing include alternative energy development, biosciences, food and beverage processing, software and electronics production, and fabrication of products made from materials such as metal, glass, rubber, plastic, resin, wood, and paper.</p>				
<p><b>G. Miscellaneous Industrial Uses</b></p> <p>This category includes towing establishments, including storage of towed vehicles; wrecking and salvage of building materials, equipment, and vehicles; tire retreading and recapping; heating oil and solid fuel distributors; and large-scale laundry, dry-cleaning, and carpet cleaning plants. With the exception of towing establishments, these businesses primarily serve other industries or deliver their products and services to the end user through means other than on-site customer visits. Few general public customer visits per day are generated.</p>	P	P	P	<p>Not explicitly provided for in BP, LI or GI, except that “wrecking and salvage yards for building materials, autos, trucks, and other equipment” and “petroleum, coal, or other fuel storage, refining, reclaiming, distribution, and wholesale trade” are prohibited in BP and LI and conditional uses in GI</p>
<p><b>H. Offices</b></p> <p>This category includes administrative and corporate offices and call centers. These businesses primarily serve other industries or deliver their products and services to the end user through means other than on-site customer visits. Few general public customer visits per day are generated.</p>	P	P	P	<p>Corporate headquarters, regional headquarters and administrative offices are a primary use in BP, LI and GI</p>
<p><b>I. Repair and Servicing Uses</b></p> <p>This category includes large-scale repair and servicing of equipment, machinery, and other products. Examples include authorized service centers, welding shops and machine shops. Products are received from and returned to customers primarily by shipping or pickup/delivery by employees of the business. Few general public customer visits per day are generated.</p>	P	P	P	<p>Not explicitly provided for in BP, LI or GI</p>

<p><b>J. Research Facilities and Laboratories</b></p> <p>This category includes product research and development, product design and testing, medical research, and medical laboratories. Medical laboratories in this category primarily serve other industries or deliver their services to the end user through means other than on-site customer visits. Few general public customer visits per day are generated.</p>	P	P	P	<p>Research offices, laboratories and testing facilities are a primary use in BP, LI and GI</p>
<p><b>K. Retail and Professional Services that Cater to Daily Customers/Retail Commercial Uses</b></p> <p>This category includes the sale of goods and services to the general public. Examples of retail and professional services that cater to daily customers include sales, rental, storage, repair, and servicing of passenger vehicles, recreational vehicles, and boats; health and fitness clubs; daycare facilities; and financial, insurance, real estate, legal, medical, and dental offices. Examples of retail commercial uses include stores and restaurants. Sales of motor vehicle fuels are excluded from this category.</p>	p <sup>2</sup>	p <sup>2</sup>	p <sup>2</sup>	<p>Retail commercial uses, as well as service commercial uses catering to the general public on-site, are prohibited uses in BP, LI and GI, except that employment agencies, real estate offices specializing in commercial or industrial properties, and delicatessens, pastry shops, cafes, and takeout food services offering breakfast and/or lunch items are accessory uses in BP; destination restaurants that provide lunch service and “hotels and associated conventional facilities, gift shops, and restaurants” are conditional uses in BP; daycare facilities are a conditional use in BP and LI; and “auto repairing, overhauling, painting, washing, body and fender work, and reconditioning” are conditional uses in the GI zone</p>
<p><b>L. Transportation and Distribution</b></p> <p>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.</p>	P	P	P	<p>Warehouse and distribution facilities are a primary use in the LI and GI zones. Warehouse or storage structures are an accessory use in the</p>

<p>Examples include freight terminals, parcel delivery services, moving companies, and parking facilities for long-haul trucks. These uses often are associated with warehousing facilities. This category also includes parking, storage, repair, and servicing of fleet vehicles used for the transport of people. Examples include ambulance services and mass transit and school bus fleet facilities. This category also includes commercial motor vehicle fueling services, such as cardlock fueling stations; however, motor vehicle fueling stations that cater to the general public are prohibited.</p>				<p>BP zone, subject to stringent limitations. Motor freight terminals are prohibited in BP. Otherwise, the uses in this category are not explicitly provided for in BP, LI or GI.</p>
<p><b>M. Utility Carrier Cabinets, subject to Section 830</b></p>	P	P	P	<p>Accessory use in the BP, LI and GI zones</p>
<p><b>N. Warehousing</b></p> <p>This category includes establishments primarily engaged in operating warehousing facilities for general merchandise, refrigerated goods, and other products and materials that have been manufactured and generally are being stored in anticipation of delivery to the final customer. A range of logistical services may be provided, including labeling, packaging, price marking and ticketing, and transportation arrangement. Mini-storage facilities are not included in this category.</p>	P	P	P	<p>Warehouse and distribution facilities are a primary use in the LI and GI zones. Warehouse or storage structures are an accessory use in the BP zone, subject to stringent limitations.</p>
<p><b>O. Wholesale Trade</b></p> <p>This category includes establishments engaged in selling and distributing goods and services to retailers; to industrial, commercial, or professional business users; or to other wholesalers, generally without transformation. Wholesalers sell goods and services to other businesses, not the general public.</p>	P	P	P	<p>Warehouse and distribution facilities are a primary use in the LI and GI zones. Warehouse or storage structures are an accessory use in the BP zone, subject to stringent limitations. There are no explicit references to wholesale trade.</p>
<p><b>P. Wireless Telecommunication Facilities, subject to</b></p>	P	P	P	<p>Same as proposed</p>



