



Staff Report

File #: 22-501
Version: 1

Date: 11/14/2022
Item #: 4. c.

TO: Mayor and City Council
THROUGH: Keith Stahley, City Manager
FROM: Lisa Anderson-Ogilvie, Interim Community Development Director

SUBJECT:

2022 Unified Development Code Update

Ward(s): All Wards
Councilor(s): All Councilors
Neighborhood(s): or All Neighborhoods
Result Area(s): Good Governance; Strong and Diverse Economy; Welcoming and Livable Community.

SUMMARY:

This proposed code amendment updates the Unified Development Code to respond to a Land Use Board of Appeals decision, implement changes in State law and rules, add new temporary uses, and address other issues that have recently arisen.

ISSUE:

Shall the City Council engross Ordinance No. 22-22 and advance it to second reading for the purpose of amending the Unified Development Code to respond to a Land Use Board of Appeals decision, implement changes in State law and rules, add new temporary uses, and address other issues?

RECOMMENDATION:

Engross Ordinance No. 22-22 and advance it to second reading for the purpose of amending the Unified Development Code to respond to a Land Use Board of Appeals decision, implement changes in State law and rules, add new temporary uses, and address other issues

FACTS AND FINDINGS:

Procedural Findings

- 1) The proposed code amendment are amendments to the Unified Development Code (UDC), which are legislative land use decisions under SRC 110.085. Legislative land use proceedings may be initiated by staff by preparing an ordinance bill and placing the ordinance on the Council agenda for first reading under SRC 300.1110. The City Council may schedule a public hearing on the matter, refer it to another Review Authority for review and recommendation, or decline to initiate it.
- 2) On October 24, 2022, the City Council voted to hold a public hearing on Ordinance Bill No. 22-22.
- 3) SRC 300.1110(e)(1)(A) requires that the City mail notice of the first evidentiary public hearing in a legislative land use proceeding not more than 40 days, but not less than 20 days prior to the first hearing. Amendments to the UDC require notice to the Director of the Department of Land Conservation and Development no later than 35 days before the first public hearing pursuant to SRC 300.1110(d). Because the proposed code amendment restricts some land uses, ORS 227.186 requires written individual notice to the owner of each affected property. This notice is commonly referred to as a "Ballot Measure 56 notice." All required notices have been provided in accordance with the above requirements.

Proposed Amendments

Engrossed Ordinance Bill No. 22-22 (**Attachment 1**) amends the UDC to respond to a Land Use Board of Appeals (LUBA) decision, implement changes in State law and rules, add new temporary uses, and address other issues. The proposed code amendment is included as Exhibit A of Engrossed Ordinance Bill No. 22-22 (**Attachment 2**)

1) Amending commercial zones and the Industrial Commercial zone

The proposed code amendment responds to an order issued by the LUBA in *East Park, LLC vs. City of Salem*. Specifically, LUBA found that the City erred in denying a conditional use permit for a proposed multifamily development in the Retail Commercial (CR) zone because the criteria for such a permit is not clear and objective. ORS 197.307 requires that local governments only apply clear and objective standards, conditions, and procedures regulating the development of housing. Currently, multifamily housing is only allowed in the CR zone - and Commercial General (CG) and Industrial Commercial (IC) - through a conditional use permit. LUBA determined that some of the criteria for a conditional use permit are not clear and objective. Criteria, for example, include an evaluation of whether a proposed use is reasonably compatible with surrounding property. (LUBA thus ordered the City to approve the conditional use permit for the proposed multifamily development, and the City has done so.)

This proposed code amendment rectifies the issue related to clear and objective standards identified by LUBA by removing the requirement for a conditional use permit for multifamily housing in the CR, CG, and IC zones. The amendment would instead allow multifamily housing outright in the CR, CG, and IC zones if that housing is located in a mixed-use building. (A mixed-use building must include a combination of residential and nonresidential uses.) Multifamily housing as a standalone use would not be allowed.

Currently, there are roughly 1,200 properties in Salem zoned CR, CG, or IC, which are generally located in employment areas and corridors such as Fairview Industrial Drive SE, Mission Street SE, and Portland Road NE (**Attachment 4**). Of those properties, roughly 40 are developed with multifamily housing, a duplex, or a triplex. That means approximately 3 percent of properties zoned CR, CG, or IC (and roughly 3.5% of land zoned CR, CG, or IC) include such housing. Under the proposed code amendment, existing uses in the CR, CG, and IC zones - including multifamily housing - would become continued uses, and such uses could be rebuilt, altered, or enlarged. As mentioned earlier, multifamily housing in a mixed-use building would be allowed outright under the proposed amendment, thus promoting such development in Salem.

In addition, the proposed amendment ensures that the CR, CG, and IC zones continue to accommodate Salem's employment needs. The Salem Economic Opportunities Analysis (EOA), adopted in 2015, determined that the Salem area has a projected deficit of commercial land. The proposed code amendment helps meet this need by ensuring that the CR, CG, and IC zones are generally preserved as employment lands and used for employment uses as opposed to standalone housing, which can be accommodated in residential and mixed-use zones.

As part of the recently-adopted Our Salem project, the City redesignated and rezoned land to accommodate Salem's housing needs - including land that allows multifamily housing outright - and as a result, Salem has met its projected housing needs and adopted the Salem Housing Needs Analysis (HNA). Specifically, the Our Salem project added land that is designated Multiple Family and Mixed Use throughout Salem. Much of the land that was redesignated to Mixed Use was previously zoned CR or CG and located along frequent transit routes, as the City aimed to encourage housing and mixed-use development near transit service. Other land zoned CR or CG was not rezoned as part of the Our Salem project, as it was intended to remain commercial land that helped meet Salem's employment needs.

2) *Adding new temporary use categories for Safe Parking Shelters and Construction Modulars*

Safe Parking Shelters

The proposed code amendment adds a new category of temporary use for safe parking shelters. It codifies the existing vehicles camping program as a temporary use permit. The current program was authorized under an emergency declaration in 2020. The proposed standards generally mirror the current program, including allowing it on property owned by nonprofits, governments, and commercial entities; limiting the hours of operation; and requiring toilets and garage service. The temporary use permit would be good for three years and could be renewed. If the proposed safe parking shelter temporary use permit is approved by the City Council, staff will bring a fee resolution forward to establish a reduced fee for this permit.

Construction modulars

The proposed code amendment adds a new category of temporary use for construction modulars, which would allow the temporary placement of a construction modular during active construction activities. The modulars, often times referred to as job shacks, are used by contractors during large, long-term construction projects, and they house office space, breakrooms, restrooms or similar

facilities during construction. The permit would also allow for uses on the site to be temporarily relocated into modulars during construction activities. Without the temporary use provision, these modulars, which require a building permit to be placed, are subject to the development standards in the zone which are intended for permanent structures. Under the proposed code amendment, the modulars would be required to be removed at the end of the construction project.

3) *Implementing Senate Bill 8*

The proposed code amendment creates a new affordable housing chapter to implement Senate Bill 8, which passed during the 2021 Oregon Legislative Session. SB 8, which has been incorporated into ORS 197.308, promotes the development of affordable housing by requiring local governments to allow such housing on properties zoned for commercial uses, religious assembly, or public lands, or the housing is owned by a public body or religious corporation. (Affordable housing is defined in SB 8 as housing in which each unit is available to families with incomes of 80 percent or less of the area median income or the average of all units is available to families with incomes of 60 percent or less of area median income, and the affordability period is at least 30 years.) This proposed code amendment allows such housing in all zones except the Industrial General (IG) zone. SB 8 does not require affordable housing to be allowed in zones designated for heavy industrial uses, which in Salem, is the IG zone.

Engrossment of ordinance: The proposed code amendment includes additional language to clarify that how a height bonus required in ORS 197.308 applies to affordable housing in Salem. Specifically, State law requires a height bonus to be tied to the maximum density in the zone in which the housing is located. However, in zones where there is no maximum density - such as the mixed-use zones - the code amendment clarifies that the height bonus is the maximum amount prescribed in ORS 197.308 (e.g., 36 feet). This clarifying language was not included in Ordinance No. 22-22 as it was presented for first reading, so staff recommends that the City Council engross the ordinance to include this additional language.

4) *Implementing House Bill 4064*

The proposed code amendment implements House Bill 4064, which restricts local governments from imposing additional standards to manufactured homes that do not apply to detached single-family homes. Specifically, the proposed amendment removes the special use standards that apply to manufactured homes such as requirements for roof pitches, minimum building size, and exterior color and material. HB 4064 passed during the 2022 Oregon Legislative Session.

5) *Implementing Climate-Friendly and Equitable Communities rules*

The proposed code amendment implements several of the new State administrative rules that resulted from the Climate-Friendly and Equitable Communities (CFEC) rulemaking. The CFEC rulemaking project came in response to Governor Kate Brown's Executive Order 20-04, which directed State agencies to reduce climate pollution. As mandated by the new rules, this code amendment requires new multifamily and mixed-use buildings with at least five units to provide electrical vehicle charging capacity to 40 percent of the spaces that serve the buildings. In addition, the amendment eliminates minimum off-street parking requirements for any use within a half-mile of transit corridors that have 15-minute service as well as for a variety of other uses citywide, including

affordable housing, residential care facilities, shelters for people experiencing homelessness, and dwelling units that are smaller than 750 square feet. In addition to these changes, the City is required by the new State rules to make other parking reforms, which involve different policy options. Staff anticipates bringing these options to the Council in the future.

6) *Additional changes*

The code amendment makes several other changes, including the following:

- Prohibits psilocybin production in residential zones where marijuana production is currently prohibited
- Adds psilocybin service center as an example of an outpatient medical services and laboratories
- Simplifies minimum lot size standards for housing in the Commercial Office zone
- Ensures that property annexed into the city is zoned in a manner that implement its City Comprehensive Plan Map designation
- Clarifies standards for middle housing located on flag lots and number of lots served by flag lot accessways
- Corrects and/or deletes references to zones that have previously been eliminated

Public Comments

Two public comments were received as of November 2, 2022, both of which supported the proposed code amendment (**Attachment 5**). One comment stated strong support for the proposed changes to minimum parking requirements in particular. The other stated that the UDC could be further simplified, and more could be done to help provide adequate housing in Salem.

Substantive Findings

SRC 110.085 establishes the following approval criteria for an amendment to the UDC to be approved:

- a. The amendment is in the best interest of the public health, safety, and welfare of the City;
and
- b. The amendment conforms with the Salem Area Comprehensive Plan, applicable statewide planning goals, and applicable administrative rules adopted by the Department of Land Conservation and Development.

Findings demonstrating the proposal's conformance with the applicable approval criteria are included in Exhibit B to Engrossed Ordinance Bill No. 22-22 (**Attachment 3**).

BACKGROUND:

The City periodically updates the UDC to respond to changes in State law and to address issues that have arisen since the last code amendment. The City most recently overhauled the UDC with the adoption of the Our Salem project last summer. This proposed code amendment responds in part to

an order issued by LUBA in East Park, LLC vs. City of Salem.

Eunice Kim
Long Range Planning Manager

Attachments:

1. Engrossed Ordinance Bill No. 22-22
2. Exhibit A to Engrossed Ordinance Bill No. 22-22 - Code Amendment
3. Exhibit B to Engrossed Ordinance Bill No. 22-22 - Findings
4. Map of Impacted properties
5. Public comments

ENGROSSED ORDINANCE BILL NO. 22-22

1 AN ORDINANCE RELATING TO LAND USE; AMENDING SRC 58.190, SRC
2 102.005, SRC 205.030, SRC 260.030, SRC 300.100, SRC 400.065, SRC 510.005, SRC
3 511.005, SRC 513.005, SRC 514.005, SRC 515.005, SRC 521.005, SRC 521.010, SRC
4 522.005, SRC 522.010, SRC 522.015, SRC 523.005, SRC 523.010, SRC 523.015, SRC
5 524.005, SRC 525.005, SRC 530.040, SRC 531.010, SRC 532.015, SRC 533.010, SRC
6 533.015, SRC 534.010, SRC 534.015, SRC 535.010, SRC 536.010, SRC 536.015, SRC
7 537.005, SRC 540.005, SRC 541.005, SRC 542.005, SRC 543.005, SRC 544.005, SRC
8 545.005, SRC 550.010, SRC 551.005, SRC 551.010, SRC 551.015, SRC 552.005, SRC
9 553.005, SRC 553.010, SRC 554.005, SRC 700.055, SRC 700.081, SRC 700.085, SRC
10 701.005, SRC 701.010, SRC 701.030; SRC 800.025, SRC 806.005, SRC 806.010, SRC
11 806.015, SRC 806.025, AND SRC 808.030; REPEALING SRC 700.025 AND SRC
12 700.030; AND CREATING NEW PROVISIONS SRC 701.016, SRC 701.041, AND
13 SRC CHAPTER 704

14 *The City of Salem ordains as follows:*

15 **Section 1.** The following Salem Revised Code (SRC) chapters are hereby amended as
16 set forth in Exhibit A, attached hereto and by reference incorporated herein: SRC 58,
17 SRC 102, SRC 205, SRC 260, SRC 300, SRC 400, SRC 510, SRC 511, SRC 513, SRC
18 514, SRC 515, SRC 521, SRC 522, SRC 523, SRC 524, SRC 525, SRC 530, SRC 531,
19 SRC 532, SRC 533, SRC 534, SRC 535, SRC 536, SRC 537, SRC 540, SRC 541, SRC
20 542, SRC 543, SRC 544, SRC 545, SRC 550, SRC 551, SRC 552, SRC 553, SRC 544,
21 SRC 700, SRC 701, SRC 704, SRC 800, SRC 806, and SRC 808

22 **Section 2. Findings.** This is a legislative land use amendment. Findings demonstrating
compliance with the applicable criteria are set forth in Exhibit B, which is attached hereto
and incorporated herein by reference.

Section 3. Codification. In preparing this ordinance for publication and distribution, the
City Recorder shall not alter the sense, meaning, effect or substance of this ordinance, but
within such limitations, may:

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- (a) Renumber sections and parts of sections of the ordinance;
- (b) Rearrange sections;
- (c) Change reference numbers to agree with renumbered chapters, sections or other parts;
- (d) Delete references to repealed sections;
- (e) Substitute the proper subsection, section or chapter, or other division numbers;
- (f) Change capitalization and spelling for the purpose of uniformity;
- (g) Add headings for purposes of grouping like sections together for ease of reference; and
- (h) Correct manifest clerical, grammatical or typographical errors.

Section 4. Severability. Each section of this ordinance, and any part thereof, is severable, and if any part of this ordinance is held invalid by a court of competent jurisdiction, the remainder of this ordinance shall remain in full force and effect.

PASSED by the City Council this _____ day of _____, 2022.

ATTEST:

City Recorder

Approved by City Attorney: _____

Checked by: E. Kim.

Exhibit A
OF ENGROSSED ORDINANCE BILL NO. 22-22

Sec. 58.190. - Limits for above ground tank and bulk plants for flammable cryogenic fluids, flammable liquids, and combustible liquids.

- (a) The geographic limitations for the storage of flammable cryogenic fluids, flammable liquids, or combustible liquids in outside above ground tanks, set forth in OFC 5806.2, 5704.2.9.6.1, and 5706.2.4.4, apply to every part of the City except those areas of the City zoned "EC - Employment Center," ~~and "IG - General Industrial" and "II - Intensive Industrial"~~ outside that part of the City bounded on the north by Market Street, on the east by the right-of-way of the main line of the Union Pacific Railway Company, on the south by Mission Street, and on the west by the Willamette River.
- (b) The location and types of facilities for storage and bulk plants for flammable cryogenic fluids, flammable liquids, or combustible liquids shall be subject to prior review and approval by the Fire Code Official.

Sec. 102.005. - Definitions.

- (a) Unless otherwise provided in this chapter, terms shall have the meaning prescribed in ORS chs. 801 through 826, the Oregon Vehicle Code. Where terms are not defined by this chapter or by the Oregon Vehicle Code, terms shall be given their plain and ordinary meaning.
- (b) The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alley means a public easement or right-of-way not more than 20 feet and not less than ten feet in width, which intersects a street.

Block means the properties abutting both sides of a street:

- (1) Between two cross streets;
- (2) Between the city limits and the nearest cross street; or
- (3) When there is only one cross street:
 - (A) Between a cross street and the dead end of a street; or
 - (B) Between a cross street and a line projected from the centerline of an intersecting street, such as a "T" intersection.
- (4) When a block is abutted by a street which, if extended through the block, would create a cross street, but when no such street extends through the property, then the block shall be the area commencing at the curbline of the cross street with the next lowest consecutive numbering, and extending in units of 600 feet along the block.

Commercial vehicle means a vehicle used primarily for the delivery or transport of goods or services from a business to a premises or the transportation of persons for compensation. A vehicle that is not conspicuously marked with the business name, or that does not have a sign displayed on the dashboard with the business name, shall not be considered a commercial vehicle. For purposes of this definition, a "sign displayed on the dashboard" means a sign measuring a minimum of 8.5 inches by 11 inches with lettering not less than two inches high.

Curbline means the line defined by the raised edge forming the gutter of a vehicular roadway within the right-of-way, or, where no raised edge exists, the edge of the pavement.

Designated fire lane means a street or other passageway designated to allow the passage of fire apparatus, and identified by signs, marking, or other similar devices commonly used to indicate the road or passageway is a

fire lane. A designated fire lane is not necessarily intended for vehicular traffic other than fire apparatus, and may be located on private property.

Designated parking area means an area which is identified by signs, markings, or other similar devices commonly used to indicate vehicle parking spaces.

Downtown Parking District means the Downtown Parking District established by SRC 7.010.

Enforcement officer means a person designated by the Director to enforce the provisions of this chapter, or any person who is defined as an enforcement officer under ORS 153.005.

Immobilizer means a device that is attached to a vehicle and is designed to restrict the normal movement of that vehicle.

Landscape strip means that area between the curblines or edge of the roadway and the sidewalk line which has not been specifically dedicated, designated or improved for parking.

Loading zone means a designated parking area reserved for the exclusive use of vehicles during the loading or unloading of passengers or cargo for a period of time not to exceed 30 minutes.

Metered parking zone means a parking zone where the length of time allowed for parking is controlled by a parking meter.

Off-street parking facility means any publically owned building, structure, land or facility used for off-street parking of motor vehicles.

Park means to stop, or to cause to permit, or to remain stopped, any vehicle or combination of vehicles, or any portion thereof, on any street, off-street parking facility, or other public right-of-way, including sidewalks, or within any designated fire lane, except such stops as are made in response to legal controls or requirements, conditions created by other traffic, emergencies related to the operation of the vehicle during the actual period of such emergency, or momentary stops for the expeditious loading or unloading of passengers.

Parking control device means any sign, standard, painted curb, marking, or any device, inscription, or designation giving notice of, delineating, controlling or restricting parking or use of parking zones.

Parking meter means a device placed at or near the curb adjacent to a street or on City-owned property and designed to register the duration of time and the limit thereof for parking in a parking zone, upon payment by United States coins, United States currency, a credit card, or a debit card. Parking meter as used in this chapter includes a pay station.

Parking zone means any space adjacent to the curb or edge of a street where parking is not prohibited and which is either designated by painted lines for the parking of one vehicle or is large enough to accommodate the parking of one vehicle with no part of such vehicle occupying any area prohibited; or any space in an off-street parking facility which is designated by painted lines for the parking of one vehicle.

Permit means an authorization issued in accordance with this chapter to park a vehicle at a location in the manner, at the times, and in compliance with the conditions specified by the permit.

Private street means highway, road, street, alley or way within the corporate limits of the City that is privately-owned or -maintained.

Residential Parking District means an area within an RA, RS, ~~RD~~, or RM or RH-zone and designated with time limited parking zones or metered parking zones. For the purpose of this chapter, a Residential Parking District shall include both sides of a street when the residential zone is fronted on the street by a nonresidential zone, if there are designated time limited parking zones or metered parking zones on both sides of the street.

Salem Civic Center means that area bounded on the north by the south line of Trade Street, on the east by the west line of Liberty Street, on the south by the north line of Leslie Street, and on the west by the east line of Commercial Street.

Street means any public highway, road, street, alley or way within the corporate limits of the City of Salem. As used in this chapter, the term "street" does not include private streets.

Time limited parking zone means a parking zone designated by official signs or markings as restricted in use for a specified period of time.

Vehicle means any device in, upon or by which any person or property is or may be transported or drawn upon a street and includes vehicles that are propelled or powered by any means.

Sec. 205.030. - Additional submittal requirements.

Applications to subdivide, partition, or replat land shall include, in addition to the submittal requirements under SRC chapter 300, the following:

- (a) A tentative plan map, of a size and form and in the number of copies meeting the standards established by the Director, containing the following information:
 - (1) A title block on each sheet indicating the proposed subdivision or phased subdivision name, or, if available, the partition number; the names and addresses of the landowner; the names and addresses of the professional engineers or surveyors responsible for preparing the plan; date; and township, range and section of the subject property;
 - (2) Scale and north arrow;
 - (3) The location of all property lines within 50 feet of the perimeter of the subject property;
 - (4) The boundaries, dimensions, and area of each proposed lot or parcel;
 - (5) The location, width, and names of all existing streets, flag lot accessways, and public accessways abutting the perimeter of the subject property;
 - (6) The location, width, curve radius, grade, and names of all proposed streets, flag lot accessway, and public accessways;
 - (7) The location of all existing and proposed easements;
 - (8) The location, dimensions, and use of all existing and proposed public areas, including, but not limited to, stormwater management facilities and detention facilities;
 - (9) The location, dimensions, and use of any existing buildings and structures on the subject property, indicating which will remain and which will be removed;
 - (10) The location of any canals, ditches, waterways, detention facilities, sewage disposal systems, and wells on the subject property, indicating which will remain and which will be removed or decommissioned;
 - (11) The location of any natural topographic features on the subject property, including, but not limited to, creeks, drainage ways as shown on the most recent USGS maps, wetlands as shown on the Local Wetland Inventory, and floodplains; and
 - (12) For subdivisions and phased subdivisions, site topography shown at five-foot contour intervals, or two-foot contour intervals for areas within a floodplain;
- (b) A current title report for the property;
- (c) A completed tree inventory on a form as provided by the Director accurately identifying all existing trees on the property as of the date of application submittal and, if required under SRC chapter 808, a tree conservation plan;
- (d) A geological assessment or geo-technical report, if required by SRC chapter 810;
- (e) A description of the proposed stormwater management system, including pre and post construction conditions, prepared in accordance with the Public Works Design Standards;
- (f) A schematic plan showing the location of existing and proposed city infrastructure;

- (g) A preliminary grading plan, for partitions, subdivisions, and phased subdivisions, when grading of the subject property will be necessary to accommodate the proposed development;
- (h) For residentially zoned property, where the partition or subdivision will result in a lot or parcel that is one-half acre or larger, a plan for the lot or parcel showing the location of lot or parcel lines and other details of layout, and demonstrating that future further division of the lot or parcel may readily be made without violating the development standards of the UDC and without interfering with the orderly extension and connection of adjacent streets.
- (i) For partitions of property located more than 300 feet from an available sewer main, and the property will not connect to City water and sewer, a plan showing:
 - (1) The location of lot lines and other details of layout demonstrating that the further division and full development of the property to the urban densities allowed by the comprehensive plan may readily be made in conformance with the development standards of the UDC, and without interfering with the orderly extension and connection of adjacent streets.
 - (2) The approximate location of city infrastructure following full development to the urban densities allowed by the comprehensive plan.
- (j) For subdivisions and phased subdivisions:
 - (1) A completed trip generation estimate on forms provided by the City;
 - (2) A traffic impact analysis, if required under SRC chapter 803; and
 - (3) A statement from the County Surveyor approving the name of the subdivision or phased subdivision.
- (k) For a subdivision of RA- or RS-zoned property that is at least ten acres in size, that includes or abuts a planned or existing collector or minor arterial street, and that is located at least one-quarter from all commercial, mixed-use, and neighborhood hub zones; the tentative plan shall designate the lots where neighborhood hub uses are allowed.
- (l) For a subdivision of RA- or RS-zoned property that is at least five acres in size; the tentative plan shall designate the lots where middle housing will be developed to meet density requirements.
- (m) For any land division creating residential flag lots after [Insert Effective Date of Ordinance], the tentative plan shall identify the number of units that will be developed on each lot served by the flag lot accessway.

Sec. 260.030. - Land use designations upon annexation.