<b>Section 835</b>				
<b>Q. Accessory Uses, except accessory dwelling units, listed in Section 301, <i>Urban Low Density Residential Districts</i>, provided that such uses are accessory to a single-family dwelling that is a nonconforming use</b>	A	A	A	Detached accessory structures to existing dwelling units are prohibited in the LI and GI zones. Other accessory uses to existing dwellings are not explicitly provided for in LI or GI. Not explicitly provided for in BP.
<b>R. Bus Shelters, subject to Section 823</b>	A	A	A	Same as proposed
<b>S. Cogeneration Facilities</b>	A	A	A	Accessory use in LI and GI. Not explicitly provided for in BP.
<b>T. Electric Vehicle Charging Stations</b>	A	A	A	Same as proposed
<b>U. Employee Amenities, such as clinics, daycare facilities, lounges, cafeterias, and recreational facilities</b>	A	A	A	Employee lounges, indoor recreation areas and facilities and cafeterias are accessory uses in the BP, LI and GI zones. Outdoor recreational facilities for employees, such as tennis courts, jogging and exercise courses, playfields, and similar uses are accessory uses in the BP, LI and GI zones.
<b>V. Level One Mobile Vending Units, subject to Section 837</b>	A	A	A	Same as proposed
<b>W. Parking, Storage, Repair, and Servicing of Fleet Vehicles</b>	A	A	A	Not explicitly provided for in the BP, LI or GI zone
<b>X. Parking Structures</b>	A	A	A	Same as proposed
<b>Y. Pedestrian Amenities</b>	A	A	A	Same as proposed
<b>Z. Rainwater Collection Systems</b>	A	A	A	Same as proposed
<b>AA. Satellite Dishes</b>	A	A	A	Accessory use in BP, LI and GI but explicitly requires buffering from

				periphery and internal circulation roads in BP
<b>BB. Signs, subject to Section 1010</b>	A <sup>3</sup>	A <sup>3</sup>	A <sup>3</sup>	Same as proposed, except that temporary signs are accessory rather than primary as proposed
<b>CC. Solar Energy Systems</b>	A	A	A	Same as proposed
<b>DD. Temporary Buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of the construction work.</b>	A	A	A	Same as proposed
<b>EE. Temporary Storage within an enclosed structure of source-separated recyclable/reusable materials generated and/or used on-site prior to on-site reuse or removal by the generator or licensed or franchised collector to a user or broker</b>	A	A	A	Same as proposed
<b>FF. Warehouse Event Sales</b>	A <sup>4</sup>	A <sup>4</sup>	A <sup>4</sup>	Accessory use in LI and GI. Not explicitly provided for in BP.
<b>GG. Arenas, Exhibition Halls, and Stadiums</b>	C <sup>1</sup>	C <sup>1</sup>	C <sup>1</sup>	Indoor or outdoor arenas and stadiums are conditional uses in BP, LI and GI
<b>HH. Composting Facilities, subject to Section 834</b>	X	C	C	Same as proposed
<b>II. Electrical Power Production Facilities</b>	X	X	C	Same as proposed
<b>II. Government and Special District Uses</b>	C <sup>5,6</sup>	C <sup>5,6</sup>	C <sup>5,6</sup>	City, county, state, federal, or municipal corporation uses or buildings and fire stations are a conditional use in BP, LI and GI
<b>JJ. Heliports</b>	C	C	C	Same as proposed
<b>KK. Outdoor Display of Products, subject to Subsection 602.05(B)</b>	X	C	A	Same as proposed

<b>SS. Outdoor Entertainment Facilities, including amusement parks, circuses, carnivals, drive-in theatres, and racetracks for automobiles, dogs, horses, and motorcycles</b>	X	X	C	Changed from "outdoor amusements". Otherwise, same as proposed.
<b>LL. Outdoor Storage Areas larger than allowed by Subsection 602.05(C)(1), provided that such storage is associated with a permitted use</b>	X	C	A	Same as proposed
<b>MM. Public Utility Facilities</b>	C	C	C	Same as proposed
<b>NN. 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</b>	C	C	C	Same as proposed
<b>OO. Recycling Centers and Transfer Stations, subject to Section 819</b>	X	C	P	Same as proposed
<b>PP. Surface Mining, subject to Section 818</b>	X	C	C <sup>1</sup>	Same as proposed
<b>QQ. Telephone Exchanges</b>	C	C	C	Same as proposed

Notes to Table 602-1:

- <sup>1</sup> In Regionally Significant Industrial Areas identified on Comprehensive Plan Map IV-8, *Urban Growth Concept*, places of assembly shall not exceed 20,000 square feet.
- <sup>2</sup> These uses shall be conducted entirely within a building. Drive-thru window service facilities are prohibited. In Regionally Significant Industrial Areas identified on Comprehensive Plan Map IV-8, building floor area associated with each use shall not exceed 3,000 square feet, and the total building floor area of all such uses in the same development project shall not exceed 20,000 square feet. Notwithstanding these limitations, the lawful use of any structure or land as of (*insert effective date of ZDO-243*) may continue and expand to add up to 20 percent more building floor area. Outside Regionally Significant Industrial Areas identified on Comprehensive Plan Map IV-8, the same standards shall apply, except that the single-use limit is 5,000 square feet of building floor area. However, the building floor area limitations do not apply to the following uses in the BP District: destination

restaurants that comply with Subsection 1016.05(B)(4) and provide lunch service; and hotels and associated convention facilities, gift shops, and restaurants.

- 3 Temporary signs regulated under Subsection 1010.13(A) are a primary use.
- 4 Warehouse event sales are permitted if the products being sold at the event sale are manufactured, warehoused, or distributed as a primary use on the subject property; no more than one event sale occurs each calendar month; a single event sale lasts a maximum of three consecutive days, which shall be Friday, Saturday, Sunday, or Monday; and the event sales occur indoors.
- 5 A government or special district use is a conditional use only if the proposed use does not also fall within one of the categories identified as a primary or accessory use in the applicable zoning district.
- 6 In Regionally Significant Industrial Areas (RSIAs) identified on Comprehensive Plan Map IV-8, parks—intended to serve people other than those working or residing in the RSIA—and schools are prohibited.
- 7 Aggregate batch plant operations are a primary use in the GI zoning district.

## Summary of Key Elements of Proposed Amendments to the Business Park Zoning District

### Primary Uses

- Repeal “compatible use determination” process, which requires the filing of a land use application, in favor of explicitly listing more permitted uses. “Authorization of similar use” process (applies in all commercial and industrial zones) will remain in place.
- Identify **Construction and Maintenance Contractors** as a primary use. Currently would require “compatible use determination”.
- Identify **Heavy Truck and Heavy Equipment Uses** as a primary use. Currently would require “compatible use determination”.
- Add dance facilities to the list of **Indoor Recreational Facilities** permitted as a primary use for instruction, practice and competitions
- Change reference from “business or vocational schools and college or university extension facilities” to **Industrial Trade Schools** with an expanded description of same. Change from a conditional use to a primary use.
- Identify **Information Services** as a primary use. Currently would require “compatible use determination” unless it qualified as a permitted office use.
- Identify **Miscellaneous Industrial Uses** as a primary use. Currently would require “compatible use determination” for most of these uses. “Wrecking and salvage yards for building materials, autos, trucks, and other equipment” and “petroleum, coal, or other fuel storage, refining, reclaiming, distribution, and wholesale trade” currently are prohibited.
- Identify **Repair and Servicing Uses** as a primary use. Currently would require “compatible use determination”.
- Allow **Retail and Professional Services that Cater to Daily Customers/Retail Commercial Uses** as a primary use with limits on floor area and prohibitions on sale of motor vehicle fuels, drive-thrus and outdoor operations. Currently these uses are prohibited, except that employment agencies, real estate offices specializing in commercial or industrial properties, and delicatessens, pastry shops, cafes, and takeout food services offering breakfast and/or lunch items are accessory uses and daycare facilities, destination restaurants that provide lunch service, and “hotels and associated convention facilities, gift shops, and restaurants” are conditional uses. Also, uses similar to the listed ones could be authorized through a land use application.

- Identify **Transportation and Distribution, Warehousing, and Wholesale Trade** as primary uses. Currently warehouse or storage structures are an accessory use in the BP zone, subject to stringent limitations but it is not clear what the scope of the allowed use is. Also, there is no clear allowance for wholesale services.
- Change **Utility Carrier Cabinets** from an accessory use to a primary use
- Change **Temporary Signs** from an accessory use to a primary use

### Accessory Uses

- Allow **Uses Accessory to a Single-Family Dwelling**, if a single-family dwelling lawfully exists on the property
- Allow **Cogeneration Facilities**
- Expand the list of **Employee Amenities** allowed as an accessory use
- Allow **Parking, Storage, Repair, and Servicing of Fleet Vehicles**
- Change **Temporary Signs** from an accessory use to a primary use and repeal special allowance for signs identifying the developer, contractor, or real estate agency, due to free speech concerns
- Allow **Warehouse Event Sales**
- Repeal the accessory use category of **Indoor Areas for Display and Sale**. Instead, wholesale display/sale would be a primary use without building floor area limits and retail display/sale would be a primary use with building floor area limits

### Conditional Uses

- Add **Exhibition Halls**. Arenas and stadiums already are conditional uses.
- Repeal requirement to obtain a conditional use permit to **store or use hazardous materials** in quantities classified under Group H, Division 1 or Division 2 Occupancies under the Oregon Structural Specialty Code
- Daycare facilities, destination restaurants and hotels/associated facilities would be primary uses instead of conditional uses
- Repeal requirement to obtain a conditional use permit for **railroad right-of-way**
- Repeal "**multi-use developments**, subject to Section 1016" because 1016 does not apply to the BP zone and there is no way to review/regulate one of these developments without Section 1016 provisions
- Repeal the zone-specific conditional use criteria. Section 1203 includes conditional use criteria that apply in this zone.

## Prohibited Uses

- **Military Reservations and Associated Uses** are currently explicitly prohibited but would be a conditional use under the category of **Government and Special District Uses**

## Dimensional Standards

- Repeal three-acre minimum development site area standard, in order to allow existing undersized lots of record to develop without consolidation with adjacent underdeveloped properties
- Reduce minimum front setback from 30 feet, with increases for building height, to 20 feet and align minimum side and rear yard setbacks with LI zone standards
- Repeal 20-foot minimum separation between buildings on a single site and between buildings and internal driveways
- Repeal street frontage requirement because adequate access via private road is addressed through Section 1007 and the County Roadway Standards
- Reduce minimum landscaping area from 20 percent of the lot to 15 percent of the lot, the same as currently applies in the LI and GI zones
- Repeal maximum building height standard of 55 feet. No height limit applies in the LI or GI zones.