- (a) Territory annexed into the city shall be automatically given the City ~~comprehensive plan designation and zoning designation that is the equivalent to the applicable county zoning designations~~ City comprehensive plan designation, as set forth in Table 260-1, unless:
 - (1) The applicant requests a new comprehensive plan designation and/or zoning designation for the territory that is different from the equivalent designation set forth in Table 260-1; or
 - (2) The Council proposes in the resolution initiating the annexation a new comprehensive plan designation and/or zoning designation for the territory that is different from the equivalent designation set forth in Table 260-1.
- (b) Where Table 260-1 identifies more than one equivalent City zoning designation, the applicant shall indicate which zoning designation they are requesting with the application.
- ~~(c) When the existing comprehensive plan designation and county zoning designation of a property does not match any of the comprehensive plan designation and county zoning designation combinations identified under Table 260-1, the applicant shall indicate which comprehensive plan designation and/or zoning designation they are requesting with the application and a minor comprehensive plan map amendment and/or quasi-judicial zone change shall be required.~~

| TABLE 260-1. LAND USE DESIGNATIONS |
|------------------------------------|
| POLK COUNTY: |

| Polk County/City SACP Comprehensive Plan Designation | Polk County Zone | Equivalent City Zones |
|---|--|--|
| Developing residential | SR (Suburban Residential) AR-5 (Acreage Residential—5 Acres) | RA (Residential Agriculture) NH (Neighborhood Hub) |
| Single family residential | SR (Suburban Residential) | RS (Single Family Residential) NH (Neighborhood Hub) |
| Multifamily residential | SR (Suburban Residential) | RM-I (Multiple Family Residential) RM-II (Multiple Family Residential) <u>RM-III (Multiple Family Residential)</u> |
| Commercial | SR (Suburban Residential) | CO (Commercial Office) CR (Retail Commercial) <u>CG (General Commercial)</u> |
| Mixed Use | SR (Suburban Residential) | MU-I (Mixed-Use-I) MU-II (Mixed Use-II) <u>MU-III (Mixed Use-III)</u> |
| Parks, Open Space, Outdoor Recreation | SR (Suburban Residential) | PA (Public Amusement) |
| Industrial | IP (Industrial Park) | IG (General Industrial) IP (Industrial Park) IBC (Industrial Business Campus) |
| MARION COUNTY: | | |
| Marion County/City SACP Designation | Marion County Zone | Equivalent City Zone |
| Developing residential | UT (Urban Transition) UTF (Urban Transition Farm) UD (Urban Development) RS (Single Family Residential) | RA (Residential Agriculture) RS (Single Family Residential) NH (Neighborhood Hub) |
| Single family residential | RS (Single Family Residential) UD (Urban Development) | RS (Single Family Residential) NH (Neighborhood Hub) |
| Multifamily residential | RL (Limited Multi-Family Residential) | RM-I (Multiple Family Residential) |
| Multifamily residential | RM (Multiple Family Residential) | RM-I (Multiple Family Residential) RM-II (Multiple Family Residential) |
| Multifamily residential | UD (Urban Development) | RM-I (Multiple Family Residential) RM-II (Multiple Family Residential) |
| Mixed Use | CO (Commercial Office) CR (Commercial Retail) CG (Commercial General) | MU-I (Mixed Use-I) MU-II (Mixed Use-II) MU-III (Mixed Use-III) MU-R (Mixed Use-R) |
| Mixed Use | RM (Multiple Family) | MU-II (Mixed Use-II) |
| Commercial | CO (Commercial Office) | CO (Commercial Office) |

| | | |
|---|---|--|
| Commercial | CR (Commercial Retail) | CR (Retail Commercial) |
| Commercial | CG (Commercial General) | CG (General Commercial) |
| Employment Center | | EC (Employment Center) |
| Industrial eCommercial | HC (Highway Commercial) IC (Industrial Commercial) | IC (Industrial Commercial) |
| Industrial | IP (Industrial Park) | IP (Industrial Park) |
| Industrial | IG (General Industrial) | IG (General Industrial) |
| Industrial | IH (Heavy Industrial) | IG (General Industrial) |
| Community Service Airport | P (Public) | PS (Public Service) |
| Community Service Cemetery | P (Public) | PC (Public and Private Cemeteries) |
| Community Service Education | P (Public) | PE (Public and Private Educational Services) |
| Community Service Government | P (Public) | PS (Public Service) |
| Community Service Hospital | P (Public) | PH (Public and Private Health Services) |
| Community Service Sewage - Solid Waste | P (Public) | PS (Public Service) |
| Parks, open space, and outdoor recreation | P (Public) | PA (Public Amusement) |

Sec. 300.100. - Procedure types.

- (a) Unless otherwise provided in the UDC, land use actions required under the UDC are classified as one of four procedure types set forth in Table 300-1. The procedure type governs the decision-making process for the specific land use application.

| TABLE 300-1. LAND USE PROCEDURE TYPES | | | |
|--|-------------------------|----------------------|---|
| Procedure Type | Decision Process | Decision Type | Process Description |
| Type I | Ministerial | Permit | Type I procedure is used when there are clear and objective standards and criteria that do not require interpretation or the exercise of policy or legal judgment in their application. Decisions on Type I applications are made by staff. Public notice and hearing are not required. |
| Type II | Administrative | Limited Land Use | Type II procedure is used when the standards and criteria require limited discretion or legal judgment in their application. Decisions on Type II applications are made by staff. Public notice and opportunity to comment prior to issuance of a decision is provided. A public hearing is not required unless the decision is appealed. |
| Type III | Quasi-Judicial | Land Use | Type III procedure is used when the standards and criteria require discretion or legal judgment in their application. Decisions on Type III applications are made by the Hearings Officer, Historic Landmarks |

| | | | |
|---------|----------------|----------|---|
| | | | Commission, or Planning Commission. Public notice and hearing are required. The decision may be appealed. |
| Type IV | Quasi-Judicial | Land Use | Type IV procedure is used for site-specific land use actions initiated by an applicant, the Historic Landmarks Commission, Planning Commission, or Council. Type IV applications result in a recommendation from the Planning Commission or Historic Landmarks Commission to the Council, which then makes the final decision. Public notice and hearings are required for both the initial hearing making recommendation and subsequent hearing taking final action. |

- (b) The specific procedure type assigned to a land use application is specified in Table 300-2.
- (c) When the procedure type for a land use application is not identified in Table 300-2, specified elsewhere in the UDC, or otherwise required by law, the Planning Administrator shall determine the applicable procedure based on the guidelines in this subsection. Questions as to the appropriate procedure shall be resolved in favor of the procedure type providing the greatest notice and opportunity to participate by the public.
- (1) Type I procedures shall be used when the land use action will be based on standards and criteria that do not require interpretation or the exercise of policy or legal judgment.
 - (2) Type II procedures shall be used when the land use action will be based on standards or criteria that require only limited discretion or legal judgment.
 - (3) Type III procedures shall be used when the land use action will be based on standards and criteria that require the exercise of discretion or legal judgment.
 - (4) Type IV procedures shall be used when the land use action will be based on standards and criteria that require the exercise of discretion or legal judgment, and where the land use application must first be referred to an advisory body for review and recommendation to the Council, which then makes the decision.
- (d) Notwithstanding any other provision in this section, and upon payment of the applicable fee, an applicant may choose to process a land use application that would be a Type I procedure as a Type II or Type III procedure, or to process a land use application that would be a Type II procedure as a Type III procedure.

TABLE 300-2. LAND USE APPLICATIONS BY PROCEDURE TYPE

| Application | Procedure Type | Application Pre-Submittal | | | Review Authority | | Council Review | Applicable Code Chapter(s) |
|--------------------------------------|----------------|---------------------------|-------------|------------|------------------|--------|----------------|----------------------------|
| | | Pre-App. Required | N.A Contact | Open House | Decision | Appeal | | |
| Adjustment | | | | | | | | |
| Class 1 adjustment | II | N | N | N | PA | HO | N | SRC 250 |
| Class 1 adjustment (modification) | II | N | N | N | PA | HO | N | SRC 250 |
| Class 2 adjustment | II | N | N | N | PA | HO | N | SRC 250 |
| Class 2 adjustment (modification) | II | N | N | N | PA | HO | N | SRC 250 |
| Airport overlay zone height variance | I | N | N | N | PA | - | N | SRC 602 |

| | | | | | | | | |
|--|-----|---|------------------|------------------|---------------------------------------|----|---|---------|
| Annexation | | | | | | | | |
| Annexation without comprehensive plan map amendment and/or zone change | III | Y | N | N | CC | - | N | SRC 260 |
| Annexation with comprehensive plan map amendment and/or zone change | IV | Y | Y ⁽¹⁾ | Y ⁽¹⁾ | PC - Recommendation; CC - Decision | - | N | SRC 260 |
| Comprehensive plan map amendment (minor) | III | Y | N | Y | PC | CC | Y | SRC 64 |
| Conditional use | III | Y | Y | N | HO | PC | Y | SRC 240 |
| Conditional use (modification) | II | N | N | N | PA | HO | Y | SRC 240 |
| Design review | | | | | | | | |
| Class 1 design review | I | Y | N | N | PA | - | N | SRC 225 |
| Class 1 design review (modification) | I | N | N | N | PA | - | N | SRC 225 |
| Class 2 design review | II | Y | N | N | PA | PC | N | SRC 225 |
| Class 2 design review (modification) | II | N | N | N | PA | PC | N | SRC 225 |
| Class 3 design review | III | Y | Y | N | PC | CC | Y | SRC 225 |
| Class 3 design review (modification) | II | N | N | N | PA | PC | Y | SRC 225 |
| Driveway approach permit | | | | | | | | |
| Class 1 driveway approach permit | I | N | N | N | PWD | - | N | SRC 804 |
| Class 2 driveway approach permit | II | N | N | N | PWD | HO | N | SRC 804 |
| Extensions | | | | | | | | |
| Class 1 Extension | I | N | N | N | PA | - | N | SRC 300 |
| Class 2 Extension | II | N | N | N | PA | HO | N | SRC 300 |
| Fairview Mixed-Use Zone | | | | | | | | |
| Fairview plan | III | Y | Y | Y | PC | CC | Y | SRC 530 |

| | | | | | | | | |
|---|-----|---|---|---|----------|-----|---|---------|
| Fairview plan amendment | III | Y | N | Y | PC | CC | Y | SRC 530 |
| Refinement plan | III | Y | N | Y | PC | CC | Y | SRC 530 |
| Refinement plan amendment (minor) | II | Y | Y | N | PA | PC | Y | SRC 530 |
| Refinement plan amendment (major) | III | Y | N | Y | PC | CC | Y | SRC 530 |
| Floodplain Overlay Zone | | | | | | | | |
| Floodplain development permit | I | N | N | N | BO & PWD | - | N | SRC 601 |
| Floodplain Overlay Zone Variance | III | N | N | N | HO | CC | Y | SRC 601 |
| Historic Review | | | | | | | | |
| Class 1 minor historic design review | I | N | N | N | PA | - | N | SRC 230 |
| Class 2 minor historic design review | II | N | N | N | PA | HLC | N | SRC 230 |
| Class 3 major historic design review | III | N | N | N | HLC | HO | N | SRC 230 |
| Class 3 major historic design review—new construction | III | N | N | N | HLC | HO | Y | SRC 230 |
| Historic resource adaptive reuse | III | N | Y | N | HO | PC | Y | SRC 231 |
| Historic resource adaptive reuse expansion | III | N | Y | N | HO | PC | Y | SRC 231 |
| Determination of historic resource relocation feasibility | I | N | N | N | PA | - | N | SRC 230 |
| Historic resource relocation | III | N | N | N | HLC | CC | Y | SRC 230 |
| Historic resource demolition | III | N | N | Y | HLC | CC | Y | SRC 230 |
| Class 1 historic accessory structure demolition | I | N | N | N | PA | - | N | SRC 230 |

| | | | | | | | | |
|---|---------|---|---|---|-------------------------------------|----|---|---------|
| Class 2 historic accessory structure demolition | III | N | N | Y | HLC | CC | Y | SRC 230 |
| Local historic resource designation | IV | N | N | N | HLC - Recommendation; CC - Decision | - | N | SRC 230 |
| Class 1 local historic resource designation removal | I | N | N | N | PA | - | N | SRC 230 |
| Class 2 local historic resource designation removal | IV | N | N | N | HLC - Recommendation; CC - Decision | - | N | SRC 230 |
| Landscaping permit | I | N | N | N | PA | - | N | SRC 807 |
| Landslide hazard construction permit | I | N | N | N | PWD | HO | N | SRC 810 |
| Manufactured dwelling park permit | II | Y | N | N | PA | HO | N | SRC 235 |
| Manufactured dwelling park permit (modification) | II | N | N | N | PA | HO | N | SRC 235 |
| Middle housing land division | | | | | | | | |
| Tentative plan ⁽²⁾ | Per ORS | N | Y | N | PA | HO | N | SRC 205 |
| | II | N | Y | N | PA | PC | Y | |
| Final plat | Exempt | N | N | N | PA | - | N | SRC 205 |
| Neighborhood center master plan | | | | | | | | |
| Class 1 NCMP | III | Y | Y | N | PC | CC | Y | SRC 215 |
| Class 2 NCMP | III | Y | Y | N | PC | CC | Y | SRC 215 |
| Class 2 NCMP detailed plan (subsequent phases) | II | N | Y | N | PA | PC | Y | SRC 215 |
| Class 3 NCMP (first subarea) | III | Y | Y | N | PC | CC | Y | SRC 215 |
| Class 3 NCMP (subsequent subareas) | III | Y | Y | N | PC | CC | Y | SRC 215 |
| NCMP amendment (minor) | II | N | Y | N | PA | PC | Y | SRC 215 |
| NCMP amendment (major) | III | N | Y | N | PC | CC | Y | SRC 215 |

| | | | | | | | | |
|---|--------|---|---|---|----|----|---|---------|
| Neighborhood plan map amendment | III | Y | Y | N | PC | CC | Y | SRC 64 |
| Nonconforming use extension, alteration, expansion, or substitution | III | Y | Y | N | HO | PC | Y | SRC 270 |
| Partition | | | | | | | | |
| Tentative plan | II | N | Y | N | PA | PC | Y | SRC 205 |
| Tentative plan (modification) | II | N | N | N | PA | PC | Y | SRC 205 |
| Final plat | Exempt | N | N | N | PA | - | N | SRC 205 |
| Planned unit development | | | | | | | | |
| Tentative plan | III | Y | Y | N | PC | CC | Y | SRC 210 |
| Tentative plan (modification) | II | N | N | N | PA | PC | Y | SRC 210 |
| Final plan | II | N | N | N | PA | - | N | SRC 210 |
| Final plan (modification) | II | N | N | N | PA | - | N | SRC 210 |
| Property line adjustment | I | N | N | N | PA | - | N | SRC 205 |
| Replat | | | | | | | | |
| Tentative plan | II | N | N | N | PA | PC | Y | SRC 205 |
| Tentative plan (modification) | II | N | N | N | PA | PC | Y | SRC 205 |
| Final plat | Exempt | N | N | N | PA | - | N | SRC 205 |
| Signs | | | | | | | | |
| Sign permit | I | N | N | N | PA | - | N | SRC 900 |
| Sign adjustment | II | N | N | N | PA | - | N | SRC 900 |
| Sign conditional use permit | III | N | Y | N | HO | PC | Y | SRC 900 |
| Sign variance | III | N | Y | N | HO | PC | Y | SRC 900 |
| Site Plan Review | | | | | | | | |
| Class 1 site plan review | I | N | N | N | PA | - | N | SRC 220 |
| Class 1 site plan review (modification) | I | N | N | N | PA | - | N | SRC 220 |
| Class 2 site plan review | I | N | N | N | PA | - | N | SRC 220 |

| | | | | | | | | |
|---|--------|---|---|---|----|----|------------------|---------|
| Class 2 site plan review (modification) | I | N | N | N | PA | - | N | SRC 220 |
| Class 3 site plan review | II | N | Y | N | PA | HO | Y ⁽³⁾ | SRC 220 |
| Class 3 site plan review (modification) | II | N | N | N | PA | HO | Y ⁽³⁾ | SRC 220 |
| South Waterfront Mixed-Use Zone | | | | | | | | |
| Development phasing plan | II | N | N | N | PA | HO | Y | SRC 531 |
| Development phasing plan (modification) | II | N | N | N | PA | HO | Y | SRC 531 |
| Subdivision | | | | | | | | |
| Tentative plan | II | N | Y | N | PA | PC | Y | SRC 205 |
| Tentative plan (modification) | II | N | N | N | PA | PC | Y | SRC 205 |
| Phased subdivision tentative plan | II | N | Y | N | PA | PC | Y | SRC 205 |
| Phased subdivision tentative plan (modification) | II | N | N | N | PA | PC | Y | SRC 205 |
| Manufactured dwelling park subdivision tentative plan | II | N | N | N | PA | PC | Y | SRC 205 |
| Manufactured dwelling park subdivision tentative plan (modification) | II | N | N | N | PA | PC | Y | SRC 205 |
| Modification of subdivision condition of approval designating lots for neighborhood hub uses or middle housing dwelling units | I | N | N | N | PA | - | N | SRC 205 |
| Final plat | Exempt | N | N | N | PA | - | N | SRC 205 |
| Temporary Use Permit | | | | | | | | |

| | | | | | | | | |
|--|-----|---|---|---|----|----|---|---------|
| Class 1 temporary use permit | I | N | N | N | PA | - | N | SRC 701 |
| Class 2 temporary use permit | II | N | N | N | PA | HO | N | SRC 701 |
| Tree & vegetation removal | | | | | | | | |
| Tree Conservation Plan | I | N | N | N | PA | HO | N | SRC 808 |
| Tree conservation plan adjustment | I | N | N | N | PA | HO | N | SRC 808 |
| Tree & vegetation removal permit | I | N | N | N | PA | - | N | SRC 808 |
| Tree variance | II | N | N | N | PA | HO | Y | SRC 808 |
| Urban growth management | | | | | | | | |
| Urban service area amendment | IV | N | N | N | CC | - | N | SRC 200 |
| Urban Growth Preliminary Declaration | II | N | N | N | PA | CC | Y | SRC 200 |
| Urban Growth Preliminary Declaration (Amendment) | II | N | N | N | PA | CC | Y | SRC 200 |
| Validation of unit of land | II | Y | N | N | PA | HO | N | SRC 205 |
| Variance | III | Y | Y | N | HO | PC | Y | SRC 245 |
| Variance (modification) | III | N | N | N | HO | PC | Y | SRC 245 |
| Willamette Greenway | | | | | | | | |
| Class 1 greenway development permit | II | N | Y | N | PA | HO | Y | SRC 600 |
| Class 2 greenway development permit | III | Y | Y | N | HO | PC | Y | SRC 600 |
| Wireless communication facilities | | | | | | | | |
| Temporary siting permit | I | N | N | N | PA | - | N | SRC 703 |
| Class 1 siting permit | I | N | N | N | PA | - | N | SRC 703 |
| Class 2 siting permit | II | N | N | N | PA | HO | Y | SRC 703 |
| Class 3 siting permit | III | Y | N | N | HO | PC | Y | SRC 703 |
| Wireless communication facilities adjustment | II | Y | N | N | PA | HO | Y | SRC 703 |

| | | | | | | | | |
|------------------------------|-----|---|---|---|----|----|---|---------|
| Zone change (quasi-judicial) | III | Y | Y | N | HO | CC | Y | SRC 265 |
|------------------------------|-----|---|---|---|----|----|---|---------|

Limitations and Qualifications

(1) Annexation applications with a quasi-judicial zone change are required to provide neighborhood contact pursuant to SRC 300.310. Annexation applications with a comprehensive plan map amendment are required to conduct an open house pursuant to SRC 300.320. Annexation applications with both a comprehensive plan map amendment and zone change are required to only conduct an open house.

(2) The tentative plan of a middle housing land division shall be reviewed according to the procedures of ORS 197.360 through ORS 197.380 unless an applicant requests the application be reviewed according to the procedures of SRC Chapter 300. If an applicant requests review of the application based on the procedures of SRC Chapter 300, the application shall be processed as a Type II procedure.

(3) Decision eligible for City Council Review only upon receipt of an appeal. See SRC 300.520(f)(4)(A).

LEGEND

PA - Planning Administrator; **BO** - Building Official; **CDD** - Community Development Director; **PWD** - Public Works Director; **HO** - Hearings Officer; **HLC** - Historic Landmarks Commission; **PC** - Planning Commission; **CC** - City Council

Sec. 400.065. Health services.

Health services consists of prevention, diagnosis, treatment, and rehabilitation services provided by physicians, dentists, nurses, and other health care personnel. Except for medical and dental laboratories, which may have little direct contact with patients, patients typically come to the site to receive health and/or dental services from licensed professionals.

(a) *Medical centers/hospitals.*

- (1) *Characteristics.* Medical centers/hospitals are characterized by facilities that provide health services to inpatients and the specialized accommodation services required by inpatients. Medical centers/hospitals may also provide outpatient services as a secondary activity. Institutions that fall within this category are accredited by state and national agencies. Emergency services are generally included.
- (2) *Examples.* Freestanding inpatient hospitals; hospitals or medical centers associated with a university or medical school; medical complexes that include inpatient hospitals; psychiatric and substance abuse hospitals primarily engaged in providing diagnostic, medical treatment, and monitoring services for inpatients who suffer from mental illness or substance abuse disorders.
- (3) *Exceptions.*
 - (A) Freestanding medical clinics without inpatient services are included in health services: outpatient medical services and laboratories.
 - (B) Medical office buildings that provide outpatient care and urgent medical care, and which are not located on a medical center campus, are included in health services: outpatient medical services and laboratories.

(b) *Outpatient medical services and laboratories.*

- (1) *Characteristics.* Outpatient medical services and laboratories are characterized by prevention, diagnosis, treatment, and rehabilitation services provided by physicians, dentists, nurses, and other health care professionals that are provided on an out-patient basis. Outpatient medical services and laboratories also include medical testing and analysis services. Patients generally do

not spend more than 24 hours at a time. Emergency services are generally not provided, although urgent care may be included.

- (2) *Examples.* Blood banks; kidney dialysis centers; medical and dental laboratories; offices of doctors, nurses, physicians' assistants, dentists, chiropractors, massage therapists, optometrists, podiatrists, audiologists, dieticians, midwives, naturopaths, occupational and physical therapists, psychologists, psychiatrists, speech therapists, osteopathic doctors, and acupuncturists; orthotic and prosthetic services; outpatient drug or alcohol treatment clinics; outpatient urgent care facilities; rehabilitation centers; psilocybin service center.
- (3) *Exceptions.*
- (A) Skilled nursing care facilities are included in group living: nursing care.
 - (B) Hospitals are included in health services: medical centers/hospitals.
 - (C) Cosmetology services are included in retail sales and service: personal services.
 - (D) Home health care services provided to individuals in their own homes is considered accessory to household living.

Sec. 510.005. - Uses.