## Summary of Key Elements of Proposed Amendments to the Light Industrial Zoning District

### Primary Uses

- Repeal “compatible use determination” process, which requires the filing of a land use application, in favor of explicitly listing more permitted uses. “Authorization of similar use” process (applies in all commercial and industrial zones) will remain in place.
- Identify **Construction and Maintenance Contractors** as a primary use. Currently would require “compatible use determination”.
- Identify **Heavy Truck and Heavy Equipment Uses** as a primary use. Currently would require “compatible use determination”.
- Add dance facilities to the list of **Indoor Recreational Facilities** permitted as a primary use for instruction, practice and competitions
- Change reference from “business or vocational schools and college or university extension facilities” to **Industrial Trade Schools** with an expanded description of same. Change from a conditional use to a primary use.
- Identify **Information Services** as a primary use. Currently would require “compatible use determination” unless it qualified as a permitted office use.
- Identify **Miscellaneous Industrial Uses** as a primary use. Currently would require “compatible use determination” for most of these uses. “Wrecking and salvage yards for building materials, autos, trucks, and other equipment” and “petroleum, coal, or other fuel storage, refining, reclaiming, distribution, and wholesale trade” currently are prohibited.
- Identify **Repair and Servicing Uses** as a primary use. Currently would require “compatible use determination”.
- Allow **Retail and Professional Services that Cater to Daily Customers/Retail Commercial Uses** as a primary use with limits on floor area and prohibitions on sale of motor vehicle fuels, drive-thrus and outdoor operations. Currently these uses are prohibited, except that daycare facilities are conditional uses.
- Identify **Transportation and Distribution, Warehousing, and Wholesale Trade** as primary uses. Currently “warehouse and distribution facilities” are a primary use, but it is not clear what the scope of the allowed use is. Also, there is no clear allowance for wholesale services.
- Change **Utility Carrier Cabinets** from an accessory use to a primary use
- Change **Temporary Signs** from an accessory use to a primary use



## Accessory Uses

- Allow **Uses Accessory to a Single-Family Dwelling**, if a single-family dwelling lawfully exists on the property
- Expand the list of **Employee Amenities** allowed as an accessory use
- Allow **Parking, Storage, Repair, and Servicing of Fleet Vehicles** as an accessory use
- Change **Temporary Signs** from an accessory use to a primary use and repeal special allowance for signs identifying the developer, contractor, or real estate agency, due to free speech concerns
- Repeal two accessory use categories of **Indoor Areas for Display and Sale**. Instead, wholesale display/sale would be a primary use without building floor area limits and retail display/sale would be a primary use with building floor area limits

## Conditional Uses

- Add **Exhibition Halls** as a conditional use. Arenas and stadiums already are conditional uses.
- Repeal requirement to obtain a conditional use permit to **store or use hazardous materials** in quantities classified under Group H, Division 1 or Division 2 Occupancies under the Oregon Structural Specialty Code
- Daycare facilities would be primary uses instead of conditional uses, subject to building floor area limits
- Repeal requirement to obtain a conditional use permit for **railroad right-of-way**
- Repeal the zone-specific conditional use criteria. Section 1203 includes conditional use criteria that apply in this zone.

## Prohibited Uses

- **Military Reservations and Associated Uses** are currently explicitly prohibited but would be a conditional use under the category of **Government and Special District Uses**
- Under the revised format, **New Dwelling Units** would no longer be listed as a prohibited use, because uses that are not explicitly allowed in any of the three zones are not listed. Instead there is a general statement that a use is allowed only if listed in the table or approved as a "similar use" under a land use application process.
- In Regionally Significant Industrial Areas, prohibit places of public assembly greater than 20,000 square feet, parks—intended to serve people other than those working or residing in the RSIA—and schools

## Dimensional Standards

- Repeal minimum 20-foot side and rear yard setback adjacent to Business Park zone. Note that currently the LI zone abuts the BP zone only where property is separated by I-205, Lawnfield Road, or a railroad right-of-way.
- Repeal street frontage requirement because adequate access via private road is addressed through Section 1007 and the County Roadway Standards

## Summary of Key Elements of Proposed Amendments to the General Industrial Zoning District

### Primary Uses

- Repeal “compatible use determination” process, which requires the filing of a land use application, in favor of explicitly listing more permitted uses. “Authorization of similar use” process (applies in all commercial and industrial zones) will remain in place.
- Identify **Construction and Maintenance Contractors** as a primary use. Currently would require “compatible use determination”.
- Identify **Heavy Truck and Heavy Equipment Uses** as a primary use. Currently would require “compatible use determination”, except for truck repair, maintenance, and fueling services, which are a primary use.
- Add dance facilities to the list of **Indoor Recreational Facilities** permitted as a primary use for instruction, practice and competitions
- Change reference from “business or vocational schools and college or university extension facilities” to **Industrial Trade Schools** with an expanded description of same. Change from a conditional use to a primary use.
- Identify **Information Services** as a primary use. Currently would require “compatible use determination” unless it qualified as a permitted office use.
- Identify **Miscellaneous Industrial Uses** as a primary use. Currently would require “compatible use determination” for most of these uses. “Wrecking and salvage yards for building materials, autos, trucks, and other equipment” and “petroleum, coal, or other fuel storage, refining, reclaiming, distribution, and wholesale trade” currently are conditional uses.
- Identify **Repair and Servicing Uses** as a primary use. Currently would require “compatible use determination”.
- Allow **Retail and Professional Services that Cater to Daily Customers/Retail Commercial Uses** as a primary use with limits on floor area and prohibitions on sale of motor vehicle fuels, drive-thrus and outdoor operations. Currently these uses are prohibited, except that “auto repairing, overhauling, painting, washing, body and fender work, and reconditioning” are conditional uses.
- Identify **Transportation and Distribution, Warehousing, and Wholesale Trade** as primary uses. Currently “warehouse and distribution facilities” are a primary use, but it is not clear what the scope of the allowed use is. Also, there is no clear allowance for wholesale services.
- Change **Utility Carrier Cabinets** from an accessory use to a primary use
- Change **Temporary Signs** from an accessory use to a primary use