- (a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the RA zone are set forth in Table 510-1.

| TABLE 510-1. USES | | |
|--------------------------|---------------|---|
| Use | Status | Limitations & Qualifications |
| Household Living | | |
| Single family | P | The following single family activities: <ul style="list-style-type: none"> ■ Single family detached dwelling. ■ Residential home, as defined under ORS 197.660. ■ Manufactured dwelling park, subject to SRC chapter 235. ■ <u>Manufactured home.</u> |
| | S | The following single family activities: <ul style="list-style-type: none"> ■ Manufactured home, subject to SRC 700.025. ■ Townhouse, subject to SRC 700.085. ■ Zero side yard dwelling, subject to SRC 700.095. |
| | N | All other single family. |
| Two family | P | |
| Three family | S | Three family, subject to SRC 700.081. |
| Four family | S | Four family, subject to SRC 700.081. |
| Multiple family | S | Cottage cluster, subject to SRC 700.011. |
| | N | All other multiple family. |
| Group Living | | |
| Room and board | N | |

| | | |
|---|---|--|
| Residential care | C | Residential facility, as defined under ORS 197.660, when located on a lot with frontage on an arterial or collector street. |
| | N | All other residential care. |
| Nursing care | C | Nursing care, when located on a lot with frontage on an arterial or collector street. |
| | N | All other nursing care. |
| Lodging | | |
| Short-term commercial lodging | C | Short-term rentals. |
| | N | All other short-term commercial lodging. |
| Long-term commercial lodging | N | |
| Nonprofit shelters | C | Nonprofit shelters serving 5 or fewer persons, when located on a lot with frontage on an arterial or collector street. |
| | P | Nonprofit shelters for victims of domestic violence serving 10 or fewer persons. |
| | N | All other nonprofit shelters. |
| Retail Sales and Service | | |
| Eating and drinking establishments | N | |
| Retail sales | P | Retail sales of agricultural products, when the sales area does not exceed 1,000 square feet in size. |
| | N | All other retail sales. |
| Personal services | C | The following personal services activities: <ul style="list-style-type: none"> ■ Beauty salons. ■ Barber shops. |
| | N | All other personal services. |
| Postal services and retail financial services | N | |
| Business and Professional Services | | |
| Office | C | Landscape architects and planners. |
| | N | All other office. |
| Audio/visual media production | N | |
| Laboratory research and testing | N | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services | | |

| | | |
|--|---|--|
| Motor vehicle and manufactured dwelling and trailer sales | N | |
| Motor vehicle services | N | |
| Commercial parking | N | |
| Park-and-ride facilities | N | |
| Taxicabs and car services | N | |
| Heavy vehicle and trailer sales | N | |
| Heavy vehicle and trailer service and storage | N | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | N | |
| Commercial entertainment—outdoor | S | Golf courses, subject to SRC 700.015. |
| | N | All other commercial entertainment—outdoor. |
| Major event entertainment | N | |
| Recreational and cultural community services | P | Libraries. |
| | S | Golf courses, subject to SRC 700.015. |
| | C | All other recreational and cultural community services. |
| Parks and open space | C | Arboreta and botanical gardens. |
| | P | All other parks and open space. |
| Nonprofit membership assembly | C | |
| Religious assembly | S | Religious assembly, subject to SRC 700.055. |
| Health Services | | |
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | N | |
| Educational Services | | |
| Day care | P | The following day care activities: <ul style="list-style-type: none"> ■ Child day care home. ■ Adult day care home. |
| | C | The following day care activities: <ul style="list-style-type: none"> ■ Child day care center. ■ Adult day care center. |

| | | |
|---|---|---|
| | N | All other day care. |
| Basic education | S | Basic education, subject to SRC 700.010. |
| Post-secondary and adult education | N | |
| Civic Services | | |
| Governmental services | N | |
| Social services | S | Social services, subject to SRC 700.080. |
| Governmental maintenance services and construction | N | |
| Public Safety | | |
| Emergency services | N | The following emergency services activities: <ul style="list-style-type: none"> ■ Ambulance stations. ■ Ambulance service facilities. |
| | P | All other emergency services. |
| Detention facilities | N | |
| Military installations | N | |
| Funeral and Related Services | | |
| Cemeteries | N | |
| Funeral and cremation services | N | Crematories. |
| | C | All other funeral and cremation services. |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | N | |
| Building and grounds services and construction contracting | C | The following building and grounds services and construction contracting activities: <ul style="list-style-type: none"> ■ Landscape, lawn, and garden services. ■ Tree and shrub services. |
| | N | All other building and grounds services and construction contracting. |
| Cleaning plants | N | |
| Industrial services | N | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | N | |
| Heavy wholesaling | N | |
| Warehousing and distribution | N | |
| Self-service storage | N | |
| Manufacturing | | |

| | | |
|---|---------|---|
| General manufacturing | N | |
| Heavy manufacturing | N | |
| Printing | N | |
| Transportation Facilities | | |
| Aviation facilities | N | |
| Passenger ground transportation facilities | P | Transit stop shelters. |
| | N | All other passenger ground transportation facilities. |
| Marine facilities | N | |
| Utilities | | |
| Basic utilities | P | |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | C | |
| Power generation facilities | N | |
| Data center facilities | N | |
| Fuel dealers | N | |
| Waste-related facilities | N | |
| Mining and Natural Resource Extraction | | |
| Petroleum and natural gas production | N | |
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | N | <u>The following agriculture activities:</u> <ul style="list-style-type: none"> ■ <u>Marijuana production.</u> ■ <u>Psilocybin production.</u> |
| | P | All other agriculture. |
| Forestry | P | |
| Agriculture and forestry services | N | |
| Keeping of livestock and other animals | P | Raising of livestock, fowl, and other animals by residents of the premises for their own private noncommercial use on a lot 10,000 square feet or greater. |
| | C | All other keeping of livestock and other animals. |
| Animal services | S | Small animal veterinary services, subject to SRC 700.075. |

| | | |
|---|---------|--|
| | C | All other animals services. |
| Other Uses | | |
| Accessory short-term rentals | S | Accessory short-term rental, subject to SRC 700.006. |
| Temporary uses | P | The following temporary uses: <ul style="list-style-type: none"> ■ Christmas tree sales, subject to SRC 701.015. ■ <u>Construction modular, subject to SRC 701.016.</u> ■ Emergency shelter, subject to SRC 701.025, when located on the site of a religious assembly use. ■ Managed temporary village, subject to SRC 701.030, when located on the site of a religious assembly use or on land owned or leased by a government entity. ■ Residential sales/development office, subject to SRC 701.040. ■ Replacement single family dwelling, subject to SRC 701.035. ■ <u>Safe parking shelter, subject to SRC 701.041, when located on the site of a religious assembly use or on land owned or leased by a government entity.</u> |
| Home occupations | S | Home occupations, subject to SRC 700.020. |
| Guest houses and guest quarters | P | Guest houses and guest quarters are permitted as an accessory use to single family, provided such houses and quarters are dependent upon the main building for either kitchen or bathroom facilities, or both, and are used for temporary lodging and not as a place of residence. |
| Storage of commercial vehicle as an accessory use to household living | P | Storage of a commercial vehicle as an accessory use to household living is permitted, provided no more than 1 commercial vehicle is stored per dwelling unit. |
| Historic resource adaptive reuse pursuant to SRC chapter 230 | Allowed | Historic resource adaptive reuse pursuant to SRC chapter 230 is allowed, subject to SRC 230.085. |
| Accessory dwelling units | S | Accessory dwelling units, subject to SRC 700.007. |
| Live-work units | S | Live-work units, subject to SRC 700.021 |

(b) *Continued uses.* Existing, legally-established uses established prior to August 24, 2022, which would otherwise be made non-conforming by this chapter, are hereby deemed continued uses.

- (1) Building or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 510.010(f).
- (2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for that use; provided, however, conversion of the building or structure to another use shall thereafter prevent conversion back to that use.

(c) *Neighborhood hub uses.* Any use that is a permitted use within the Neighborhood Hub (NH) zone shall be a permitted use on lots created pursuant to SRC 510.010(a).

Sec. 511.005. - Uses.

(a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the RS zone are set forth in Table 511-1.

| TABLE 511-1. USES | | |
|-------------------------------|---------------|---|
| Use | Status | Limitations & Qualifications |
| Household Living | | |
| Single family | P | The following single family activities: <ul style="list-style-type: none"> ■ Single family detached dwelling. ■ Residential home, as defined under ORS 197.660. ■ Manufactured dwelling park, subject to SRC chapter 235. ■ <u>Manufactured home.</u> |
| | S | The following single family activities: <ul style="list-style-type: none"> ■ Manufactured home, subject to SRC 700.025. ■ Townhouse, subject to SRC 700.085. ■ Zero side yard dwelling, subject to SRC 700.095. |
| | N | All other Single Family. |
| Two family | P | |
| Three family | S | Three family, subject to SRC 700.081. |
| Four family | S | Four family, subject to SRC 700.081. |
| Multiple family | S | Cottage cluster, subject to SRC 700.011. |
| | N | All other multiple family. |
| Group Living | | |
| Room and board | N | |
| Residential care | C | Residential facility, as defined under ORS 197.660, when located on a lot with frontage on an arterial or collector street. |
| | N | All other residential care. |
| Nursing care | C | Nursing care, when located on a lot with frontage on an arterial or collector street. |
| | N | All other nursing care. |
| Lodging | | |
| Short-term commercial lodging | C | Short-term rentals. |
| | N | All other short-term commercial lodging. |
| Long-term commercial lodging | N | |
| Nonprofit shelters | C | Nonprofit shelters serving 5 or fewer persons, when located on a lot with frontage on an arterial or collector street. |
| | P | Nonprofit shelters for victims of domestic violence serving 10 or fewer persons. |
| | N | All other nonprofit shelters. |

| Retail Sales and Service | | |
|---|---|--|
| Eating and drinking establishments | N | |
| Retail sales | N | |
| Personal services | C | The following personal services activities: <ul style="list-style-type: none"> ■ Beauty salons. ■ Barber shops. |
| | N | All other personal services. |
| Postal services and retail financial services | N | |
| Business and Professional Services | | |
| Office | N | |
| Audio/visual media production | N | |
| Laboratory research and testing | N | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services | | |
| Motor vehicle and manufactured dwelling and trailer sales | N | |
| Motor vehicle services | N | |
| Commercial parking | N | |
| Park-and-ride facilities | N | |
| Taxicabs and car services | N | |
| Heavy vehicle and trailer sales | N | |
| Heavy vehicle and trailer service and storage | N | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | N | |
| Commercial entertainment—outdoor | S | Golf courses, subject to SRC 700.015. |
| | N | All other commercial entertainment—outdoor. |
| Major event entertainment | N | |
| Recreational and cultural community services | P | Libraries. |
| | S | Golf courses, subject to SRC 700.015. |

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| | C | Community or neighborhood club buildings, including swimming pools and similar recreation facilities when operated by a nonprofit community club. |
| | N | All other recreation and cultural community services. |
| Parks and open space | N | Arboreta and botanical gardens. |
| | P | All other parks and open space. |
| Nonprofit membership assembly | C | |
| Religious assembly | S | Religious assembly, subject to SRC 700.055. |
| Health Services | | |
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | N | |
| Educational Services | | |
| Day care | P | The following day care activities: <ul style="list-style-type: none"> ■ Child day care home. ■ Adult day care home. |
| | C | The following day care activities: <ul style="list-style-type: none"> ■ Child day care center. ■ Adult day care center. |
| | N | All other day care. |
| Basic education | S | Basic education, subject to SRC 700.010. |
| Post-secondary and adult education | N | |
| Civic Services | | |
| Governmental services | N | |
| Social services | N | |
| Governmental maintenance services and construction | N | |
| Public Safety | | |
| Emergency services | N | The following emergency services activities: <ul style="list-style-type: none"> ■ Ambulance stations. ■ Ambulance service facilities. |
| | P | All other emergency services. |
| Detention facilities | N | |
| Military installations | N | |
| Funeral and Related Services | | |

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| Cemeteries | N | |
| Funeral and cremation services | N | Crematories. |
| | C | All other funeral and cremation services. |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | N | |
| Building and grounds services and construction contracting | N | |
| Cleaning plants | N | |
| Industrial services | N | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | N | |
| Heavy wholesaling | N | |
| Warehousing and distribution | N | |
| Self-service storage | N | |
| Manufacturing | | |
| General manufacturing | N | |
| Heavy manufacturing | N | |
| Printing | N | |
| Transportation Facilities | | |
| Aviation facilities | N | |
| Passenger ground transportation facilities | P | Transit stop shelters. |
| | N | All other passenger ground transportation facilities. |
| Marine facilities | N | |
| Utilities | | |
| Basic utilities | P | |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | C | |
| Power generation facilities | N | |
| Data center facilities | N | |
| Fuel dealers | N | |

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|---|---|--|
| Waste-related facilities | N | |
| Mining and Natural Resource Extraction | | |
| Petroleum and natural gas production | N | |
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | N | <u>The following agriculture activities:</u> <ul style="list-style-type: none"> ■ <u>Marijuana production.</u> ■ <u>Psilocybin production.</u> |
| | P | All other agriculture. |
| Forestry | P | |
| Agriculture and forestry services | N | |
| Keeping of livestock and other animals | N | |
| Animal services | C | Existing wildlife rehabilitation facility. |
| | N | All other animal services. |
| Other Uses | | |
| Accessory short-term rentals | S | Accessory short-term rental, subject to SRC 700.006 |
| Temporary uses | P | The following temporary uses: <ul style="list-style-type: none"> ■ Christmas tree sales, subject to SRC 701.015. ■ <u>Construction modular, subject to SRC 701.016.</u> ■ Emergency shelter, subject to SRC 701.025, when located on the site of a religious assembly use. ■ Managed temporary village, subject to SRC 701.030, when located on the site of a religious assembly use or on land owned or leased by a government entity. ■ Residential sales/development office, subject to SRC 701.040. ■ Replacement single family dwelling, subject to SRC 701.035. ■ <u>Safe parking shelter, subject to SRC 701.041, when located on the site of a religious assembly use or on land owned or leased by a government entity.</u> |
| Home occupations | S | Home occupations, subject to SRC 700.020. |
| Guest houses and guest quarters | P | Guest houses and guest quarters are permitted as an accessory use to single family, provided such houses and quarters are dependent upon the main building for either kitchen or bathroom facilities, or both, and are used for temporary lodging and not as a place of residence. |
| Storage of commercial vehicle as an accessory use to household living | P | Storage of a commercial vehicle as an accessory use to household living is permitted, provided no more than 1 commercial vehicle is stored per dwelling unit. |

| | | |
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| Historic resource adaptive reuse pursuant to SRC chapter 230 | Allowed | Historic resource adaptive reuse pursuant to SRC chapter 230 is allowed, subject to SRC 230.085. |
| Accessory dwelling units | S | Accessory dwelling units, subject to SRC 700.007. |
| Live-work units | S | Live-work units, subject to SRC 700.021 |

- (b) Continued uses. Existing, legally-established uses established prior to August 24, 2022, which would otherwise be made nonconforming by this chapter, are hereby deemed continued uses.
- (1) Building or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 511.010(g).
 - (2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for that use; provided, however, conversion of the building or structure to another use shall thereafter prevent conversion back to that use.
- (c) Neighborhood hub uses. Any use that is a permitted use within the Neighborhood Hub (NH) zone shall be a permitted use on lots created pursuant to SRC 511.010(a).

Sec. 513.005. - Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the RM-I zone are set forth in Table 513-1.

| TABLE 513-1 USES | | |
|-------------------------|---------------|---|
| Use | Status | Limitations & Qualifications |
| Household Living | | |
| Single family | P | The following single family activities are permitted: <ul style="list-style-type: none"> ■ Single family detached dwelling. ■ Townhouse. ■ Residential home, as defined under ORS 197.660. ■ Manufactured dwelling park, subject to SRC chapter 235. ■ <u>Manufactured home.</u> |
| | S | The following single family activities: <ul style="list-style-type: none"> ■ Manufactured home, subject to SRC 700.025. ■ Zero side yard dwelling, subject to SRC 700.095. |
| | N | All other single family. |
| Two family | P | |
| Three family | S | Subject to SRC 700.081. |
| Four family | S | Subject to SRC 700.081. |
| Multiple family | S | Cottage cluster, subject to SRC 700.011. |
| | P | All other multiple family. |
| Group Living | | |
| Room and board | P | Room and board serving 5 or fewer persons. |
| | C | Room and board serving 6 to 10 persons. |

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|---|---|---|
| | N | All other room and board. |
| Residential care | P | |
| Nursing care | S | Nursing care, subject to SRC 700.045. |
| Lodging | | |
| Short-term commercial lodging | P | Short-term rentals. |
| | N | All other short-term commercial lodging. |
| Long-term commercial lodging | N | |
| Nonprofit shelters | C | Nonprofit shelters serving up to 10 persons. |
| | P | Nonprofit shelters for victims of domestic violence serving 10 or fewer persons. |
| | N | All other nonprofit shelters. |
| Retail Sales and Service | | |
| Eating and drinking establishments | N | |
| Retail sales | N | |
| Personal services | N | |
| Postal services and retail financial services | N | |
| Business and Professional Services | | |
| Office | N | |
| Audio/visual media production | N | |
| Laboratory research and testing | N | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services | | |
| Motor vehicle and manufactured dwelling and trailer sales | N | |
| Motor vehicle services | N | |
| Commercial parking | N | |
| Park-and-ride facilities | P | Park-and ride facilities, when located on a lot whose side abuts property, other than a street or alley, within a commercial or industrial zone, and the lot is located entirely within 165 feet of the abutting commercial or industrial zone. |
| | N | All other park-and-ride facilities. |

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| Taxicabs and car services | N | |
| Heavy vehicle and trailer sales | N | |
| Heavy vehicle and trailer service and storage | N | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | C | Membership sports and recreation clubs. |
| | N | All other commercial entertainment—indoor. |
| Commercial entertainment—outdoor | C | Membership sports and recreation clubs. |
| | N | All other commercial entertainment—outdoor. |
| Major event entertainment | N | |
| Recreational and cultural community services | P | Libraries. |
| | C | All other recreation and cultural community services. |
| Parks and open space | C | Arboreta and botanical gardens. |
| | P | All other parks and open space. |
| Nonprofit membership assembly | N | |
| Religious assembly | S | Religious assembly, subject to SRC 700.055. |
| Health Services | | |
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | N | |
| Educational Services | | |
| Day care | P | The following day care activities: <ul style="list-style-type: none"> ■ Child day care home. ■ Adult day care home. |
| | C | The following day care activities: <ul style="list-style-type: none"> ■ Child day care center. ■ Adult day care center. |
| | N | All other day care. |
| Basic education | S | Basic education, subject to SRC 700.010. |
| Post-secondary and adult education | N | |
| Civic Services | | |
| Governmental services | N | |

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|---|---|--|
| Social services | N | |
| Governmental maintenance services and construction | N | |
| Public Safety | | |
| Emergency services | N | The following emergency services activities: <ul style="list-style-type: none"> ■ Ambulance stations. ■ Ambulance service facilities. |
| | P | All other emergency services. |
| Detention facilities | N | |
| Military installations | N | |
| Funeral and Related Services | | |
| Cemeteries | N | |
| Funeral and cremation services | N | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | N | |
| Building and grounds services and construction contracting | N | |
| Cleaning plants | N | |
| Industrial services | N | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | N | |
| Heavy wholesaling | N | |
| Warehousing and distribution | N | |
| Self-service storage | N | |
| Manufacturing | | |
| General manufacturing | N | |
| Heavy manufacturing | N | |
| Printing | N | |
| Transportation Facilities | | |
| Aviation facilities | N | |
| Passenger ground transportation facilities | P | Transit stop shelters. |
| | N | All other passenger ground transportation facilities. |

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|---|---------|---|
| Marine facilities | N | |
| Utilities | | |
| Basic utilities | P | |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | C | |
| Power generation facilities | N | |
| Data center facilities | N | |
| Fuel dealers | N | |
| Waste-related facilities | N | |
| Mining and Natural Resource Extraction | | |
| Petroleum and natural gas production | N | |
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | N | |
| Forestry | N | |
| Agriculture and forestry services | N | |
| Keeping of livestock and other animals | N | |
| Animal services | N | |
| Other Uses | | |
| Temporary uses | P | <p>The following temporary uses:</p> <ul style="list-style-type: none"> ■ Christmas tree sales, subject to SRC 701.015. ■ <u>Construction modular, subject to SRC 701.016.</u> ■ Emergency shelter, subject to SRC 701.025, when located on the site of a religious assembly use. ■ Managed temporary village, subject to SRC 701.030, when located on the site of a religious assembly use or on land owned or leased by a government entity. ■ Residential sales/development office, subject to SRC 701.040. ■ <u>Safe parking shelter, subject to SRC 701.041, when located on the site of a religious assembly use or on land owned or leased by a government entity.</u> |
| Home occupations | S | Home occupations, subject to SRC 700.020. |

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| Historic resource adaptive reuse pursuant to SRC chapter 230 | Allowed | Historic resource adaptive reuse pursuant to SRC chapter 230 is allowed, subject to SRC 230.085. |
| Accessory dwelling units | S | Accessory dwelling units, subject to SRC 700.007. |

Sec. 514.005. - Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the RM-II zone are set forth in Table 514-1.

| TABLE 514-1. USES | | |
|-------------------------------|---------------|---|
| Use | Status | Limitations & Qualifications |
| Household Living | | |
| Single family | P | The following single family activities: <ul style="list-style-type: none"> ■ Replacement of existing single family detached dwelling. ■ New single family detached dwelling on a nonconforming lot of record less than 6,000 square feet in area. ■ Townhouse. ■ Residential home, as defined under ORS 197.660. ■ Manufactured dwelling park, subject to SRC chapter 235. ■ Replacement of existing manufactured home. |
| | S | The following single family activities: <ul style="list-style-type: none"> ■ Replacement of existing manufactured home, subject to SRC 700.025. ■ Zero side yard dwelling, subject to SRC 700.095. |
| | N | All other single family. |
| Two family | P | |
| Three family | S | Subject to SRC 700.081. |
| Four family | S | Subject to SRC 700.081. |
| Multiple family | P | |
| Group Living | | |
| Room and board | P | Room and board serving 5 or fewer persons. |
| | C | Room and board serving 6 to 10 persons. |
| | N | All other room and board. |
| Residential care | P | |
| Nursing care | S | Nursing care, subject to SRC 700.040. |
| Lodging | | |
| Short-term commercial lodging | P | Short-term rentals. |
| | N | All other short-term commercial lodging. |

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| Long-term commercial lodging | N | |
| Nonprofit shelters | P | Nonprofit shelters serving 5 or fewer persons. |
| | C | Nonprofit shelters serving 6 to 10 persons. |
| | P | Nonprofit shelters for victims of domestic violence serving 10 or fewer persons. |
| | N | All other nonprofit shelters. |
| Retail Sales and Service | | |
| Eating and drinking establishments | N | |
| Retail sales | N | |
| Personal services | C | The following personal services activities: <ul style="list-style-type: none"> ■ Beauty salons. ■ Barber shops. |
| | N | All other personal services. |
| Postal services and retail financial services | N | |
| Business and Professional Services | | |
| Office | N | |
| Audio/visual media production | N | |
| Laboratory research and testing | N | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services | | |
| Motor vehicle and manufactured dwelling and trailer sales | N | |
| Motor vehicle services | N | |
| Commercial parking | N | |
| Park-and-ride facilities | P | Park-and ride facilities, when located on a lot whose side abuts property, other than a street or alley, within a commercial or industrial zone, and the lot is located entirely within 165 feet of the abutting commercial or industrial zone. |
| | N | All other park-and-ride facilities. |
| Taxicabs and car services | N | |
| Heavy vehicle and trailer sales | N | |

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| Heavy vehicle and trailer service and storage | N | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | C | Membership sports and recreation clubs. |
| | N | All other commercial entertainment—indoor. |
| Commercial entertainment—outdoor | S | Golf courses, subject to SRC 700.015. |
| | C | Membership sports and recreation clubs. |
| | N | All other commercial entertainment—outdoor. |
| Major event entertainment | N | |
| Recreational and cultural community services | P | Libraries. |
| | C | All other recreation and cultural community services. |
| Parks and open space | C | Arboreta and botanical gardens. |
| | P | All other parks and open space. |
| Nonprofit membership assembly | C | |
| Religious assembly | S | Religious assembly, subject to SRC 700.055. |
| Health Services | | |
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | N | |
| Educational Services | | |
| Day care | P | The following day care activities: <ul style="list-style-type: none"> ■ Child day care home. ■ Adult day care home. |
| | C | The following day care activities: <ul style="list-style-type: none"> ■ Child day care center. ■ Adult day care center. |
| | N | All other day care. |
| Basic education | S | Basic education, subject to SRC 700.010. |
| Post-secondary and adult education | N | |
| Civic Services | | |
| Governmental services | N | |
| Social services | N | |

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| Governmental maintenance services and construction | N | |
| Public Safety | | |
| Emergency services | N | Ambulance service facilities. |
| | P | All other emergency services. |
| Detention facilities | N | |
| Military installations | N | |
| Funeral and Related Services | | |
| Cemeteries | N | |
| Funeral and cremation services | N | Crematories. |
| | C | All other funeral and cremation services. |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | N | |
| Building and grounds services and construction contracting | N | |
| Cleaning plants | N | |
| Industrial services | N | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | N | |
| Heavy wholesaling | N | |
| Warehousing and distribution | N | |
| Self-service storage | N | |
| Manufacturing | | |
| General manufacturing | N | |
| Heavy manufacturing | N | |
| Printing | N | |
| Transportation Facilities | | |
| Aviation facilities | N | |
| Passenger ground transportation facilities | P | Transit stop shelters. |
| | N | All other passenger ground transportation facilities. |
| Marine facilities | N | |
| Utilities | | |