## Accessory Uses

- Allow **Uses Accessory to a Single-Family Dwelling**, if a single-family dwelling lawfully exists on the property
- Expand the list of **Employee Amenities** allowed as an accessory use
- Allow **Parking, Storage, Repair, and Servicing of Fleet Vehicles** as an accessory use
- Change **Temporary Signs** from an accessory use to a primary use and repeal special allowance for signs identifying the developer, contractor, or real estate agency, due to free speech concerns
- Repeal two accessory use categories of **Indoor Areas for Display and Sale**. Instead, wholesale display/sale would be a primary use without building floor area limits and retail display/sale would be a primary use with building floor area limits

## Conditional Uses

- Add **Exhibition Halls** as a conditional use. Arenas and stadiums already are conditional uses.
- Repeal requirement to obtain a conditional use permit to **store or use hazardous materials** in quantities classified under Group H, Division 1 or Division 2 Occupancies under the Oregon Structural Specialty Code
- Repeal requirement to obtain a conditional use permit for **railroad right-of-way**
- **“Auto repairing, overhauling, painting, washing, body and fender work, and reconditioning”** would be a primary use but if offered as a service to the general public, it would have building floor area limits and a prohibition on outdoor operations.
- **Military Reservations and Associated Uses** would be included under the category of **Government and Special District Uses** rather than being listed separately
- Repeal the zone-specific conditional use criteria. Section 1203 includes conditional use criteria that apply in this zone.

## Prohibited Uses

- Under the revised format, **New Dwelling Units** would no longer be listed as a prohibited use, because uses that are not explicitly allowed in any of the three zones are not listed. Instead there is a general statement that a use is allowed only if listed in the table or approved as a “similar use” under a land use application process.
- In Regionally Significant Industrial Areas, prohibit places of public assembly greater than 20,000 square feet, parks—intended to serve people other than those working or residing in the RSIA—and schools.

## Dimensional Standards

- Repeal minimum 35-foot side and rear yard setback, with increases for greater building height, adjacent to Business Park zone. Note that currently the GI zone does not abut the BP zone.
- Reduce minimum side and rear yard setback adjacent to commercial or mixed use zone from 35 feet, with increases for greater building height, to 15 feet
- Cap minimum side and rear yard setback at 35 feet adjacent to residential and open space zones, rather than adding additional setback for building height over 35 feet
- Notwithstanding previous three bullet points, current setback requirements for silos, towers or other specialized storage or processing structures located outside buildings would remain
- Repeal street frontage requirement because adequate access via private road is addressed through Section 1007 and the County Roadway Standards

## Hazardous Uses in the Clackamas River Principal River Conservation Area

- Repeal requirement for Hazardous Substances Containment Review by Water Environment Services for the following uses:
  - Petroleum storage containers for the exclusive use of on-site fleet vehicle fueling and maintenance and emergency generators
  - Uses that roll, draw, extrude, cast, forge, heat treat, electroplate, plate, anodize, or color ferrous and non-ferrous metals
  - Manufacture and production of paving, roofing, and other construction materials, using asphaltic and petroleum-based coatings and preserving materials
  - Uses that utilize hazardous substances in less than bulk plant quantities

WES does not have this review process in place, or rules for implementing such a review.
- Repeal prohibition on the following uses:
  - Manufacture and production of hazardous materials (chemicals listed in SARA TITLE III) and nuclear and radioactive materials
  - Uses which use hazardous materials at the bulk plant quantity level

- Uses in the waste-related category and waste collection and transfer facilities that involve hazardous materials
- Salvage and wrecking yards for building materials, autos, trucks, and other equipment
- Wood processing/treatment and composites that include chemical treatment including sap staining (Chromium-Copper-Arsenate [CCA], Creosote, pentachlorophenol [PENTA], furniture stripping or refinishing, and related chemicals)
- Battery recycling or reprocessing operations;
- Operations that process, reprocess, collect, or store oils containing polychlorinated biphenyls (PCB);
- Manufacture/production of petroleum base construction materials (tars, creosote);
- Outdoor vehicle salvage, drum container recycling and cleaning, or cleaning operations for commercial truck tankers or rail tankers;
- Industrial and commercial dry cleaning plants that use solvents; and
- Sewage treatment plants

## Summary of Key Elements of Proposed Amendments to the Rural Industrial Zoning District

### Primary Uses

- Expand list of permitted **Construction and Maintenance Contractors** rather than relying on interpretation of “similar rural activities”
- Add dance facilities to the list of **Indoor Recreational Facilities** permitted as a primary use for instruction, practice and competitions
- Remove “small-scale” from the **Light Metal and Fiberglass Fabrication** category. Otherwise, an interpretation through a land use application is required to determine the meaning of “small-scale”, if such a business is proposed.
- Add **Manufacturing, Warehousing and Distribution, and Wholesale Trade** with more detailed descriptions and no limit on the type of product, except where specifically listed as a conditional use. Currently only the following are explicitly allowed, and uses involving other products would require a land use application for Authorization of a Similar Use:
  - Primary processing, packaging, treatment, bulk storage, and wholesale distribution of agricultural products, including foodstuffs, animal and fish products, and animal feeds; ornamental horticultural products; softwood and hardwood products; and sand, gravel, clay, and other mineral products
  - Cabinet making, carpentry, and other woodcraft manufacturing, storage, and wholesale distribution
  - Ceramics, pottery, stained glass, leatherwork, jewelry, and similar crafts manufacturing, storage, and wholesale distribution
  - Wholesale lumber and building materials sales
  - Production of renewable fuel resources such as alcohol, methanol, and biomass for wholesale distribution
- Allow **Repair of Motor Vehicles** rather than just repair of autos, motorcycles and trucks. Currently repair of other motor vehicles would require a land use application for Authorization of a Similar Use
- Add “rental” to the category of **Sales, Rental, Storage, Repair, and Servicing** of equipment and materials associated with farm and forest uses, road maintenance, mineral extraction, construction, and similar rural activities
- Change **Utility Carrier Cabinets** from an accessory use to a primary use