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| Basic utilities | P | |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | C | |
| Power generation facilities | N | |
| Data center facilities | N | |
| Fuel dealers | N | |
| Waste-related facilities | N | |
| Mining and Natural Resource Extraction | | |
| Petroleum and natural gas production | N | |
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | N | <u>The following agriculture activities:</u> <ul style="list-style-type: none"> ■ <u>Marijuana production.</u> ■ <u>Psilocybin production.</u> |
| | P | All other agriculture. |
| Forestry | P | |
| Agriculture and forestry services | N | |
| Keeping of livestock and other animals | N | |
| Animal services | N | |
| Other Uses | | |
| Temporary uses | P | <u>The following temporary uses:</u> <ul style="list-style-type: none"> ■ Christmas tree sales, subject to SRC 701.015. ■ <u>Construction modular, subject to SRC 701.016.</u> ■ Emergency shelter, subject to SRC 701.025, when located on the site of a religious assembly use. ■ Managed temporary village, subject to SRC 701.030, when located on the site of a religious assembly use or on land owned or leased by a government entity. ■ <u>Safe parking shelter, subject to SRC 701.041, when located on the site of a religious assembly use or on land owned or leased by a government entity.</u> |
| Home occupations | S | Home occupations are allowed subject to SRC 700.020. |
| Guest houses and guest quarters | P | Guest houses and guest quarters are permitted as an accessory use to single family, provided such houses and quarters are dependent upon |

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| | | the main building for either kitchen or bathroom facilities, or both, and are used for temporary lodging and not as a place of residence. |
| Storage of commercial vehicle as an accessory use to household living | P | Storage of a commercial vehicle as an accessory use to household living is permitted, provided no more than 1 commercial vehicle is stored per dwelling unit. |
| Historic resource adaptive reuse pursuant to SRC chapter 230 | Allowed | Historic resource adaptive reuse pursuant to SRC chapter 230 is allowed, subject to SRC 230.085. |
| Accessory dwelling units | S | Accessory dwelling units, subject to SRC 700.007. |

Sec. 515.005. - Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the RM-III zone are set forth in Table 515-1.

| TABLE 515-1. USES | | |
|-------------------------------|---------------|--|
| Use | Status | Limitations & Qualifications |
| Household Living | | |
| Single family | P | The following single family activities: <ul style="list-style-type: none"> ■ Replacement of single family detached dwelling existing on October 23, 2013. ■ Residential home, as defined under ORS 197.660. |
| | C | New single family detached dwelling, other than the replacement of a single family detached dwelling existing on October 23, 2013. |
| | N | All other single family. |
| Two family | P | |
| Three family | S | Subject to SRC 700.081. |
| Four family | S | Subject to SRC 700.081. |
| Multiple family | P | |
| Group Living | | |
| Room and board | P | Room and board serving 5 or fewer persons. |
| | C | Room and board serving 6 to 10 persons. |
| | N | All other room and board. |
| Residential care | P | |
| Nursing care | S | Nursing care, subject to SRC 700.045. |
| Lodging | | |
| Short-term commercial lodging | P | Short-term rentals. |
| | N | All other short-term commercial lodging. |

| | | |
|---|---|---|
| Long-term commercial lodging | P | |
| Nonprofit shelters | P | Nonprofit shelters serving 5 or fewer persons. |
| | C | Nonprofit shelters serving 6 to 10 persons. |
| | P | Nonprofit shelters for victims of domestic violence serving 10 or fewer persons. |
| | N | All other nonprofit shelters. |
| Retail Sales and Service | | |
| Eating and drinking establishments | N | |
| Retail sales | N | |
| Personal services | C | The following personal services activities: <ul style="list-style-type: none"> ■ Beauty salons. ■ Barber shops. |
| | N | All other personal services. |
| Postal services and retail financial services | N | |
| Business and Professional Services | | |
| Office | N | |
| Audio/visual media production | N | |
| Laboratory research and testing | N | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services | | |
| Motor vehicle and manufactured dwelling and trailer sales | N | |
| Motor vehicle services | N | |
| Commercial parking | N | |
| Park-and-ride facilities | P | Park-and ride facilities, when located on a lot whose side abuts property, other than a street or alley, within a commercial or industrial zone, and the lot is located entirely within 165 feet of the abutting commercial or industrial zone. |
| | N | All other park-and-ride facilities. |
| Taxicabs and car services | N | |
| Heavy vehicle and trailer sales | N | |

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| Heavy vehicle and trailer service and storage | N | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | C | Membership sports and recreation clubs. |
| | N | All other commercial entertainment—indoor. |
| Commercial entertainment—outdoor | C | Membership sports and recreation clubs. |
| | N | All other commercial entertainment—outdoor. |
| Major event entertainment | N | |
| Recreational and cultural community services | P | Libraries. |
| | C | All other recreation and cultural community services. |
| Parks and open space | C | Arboreta and botanical gardens. |
| | P | All other parks and open space. |
| Nonprofit membership assembly | C | |
| Religious assembly | S | Religious Assembly is allowed, subject to SRC 700.055. |
| Health Services | | |
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | N | |
| Educational Services | | |
| Day care | P | The following day care activities: <ul style="list-style-type: none"> ■ Child day care home. ■ Adult day care home. |
| | C | The following day care activities: <ul style="list-style-type: none"> ■ Child day care center. ■ Adult day care center. |
| | N | All other day care. |
| Basic education | S | Basic education, subject to SRC 700.010. |
| Post-secondary and adult education | N | |
| Civic Services | | |
| Governmental services | N | |
| Social services | N | |
| Governmental maintenance services and construction | N | |

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|---|---------|--|
| Public Safety | | |
| Emergency services | N | Ambulance service facilities. |
| | P | All other emergency services. |
| Detention facilities | N | |
| Military installations | N | |
| Funeral and Related Services | | |
| Cemeteries | N | |
| Funeral and cremation services | N | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | N | |
| Building and grounds services and construction contracting | N | |
| Cleaning plants | N | |
| Industrial services | N | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | N | |
| Heavy wholesaling | N | |
| Warehousing and distribution | N | |
| Self-service storage | N | |
| Manufacturing | | |
| General manufacturing | N | |
| Heavy manufacturing | N | |
| Printing | N | |
| Transportation Facilities | | |
| Aviation facilities | N | |
| Passenger ground transportation facilities | P | Transit stop shelters. |
| | N | All other passenger ground transportation facilities. |
| Marine facilities | N | |
| Utilities | | |
| Basic utilities | P | |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |

| | | |
|---|---|---|
| Drinking water treatment facilities | C | |
| Power generation facilities | N | |
| Data center facilities | N | |
| Fuel dealers | N | |
| Waste-related facilities | N | |
| Mining and Natural Resource Extraction | | |
| Petroleum and natural gas production | N | |
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | N | <u>The following agriculture activities:</u> <ul style="list-style-type: none"> ■ <u>Marijuana production.</u> ■ <u>Psilocybin production.</u> |
| | P | All other agriculture. |
| Forestry | P | |
| Agriculture and forestry services | N | |
| Keeping of livestock and other animals | N | |
| Animal services | N | |
| Other Uses | | |
| Temporary uses | P | The following temporary uses: <ul style="list-style-type: none"> ■ Christmas tree sales, subject to SRC 701.015. ■ <u>Construction modular, subject to SRC 701.016.</u> ■ Emergency shelter, subject to SRC 701.025, when located on the site of a religious assembly use. ■ Managed temporary village, subject to SRC 701.030, when located on the site of a religious assembly use or on land owned or leased by a government entity. ■ Residential sales/development office, subject to SRC 701.040. ■ <u>Safe parking shelter, subject to SRC 701.041, when located on the site of a religious assembly use or on land owned or leased by a government entity.</u> |
| Home occupations | S | Home occupations, subject to SRC 700.020. |
| Guest houses and guest quarters | P | Guest houses and guest quarters are permitted as an accessory use to single family, provided such houses and quarters are dependent upon the main building for either kitchen or bathroom facilities, or both, and are used for temporary lodging and not as a place of residence. |

| | | |
|---|---------|---|
| Storage of commercial vehicle as an accessory use to household living | P | Storage of a commercial vehicle as an accessory use to household living is permitted, provided no more than 1 commercial vehicle is stored per dwelling unit. |
| Nonresidential uses in a mixed-use project | S | Nonresidential uses in a mixed-use project, subject to SRC 700.040. |
| Historic resource adaptive reuse pursuant to SRC chapter 230 | Allowed | Historic resource adaptive reuse pursuant to SRC chapter 230 is allowed, subject to SRC 230.085. |
| Accessory dwelling units | S | Accessory dwelling units, subject to SRC 700.007. |

Sec. 521.005. - Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the CO zone are set forth in Table 521-1.

| TABLE 521-1. USES | | |
|--------------------------|---------------|--|
| Use | Status | Limitations & Qualifications |
| Household Living | | |
| Single family | P | The following single family activities: <ul style="list-style-type: none"> ■ Single family detached dwelling. ■ 1 dwelling unit for each business use on a lot. ■ Residential home, as defined under ORS 197.660. |
| | S | The following single family activities: <ul style="list-style-type: none"> ■ Townhouse, subject to SRC 700.085. ■ Zero side yard dwelling, subject to SRC 700.095. |
| | N | All other single family. |
| Two family | P | Duplex. |
| | N | All other two family. |
| Three family | S | Subject to SRC 700.081. |
| Four Family | S | Subject to SRC 700.081. |
| Multiple family | P | |
| Group Living | | |
| Room and board | P | Room and board serving 5 or fewer persons. |
| | C | Room and board serving 6 to 75 persons. |
| | N | All other room and board. |
| Residential care | P | |
| Nursing care | S | Nursing care, subject to SRC 700.045. |
| Lodging | | |
| | P | Short-term rentals. |

| | | |
|--|---|--|
| Short-term commercial lodging | N | All other short-term commercial lodging. |
| Long-term commercial lodging | P | |
| Nonprofit shelters | P | Nonprofit shelters serving 5 or fewer persons. |
| | C | Nonprofit shelters serving 6 to 75 persons. |
| | P | Nonprofit shelters for victims of domestic violence serving 10 or fewer persons. |
| | N | All other nonprofit shelters. |
| Retail Sales and Service | | |
| Eating and drinking establishments | P | Eating places, located within buildings devoted principally to uses otherwise permitted in the CO zone, provided that not more than 25 percent of the floor area of a 1 story building, and not more than 50 percent of the floor area of a 2 or more story building, is occupied by the eating place. |
| | N | All other eating and drinking establishments. |
| Retail sales | P | The following retail sales activities: <ul style="list-style-type: none"> ■ News dealers and newsstands. ■ Caterers. ■ Retail sales of agricultural products, when the sales area does not exceed 1,000 square feet in size. |
| | N | All other Retail Sales. |
| Personal services | P | The following personal services activities are permitted: <ul style="list-style-type: none"> ■ Beauty salons. ■ Barber shops. ■ Photographic portrait studios. |
| | N | All other personal services. |
| Postal services and retail financial services | P | |
| Business and Professional Services | | |
| Office | P | |
| Audio/visual media production | C | |
| Laboratory research and testing | P | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service | | |

| | | |
|--|---|--|
| Motor vehicle and manufactured dwelling and trailer sales | N | |
| Motor vehicle services | N | |
| Commercial parking | P | Commercial parking is permitted, unless noted below. |
| | N | Parking structures. |
| Park-and-ride facilities | P | Park-and-ride facilities are permitted, unless noted below. |
| | N | Parking structures. |
| Taxicabs and car services | N | |
| Heavy vehicle and trailer sales | N | |
| Heavy vehicle and trailer service and storage | N | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | P | Dance studios, dance schools, yoga studios, karate instruction, and other similar physical fitness instructional activities are permitted, provided that the total building floor area of the use does not exceed 2,500 square feet. |
| | N | All other commercial entertainment—indoor. |
| Commercial entertainment—outdoor | S | Golf courses, subject to SRC 700.015. |
| | N | All other commercial entertainment—outdoor. |
| Major event entertainment | N | |
| Recreational and cultural community services | S | Golf courses, subject to SRC 700.015. |
| | P | All other recreational and cultural community services. |
| Parks and open space | P | |
| Nonprofit membership assembly | P | |
| Religious assembly | S | Religious assembly, subject to SRC 700.055. |
| Health Services | | |
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | P | |
| Education Services | | |
| Day care | P | |
| Basic education | P | |

| | | |
|---|---|------------------------|
| Post-secondary and adult education | P | |
| Civic Services | | |
| Governmental services | P | |
| Social services | P | |
| Governmental maintenance services and construction | N | |
| Public Safety | | |
| Emergency services | P | |
| Detention facilities | N | |
| Military installations | P | |
| Funeral and Related Services | | |
| Cemeteries | N | |
| Funeral and cremation services | P | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | N | |
| Building and grounds services and construction contracting | N | |
| Cleaning plants | N | |
| Industrial services | N | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | N | |
| Heavy wholesaling | N | |
| Warehousing and distribution | N | |
| Self-service storage | N | |
| Manufacturing | | |
| General manufacturing | N | |
| Heavy manufacturing | N | |
| Printing | N | |
| Transportation Facilities | | |
| Aviation facilities | N | |
| | P | Transit stop shelters. |

| | | |
|---|---------|--|
| Passenger ground transportation facilities | N | All other passenger ground transportation facilities. |
| Marine facilities | N | |
| Utilities | | |
| Basic utilities | C | Reservoirs; water storage facilities. |
| | P | All other basic utilities. |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | C | |
| Power generation facilities | C | |
| Data center facilities | N | |
| Fuel dealers | N | |
| Waste-related facilities | N | |
| Mining and Natural Resource Extraction | | |
| Petroleum and natural gas production | N | |
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | N | Marijuana production. |
| | P | All other agriculture. |
| Forestry | P | |
| Agriculture and forestry services | C | |
| Keeping of livestock and other animals | N | |
| Animal services | S | Small animal veterinary services, subject to SRC 700.075. |
| | N | All other animals services. |
| Other Uses | | |
| Temporary uses | P | <p>The following temporary uses:</p> <ul style="list-style-type: none"> ■ Christmas tree sales, subject to SRC 701.015. ■ <u>Construction modular, subject to SRC 701.016.</u> ■ Emergency shelter, subject to SRC 701.025. ■ Managed temporary village, subject to SRC 701.030. ■ <u>Safe parking shelter, subject to SRC 701.041.</u> |

| | | |
|---|---------|--|
| Home occupations | S | Home occupations, subject to SRC 700.020. |
| Guest houses and guest quarters | P | Guest houses and guest quarters are permitted as an accessory use to single family, provided such houses and quarters are dependent upon the main building for either kitchen or bathroom facilities, or both, and are used for temporary lodging and not as a place of residence. |
| Storage of commercial vehicle as an accessory use to household living | P | Storage of a commercial vehicle as an accessory use to household living is permitted, provided no more than 1 commercial vehicle is stored per dwelling unit. |
| Historic resource adaptive reuse pursuant to SRC chapter 230 | Allowed | Historic resource adaptive reuse pursuant to SRC chapter 230 is allowed, subject to SRC 230.085. |
| Accessory dwelling units | S | Accessory dwelling units, subject to SRC 700.007. |

Sec. 521.010. Development standards.

Development within the CO zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the CO zone shall conform to the standards set forth in Table 521-2.

| TABLE 521-2. LOT STANDARDS | | |
|---|--|---|
| Requirement | Standard | Limitations & Qualifications |
| Lot Area | | |
| Single family and two family | Min. 4,000 sq. ft. | |
| Two family, Three family, and four family | Min. 5,000 sq. ft., plus additional lot area based on number of bedrooms within each dwelling unit | Additional lot area required as follows: <ul style="list-style-type: none"> ■ 750 sq. ft. for each dwelling unit with 1 bedroom. ■ 1,000 sq. ft. for each dwelling unit with 2 bedrooms. ■ 1,200 sq. ft. for each dwelling unit with 3 or more bedrooms. |
| Multiple family | Min. 5,000 sq. ft., plus additional lot area based on number of bedrooms within each dwelling unit | Applicable to multiple family consisting of 5 or fewer dwelling units. Additional lot area required as follows: <ul style="list-style-type: none"> ■ 750 sq. ft. for each dwelling unit with 1 bedroom. ■ 1,000 sq. ft. for each dwelling unit with 2 bedrooms. ■ 1,200 sq. ft. for each dwelling unit with 3 to 5 bedrooms. |
| | Min. 5,000 sq. ft., plus additional lot area based on number of bedrooms within each dwelling unit | Applicable to multiple family consisting of 6 or more dwelling units. Additional lot area required as follows: First through fifth dwelling units. <ul style="list-style-type: none"> ■ 750 sq. ft. for each dwelling unit with 1 bedroom. ■ 1,000 sq. ft. for each dwelling unit with 2 bedrooms. ■ 1,200 sq. ft. for each dwelling unit with 3 to 5 bedrooms. Sixth and additional dwelling units. |

| | | |
|---|--------------------------------|---|
| | | <ul style="list-style-type: none"> ■ 1,000 sq. ft. for each dwelling unit with no more than 2 bedrooms in a 2 or more story structure. ■ 1,250 sq. ft. for each dwelling unit with no more than 2 bedrooms in a 1 story structure. ■ 1,700 sq. ft. for each dwelling unit with 3 or more bedrooms. |
| All other uses | Min. 6,000 sq. ft. | |
| Lot Width | | |
| Single family, two family, three family, four family, and multiple family | Min. 40 ft. | |
| All other uses | None | |
| Lot Depth | | |
| Single family | Min. 70 ft. | |
| | Max. 300% of average lot width | |
| Two family, three family, four family, and multiple family | Min. 80 ft. | |
| All other uses | None | |
| Street Frontage | | |
| Single family | Min. 40 ft. | Applicable to lots fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line. |
| | Min. 30 ft. | |
| All other uses | Min. 16 ft. | |

(b) *Setbacks.* Setbacks within the CO zone shall be provided as set forth in Tables 521-3 and 521-4.

| TABLE 521-3. SETBACKS | | |
|--|-------------|---|
| Requirement | Standard | Limitations & Qualifications |
| Abutting Street | | |
| Buildings | | |
| All uses | Min. 12 ft. | |
| Accessory Structures | | |
| Accessory to single family, two family, three family, four family, and multiple family | None | Applicable to accessory structures not more than 4 ft. in height. |
| | Min. 12 ft. | Applicable to accessory structures greater than 4 ft. in height. |
| Accessory to all other uses | Min. 12 ft. | Not applicable to transit stop shelters. |
| Vehicle Use Areas | | |
| All uses, other than single family, two family, three family, and four family | Min. 12 ft. | |

| Interior Front | | |
|---|------------------------------------|---|
| Buildings | | |
| Single family, two family, three family, and four family | Min. 5 ft. | |
| Multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| All other uses | Zone-to-zone setback (Table 521-4) | |
| Accessory Structures | | |
| Accessory to single family, two family, three family, and four family | Min. 5 ft. | |
| Accessory to multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| Accessory to all other uses | Zone-to-zone setback (Table 521-4) | |
| Vehicle Use Areas | | |
| Single family two family, three family, and four family | Per SRC chapter 806 | |
| Multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| All other uses | Zone-to-zone setback (Table 521-4) | |
| Interior Side | | |
| Buildings | | |
| Single family | Min. 5 ft. | Applicable to buildings, other than townhouses and zero side yard dwellings. |
| | Per SRC 700.085 | Applicable to townhouses. |
| | Per SRC 700.095 | Applicable to zero side yard dwellings. |
| Two family, three family, and four family | Min. 5 ft. | |
| Multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| All other uses | Zone-to-zone setback (Table 521-4) | |
| Accessory Structures | | |
| Accessory to single family, two family, three family, and four family | None | Applicable to accessory structures having at least 1 wall which is an integral part of a fence. |
| | Min. 5 ft. | Applicable to all other accessory structures. |
| Accessory to multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| Accessory to all other uses | Zone-to-zone setback (Table 521-4) | |
| Vehicle Use Areas | | |
| Single family, two family, three family, and four family | Per SRC chapter 806 | |
| Multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| All other uses | Zone-to-zone setback (Table 521-4) | |

| Interior Rear | | |
|---|--|---|
| Buildings | | |
| Single family, two family, three family, and four family | Min. 5 ft. | |
| Multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| All other uses | Zone-to-zone setback (Table 521-4) | |
| Accessory Structures | | |
| Accessory to single family, two family, three family, and four family | None | Applicable to accessory structures not more than 9 ft. in height. |
| | Min. 1 ft. for each 1 ft. of height over 9 ft. | Applicable to accessory structures greater than 9 ft. in height. |
| | Min. 1 ft. | Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure. |
| Accessory to multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| Accessory to all other uses | Zone-to-zone setback (Table 521-4) | |
| Vehicle Use Areas | | |
| Single family, two family, three family, and four family | Per SRC chapter 806 | |
| Multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| All other uses | Zone-to-zone setback (Table 521-4) | |

| TABLE 521-4. ZONE-TO-ZONE SETBACKS | | | |
|--|------------------------------------|------------------------------|------------------------------------|
| Abutting Zone | Type of Improvement | Setback⁽¹⁾ | Landscaping & Screening |
| EFU | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. | Type A |
| Residential Zone | Buildings and accessory structures | Min. 15 ft. | Type C |
| | Vehicle use areas | | |
| Mixed-Use Zone | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. | Type A |
| Commercial Zone | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. | Type A |
| Public Zone | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. | Type A |
| Industrial and Employment Zone: EC, IC, IBC, and IP | Buildings and accessory structures | Min. 5 ft. | Type A |
| | Vehicle use areas | | |
| Industrial and Employment Zone: IG | Buildings and accessory structures | Min. 10 ft. | Type C |
| | Vehicle use areas | | |
| Limitations and Qualifications | | | |
| ⁽¹⁾ Zone-to-Zone setbacks are not required abutting an alley. | | | |

- (c) *Lot coverage; height.* Buildings and accessory structures within the CO zone shall conform to the lot coverage and height standards set forth in Table 521-5.

| TABLE 521-5. LOT COVERAGE; HEIGHT | | |
|--|-------------|------------------------------|
| Requirement | Standard | Limitations & Qualifications |
| Lot Coverage | | |
| Buildings and Accessory Structures | | |
| All uses | Max. 60% | |
| Rear Yard Coverage | | |
| Buildings | | |
| All uses | N/A | |
| Accessory Structures | | |
| Accessory to all uses | No Max. | |
| Height | | |
| Buildings | | |
| Single family, two family, three family, and four family | Max. 35 ft. | |
| Multiple family and long-term commercial lodging | Max. 50 ft. | |
| All other uses | Max. 70 ft. | |
| Accessory Structures | | |
| Accessory to single family, two family, three family, four family, and multiple family | Max. 15 ft. | |
| Accessory to all other uses | Max 70 ft. | |

- (d) *Landscaping.*
- (1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.
 - (2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and 807.
 - (3) *Development site.* A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicle use areas, may count towards meeting this requirement.
- (e) *Outdoor storage.* Within the CO zone, outdoor storage of materials and equipment is prohibited, except in conjunction with residential uses where the storage is screened from adjacent streets and properties by a sight-obscuring fence, wall, or hedge.

Sec. 522.005. Uses.

- (a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the CR zone are set forth in Table 522-1.

| TABLE 522-1. USES | | |
|-------------------------|--------|------------------------------|
| Use | Status | Limitations & Qualifications |
| Household Living | | |

| | | |
|--|---------------|--|
| Single family | P | Residential home, as defined under ORS 197.660, within an existing single family dwelling allowed as a continued use pursuant to SRC 522.005(b). |
| | S | Secondary dwellings and guest rooms, subject to SRC 700.070. |
| | N | All other single family. |
| Two family | NP | Two family, when located in a mixed-use building. |
| | N | All other two family. |
| Three family | SP | Subject to SRC 700.081. Three family, when located in a mixed-use building. |
| | N | All other three family. |
| Four family | SP | Subject to SRC 700.081. Four family, when located in a mixed-use building. |
| | N | All other four family. |
| Multiple family | CP | Multiple family, when located in a mixed-use building. |
| | N | All other multiple family. |
| Group Living | | |
| Room and board | P | Room and board serving 5 or fewer persons. |
| | C | Room and board serving 6 to 75 persons. |
| | N | All other room and board. |
| Residential care | P | |
| Nursing care | P | |
| Lodging | | |
| Short-term commercial lodging | P | |
| Long-term commercial lodging | C | |
| Nonprofit shelters | P | Nonprofit shelters serving 5 or fewer persons. |
| | C | Nonprofit shelters serving 6 to 75 persons. |
| | P | Nonprofit shelters for victims of domestic violence serving 10 or fewer persons. |
| | N | All other nonprofit shelters. |
| Retail Sales and Service | | |
| Eating and drinking establishments | P | |
| Retail sales | N | Used merchandise stores, where sales and storage of merchandise and equipment is not conducted entirely within a building. |
| | P | All other retail sales. |
| Personal services | P | |
| Postal services and retail financial services | P | |
| Business and Professional Services | | |
| Office | P | |
| Audio/visual media production | P | |
| Laboratory research and testing | P | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service | | |
| Motor vehicle and manufactured dwelling and trailer sales | C | |
| Motor vehicle services | P | Gasoline service stations. |
| | C | All other motor vehicle services. |
| Commercial parking | P | |

| | | |
|---|---|---|
| Park-and-ride facilities | P | |
| Taxicabs and car services | P | |
| Heavy vehicle and trailer sales | C | Truck rental and leasing. |
| | N | All other heavy vehicle and trailer sales. |
| Heavy vehicle and trailer service and storage | P | Truck stops. |
| | C | The following heavy vehicle and trailer service and storage activities: <ul style="list-style-type: none"> ■ Heavy vehicle and equipment operation instruction. ■ Tire retreading and tire repair shops. |
| | N | All other heavy vehicle and trailer service and storage. |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | C | Nightclubs, located within 200 feet of a residential zone. |
| | P | All other commercial entertainment—indoor. |
| Commercial entertainment—outdoor | C | Privately owned camps, campgrounds, and recreational vehicle parks. |
| | N | The following commercial entertainment—outdoor activities: <ul style="list-style-type: none"> ■ Amusement parks. ■ Drive-in movie theaters. |
| | P | All other commercial entertainment—outdoor. |
| Major event entertainment | C | |
| Recreational and cultural community services | P | |
| Parks and open space | P | |
| Nonprofit membership assembly | P | |
| Religious assembly | P | |
| Health Services | | |
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | P | |
| Education Services | | |
| Day care | P | |
| Basic education | P | |
| Post-secondary and adult education | P | |
| Civic Services | | |
| Governmental services | P | |
| Social services | P | |
| Governmental maintenance services and construction | N | |
| Public Safety | | |
| Emergency services | P | |
| Detention facilities | N | |
| Military Installations | P | |
| Funeral and Related Services | | |
| Cemeteries | N | |
| Funeral and cremation services | P | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |

| | | |
|--|---|--|
| General repair services | P | |
| Building and grounds services and construction contracting | P | The following buildings and grounds services and construction contracting activities: <ul style="list-style-type: none"> ■ Landscape, lawn, and garden services. ■ Tree and shrub services. |
| | C | Carpet and upholstery cleaning establishments. |
| | N | All other building and grounds services and construction contracting. |
| Cleaning plants | N | |
| Industrial services | P | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | N | |
| Heavy wholesaling | N | |
| Warehousing and distribution | C | Distribution centers for online, mail order, and catalog sales. |
| | N | All other warehousing and distribution. |
| Self-service storage | N | |
| Manufacturing | | |
| General manufacturing | P | General manufacturing, provided the manufacturing does not exceed 10,000 square feet of total floor area per development site and retail sales of the products manufactured is provided on-site. |
| | C | The following general manufacturing activities, when exceeding 10,000 square feet of total floor area per development site: <ul style="list-style-type: none"> ■ Industrial and institutional food service contractors. ■ Costume jewelry and precious metals metalsmithing. ■ Sundries and notions. ■ Signs. |
| | N | All other general manufacturing. |
| Heavy manufacturing | N | |
| Printing | P | |
| Transportation Facilities | | |
| Aviation facilities | N | |
| Passenger ground transportation facilities | P | The following passenger ground transportation facilities: <ul style="list-style-type: none"> ■ Transit centers. ■ Transit stop shelters. |
| | C | The following passenger ground transportation facilities: <ul style="list-style-type: none"> ■ Local and suburban passenger transportation. ■ Intercity and rural highway passenger transportation within 2,000 feet from the center point of an I-5 interchange and having direct access on to a major arterial. |
| | N | All other passenger ground transportation facilities. |
| Marine facilities | N | |
| Utilities | | |
| Basic utilities | C | Reservoirs; water storage facilities. |

| | | |
|---|---------|--|
| | P | All other basic utilities. |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | C | |
| Power generation facilities | C | |
| Data center facilities | N | |
| Fuel dealers | N | |
| Waste-related facilities | C | The following waste-related facilities are allowed conditionally: <ul style="list-style-type: none"> ■ Recycling depots. ■ Solid waste transfer stations. |
| | N | All other waste-related facilities. |
| Mining and Natural Resource Extraction | | |
| Petroleum and natural gas production | N | |
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | N | Marijuana production. |
| | P | All other agriculture. |
| Forestry | P | |
| Agriculture and forestry services | P | |
| Keeping of livestock and other animals | N | |
| Animal services | N | New wildlife rehabilitation facility. |
| | P | All other animal services. |
| Other Uses | | |
| Temporary uses | P | The following temporary uses: <ul style="list-style-type: none"> ■ Construction modular, subject to SRC 701.016. ■ Emergency shelter, subject to SRC 701.025. ■ Managed temporary village, subject to SRC 701.030. ■ Safe parking shelter, subject to SRC 701.041. ■ Temporary motor vehicle and recreational vehicle sales, subject to SRC 701.045. |
| Home occupations | S | Home occupations, subject to SRC 700.020. |
| Accessory dwelling units | S | Accessory dwelling units, subject to SRC 700.007. |

- (b) Continued uses. Existing, legally-established uses established prior to *insert effective date of this ordinance*, single family and two family uses, other than manufactured dwellings, within the CR zone constructed prior to February 1, 1983, but which would otherwise be made nonconforming by this chapter, are hereby deemed continued uses.
- (1) Building or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 522.010(e).
 - (2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for ~~that a residential~~ use; provided, however, conversion of the building or structure to ~~another a nonresidential~~ use shall thereafter prevent conversion back to ~~that a residential~~ use.

Sec. 522.010. Development standards.

Development within the CR zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the CR zone shall conform to the standards set forth in Table 522-2.

| TABLE 522-2. LOT STANDARDS | | |
|----------------------------|-------------|---|
| Requirement | Standard | Limitations & Qualifications |
| Lot Area | | |
| All uses | None | |
| Lot Width | | |
| All uses | None | |
| Lot Depth | | |
| All uses | None | |
| Street Frontage | | |
| Single family | Min. 40 ft. | Applicable to lots fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line. |
| | Min. 30 ft. | |
| All other uses | Min. 16 ft. | |

(b) *Setbacks.* Setbacks within the CR zone shall be provided as set forth in Tables 522-3 and 522-4.

| TABLE 522-3. SETBACKS | | |
|---|------------------------------------|---|
| Requirement | Standard | Limitations & Qualifications |
| Abutting Street | | |
| Buildings | | |
| All uses | Min. 5 ft. | |
| Accessory Structures | | |
| Accessory to single family, three family, four family, and multiple family | None | Applicable to accessory structures not more than 4 ft. in height. |
| | Min. 5 ft. | Applicable to accessory structures greater than 4 ft. in height. |
| Accessory to all other uses | Min. 5 ft. | Not applicable to transit stop shelters. |
| Vehicle Use Areas | | |
| All uses | Per SRC chapter 806 | |
| Interior Front | | |
| Buildings | | |
| Single family, three family, and four family | None | |
| Multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| All other uses | Zone-to-zone setback (Table 522-4) | |
| Accessory Structures | | |

| | | |
|--|--|---|
| Accessory to single family, three family, and four family | Min. 5 ft. | |
| Accessory to multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| Accessory to all other uses | Zone-to-zone setback (Table 522-4) | |
| Vehicle Use Areas | | |
| Multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| All other uses | Zone-to-zone setback (Table 522-4) | |
| Interior Side | | |
| Buildings | | |
| Single family | None | |
| Three family and four family | Min. 5 ft. | |
| Multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| All other uses | Zone-to-zone setback (Table 522-4) | |
| Accessory Structures | | |
| Accessory to single family, three family, and four family | None | Applicable to accessory structures having at least 1 wall which is an integral part of a fence. |
| | Min. 5 ft. | Applicable to all other accessory structures. |
| Accessory to multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| Accessory to all other uses | Zone-to-zone setback (Table 522-4) | |
| Vehicle Use Areas | | |
| Multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| All other uses | Zone-to-zone setback (Table 522-4) | |
| Interior Rear | | |
| Buildings | | |
| Single family | None | |
| Three family and four family | Min. 5 ft. | |
| Multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| All other uses | Zone-to-zone setback (Table 522-4) | |
| Accessory Structures | | |
| Accessory to single family, three family, and four family | None | Applicable to accessory structures not more than 9 ft. in height. |
| | Min. 1 ft. for each 1 ft. of height over 9 ft. | Applicable to accessory structures greater than 9 ft. in height. |
| | Min. 1 ft. | Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure. |
| Accessory to multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |

| | | |
|-----------------------------|---------------------------------------|---|
| Accessory to all other uses | Zone-to-zone setback (Table 522-4) | |
| Vehicle Use Areas | | |
| Multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| All other uses | Zone-to-zone setback (Table 522-4) | |

| TABLE 522-4. ZONE-TO-ZONE SETBACKS | | | |
|---|------------------------------------|------------------------|-------------------------|
| Abutting Zone | Type of Improvement | Setback ⁽¹⁾ | Landscaping & Screening |
| EFU | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. | Type A |
| Residential Zone | Buildings and accessory structures | Min. 15 ft. | Type C |
| | Vehicle use areas | | |
| Mixed-Use Zone | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. | Type A |
| Commercial Zone | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. | Type A |
| Public Zone | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. | Type A |
| Industrial and Employment Zone: EC, IC, IBC, and IP | Buildings and accessory structures | Min. 5 ft. | Type A |
| | Vehicle use areas | | |
| Industrial and Employment Zone: IG | Buildings and accessory structures | Min. 10 ft. | Type C |
| | Vehicle use areas | | |
| Limitations and qualifications: ⁽¹⁾ Zone-to-Zone setbacks are not required abutting an alley. | | | |

(c) *Lot coverage; height.* Buildings and accessory structures within the CR zone shall conform to the lot coverage and height standards set forth in Table 522-5.

| TABLE 522-5. LOT COVERAGE; HEIGHT | | |
|---|-------------|------------------------------|
| Requirement | Standard | Limitations & Qualifications |
| Lot Coverage | | |
| Buildings and Accessory Structures | | |
| All uses | No Max. | |
| Rear Yard Coverage | | |
| Buildings | | |
| All uses | N/A | |
| Accessory Structures | | |
| Accessory to all uses | No Max. | |
| Height | | |
| Buildings | | |
| All uses | Max. 50 ft. | |
| Accessory Structures | | |

| | | |
|---|-------------|--|
| Accessory to single family, three family, four family, and multiple family | Max. 15 ft. | |
| Accessory to all other uses | Max. 50 ft. | |

(d) *Landscaping.*

- (1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.
- (2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and 807.
- (3) *Development site.* A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicle use areas, may count towards meeting this requirement.

(e) *Development standards for continued uses.*

- (1) *Buildings.* Buildings housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to development standards set forth in this chapter and to all other applicable provisions of the UDC. ~~provided such alteration, enlargement, or rebuilding conforms to development standards of the Single Family Residential (RS) Zone set forth in SRC chapter 511 and to all other applicable provisions of the UDC, except for lot size and dimension standards in SRC chapter 511.~~
- (2) *Accessory structures.* Existing accessory structures to a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, and new accessory structures to a continued use may be constructed, provided such alteration, enlargement, rebuilding, or new accessory structure construction conforms to the development standards set forth in this chapter and to all other applicable provisions of the UDC. ~~provided such alteration, enlargement, rebuilding, or new accessory structure construction conforms to the development standards of the Single Family Residential (RS) Zone set forth in SRC chapter 511, except the lot size and dimensions standards, and to all other applicable provisions of the UDC.~~
- (3) *Option to rebuild in same location.* Notwithstanding SRC 522.010(e)(1) and (2), any building or accessory structure rebuilt following damage or destruction may either be located on the same location on the lot as the original building or structure, or may be enlarged, provided the enlargement does not increase the building or structure's nonconformity to development standards set forth in this chapter and all other applicable provisions of the UDC. ~~or in compliance with the setbacks of the Single Family Residential (RS) Zone set forth in SRC 511.010(b).~~

Sec. 522.015. Design review.

Design review under SRC chapter 225 is required for development within the CR as follows:

- ~~(a) Multiple family development shall be subject to design review according to the multiple family design review standards set forth in SRC chapter 702.~~
- (a) Residential care with five or more self-contained dwelling units shall be subject to design review according to the multiple family design review standards set forth in SRC chapter 702.

Sec. 523.005. Uses.

- (a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the CG zone are set forth in Table 523-1.

TABLE 523-1. USES

| Use | Status | Limitations & Qualifications |
|--|----------------|---|
| Household Living | | |
| Single family | P | Residential home, as defined under ORS 197.660, within an existing single family dwelling allowed as a continued use pursuant to subsection (b) of this section. |
| | N | All other single family. |
| Two family | N P | Two family, when located in a mixed-use building. |
| | N | All other two family. |
| Three family | SP | Subject to SRC 700.081. Three family, when located in a mixed-use building. |
| | N | All other three family. |
| Four family | SP | Subject to SRC 700.081. Four family, when located in a mixed-use building. |
| | N | All other four family. |
| Multiple family | CP | Multiple family, when located in a mixed-use building. |
| | N | All other multiple family. |
| Group Living | | |
| Room and board | P | Room and board serving 5 or fewer persons. |
| | C | Room and board serving 6 to 75 persons. |
| | N | All other room and board. |
| Residential care | C | |
| Nursing care | P | |
| Lodging | | |
| Short-term commercial lodging | P | |
| Long-term commercial lodging | P | |
| Nonprofit shelters | P | Nonprofit shelters serving 5 or fewer persons. |
| | C | Nonprofit shelters serving 6 to 75 persons. |
| | P | Nonprofit shelters for victims of domestic violence serving 10 or fewer persons. |
| | N | All other nonprofit shelters. |
| Retail Sales and Service | | |
| Eating and drinking establishments | P | |
| Retail sales | N | Used merchandise stores, where sales and storage of merchandise and equipment is not conducted entirely within a building or within a yard fully enclosed by a sight-obscuring fence, wall, or hedge. |
| | P | All other retail sales. |
| Personal services | P | |
| Postal services and retail financial services | P | |
| Business and Professional Services | | |
| Office | P | |
| Audio/visual media production | P | |
| Laboratory research and testing | P | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service | | |

| | | |
|---|---|--|
| Motor vehicle and manufactured dwelling and trailer sales | P | |
| Motor vehicle services | P | |
| Commercial parking | P | |
| Park-and-ride facilities | P | |
| Taxicabs and car services | P | |
| Heavy vehicle and trailer sales | P | |
| Heavy vehicle and trailer service and storage | P | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | C | Nightclubs, located within 200 feet of a residential zone. |
| | P | All other commercial entertainment—indoor. |
| Commercial entertainment—outdoor | C | Drive-in movie theaters. |
| | P | All other commercial entertainment—outdoor. |
| Major event entertainment | C | Race tracks. |
| | P | All other major event entertainment. |
| Recreational and cultural community services | P | |
| Parks and open space | P | |
| Nonprofit membership assembly | P | |
| Religious assembly | P | |
| Health Services | | |
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | P | |
| Education Services | | |
| Day care | P | |
| Basic education | P | |
| Post-secondary and adult education | P | |
| Civic Services | | |
| Governmental services | P | |
| Social services | P | |
| Governmental maintenance services and construction | N | |
| Public Safety | | |
| Emergency services | P | |
| Detention facilities | N | |
| Military Installations | P | |
| Funeral and Related Services | | |
| Cemeteries | N | |
| Funeral and cremation services | P | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | P | |
| Building and grounds services and construction contracting | P | |
| Cleaning plants | P | |
| Industrial services | P | |
| Wholesale Sales, Storage, and Distribution | | |

| | | |
|---|---------|--|
| General wholesaling | P | |
| Heavy wholesaling | P | The following heavy wholesaling activities: <ul style="list-style-type: none"> ■ Nursery stock wholesalers. ■ Tractor and farm equipment wholesalers. |
| | C | The following heavy wholesaling activities: <ul style="list-style-type: none"> ■ Firearms wholesalers. ■ Wood products and timber wholesalers. |
| | N | All other heavy wholesaling. |
| Warehousing and distribution | P | The following warehousing and distribution activities: <ul style="list-style-type: none"> ■ Distribution centers for online, mail order, and catalog sales. ■ Postal processing and distribution centers. |
| | N | All other warehousing and distribution. |
| Self-service storage | N | |
| Manufacturing | | |
| General manufacturing | P | General manufacturing, provided the manufacturing does not exceed 10,000 square feet of total floor area per development site and retail sales of the products manufactured is provided on-site. |
| | C | The following general manufacturing activities, when exceeding 10,000 square feet of total floor area per development site: <ul style="list-style-type: none"> ■ Industrial and institutional food service contractors. ■ Costume jewelry and precious metals metalsmithing. ■ Sundries and notions. ■ Signs. |
| | N | All other general manufacturing. |
| Heavy manufacturing | N | |
| Printing | P | |
| Transportation Facilities | | |
| Aviation facilities | N | |
| Passenger ground transportation facilities | P | |
| Marine facilities | N | |
| Utilities | | |
| Basic utilities | C | Reservoirs; water storage facilities. |
| | P | All other basic utilities. |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | C | |
| Power generation facilities | C | |
| Data center facilities | N | |
| Fuel dealers | P | |
| Waste-related facilities | P | Recycling depots. |
| | C | Solid waste transfer stations. |
| | N | All other waste-related facilities. |
| Mining and Natural Resource Extraction | | |
| Petroleum and natural gas production | N | |

| | | |
|---|---|---|
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | C | Marijuana production, when conducted indoors with an air filtration system to minimize odor impacts upon neighboring properties. |
| | P | All other agriculture. |
| Forestry | P | |
| Agriculture and forestry services | P | |
| Keeping of livestock and other animals | C | |
| Animal services | C | Wildlife rehabilitation facilities. |
| | P | All other animal services. |
| Other Uses | | |
| Temporary uses | P | The following temporary uses: <ul style="list-style-type: none"> ■ <u>Construction modular, subject to SRC 701.016.</u> ■ Emergency shelter, subject to SRC 701.025. ■ Managed temporary village, subject to SRC 701.030 ■ <u>Safe parking shelter, subject to SRC 701.041.</u> ■ Temporary motor vehicle and recreational vehicle sales, subject to SRC 701.045. |
| Home occupations | S | Home occupations, subject to SRC 700.020. |
| Accessory dwelling units | S | Accessory dwelling units, subject to SRC 700.007. |

- (b) Continued uses. Existing, ~~legally-established uses established prior to *insert effective date of this ordinance*, single family and two family uses, other than manufactured dwellings, within the CG zone constructed prior to February 1, 1983,~~ but which would otherwise be made nonconforming by this chapter, are hereby deemed continued uses.
- (1) Building or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 523.010(e).
 - (2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for ~~that a residential use~~; provided, however, conversion of the building or structure to ~~another nonresidential use~~ shall thereafter prevent conversion back to ~~that a residential use~~.

Sec. 523.010. Development standards.

Development within the CG zone must comply with the development standards set forth in this section.

- (a) *Lot standards.* Lots within the CG zone shall conform to the standards set forth in Table 523-2.

| TABLE 523-2. LOT STANDARDS | | |
|----------------------------|----------|------------------------------|
| Requirement | Standard | Limitations & Qualifications |
| Lot Area | | |
| All uses | None | |
| Lot Width | | |
| All uses | None | |
| Lot Depth | | |
| All uses | None | |

| Street Frontage | | |
|-----------------|-------------|---|
| Single family | Min. 40 ft. | Applicable to lots fronting on the turnaround of a cul-de-sac street or the outside curve of a curved street having a radius of 200 feet or less and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line. |
| | Min. 30 ft. | |
| All other uses | Min. 16 ft. | |

(b) *Setbacks.* Setbacks within the CG zone shall be provided as set forth in Tables 523-3 and 523-4.

| TABLE 523-3. SETBACKS | | |
|---|------------------------------------|---|
| Requirement | Standard | Limitations & Qualifications |
| Abutting Street | | |
| Buildings | | |
| All uses | Min. 5 ft. | |
| Accessory Structures | | |
| Accessory to single family, three family, four family, and multiple family | None | Applicable to accessory structures not more than 4 ft. in height. |
| | Min. 5 ft. | Applicable to accessory structures greater than 4 ft. in height. |
| Accessory to all other uses | Min. 5 ft. | Not applicable to transit stop shelters. |
| Vehicle Use Areas | | |
| All uses | Per SRC chapter 806 | |
| Interior Front | | |
| Buildings | | |
| Single family, three family, and four family | None | |
| Multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| All other uses | Zone-to-zone setback (Table 523-4) | |
| Accessory Structures | | |
| Accessory to single family, three family, and four family | Min. 5 ft. | |
| Accessory to multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| Accessory to all other uses | Zone-to-zone setback (Table 523-4) | |
| Vehicle Use Areas | | |
| Multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| All other uses | Zone-to-zone setback (Table 523-4) | |
| Interior Side | | |
| Buildings | | |
| Single family | None | |
| Three family and four family | Min. 5 ft. | |

| | | |
|---|--|---|
| Multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| All other uses | Zone-to-zone setback (Table 523-4) | |
| Accessory Structures | | |
| Accessory to single family, three family, and four family | None | Applicable to accessory structures having at least 1 wall which is an integral part of a fence. |
| | Min. 5 ft. | Applicable to all other accessory structures. |
| Accessory to multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| Accessory to all other uses | Zone-to-zone setback (Table 523-4) | |
| Vehicle Use Areas | | |
| Multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| All other uses | Zone-to-zone setback (Table 823-4) | |
| Interior Rear | | |
| Buildings | | |
| Single family, three family, and four family | None | |
| Multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| All other uses | Zone-to-zone setback (Table 523-4) | |
| Accessory Structures | | |
| Accessory to single family, three family, and four family | None | Applicable to accessory structures not more than 9 ft. in height. |
| | Min. 1 ft. for each 1 ft. of height over 9 ft. | Applicable to accessory structures greater than 9 ft. in height. |
| | Min. 1 ft. | Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure. |
| Accessory to multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| Accessory to all other uses | Zone-to-zone setback (Table 523-4) | |
| Vehicle Use Areas | | |
| Multiple family | Min. 10 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| All other uses | Zone-to-zone setback (Table 523-4) | |

TABLE 523-4. ZONE-TO-ZONE SETBACKS

| Abutting Zone | Type of Improvement | Setback ⁽¹⁾ | Landscaping & Screening |
|---------------|------------------------------------|------------------------|-------------------------|
| EFU | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. | Type A |

| | | | |
|--|------------------------------------|-------------|---------------------------------|
| Residential Zone | Buildings and accessory structures | Min. 15 ft. | Type C |
| | Vehicle use areas | | |
| Mixed-Use Zone | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. | Type A |
| Commercial Zone | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. | Type A |
| Public Zone | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. | Type A |
| Industrial and Employment Zone: EC, IC, IBC, and IP | Buildings and accessory structures | Min. 5 ft. | Type A |
| | Vehicle use areas | | Industrial and Employment Zone: |
| IG | Buildings and accessory structures | Min. 10 ft. | Type C |
| | Vehicle use areas | | |
| Limitations and qualifications: (1) Zone-to-Zone setbacks are not required abutting an alley. | | | |

- (c) *Lot coverage; height.* Buildings and accessory structures within the CG zone shall conform to the lot coverage and height standards set forth in Table 523-5.

| TABLE 523-5. LOT COVERAGE; HEIGHT | | |
|--|-------------|------------------------------|
| Requirement | Standard | Limitations & Qualifications |
| Lot Coverage | | |
| Buildings and accessory structures | | |
| All uses | No Max. | |
| Rear Yard Coverage | | |
| Buildings | | |
| All uses | N/A | |
| Accessory Structures | | |
| Accessory to all uses | No Max. | |
| Height | | |
| Buildings | | |
| All uses | Max. 70 ft. | |
| Accessory Structures | | |
| Accessory to single family, three family, four family, and multiple family | Max. 15 ft. | |
| Accessory to all other uses | Max. 70 ft. | |

- (d) *Landscaping.*
- (1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.
 - (2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and 807.
 - (3) *Development site.* A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC chapter 807. Other required

landscaping under the UDC, such as landscaping required for setbacks or vehicular use areas, may count towards meeting this requirement.