- Change **Temporary Signs** from an accessory use to a primary use

### Accessory Uses

- Allow **Uses Accessory to a Single-Family Dwelling**, if a single-family dwelling lawfully exists on the property
- Change “electric” cogeneration facilities to **Cogeneration Facilities**
- Allow **Employee Amenities**, such as clinics, daycare facilities, lounges, cafeterias, and recreational facilities
- Allow **Parking, Storage, Repair, and Servicing of Fleet Vehicles**
- Allow **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. The existing text—“Incidental retail sales of products that are allowed, as a primary or conditional use, to be assembled, stored, manufactured, and distributed on a wholesale basis”—is confusing and its intent unclear.
- Allow **Satellite Dishes**
- Repeal **Uses and structures customarily accessory and incidental to a primary or conditional use** because the exercise of discretion in making that determination requires a land use application, also provided for under Authorization of Similar Uses

### Conditional Uses

- Allow **Heliports**
- Allow manufacturing, transportation, distribution, warehousing, and wholesale trade (the standard terms used in the primary use category and in the proposed amendments to the other industrial zones) of explosive materials and devices, fertilizer, natural gas, pesticides, petroleum, and petroleum products. Currently the permitted uses are listed as follows:
  - Compost, fertilizer, and pesticides manufacturing, processing, packaging, bulk storage, and wholesale distribution
  - Storage and processing of explosive materials and devices
  - Petroleum, petroleum products, and natural gas storage and wholesale distribution

Due to the proposed changes to the primary uses related to manufacturing, etc., it is important to list each term here as well, or those activities will become primary uses for these products.

- Repeal the zone-specific conditional use criteria. Section 1203 includes conditional use criteria that apply in this zone.




































## Dimensional Standards

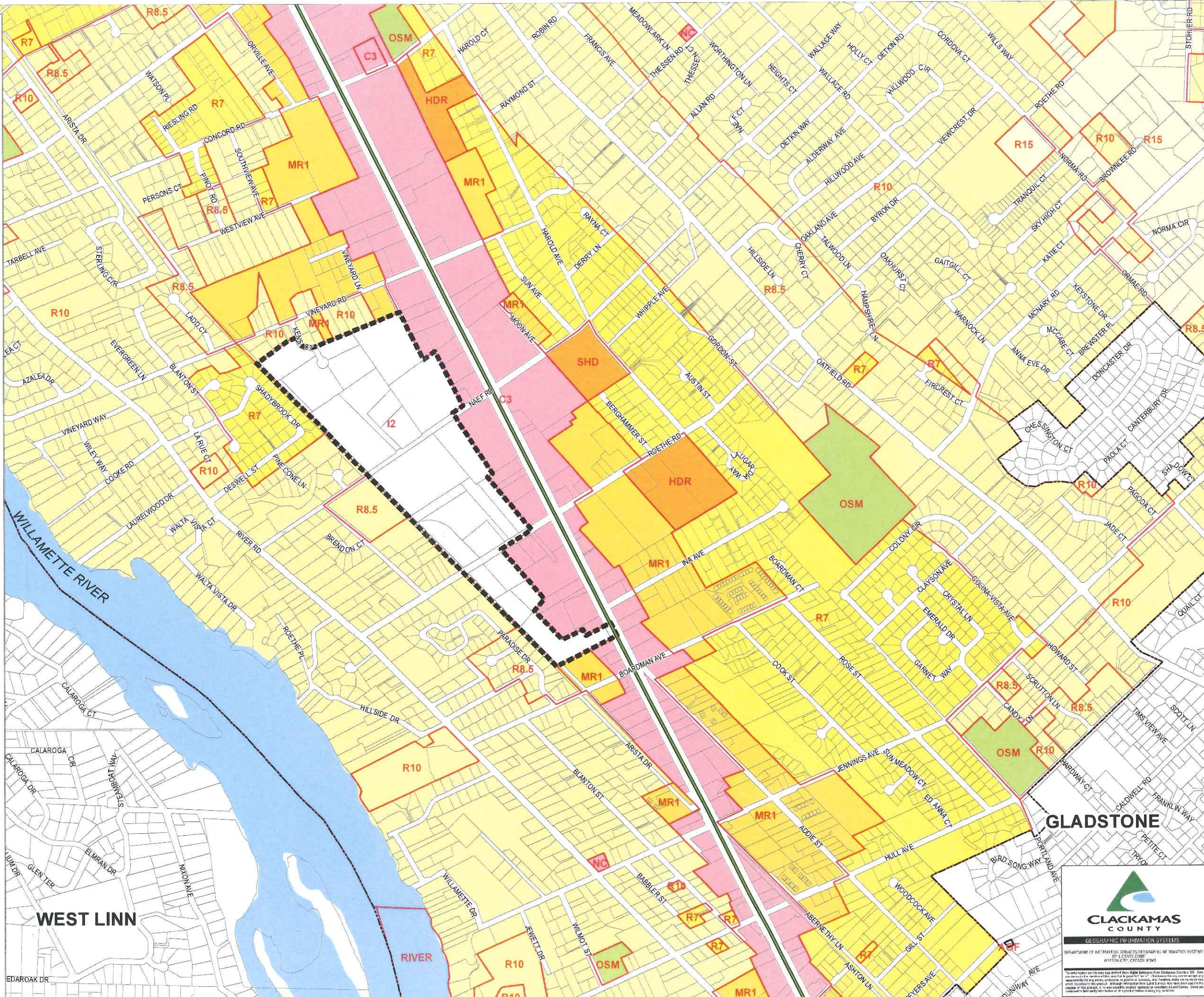

- Repeal street frontage requirement because adequate access via private road is addressed through Section 1007 and the County Roadway Standards
- Repeal the maximum building floor area per use (40,000 square feet) inside unincorporated communities, to the degree allowed by state law



# Roethe Road

## Unincorporated Clackamas County Urban Industrial Lands - File ZDO-243

-  Project Area
-  City Boundaries
-  Clackamas County Boundary
-  Urban Growth Boundary
-  Timber District (TBR)
-  Ag. / Forest District (AGF)
-  Exclusive Farm Use (EFU)
-  Future Urban (FU-10)
-  Recreational Residential 2 ac (RR)
-  Rural Res./Farm/Forest 5 ac (RRFF-5)
-  Farm-Forest 10 acre (FF-10)
-  Urban Low Density Residential (R-15, R-20, R30)
-  Urban Low Density Residential (R-8.5, R-10)
-  Urban Low Density Residential (2.5 to 7 acres) (R-2.5, R-5, R-7)
-  Village Small Lot Res. (4/5000 sq. ft.) (VR-4/5)
-  Village Standard Lot (5/7000 sq. ft.) (VR-5/7)
-  Medium Density Residential (MR-1)
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-  Planned Medium Density Residential (PMD)
-  Village Townhouse (VTH)
-  High Density Residential (HDR)
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**CLACKAMAS COUNTY**  
GEOGRAPHIC INFORMATION SYSTEMS































DEPARTMENT OF DEVELOPMENT SERVICES GEOGRAPHIC INFORMATION SYSTEMS  
10000 NE CENTURY COURT  
GRESHAM, OREGON 97030

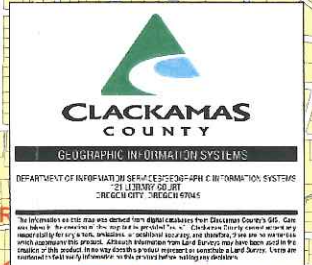
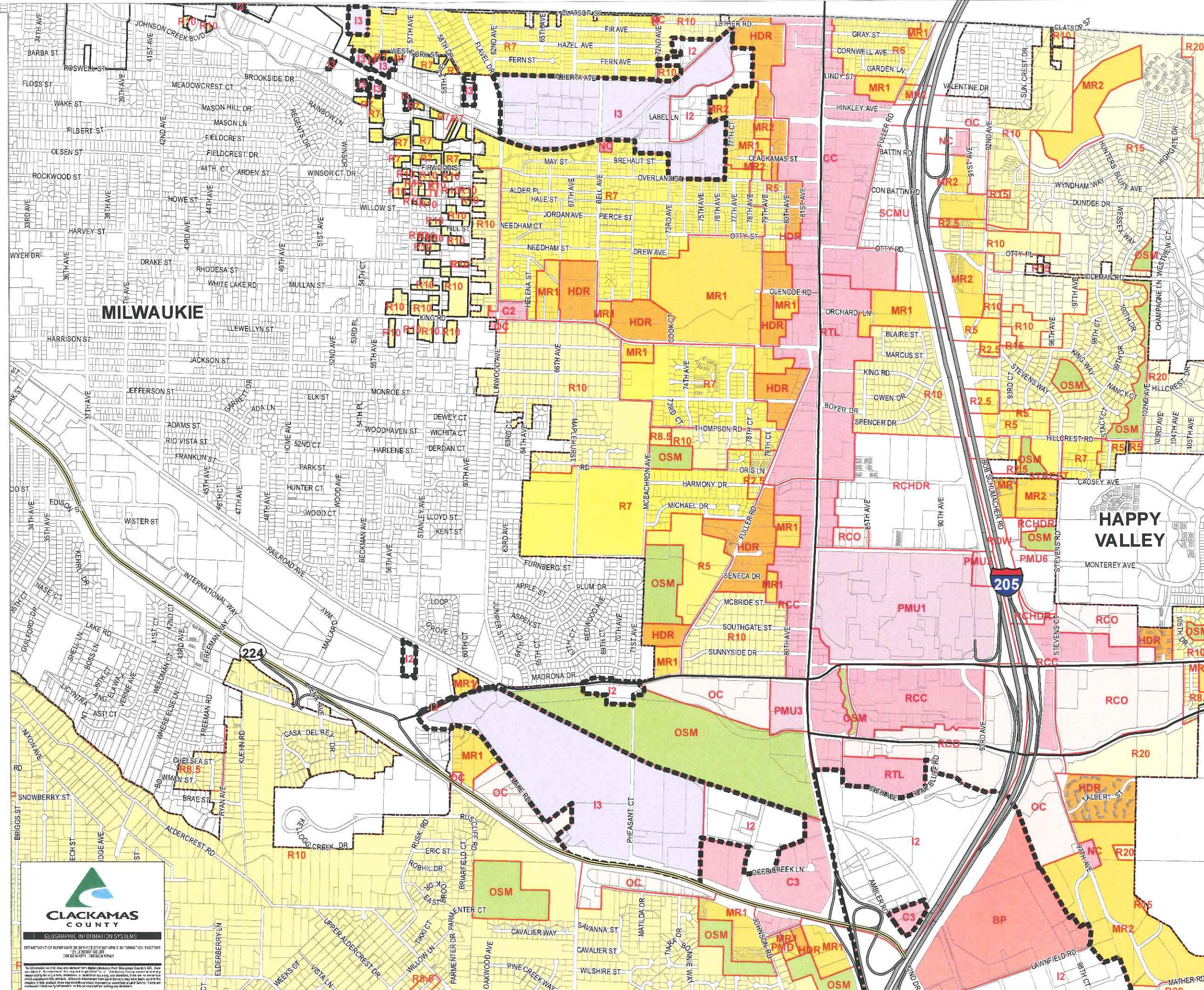
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# Johnson Creek / Milwaukie