(e) *Development standards for continued uses.*

- (1) *Buildings.* Buildings housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to development standards set forth in this chapter and to all other applicable provisions of the UDC. ~~provided such alteration, enlargement, or rebuilding conforms to development standards of the Single Family Residential (RS) Zone set forth in SRC chapter 511, and to all other applicable provisions of the UDC, except the lot size and dimensions standards in SRC chapter 511.~~
- (2) *Accessory structures.* Existing accessory structures to a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, and new accessory structures to a continued use may be constructed, provided such alteration, enlargement, rebuilding, or new accessory structure construction conforms to the development standards set forth in this chapter and to all other applicable provisions of the UDC. ~~provided such alteration, enlargement, rebuilding, or new accessory structure construction conforms to the development standards of the Single Family Residential (RS) Zone set forth in SRC chapter 511, except the lot size and dimensions standards, and to all other applicable provisions of the UDC.~~
- (3) *Option to rebuild in same location.* Notwithstanding subsections (e)(1) and (2) of this section, any building or accessory structure rebuilt following damage or destruction may either be located on the same location on the lot as the original building or structure, or may be enlarged, provided the enlargement does not increase the building or structure’s nonconformity to development standards set forth in this chapter and all other applicable provisions of the UDC. ~~or in compliance with the setbacks of the Single Family Residential (RS) Zone set forth in SRC 511.010(b).~~

Sec. 523.015. Design review.

Design review under SRC chapter 225 is required for development within the CG as follows:

- ~~(a) Multiple family development shall be subject to design review according to the multiple family design review standards set forth in SRC chapter 702.~~
- (a) Residential care with five or more self-contained dwelling units shall be subject to design review according to the multiple family design review standards set forth in SRC chapter 702.

Sec. 524.005. - Uses.

- (a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the CB zone are set forth in Table 524-1.

| TABLE 524-1. USES | | |
|-------------------------|--------|---|
| Use | Status | Limitations & Qualifications |
| Household Living | | |
| Single family | P | Residential home, as defined under ORS 197.660. |
| | N | All other single family. |
| Two family | P | Duplex. |
| | N | All other two family. |
| Three family | P | |

| | | |
|---|---|---|
| Four family | P | |
| Multiple family | P | |
| Group Living | | |
| Room and board | P | Room and board serving 5 or fewer persons. |
| | C | The following room and board activities: <ul style="list-style-type: none"> ■ Room and board serving 6 to 75 persons. ■ Relocation of an existing room and board facility within the CB zone serving more than 75 persons, provided the facility has existed within the CB zone as of September 1, 1993, and there is no increase in bed capacity. |
| | N | All other room and board. |
| Residential care | P | |
| Nursing care | P | |
| Lodging | | |
| Short-term commercial lodging | P | |
| Long-term commercial lodging | N | |
| Nonprofit shelters | P | Nonprofit shelters serving 5 or fewer persons. |
| | C | The following nonprofit shelters: <ul style="list-style-type: none"> ■ Nonprofit shelters serving 6 to 75 persons. ■ Relocation of an existing nonprofit shelter within the CB zone serving more than 75 persons, provided the shelter has existed within the CB zone as of September 1, 1993, and there is no increase in bed capacity. |
| | P | Nonprofit shelters serving victims of domestic violence for 10 or fewer persons. |
| | N | All other nonprofit shelters. |
| Retail Sales and Services | | |
| Eating and drinking establishments | P | |
| Retail sales | N | Medical marijuana and recreational marijuana sales or transfers, except for retail sales of cannabidiol (CBD) products. |
| | P | All other retail sales. |
| Personal services | P | |
| Postal services and retail financial services | P | |
| Business and Professional Services | | |
| Office | P | |

| | | |
|--|---|--|
| Audio/visual media production | P | |
| Laboratory research and testing | P | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service | | |
| Motor vehicle and manufactured dwelling and trailer sales | N | Mobile home dealers. |
| | P | All other motor vehicle and manufactured dwelling and trailer sales. |
| Motor vehicle services | P | |
| Commercial parking | P | Commercial parking within a parking structure. |
| | C | All other commercial parking |
| Park-and-ride facilities | P | |
| Taxicabs and car services | P | |
| Heavy vehicle and trailer sales | N | |
| Heavy vehicle and trailer service and storage | N | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | P | |
| Commercial entertainment—outdoor | N | Drive-in movie theaters. |
| | P | All other commercial entertainment—outdoor. |
| Major event entertainment | P | Major event entertainment conducted indoors. |
| | N | All other major event entertainment. |
| Recreational and cultural community services | P | |
| Parks and open space | P | |
| Nonprofit membership assembly | P | |
| Religious assembly | P | |
| Health Services | | |
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | P | |
| Educational Services | | |

| | | |
|---|---|---|
| Day care | P | |
| Basic education | P | |
| Post-secondary and adult education | P | |
| Civic Services | | |
| Governmental services | P | |
| Social services | P | |
| Governmental maintenance services and construction | N | |
| Public Safety | | |
| Emergency services | P | |
| Detention facilities | N | |
| Military installations | P | |
| Funeral and Related Services | | |
| Cemeteries | N | |
| Funeral and cremation services | N | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | P | |
| Building and grounds services and construction contracting | N | The following building and grounds services and construction contracting activities: <ul style="list-style-type: none"> ■ Building construction. ■ Heavy construction. ■ Disinfecting and pest control services. ■ Building cleaning and maintenance services. |
| | P | All other building and grounds services and construction contracting. |
| Cleaning plants | P | |
| Industrial services | P | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | P | General wholesaling is permitted, provided that it is combined with retail sales in the same line of goods. |
| Heavy wholesaling | P | Nursery stock, provided that it is combined with retail sales in the same line of goods. |
| | C | The following heavy wholesaling activities, provided they are combined with retail sales in the same line of goods: <ul style="list-style-type: none"> ■ Minerals and ore. ■ Metal service centers and wholesalers. |

| | | |
|--|---------|---|
| | | <ul style="list-style-type: none"> ■ Firearms. ■ Wood products and timber. |
| | N | All other heavy wholesaling. |
| Warehousing and distribution | P | Distribution centers for online, mail order, and catalog sales. |
| | N | All other warehousing and distribution. |
| Self-service storage | S | Self-service storage within a building existing on March 16, 2022 located outside the Salem Downtown Historic District, subject to SRC 700.071. |
| | N | All other self-service storage. |
| Manufacturing | | |
| General manufacturing | P | General manufacturing, provided the manufacturing does not exceed 10,000 square feet of total floor area per development site and retail sales of the products manufactured is provided on-site. |
| | C | The following general manufacturing activities, when exceeding 10,000 square feet of total floor area per development site: <ul style="list-style-type: none"> ■ Industrial and institutional food service contractors. ■ Costume jewelry and precious metals metalsmithing. ■ Sundries and notions. ■ Signs. |
| | N | All other general manufacturing. |
| Heavy manufacturing | N | |
| Printing | P | |
| Transportation Facilities | | |
| Aviation facilities | C | Helicopter landing areas, with or without passenger terminal facilities. |
| | N | All other aviation facilities. |
| Passenger ground transportation facilities | P | |
| Marine facilities | P | |
| Utilities | | |
| Basic utilities | C | Reservoirs; water storage facilities. |
| | P | Basic utilities are permitted, unless noted below. |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | C | |
| Power generation facilities | C | |
| Data center facilities | N | |

| | | |
|---|---|---|
| Fuel dealers | N | |
| Waste-related facilities | C | The following waste-related facilities: <ul style="list-style-type: none"> ■ Recycling depots. ■ Solid waste transfer stations. |
| | N | All other waste-related facilities. |
| Mining and Natural Resource Extraction | | |
| Petroleum and natural gas production | N | |
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | N | Marijuana production. |
| | P | All other agriculture. |
| Forestry | N | |
| Agriculture and forestry services | P | |
| Keeping of livestock and other animals | N | |
| Animal services | N | |
| Other Uses | | |
| Temporary Uses | P | The following temporary uses: <ul style="list-style-type: none"> ■ <u>Construction modular, subject to SRC 701.016.</u> ■ Emergency shelter, subject to SRC 701.025. ■ Managed temporary village, subject to SRC 701.030. ■ <u>Safe parking shelter, subject to SRC 701.041.</u> |
| Home occupations | S | Home occupations, subject to SRC 700.020. |
| Accessory dwelling units | S | Accessory dwelling units, subject to SRC 700.007 |

Sec. 525.005. - Uses.

- (a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the WSCB zone are set forth in Table 525-1.

**TABLE 525-1
USES**

| Table 525-1: Uses | | |
|--------------------------|--------|--------------------------------|
| Use | Status | Limitations and Qualifications |
| Household living | | |

| | | |
|---|---|--|
| Single family | P | The following single family activities: <ul style="list-style-type: none"> ■ Townhouse. ■ Residential home, as defined under ORS 197.660. |
| | N | All other single family. |
| Two family | P | |
| Three family | P | |
| Four family | P | |
| Multiple family | P | |
| Group Living | | |
| Room and board | P | Room and board serving 5 or fewer persons. |
| | C | Room and board serving 6 to 75 persons. |
| | N | All other room and board. |
| Residential care | P | |
| Nursing care | P | |
| Lodging | | |
| Short-term commercial lodging | P | |
| Long-term commercial lodging | P | |
| Non-profit shelters | P | The following non-profit shelter activities: <ul style="list-style-type: none"> ■ Non-profit shelters serving 5 or fewer persons. ■ Non-profit shelters for victims of domestic violence serving 10 or fewer persons. |
| | C | Non-profit shelters serving 6 to 75 persons. |
| | N | All other non-profit shelters. |
| Retail Sales and Services | | |
| Eating and drinking establishments | P | |
| Retail sales | P | |
| Personal services | P | |
| Postal services and retail financial services | P | |
| Business and Professional Services | | |
| Office | P | |
| Audio/visual media production | P | |

| | | |
|--|---|--|
| Laboratory research and testing | P | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service | | |
| Motor vehicle and manufactured dwelling and trailer sales | N | |
| Motor vehicle services | N | |
| Commercial parking | P | |
| Park-and-ride facilities | P | |
| Taxicabs and car services | N | |
| Heavy vehicle and trailer sales | N | |
| Heavy vehicle and trailer service and storage | N | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | P | |
| Commercial entertainment—outdoor | P | The following commercial entertainment—outdoor activities: ■ Outdoor swimming pools |
| | N | All other commercial entertainment—outdoor |
| Major event entertainment | N | |
| Recreational and cultural community services | P | |
| Parks and open space | P | |
| Non-profit membership assembly | P | |
| Religious assembly | P | |
| Health Services | | |
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | P | |
| Educational Services | | |
| Day care | P | |
| Basic education | P | |
| Post-secondary and adult education | P | |

| | | |
|---|---|--|
| Civic Services | | |
| Governmental services | P | |
| Social services | P | |
| Governmental maintenance services and construction | N | |
| Public Safety | | |
| Emergency services | P | |
| Detention facilities | N | |
| Military installations | N | |
| Funeral and Related Services | | |
| Cemeteries | N | |
| Funeral and cremation services | P | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | N | |
| Building and grounds services and construction contracting | N | |
| Cleaning plants | N | |
| Industrial services | N | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | N | |
| Heavy wholesaling | N | |
| Warehousing and distribution | N | |
| Self-service storage | N | |
| Manufacturing | | |
| General manufacturing | P | General manufacturing, provided the manufacturing does not exceed 10,000 square feet of total floor area per development site and retail sales of the products manufactured is provided on-site. |
| | N | All other general manufacturing. |
| Heavy manufacturing | N | |
| Printing | P | |
| Transportation Facilities | | |
| Aviation facilities | C | Helicopter landing areas, with or without passenger terminal facilities. |
| | N | All other aviation facilities. |

| | | |
|---|---------|---|
| Passenger ground transportation facilities | P | |
| Marine facilities | P | |
| Utilities | | |
| Basic utilities | C | Reservoirs; water storage facilities. |
| | P | All other basic utilities. |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | C | |
| Power generation facilities | C | |
| Data center facilities | N | |
| Fuel dealers | N | |
| Waste-related facilities | C | The following waste-related facilities: <ul style="list-style-type: none"> ■ Recycling depots. ■ Solid waste transfer stations. |
| | N | All other waste-related facilities. |
| Mining and Natural Resource Extraction | | |
| Petroleum and natural gas production | N | |
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | N | Marijuana production |
| | P | All other agriculture |
| Forestry | P | |
| Agriculture and forestry services | P | |
| Keeping of livestock and other animals | N | |
| Animal services | N | Wildlife rehabilitation facility |
| | P | |
| Other Uses | | |
| Temporary uses | P | The following temporary uses: <ul style="list-style-type: none"> ■ <u>Construction modular, subject to SRC 701.016.</u> ■ Emergency shelter, subject to SRC 701.025. ■ Managed temporary village, subject to SRC 701.030. ■ <u>Safe parking shelter, subject to SRC 701.041.</u> |

| | | |
|------------------|---|---|
| Home occupations | S | Home occupations, subject to SRC 700.020. |
|------------------|---|---|

- (b) Prohibited uses. Notwithstanding Table 525-1, any permitted, special, or conditional use within the WSCB District shall be a prohibited use if developed with a drive-through.
- (c) Continued uses. Land uses existing within the WSCB zone prior to June 13, 2018, which would otherwise be made non-conforming by this chapter, are hereby deemed continued uses.
- (1) Buildings or structures housing a continued use may be structurally altered, enlarged, or rebuilt following damage or destruction, provided:
 - (A) Such alteration, enlargement, or rebuilding of a conforming development complies with the standards in this chapter; or
 - (B) Such alteration, enlargement, or rebuilding of a continued development complies with the standards set forth in SRC 525.010(a).
 - (2) Conversion of the building or structure to a conforming use shall thereafter prevent conversion back to the former continued use or any other continued use.
 - (3) A determination by the Building Official that the building or structure housing a continued use is derelict or dangerous, as defined in SRC 50.600 and 56.230, shall terminate the continued use status conferred by this subsection and the property may thereafter only be used for uses allowed in the WSCB zone.

Sec. 530.040. - Uses.

- (a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the FMU zone are set forth in Table 530-1.

| TABLE 530-1. USES | | | | | |
|-------------------------|--------|----|----|----|--|
| Use | Status | | | | Limitations & Qualifications |
| | L | MI | AU | VC | |
| Household Living | | | | | |
| Single family | P | P | P | P | The following single family activities: <ul style="list-style-type: none"> ■ Single family detached dwelling. ■ Residential home, as defined under ORS 197.660. ■ <u>Manufactured home.</u> |
| | N | P | P | P | Townhouse. |
| | N | P | P | P | Dwelling unit for a caretaker on the premises being cared for or guarded. |
| | S | S | S | S | Manufactured home, subject to SRC 700.025. |
| | N | N | N | N | All other single family. |
| Two family | N | P | P | P | |
| Three family | N | P | P | P | |
| Four family | N | P | P | P | |
| Multiple family | N | P | P | P | |
| Group Living | | | | | |
| Room and board | N | P | P | P | Room and board serving 5 or fewer persons. |
| | N | N | N | N | All other room and board. |

| | | | | | |
|---|---|---|---|---|--|
| Residential care | N | P | P | P | Residential facility, as defined under ORS 197.660. |
| | N | N | P | P | All other residential care. |
| Nursing care | N | P | P | P | |
| Lodging | | | | | |
| Short-term commercial lodging | N | P | P | P | Short-term rentals. |
| | N | N | P | P | All other short-term commercial lodging. |
| Long-term commercial lodging | N | P | P | P | |
| Nonprofit shelters | N | N | N | N | |
| Retail Sales and Service | | | | | |
| Eating and drinking establishments | N | P | P | P | |
| Retail sales | N | P | P | P | |
| Personal services | N | P | P | P | |
| Postal services and retail financial services | N | P | P | P | |
| Business and Professional Services | | | | | |
| Office | N | P | P | P | |
| Audio/visual media production | N | P | P | P | |
| Laboratory research and testing | N | P | P | P | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services | | | | | |
| Motor vehicle and manufactured dwelling and trailer sales | N | N | N | N | Manufactured dwelling and prefabricated structure sales. |
| | N | N | P | P | Motor vehicle, recreational vehicle, and trailer rental. |
| | N | N | C | C | All other motor vehicle and manufactured dwelling and trailer sales. |
| Motor vehicle services | N | N | P | P | |
| Commercial parking | N | N | P | P | |
| Park-and-ride facilities | N | N | P | P | |
| Taxicabs and car services | N | N | P | P | |
| Heavy vehicle and trailer sales | N | N | C | N | |
| Heavy vehicle and trailer service and storage | N | N | P | N | |
| Recreation, Entertainment, and Cultural Services and Facilities | | | | | |
| Commercial entertainment—indoor | N | C | C | C | Nightclubs, located within 200 feet of a residential zone. |
| | N | P | P | P | All other commercial entertainment—indoor. |

| | | | | | |
|---|---|---|---|---|---|
| Commercial entertainment— outdoor | N | P | P | P | |
| Major event entertainment | N | N | N | N | |
| Recreational and cultural community services | N | P | P | P | |
| Parks and open space | P | P | P | P | |
| Nonprofit membership assembly | N | P | P | P | |
| Religious assembly | N | P | P | P | |
| Health Services | | | | | |
| Medical centers/hospitals | N | N | N | N | |
| Outpatient medical services and laboratories | N | P | P | P | |
| Educational Services | | | | | |
| Day care | P | P | P | P | Child day care home. |
| | N | P | P | P | Adult day care home. |
| | N | N | P | P | All other day care. |
| Basic education | N | P | P | P | |
| Post-secondary and adult education | N | N | P | P | |
| Civic Services | | | | | |
| Governmental services | N | P | P | P | |
| Social services | N | N | P | P | |
| Governmental maintenance services and construction | N | N | N | N | |
| Public Safety | | | | | |
| Emergency services | N | N | P | P | The following emergency services activities: ■ Ambulance station. ■ Ambulance service facility. |
| | N | P | P | P | All other emergency services. |
| Detention facilities | N | N | N | N | |
| Military installations | N | P | P | P | |
| Funeral and Related Services | | | | | |
| Cemeteries | N | P | P | P | |
| Funeral and cremation services | N | N | P | P | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | | | | |
| General repair services | N | N | P | P | |

| | | | | | |
|--|---------|---|---|--|---|
| Building and grounds services and construction contracting | N | N | P | N | |
| Cleaning plants | N | P | P | P | |
| Industrial services | N | N | P | N | |
| Wholesale Sales, Storage, and Distribution | | | | | |
| General wholesaling | N | N | P | N | |
| Heavy wholesaling | N | N | N | N | |
| Warehousing and distribution | N | N | P | P | |
| Self-service storage | N | N | P | P | |
| Manufacturing | | | | | |
| General manufacturing | N | C | P | C | |
| Heavy manufacturing | N | N | N | N | |
| Printing | N | C | P | C | |
| Transportation Facilities | | | | | |
| Aviation facilities | N | N | N | N | |
| Passenger ground transportation facilities | P | P | P | P | Transit stop shelters. |
| | N | N | P | P | All other passenger ground transportation facilities. |
| Marine facilities | N | N | N | N | |
| Utilities | | | | | |
| Basic utilities | P | P | P | P | |
| Wireless communication facilities | Allowed | | | Wireless communication facilities are allowed, subject to SRC chapter 703. | |
| Drinking water treatment facilities | N | N | N | N | |
| Power generation facilities | N | N | N | N | |
| Data center facilities | N | N | P | N | |
| Fuel dealers | N | N | P | N | |
| Waste-related facilities | N | P | P | P | Recycling depot. |
| | N | N | N | N | All other waste-related facilities. |
| Mining and Natural Resource Extraction | | | | | |
| Petroleum and natural gas production | N | N | N | N | |
| Surface mining | N | N | N | N | |
| Farming, Forestry, and Animal Services | | | | | |

| | | | | | |
|--|----------|----------|----------|----------|--|
| Agriculture | N | N | N | N | Marijuana production. |
| | P | P | P | P | All other agriculture. |
| Forestry | N | P | P | N | |
| Agriculture and forestry services | N | N | P | N | |
| Keeping of livestock and other animals | N | N | N | N | |
| Animal services | N | P | P | P | Small animal veterinary services. |
| | N | N | N | N | All other animal services. |
| Other Uses | | | | | |
| Accessory short-term rentals | S | - | - | - | Accessory short-term rental, subject to SRC 700.006 |
| Temporary uses | N | P | P | P | Residential sales/development office, subject to SRC 701.030. |
| | N | P | P | P | Managed temporary village, subject to SRC 701.030, when located on the site of a religious assembly use. |
| | N | N | P | P | Managed temporary village, subject to SRC 701.030, when not located on the site of a religious assembly use. |
| | N | P | P | P | Emergency shelter, subject to SRC 701.025, when located on the site of a religious assembly use. |
| | N | N | P | P | Emergency shelter, subject to SRC 701.025, when not located on the site of a religious assembly use. |
| | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>Construction modular, subject to SRC 701.016.</u> |
| | <u>P</u> | <u>P</u> | <u>P</u> | <u>P</u> | <u>Safe parking shelter, subject to SRC 701.041.</u> |
| Home occupations | S | S | S | S | Home occupations, subject to SRC 700.020. |
| Accessory dwelling units | P | P | P | P | |

(b) *Additional prohibited uses.* Notwithstanding Table 530-1, eating and drinking establishments otherwise permitted within the FMU zone shall be a prohibited use within the FMU zone if developed with a drive-through.

Sec. 531.010. - Uses.

(a) *General.* The permitted (P), special (S), conditional (C), and prohibited (N) uses in the SWMU zone are set forth in Table 531-1.

| TABLE 531-1. USES | | |
|--------------------------|---------------|---|
| Use | Status | Limitations & Qualifications |
| Household Living | | |

| | | |
|---|---|---|
| Single family | P | The following single family activities: <ul style="list-style-type: none"> ■ Townhouse. ■ Residential home, as defined under ORS 197.660. |
| | N | All other single family. |
| Two family | P | Duplex. |
| | N | All other two family. |
| Three family | P | |
| Four family | P | |
| Multiple family | P | |
| Group Living | | |
| Room and board | N | |
| Residential care | P | The following residential care activities: <ul style="list-style-type: none"> ■ Residential facility, as defined under ORS 197.660. ■ Assisted living. |
| | N | All other residential care. |
| Nursing care | P | In-patient rehabilitation and recuperative care. |
| | N | All other nursing care. |
| Lodging | | |
| Short-term commercial lodging | P | |
| Long-term commercial lodging | N | |
| Nonprofit shelters | P | Nonprofit shelters serving 5 or fewer persons. |
| | C | Nonprofit shelters serving 6 to 75 persons. |
| | N | All other nonprofit shelters. |
| Retail Sales and Services | | |
| Eating and drinking establishments | P | Eating and drinking establishments, subject to SRC 531.010(c). |
| Retail sales | P | Retail sales, subject to SRC 531.010(c). |
| Personal services | P | Personal services, subject to SRC 531.010(c). |
| Postal services and retail financial services | P | Postal services and retail financial services, subject to SRC 531.010(c). |
| Business and Professional Services | | |
| Office | P | |
| Audio/visual media production | P | |

| | | |
|--|---|---|
| Laboratory research and testing | P | Laboratory research and testing, subject to SRC 531.010(c). |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service | | |
| Motor vehicle and manufactured dwelling and trailer sales | P | Indoor sales and leasing, subject to SRC 531.010(c). |
| | N | All other motor vehicle and manufactured dwelling and trailer sales. |
| Motor vehicle services | N | |
| Commercial parking | N | Commercial parking on surface parking lots. |
| | P | All other commercial parking, subject to SRC 531.010(c). |
| Park-and-ride facilities | P | |
| Taxicabs and car services | N | |
| Heavy vehicle and trailer sales | N | |
| Heavy vehicle and trailer service and storage | N | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | N | Firing ranges. |
| | P | All other commercial entertainment—indoor is permitted. |
| Commercial entertainment—outdoor | N | The following commercial entertainment—outdoor activities: <ul style="list-style-type: none"> ■ Recreational vehicle parks. ■ Firing ranges. |
| | P | All other commercial entertainment—outdoor. |
| Major event entertainment | N | |
| Recreational and cultural community services | P | |
| Parks and open space | P | |
| Nonprofit membership assembly | P | |
| Religious assembly | P | |
| Health Services | | |
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | P | |
| Educational Services | | |
| Day care | P | |
| Basic education | P | |

| | | |
|---|---|---|
| Post-secondary and adult education | P | |
| Civic Services | | |
| Governmental services | P | |
| Social services | P | |
| Governmental maintenance services and construction | N | |
| Public Safety | | |
| Emergency services | P | |
| Detention facilities | N | |
| Military installations | N | |
| Funeral and Related Services | | |
| Cemeteries | N | |
| Funeral and cremation services | N | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | P | General repair services, subject to SRC 531.010(c). |
| Building and grounds services and construction contracting | N | The following building and grounds services and construction contracting activities: <ul style="list-style-type: none"> ■ Lawn and garden services. ■ Exterminators. |
| | P | All other building and grounds services and construction contracting, subject to SRC 531.010(c). |
| Cleaning plants | P | Cleaning plants, subject to SRC 531.010(c). |
| Industrial services | N | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | N | |
| Heavy wholesaling | N | |
| Warehousing and distribution | N | |
| Self-service storage | N | |
| Manufacturing | | |
| General manufacturing | P | General manufacturing, subject to SRC 531.010(c). |
| Heavy manufacturing | N | |
| Printing | P | Printing, subject to SRC 531.010(c). |
| Transportation Facilities | | |
| Aviation facilities | N | |

| | | |
|---|---------|---|
| Passenger ground transportation facilities | P | |
| Marine facilities | P | |
| Utilities | | |
| Basic utilities | P | |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | N | |
| Power generation facilities | N | |
| Data center facilities | N | |
| Fuel dealers | N | |
| Waste-related facilities | N | |
| Mining and Natural Resource Extraction | | |
| Petroleum and natural gas production | N | |
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | N | |
| Forestry | N | |
| Agriculture and forestry services | N | |
| Keeping of livestock and other animals | N | |
| Animal services | P | |
| Other Uses | | |
| Temporary uses | P | The following temporary uses: <ul style="list-style-type: none"> ■ <u>Construction modular, subject to SRC 701.016.</u> ■ <u>Emergency shelter, subject to SRC 701.025.</u> ■ <u>Managed temporary village, subject to SRC 701.030.</u> ■ <u>Safe parking shelter, subject to SRC 701.041.</u> |
| Home occupations | S | Home occupations, subject to SRC 700.020. |

(b) *Additional prohibited uses.* Notwithstanding Table 531-1, any permitted, special, or conditional use within the SWMU zone less than 10,000 square feet in total floor shall be a prohibited use within the SWMU zone if developed with a drive-through.

- (c) *Limitations on uses.* Where a use is allowed subject to the provisions of this subsection, the use shall conform to the following additional limitations:
- (1) Establishments under the following uses shall be limited to no more than 10,000 square feet of total floor area per establishment:
 - (A) Laboratory research and testing.
 - (B) Building and grounds services and construction contracting.
 - (C) Cleaning plants.
 - (D) General manufacturing.
 - (E) Printing.
 - (2) The total floor area of all establishments falling under motor vehicle and manufactured dwelling and trailer sales shall be limited to a maximum of 20,000 square feet.
 - (3) Buildings for establishments under the following uses shall be limited to no more than 40,000 square feet of ground floor area:
 - (A) Retail sales, with the exception of grocery stores. Grocery stores shall be limited to buildings with no more than 60,000 square feet of ground floor area.
 - (B) Personal services.
 - (C) Postal services and retail financial services.
 - (D) General repair services.
 - (E) Animal services.
 - (4) Buildings for establishments under the following uses shall be limited to no more than 60,000 square feet of ground floor area:
 - (A) Eating and drinking establishments.
 - (B) Commercial entertainment—indoor.
 - (C) Commercial entertainment—outdoor.
 - (5) Commercial Parking shall be limited to the following locations:
 - (A) Structures existing as of January 7, 2009, that have been rehabilitated or remodeled to allow for the use of the structure for parking.
 - (B) Underground parking structures.
 - (C) Any other structures, provided:
 - (i) No more than 25 percent of the parking spaces within an individual structure shall be used for commercial parking.
 - (ii) The total number of parking spaces within the structures shall not exceed the maximum number of parking spaces allowed for each use pursuant to SRC chapter 806.
- (d) *Mix of uses required.*
- (1) Within the SWMU zone a minimum of 15 percent of each development site shall be household living and a minimum of 15 percent of each development site shall be other than household living. The percentage shall be calculated by determining the percentage of total habitable building floor area devoted to household living activities and the total habitable building floor area devoted to activities other than household living, relative to the total habitable building floor area, exclusive of parking structures and other non-habitable space. Total habitable building floor area used for short-term commercial lodging may be substituted for up to 25 percent of the required household living area.
 - (2) The required mix of uses may be reduced to a minimum of five percent provided the following are met:
 - (A) There is a vertical mix of uses in one or more mixed-use buildings. The mix shall include space for activities other than household living on at least a portion of the ground floor and household living activities on one or more upper floors; and
 - (B) All ground floor household living activities facing a public street shall maintain a minimum structural ceiling height of 12 feet to provide the opportunity for future conversion to activities other than household living.

Sec. 532.015. - Uses.

- (a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the NH zone are set forth in Table 532-1.

TABLE 532-1: USES

| Use | Status | Limitations & Qualifications |
|---------------------------------|--------|--|
| Household Living | | |
| Single family | P | The following single family activities: <ul style="list-style-type: none"> ■ Single family detached dwelling. ■ Residential home, as defined under ORS 197.660. ■ Manufactured dwelling park, subject to SRC chapter 235. ■ <u>Manufactured home.</u> |
| | S | The following single family activities: <ul style="list-style-type: none"> ■ Manufactured home, subject to SRC 700.025. ■ Townhouse, subject to SRC 700.085. ■ Zero side yard dwelling, subject to SRC 700.095. |
| | N | All other Single Family. |
| Two family | P | |
| Three family | S | Three family, subject to SRC 700.081. |
| Four family | S | Four family, subject to SRC 700.081. |
| Multiple family | S | Cottage cluster, subject to SRC 700.011. |
| | N | All other multiple family. |
| Group Living | | |
| Room and board | N | |
| Residential care | C | Residential facility, as defined under ORS 197.660, when located on a lot with frontage on an arterial or collector street. |
| | N | All other residential care. |
| Nursing care | C | Nursing care, when located on a lot with frontage on an arterial or collector street. |
| | N | All other nursing care. |
| Lodging | | |
| Short-term commercial lodging | C | Short-term rentals. |
| | N | All other short-term commercial lodging. |
| Long-term commercial lodging | N | |
| Nonprofit shelters | C | Nonprofit shelters serving 5 or fewer persons, when located on a lot with frontage on an arterial or collector street. |
| | P | Nonprofit shelters for victims of domestic violence serving 10 or fewer persons. |
| | N | All other nonprofit shelters. |
| Retail Sales and Service | | |

| | | |
|---|---|--|
| Eating and drinking establishments | P | Eating and drinking establishments, subject to SRC 532.020(f). |
| Retail sales | N | The following retail sales activities: <ul style="list-style-type: none"> ■ Medical marijuana and recreational marijuana sales or transfers ■ Liquor stores. ■ Tobacco stores. ■ Pawn shops. |
| | P | All other retail sales, subject to SRC 532.020(f). |
| Personal services | N | The following personal services activities: <ul style="list-style-type: none"> ■ Laundry and dry cleaning establishments. ■ Tattoo/piercing parlors. |
| | P | All other personal services, subject to SRC 532.020(f). |
| Postal services and retail financial services | N | |
| Business and Professional Services | | |
| Office | N | |
| Audio/visual media production | N | |
| Laboratory research and testing | N | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services | | |
| Motor vehicle and manufactured dwelling and trailer sales | N | |
| Motor vehicle services | N | |
| Commercial parking | N | |
| Park-and-ride facilities | N | |
| Taxicabs and car services | N | |
| Heavy vehicle and trailer sales | N | |
| Heavy vehicle and trailer service and storage | N | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | P | The following commercial entertainment - indoor activities: <ul style="list-style-type: none"> ■ Dance studios and dance schools, subject to SRC 532.020(f). ■ Martial arts studios/schools, subject to SRC 532.020(f). ■ Membership sports and recreation clubs, subject to SRC 532.020(f). ■ Yoga studios, subject to SRC 532.020(f). |
| | N | All other commercial entertainment—indoor. |

| | | |
|--|---|---|
| Commercial entertainment—outdoor | S | Golf courses, subject to SRC 700.015. |
| | N | All other commercial entertainment—outdoor. |
| Major event entertainment | N | |
| Recreational and cultural community services | P | The following recreational and cultural community services activities: <ul style="list-style-type: none"> ■ Community centers. ■ Senior centers. ■ Youth clubs. ■ Libraries. ■ Community or neighborhood club buildings, including swimming pools and similar recreation facilities when operated by a nonprofit community club. |
| | S | Golf courses, subject to SRC 700.015. |
| | N | All other recreation and cultural community services. |
| | | |
| Parks and open space | N | Arboreta and botanical gardens. |
| | P | All other parks and open space. |
| Nonprofit membership assembly | P | The following nonprofit membership assembly activities: <ul style="list-style-type: none"> ■ Meeting places for civic clubs, fraternal, or veteran organizations, subject to SRC 532.020(f). |
| | C | All other nonprofit membership assembly |
| Religious assembly | S | Religious assembly, subject to SRC 700.055. |
| Health Services | | |
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | P | The following outpatient medical services and laboratories activities: <ul style="list-style-type: none"> ■ Offices of doctors, nurses, physicians' assistants, dentists, chiropractors, optometrists, podiatrists, audiologists, dieticians, midwives, naturopaths, occupational and physical therapists, psychologists, psychiatrists, speech therapists, osteopathic doctors, and acupuncturists, subject to SRC 532.020(f). |
| | N | All other outpatient medical services and laboratories. |
| Educational Services | | |
| Day care | P | The following day care activities: <ul style="list-style-type: none"> ■ Child day care home. ■ Adult day care home. ■ Child day care center, subject to SRC 532.020(f). ■ Adult day care center, subject to SRC 532.020(f). |
| | C | The following day care activities: <ul style="list-style-type: none"> ■ All other child day care centers. ■ All other adult day care centers. |
| | N | All other day care. |

| | | |
|---|---|---|
| Basic education | S | Basic education, subject to SRC 700.010. |
| Post-secondary and adult education | N | |
| Civic Services | | |
| Governmental services | N | |
| Social services | P | The following social services activities: <ul style="list-style-type: none"> ■ Individual and family counseling services, subject to SRC 532.020(f). ■ Job training, vocational rehabilitation, and habilitation services for the unemployed, the underemployed, and the disabled, subject to SRC 532.020(f). ■ Meal delivery programs, subject to SRC 532.020(f). ■ Organizations providing legal and supportive services for immigrants, subject to SRC 532.020(f). ■ Referral services for those in need, subject to SRC 532.020(f). |
| | N | All other social services. |
| Governmental maintenance services and construction | N | |
| Public Safety | | |
| Emergency services | N | The following emergency services activities: <ul style="list-style-type: none"> ■ Ambulance stations. ■ Ambulance service facilities. |
| | P | All other emergency services. |
| Detention facilities | N | |
| Military installations | N | |
| Funeral and Related Services | | |
| Cemeteries | N | |
| Funeral and cremation services | N | Crematories. |
| | C | All other funeral and cremation services. |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | N | |
| Building and grounds services and construction contracting | N | |
| Cleaning plants | N | |
| Industrial services | N | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | N | |

| | | |
|---|---------|---|
| Heavy wholesaling | N | |
| Warehousing and distribution | N | |
| Self-service storage | N | |
| Manufacturing | | |
| General manufacturing | N | |
| Heavy manufacturing | N | |
| Printing | N | |
| Transportation Facilities | | |
| Aviation facilities | N | |
| Passenger ground transportation facilities | P | Transit stop shelters, and multi-modal stops or shelters. |
| | N | All other passenger ground transportation facilities. |
| Marine facilities | N | |
| Utilities | | |
| Basic utilities | P | |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | C | |
| Power generation facilities | N | |
| Data center facilities | N | |
| Fuel dealers | N | |
| Waste-related facilities | N | |
| Mining and Natural Resource Extraction | | |
| Petroleum and natural gas production | N | |
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | N | <u>The following agriculture activities:</u> <ul style="list-style-type: none"> ■ Marijuana production. ■ Psilocybin production. |
| | P | All other agriculture. |
| Forestry | P | |
| Agriculture and forestry services | N | |

| | | |
|---|---------|--|
| Keeping of livestock and other animals | N | |
| Animal services | C | Existing wildlife rehabilitation facility. |
| | N | All other animal services. |
| Other Uses | | |
| Accessory short-term rentals | S | Accessory short-term rental, subject to SRC 700.006 |
| Temporary uses | P | The following temporary uses: <ul style="list-style-type: none"> ■ Christmas tree sales, subject to SRC 701.015. ■ <u>Construction modular, subject to SRC 701.016.</u> ■ Emergency shelter, subject to SRC 701.025, when located on the site of a religious assembly use. ■ Managed temporary village, subject to SRC 701.030, when located on the site of a religious assembly use. ■ <u>Safe parking shelter, subject to SRC 701.041, when located on the site of a religious assembly use or on land owned or leased by a government entity.</u> ■ Residential sales/development office, subject to SRC 701.040. ■ Replacement single family dwelling, subject to SRC 701.035. |
| Home occupations | S | Home occupations, subject to SRC 700.020. |
| Guest houses and guest quarters | P | Guest houses and guest quarters are permitted as an accessory use to single family, provided such houses and quarters are dependent upon the main building for either kitchen or bathroom facilities, or both, and are used for temporary lodging and not as a place of residence. |
| Storage of commercial vehicle as an accessory use to household living | P | Storage of a commercial vehicle as an accessory use to household living is permitted, provided no more than 1 commercial vehicle is stored per dwelling unit. |
| Historic resource adaptive reuse pursuant to SRC chapter 230 | Allowed | Historic resource adaptive reuse pursuant to SRC chapter 230 is allowed, subject to SRC 230.085. |
| Accessory dwelling units | S | Accessory dwelling units, subject to SRC 700.007. |

- (b) *Additional prohibited uses.* Notwithstanding Table 532-1, any permitted, special, or conditional use within the NH zone shall be a prohibited use if developed with a drive-through.
- (c) *Continued uses.* Existing, legally-established uses established prior to August 24, 2022, but which would otherwise be made nonconforming by this chapter, are hereby deemed a continued use.
- (1) Building or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 532.020(e).
 - (2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for that use; provided, however, conversion of the building or structure to another use shall thereafter prevent conversion back to that continued use.

Sec. 533.010. - Uses.

(a) The permitted (P), special (S), conditional (C), and prohibited (N) uses in the MU-I zone are set forth in Table 533-1.

**TABLE 533-1
USES**

| Table 533-1: Uses | | |
|------------------------------------|---------------|--|
| | Status | |
| Household Living | | |
| Single family | P | The following single family activities: <ul style="list-style-type: none"> • Townhouse. • Residential home, as defined under ORS 197.660. |
| | N | All other single family. |
| Two family | N | |
| Three family | P | |
| Four family | P | |
| Multiple family | P | |
| Group Living | | |
| Room and board | N | |
| Residential care | P | The following residential care activities: <ul style="list-style-type: none"> • Residential facility, as defined under ORS 197.660. • Assisted living. |
| | N | All other residential care. |
| Nursing care | N | |
| Lodging | | |
| Short-term commercial lodging | P | |
| Long-term commercial lodging | N | |
| Non-profit shelters | P | Non-profit shelters serving 5 or fewer persons. |
| | C | Non-profit shelters serving 6 to 75 persons. |
| | N | All other non-profit shelters. |
| Retail Sales and Services | | |
| Eating and drinking establishments | P | |
| Retail sales | P | |
| Personal services | P | |

| | | |
|--|---|--|
| Postal services and retail financial services | P | |
| Business and Professional Services | | |
| Office | P | |
| Audio/visual media production | P | |
| Laboratory research and testing | P | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service | | |
| Motor vehicle and manufactured dwelling and trailer sales | N | |
| Motor vehicle services | N | |
| Commercial parking | N | Standalone surface parking lots |
| | P | All other commercial parking |
| Park-and-ride facilities | N | |
| Taxicabs and car services | N | |
| Heavy vehicle and trailer sales | N | |
| Heavy vehicle and trailer service and storage | N | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—Indoor | N | Firing ranges |
| | P | All other commercial entertainment—Indoor. |
| Commercial entertainment—Outdoor | N | |
| Major event entertainment | N | |
| Recreational and cultural community services | P | |
| Parks and open space | P | |
| Non-profit membership assembly | P | |
| Religious assembly | P | |
| Health Services | | |
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | P | |

| | | |
|---|---|---|
| Educational Services | | |
| Day care | P | |
| Basic education | P | |
| Post-secondary and adult education | P | |
| Civic Services | | |
| Government services | P | |
| Social services | P | |
| Governmental maintenance services and construction | N | |
| Public Safety | | |
| Emergency services | P | |
| Detention facilities | N | |
| Military installations | N | |
| Funeral and Related Services | | |
| Cemeteries | N | |
| Funeral and cremation services | N | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | P | |
| Building and ground services and construction contracting | N | |
| Cleaning plants | N | |
| Industrial services | N | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | N | |
| Heavy wholesaling | N | |
| Warehousing and distribution | N | |
| Self-service storage | N | |
| Manufacturing | | |
| General manufacturing | P | General manufacturing, provided the manufacturing does not exceed 5,000 square feet of total floor area per development site and retail sales of the products manufactured is provided on-site. |
| | N | All other general manufacturing. |
| Heavy manufacturing | N | |

| | | |
|---|---------|---|
| Printing | N | |
| Transportation Facilities | | |
| Aviation facilities | N | |
| Passenger ground transportation facilities | P | Transit stop shelters |
| | N | All other passenger ground transportation facilities |
| Marine facilities | N | |
| Utilities | | |
| Basic utilities | N | Reservoirs; water storage facilities; electric substation. |
| | P | All other basic utilities. |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | N | |
| Power generation facilities | N | |
| Data center facilities | N | |
| Fuel dealers | N | |
| Waste-related facilities | N | |
| Mining and natural resource extraction | N | |
| Petroleum and natural gas | N | |
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | N | |
| Forestry | N | |
| Agriculture and forestry services | N | |
| Keeping of livestock and other animals | N | |
| Animal services | P | |
| Other Uses | | |
| Temporary uses | P | <p>The following temporary uses:</p> <ul style="list-style-type: none"> ■ <u>Construction modular, subject to SRC 701.016.</u> ■ Emergency shelter, subject to SRC 701.025. ■ Managed temporary village, subject to SRC 701.030. ■ <u>Safe parking shelter, subject to SRC 701.041.</u> |
| Home occupations | S | Home occupations, subject to SRC 700.020. |

| | | |
|--------------------------|---|---|
| Accessory dwelling units | S | Accessory dwelling units, subject to SRC 700.007. |
|--------------------------|---|---|

- (b) *Prohibited uses.* Notwithstanding Table 533-1, any permitted, special, or conditional use within the MU-I zone shall be a prohibited use if developed with a drive-through.
- (c) *Continued uses.* Existing uses within the MU-I zone established prior to August 24, 2022, but which would otherwise be made non-conforming by this chapter, are hereby deemed continued uses.
 - (1) Buildings or structures housing a continued use may be structurally altered, enlarged, or rebuilt following damage or destruction, provided:
 - (A) Such alteration, enlargement, or rebuilding of a conforming development complies with the standards in this chapter; or
 - (B) Such alteration, enlargement, or rebuilding of a continued development complies with the standards set forth in SRC 533.015(g).
 - (2) A continued use shall terminate if the building or structure ceases to be occupied for that continued use for any reason for a continuous period of one year.
 - (3) Conversion of the building or structure to a conforming use shall thereafter prevent conversion back to the former continued use or any other continued use.

Sec. 533.015. - Development standards.

Development within the MU-I zone must comply with the development standards set forth in this section.

- (a) *Lot standards.* Lots within the MU-I zone shall conform to the standards set forth in Table 533-2.

**TABLE 533-2
LOT STANDARDS**

| Table 533-2: Lot Standards | | |
|-----------------------------------|-----------------|---|
| Requirement | Standard | Limitations & Qualifications |
| Lot Area | | |
| All uses | None | |
| Lot width | | |
| All uses | None | |
| Lot depth | | |
| All uses | None | |
| Street frontage | | |
| All uses | 16 ft. | |

- (b) *Dwelling unit density.* Development within the MU-I zone that is exclusively residential shall have a minimum density of 15 dwelling units per acre.
- (c) *Setbacks.* Setbacks within the MU-I zone shall conform to the standards set forth in Tables 533-3 and 533-4.

**TABLE 533-3
SETBACKS**

Table 533-3: Setbacks

| Requirement | Standard | Limitations & Qualifications |
|-----------------------------|------------------------------------|---|
| Abutting Street | | |
| Buildings | | |
| All uses | 0 ft. or Max. 10 ft. | (1) Maximum 10-foot setback of up to 10 feet is permitted <u>applies</u> if the setback area is used for pedestrian amenities. |
| | | <p>a) The maximum setback does not apply to a new building if another building exists between a minimum of 50 percent of the street-facing façade of the new building and the street.</p> <p>b) For double frontage lots, the maximum setback shall only apply to the street with the highest street classification. For double frontage lots where both streets have the same classification, the applicant may choose on which street the maximum setback shall apply.<u>For double frontage lots, the setback abutting a street shall only apply to the street with the highest street classification or, where both streets have the same classification, the street designated by the applicant. No minimum or maximum setback is required abutting the other street.</u></p> |
| | | <p>(2) A minimum setback of five feet to a maximum setback of 10 feet is permitted for ground-floor residential uses if horizontal separation is provided pursuant to [SRC] 533.015(h).</p> <p><u>a) The maximum setback does not apply to a new building if another building exists between a minimum of 50 percent of the street-facing façade of the new building and the street.</u></p> <p><u>b) For double frontage lots, the maximum setback abutting a street shall only apply to the street with the highest street classification or, where both streets have the same classification, the street designated by the applicant. No maximum setback is required abutting the other street.</u></p> |
| Accessory Structures | | |
| All uses | Min. 10 ft. | |
| Vehicle Use Areas | | |
| All uses | Per SRC chapter 806 | The use of a berm under [SRC] 806.035(c)(2)(B) is prohibited. |
| Interior Side | | |
| Buildings | | |
| All uses | Zone-to-zone setback (Table 533-4) | |
| Accessory Structures | | |
| All uses | Zone-to-zone setback | |

| | | |
|-----------------------------|------------------------------------|--|
| | (Table 533-4) | |
| Vehicle Use Areas | | |
| All uses | Zone-to-zone setback (Table 533-4) | |
| Interior Rear | | |
| Buildings | | |
| All uses | Zone-to-zone setback (Table 533-4) | |
| Accessory Structures | | |
| All uses | Zone-to-zone setback (Table 533-4) | |
| Vehicle Use Areas | | |
| All uses | Zone-to-zone setback (Table 533-4) | |

**TABLE 533-4
ZONE-TO-ZONE SETBACKS**

| Table 533-4: Zone-to-Zone Setbacks | | | |
|---|------------------------------------|---|------------------------------------|
| Abutting Zone | Type of Improvement | Setback | Landscaping & Screening |
| EFU | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. ⁽¹⁾ | Type A |
| Residential zone | Buildings and accessory structures | Min. 10 ft. plus 1.5 feet for each 1 foot of building height above 15 feet ⁽²⁾ | Type C |
| | Vehicle use areas | Min. 5 ft. | Type C |

| | | | |
|---|------------------------------------|---------------------------|--------|
| Mixed-use zone | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. ⁽¹⁾ | Type A |
| Commercial zone | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. ⁽¹⁾ | Type A |
| Public zone | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. ⁽¹⁾ | Type A |
| Industrial and employment zone | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. ⁽¹⁾ | Type A |
| Limitations & Qualifications | | | |
| (1) Zone-to-zone setbacks are not required abutting an alley. | | | |
| (2) The additional 1.5-feet for each 1-foot of building height above 15 feet does not apply abutting a creek. | | | |

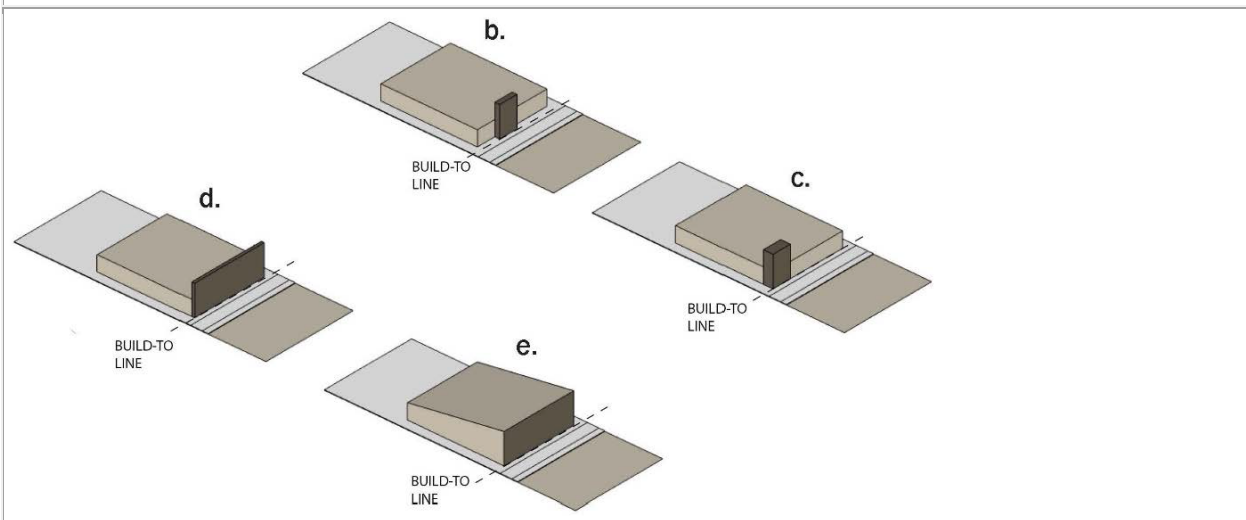
(d) *Lot coverage; height; building frontage.* Buildings and accessory structures within the MU-I zone shall conform to the lot coverage, height, and building frontage standards set forth in Table 533-5.