## Unincorporated Clackamas County Urban Industrial Lands - File ZDO-243


































-  Project Area
-  City Boundaries
-  Clackamas County Boundary
-  Urban Growth Boundary
-  Timber District (TBR)
-  Ag. / Forest District (AGF)
-  Exclusive Farm Use (EFU)
-  Future Urban (FU-10)
-  Recreational Residential 2 ac (RR)
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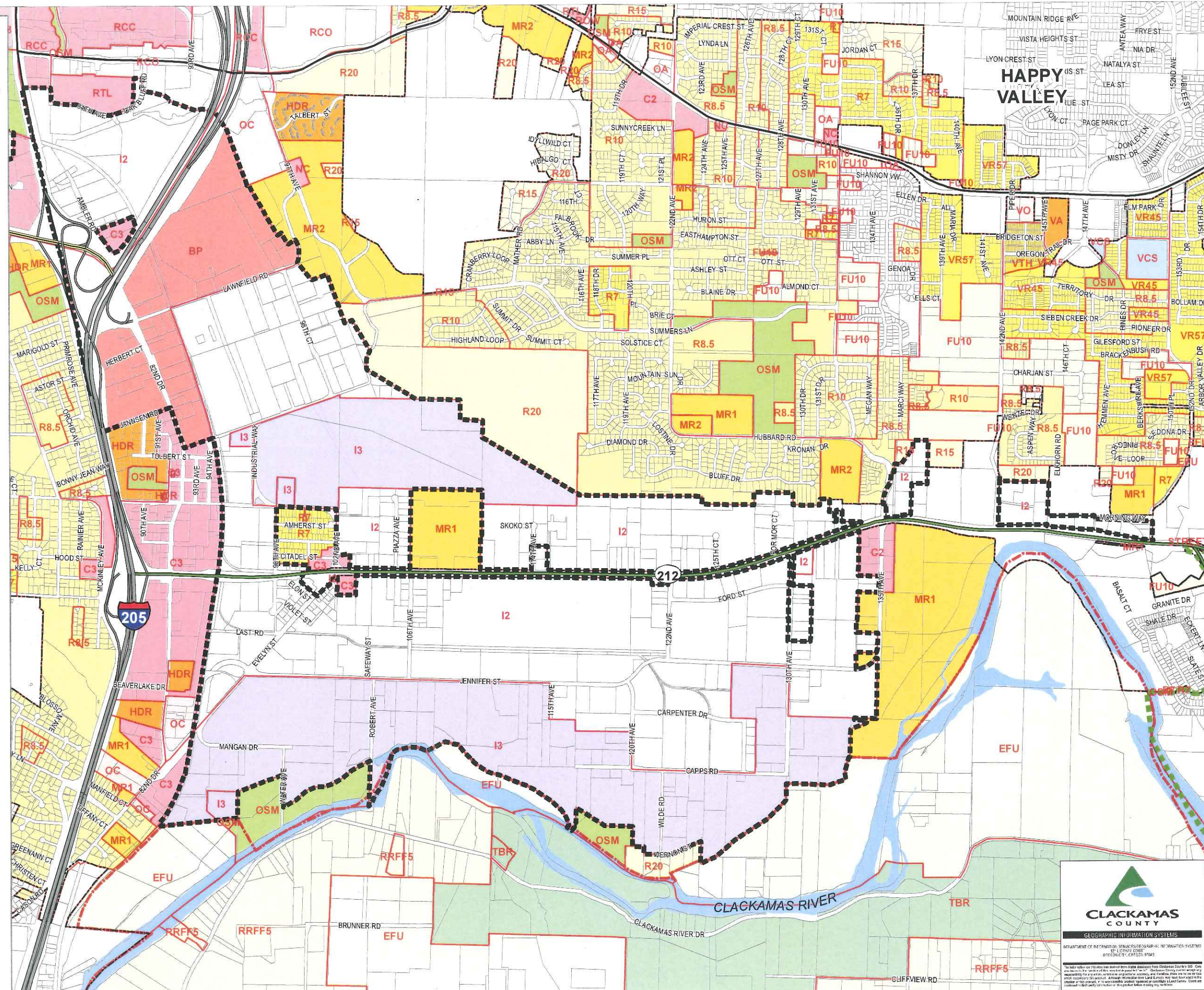





# HWY 212 - 224

## Unincorporated Clackamas County Urban Industrial Lands - File ZDO-243

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**HAPPY VALLEY**



**CLACKAMAS COUNTY**  
GEOGRAPHIC INFORMATION SYSTEMS

DEPARTMENT OF INFORMATION SERVICES/GEOGRAPHIC INFORMATION SYSTEMS  
BY: COUNTY COURIER  
03/20/2014, 09:55:15 AM

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