**TABLE 533-5
LOT COVERAGE; HEIGHT; BUILDING FRONTAGE**

| Table 533-5: Lot Coverage; Height; Building Frontage | | |
|---|-----------------|---|
| Requirement | Standard | Limitations & Qualifications |
| Lot Coverage | | |
| Buildings and Accessory Structures | | |
| All uses | No Max. | |
| Rear Yard Coverage | | |
| Buildings | | |
| All uses | NA | |
| Accessory Structures | | |
| All uses | No Max. | |
| Height | | |
| Buildings | | |
| All uses | Max. 45 ft. | Applicable to buildings on a lot or lots that are contiguous to a National Register Residential Historic District. For the purposes of this standard, contiguous shall include a lot or lots that are separated from a National Register Residential Historic District by an alley. |

| | | |
|--|-------------|--|
| | Max. 65 ft. | Applicable to buildings on all other lots. |
| | Min. 20 ft. | New buildings or additions shall satisfy the minimum height requirements through one of the following options: |
| | | a) Roof. Provide a roof that is 20 feet in height. |
| | | b) Prominent entry. Provide an attached entry that is 20 feet in height, extends for a minimum of 25 percent of the length of the front facade, and extends to the front lot line. |
| | | c) Cupola. Provide a 20-foot tall portion of the building for a minimum of 25 percent of the length of the front facade. It shall include the front facade wall and extend a minimum of 10 feet behind the front wall. |
| | | d) False front. Provide a front facade wall that is 20 feet in height along the entire length of the building. |
| | | e) Reverse shed. Provide a front facade wall that is 20 feet in height along the entire length of the building, and slope the roof down toward the rear of the building. |

FIGURE 533-1
EXAMPLE OF OPTIONS TO MEET MINIMUM HEIGHT REQUIREMENT



Accessory Structures

| | | |
|----------|-------------|--|
| All uses | Max. 45 ft. | Applicable to accessory structures on a lot or lots that are contiguous to a National Register Residential Historic District. For the purposes of this standard, contiguous shall include a lot or lots that are separated from a National Register Residential Historic District by an alley. |
| | Max. 65 ft. | Applicable to accessory structures on all other lots. |

Building Frontage

Buildings

| | | |
|----------|----------|---|
| All uses | Min. 75% | (1) For corner lots, this standard must be met on the frontage of the street with the highest street classification. For the intersecting street, the building frontage standard is a minimum of 40%. |
|----------|----------|---|

| | | | |
|-----------------------------|----------------|---|---|
| | | (2) | For corner lots where both streets have the same classification, the applicant may choose on which street to meet the minimum 75% building frontage standard and on which street to meet the minimum 40% building frontage standard. |
| | | (3) | For double frontage lots, this standard must only be met on the street with the highest classification. Where both streets have the same classification, the applicant may choose on which street the building frontage standard shall apply. |
| Accessory Structures | | | |
| All uses | Not applicable | Accessory structures shall be located behind or beside buildings. | |

- (e) *Parking.* Required off-street parking shall not be located on a new standalone surface parking lot in the MU-I zone or MU-II zone.
- (f) *Landscaping.*
 - (1) *Setback areas.* Setbacks, except setback areas abutting a street that provide pedestrian amenities or horizontal separation pursuant to [SRC] 533.015(h), shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.
 - (2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapter 806 and SRC chapter 807.
- (g) *Continued development.* Buildings and structures existing within the MU-I zone on September 12, 2018, that would be made non-conforming development by this chapter are hereby deemed continued development. The owner shall have the burden to demonstrate continued development status under this subsection.
 - (1) *Single family uses.*
 - (A) *Buildings.* Continued development housing a continued single family use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to development standards of the Single Family Residential (RS) zone set forth in SRC chapter 511 and to all other applicable provisions of the UDC, except for lot size and dimension standards in SRC chapter 511.
 - (B) *Accessory structures.* Existing accessory structures on the same property as a continued single family use may be structurally altered or enlarged, or rebuilt following damage or destruction, and new accessory structures to a continued use may be constructed, provided such alteration, enlargement, rebuilding, or new accessory structure construction conforms to the development standards of the Single Family Residential (RS) zone set forth in SRC chapter 511, except the lot size and dimensions standards, and to all other applicable provisions of the UDC.
 - (C) *Option to rebuild in same location.* Notwithstanding SRC 533.015(g)(1)(A) and (B), any continued development housing a continued single family use or associated accessory structure rebuilt following damage or destruction may either be located on the same location on the lot as the original building or structure, or in compliance with the setbacks of the Single Family Residential (RS) zone set forth in SRC 511.010(b).
 - (2) *All other uses.* Continued development, housing a use other than a continued single family use, may be structurally altered, enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to the following standards:
 - (A) *Minor alterations.* Exterior alterations to buildings that alter less than 20 percent of an existing building facade area facing a primary street are exempt from all of the development standards in this chapter. Such alterations shall not increase the building facade's nonconformity to the pedestrian-oriented design standards in Table 533-6.
 - (B) *Minor additions.* Additions to buildings that enlarge or alter an existing building facade area facing a primary street by less than 20 percent are exempt from all of the development

standards in this chapter except for interior setbacks, parking, landscaping, and maximum height standards. Such additions shall not increase the building facade's nonconformity to the pedestrian-oriented design standards in Table 533-6.

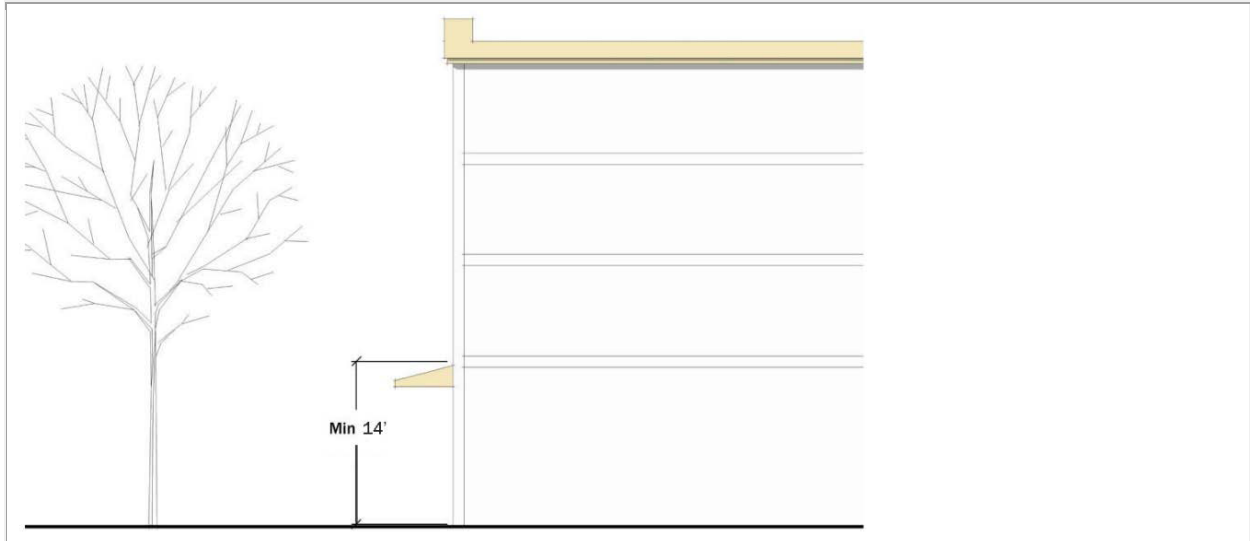
- (C) *Major alterations.* Exterior alterations to buildings that alter between 20 percent and 60 percent of an existing building facade area facing a primary street shall decrease that building facade's nonconformity to all pedestrian-oriented design standards in Table 533-6 that are applicable to that alteration. Such alterations are exempt from all other development standards in this chapter.
- (D) *Major additions.* Additions to buildings that enlarge or alter an existing building facade area facing a primary street by between 20 percent and 60 percent shall:
 - (i) Comply with a minimum of three of the pedestrian-oriented design standards in Table 533-6; or
 - (ii) Comply with a minimum of one of the pedestrian-oriented design standards in Table 533-6 and add perimeter landscaping in vehicle use areas if such landscaping is not already required under SRC 533.015(f).

For the purposes of [SRC] 533.015(h)(2)(C)(i) and (ii), the pedestrian-oriented design standards in Table 533-6 shall apply to the addition. Major additions must meet all other development standards in this chapter except for building frontage, maximum setback abutting a street, and minimum height.

- (E) *Substantial alterations.* Exterior alterations to buildings that alter more than 60 percent of an existing building facade area facing a primary street shall meet all applicable pedestrian-oriented design standards in Table 533-6. Such alterations are exempt from all other development standards in this chapter.
- (F) *Substantial additions or redevelopment.* Additions to buildings that enlarge or alter an existing building facade area facing a primary street by more than 60 percent shall meet all applicable development standards in this chapter. Continued development that is rebuilt following damage or destruction shall meet all development standards in this chapter.
- (G) *Accessory structure.* Alterations and additions to accessory structures shall meet all applicable development standards in this chapter.
- (h) *Pedestrian-oriented design.* Development within the MU-I zone, excluding development requiring historic design review, shall conform to the pedestrian-oriented design standards set forth in Table 533-6. Any development requiring historic design review shall only be subject to design review according to the historic design review standards or the historic design review guidelines set forth in SRC chapter 230.

**TABLE 533-6
PEDESTRIAN-ORIENTED DESIGN**

| Table 533-6: Pedestrian-Oriented Design | | |
|---|-------------|--|
| Requirement | Standard | Limitations & Qualifications |
| Ground Floor Height | | |
| This standard applies to building ground floors on primary streets. | Min. 14 ft. | For the purposes of this standard, ground floor height is measured from the floor to the ceiling of the first floor. |
| FIGURE 533-2 GROUND FLOOR HEIGHT | | |



Separation of Ground Floor Residential Uses

| | | |
|--|---|--|
| This standard applies when a dwelling unit is located on the ground floor. | Vertical or horizontal separation shall be provided | For the purposes of this standard, separation is required between the public right-of-way and the residential entryway and any habitable room. |
| | Vertical Distance Min. 1.5 ft. Max. 3 ft. | Vertical separation shall take the form of several steps or a ramp to a porch, stoop, or terrace. |
| | Horizontal Distance Min. 5 ft. Max. 10 ft. | Horizontal separation shall take the form of a landscaped area such as private open space or hardscaped area such as a plaza. |

FIGURE 533-3
HORIZONTAL SEPARATION



Building Facade Articulation

| | | |
|--|-----------------|---|
| <p>This standard applies to building facades facing primary streets.</p> | <p>Required</p> | <p>(1) For buildings on corner lots, where the primary street intersects with a secondary street, these standards shall apply to the full length of the front facade and the portion of the side facade that extends a minimum of 50 feet from the corner where the primary street meets the secondary street, or to the edge of the building or the lot, whichever is shorter.</p> |
| | | <p>(2) Buildings shall incorporate vertical and horizontal articulation and shall divide vertical mass into a base, middle, and top.</p> |
| | | <p>a) Base: Ground floor facades shall be distinguished from middle facades by at least one of the following standards:</p> |
| | | <p>1. Change in materials.</p> |
| | | <p>2. Change in color.</p> |
| | | <p>3. Molding or other horizontally-articulated transition piece.</p> |
| | | <p>b) Middle: Middle facades shall provide visual interest by incorporating at a minimum of every 50 feet at least one of the following standards:</p> |
| | | <p>1. Recesses of a minimum depth of two feet.</p> |

| | | | |
|--|--|-----|--|
| | | | 2. Extensions of a minimum depth of two feet. |
| | | | 3. Vertically-oriented windows. |
| | | | 4. Pilasters that project away from the building. |
| | | c) | Top: Building tops shall be defined by at least one of the following standards: |
| | | | 1. Cornice that is a minimum of eight inches tall and a minimum of three inches beyond the face of the facade. |
| | | | 2. Change in material from the upper floors, with that material being a minimum of eight inches tall. |
| | | | 3. Offsets or breaks in roof elevation that are a minimum of three feet in height. |
| | | | 4. A roof overhang that is a minimum of eight inches beyond the face of the facade. |
| | | (3) | The repainting of a facade of an existing building is exempt from this standard. |

FIGURE 533-4
ARTICULATION



Ground Floor Windows

| | | |
|---|----------|---|
| This standard applies to building ground floors on primary streets. | Min. 65% | (1) For the purposes of this standard, ground floor building facades shall include the minimum percentage of transparent windows. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum visible transmittance (VT) of 37 percent. |
|---|----------|---|

| | | |
|--|--|---|
| | | (2) For buildings on corner sites, where the primary street intersects with a secondary street, this standard shall apply to the full length of the front facade and the portion of the side facade that extends a minimum of 50 feet from the corner where the primary street meets the secondary street, or to the edge of the building or the lot, whichever is shorter. |
|--|--|---|

FIGURE 533-5
GROUND FLOOR WINDOWS



Building Entrances

| | | |
|---|----------|--|
| This standard applies to building ground floors on primary streets. | Required | (1) For non-residential uses on the ground floor, a primary building entrance for each tenant space facing a primary street shall be located on the primary street. If a building has frontage on a primary street and any other street, a single primary building entrance for a non-residential tenant space at the corner of the building where the streets intersect may be provided at that corner. |
| | | (2) For residential uses on the ground floor, a primary building entrance for each building facade facing a primary street shall be located on the primary street. If a building has frontage on a primary street and any other street, a single primary building entrance for a residential use on the ground floor may be provided at the corner of the building where the streets intersect. |

| | | |
|--|--|--|
| | | (3) Building entrances shall include weather protection. |
|--|--|--|

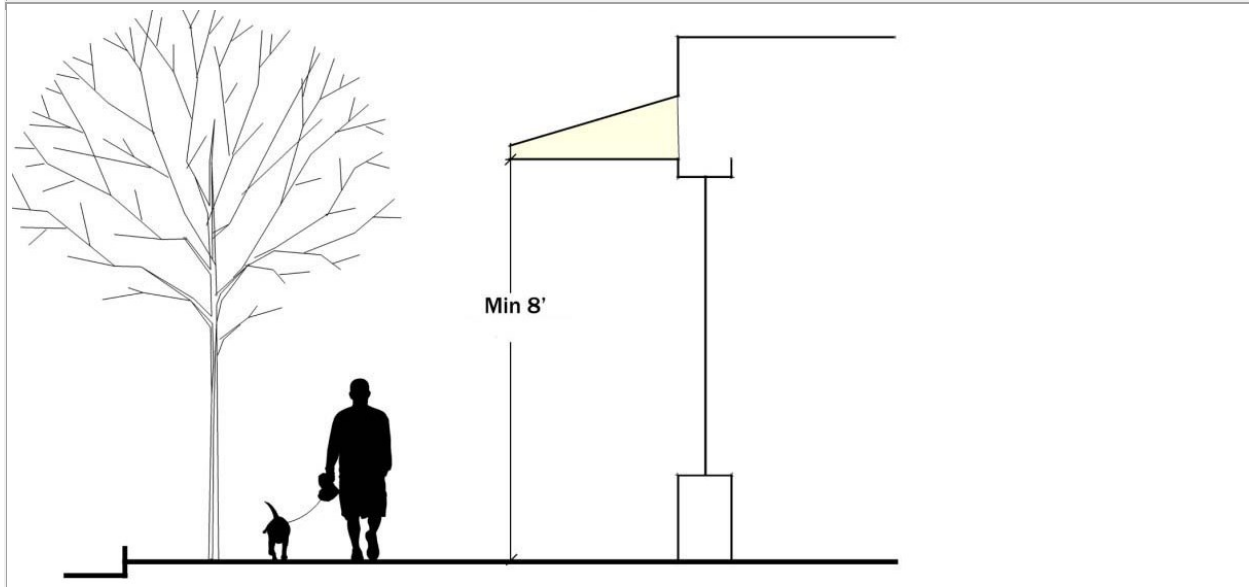
FIGURE 533-6
ENTRANCE AT BUILDING CORNER



Weather Protection

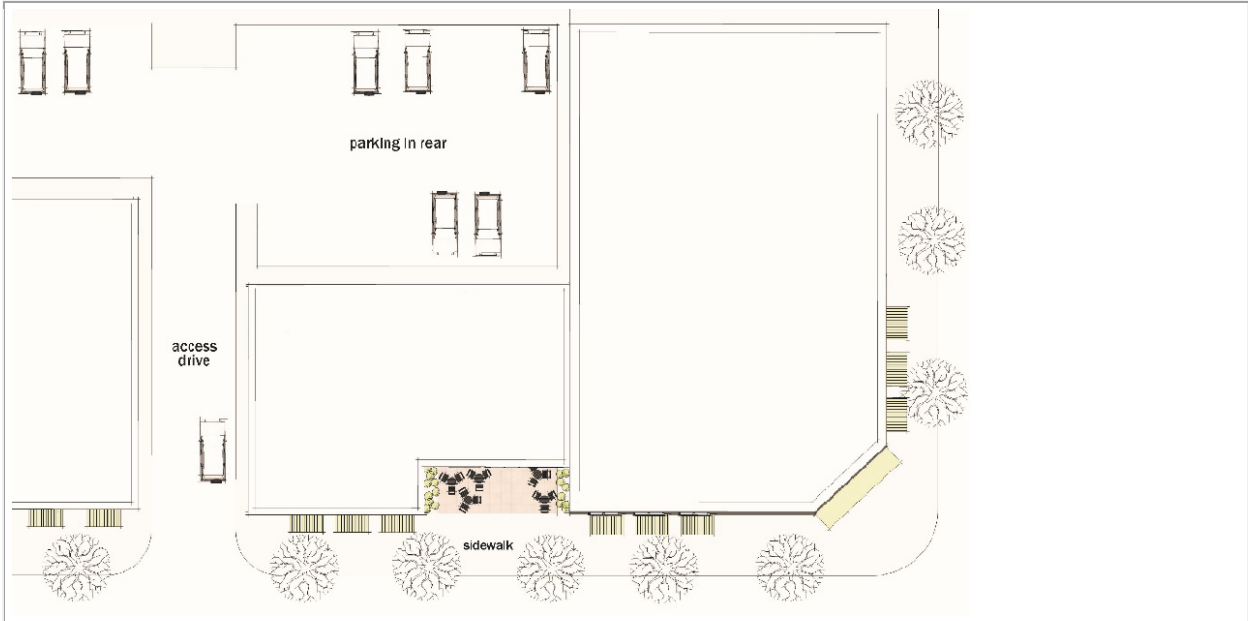
| | | |
|---|----------|--|
| This standard applies to building ground floors adjacent to a street. | Min. 75% | (1) For the purposes of this standard, weather protection in the form of awnings or canopies shall be provided along the ground floor building facade for the minimum length required. |
| | | (2) Awnings or canopies shall have a minimum clearance height above the sidewalk or ground surface of 8 feet and may encroach into the street right-of-way as provided in SRC 76.160. |

FIGURE 533-7
WEATHER PROTECTION



| Parking Location | | |
|--|----------|---|
| This standard applies to off-street parking areas and vehicle maneuvering areas. | Required | Off-street surface parking areas and vehicle maneuvering areas shall be located behind or beside buildings and structures. Off-street surface parking areas and vehicle maneuvering areas shall not be located between a building or structure and a street |

FIGURE 533-8
OFF-STREET PARKING

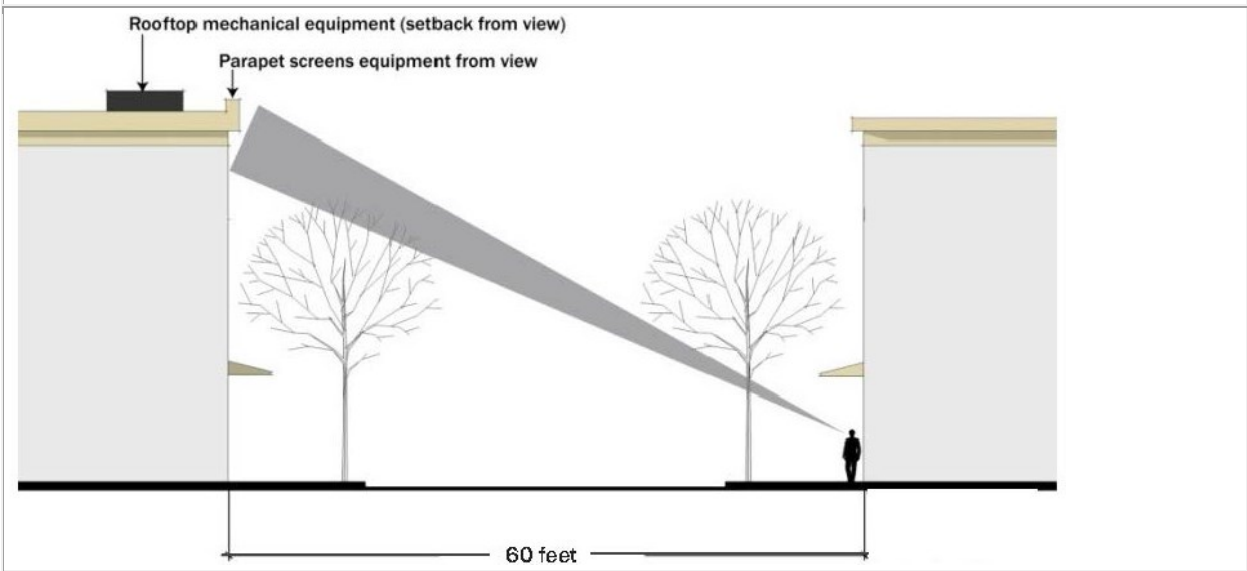


| Mechanical and Service Equipment | | |
|--|----------|--|
| This standard applies to mechanical and service equipment. | Required | (1) Ground level mechanical and service equipment shall be screened with landscaping or a site-obscuring fence or wall. Ground level mechanical and service equipment shall be located behind or beside buildings. |
| | | (2) Rooftop mechanical equipment, with the exception of solar panels and wind generators, shall be set back or screened so as to not be visible to a person standing at ground level 60 feet from the building. |

FIGURE 533-9
GROUND-LEVEL MECHANICAL EQUIPMENT



FIGURE 533-10
ROOFTOP MECHANICAL EQUIPMENT



Sec. 534.010. - Uses.

(a) The permitted (P), special (S), conditional (C), and prohibited (N) uses in the MU-II zone are set forth in Table 534-1.

**TABLE 534-1
USES**

| Table 534-1: Uses | | |
|-------------------------|--------|---|
| | Status | |
| Household Living | | |
| Single family | P | The following single family activities: <ul style="list-style-type: none"> • Townhouse. • Residential home, as defined under ORS 197.660. |

| | | |
|---|---|--|
| | N | All other single family. |
| Two family | N | |
| Three family | P | |
| Four family | P | |
| Multiple family | P | |
| Group Living | | |
| Room and board | P | Room and board serving 5 or fewer persons. |
| | C | Room and board serving 6 to 75 persons. |
| | N | All other room and board |
| Residential care | P | The following residential care activities: <ul style="list-style-type: none"> • Residential facility, as defined under ORS 197.660. • Assisted living. |
| | N | All other residential care. |
| Nursing care | N | |
| Lodging | | |
| Short-term commercial lodging | P | |
| Long-term commercial lodging | N | |
| Non-profit shelters | P | Non-profit shelters serving 5 or fewer persons. |
| | C | Non-profit shelters serving 6 to 75 persons. |
| | N | All other non-profit shelters. |
| Retail Sales and Services | | |
| Eating and drinking establishments | P | |
| Retail sales | P | |
| Personal services | P | |
| Postal services and retail financial services | P | |
| Business and Professional Services | | |
| Office | P | |
| Audio/visual media production | P | |
| Laboratory research and testing | P | |

| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service | | |
|--|---|--|
| Motor vehicle and manufactured dwelling and trailer sales | N | |
| Motor vehicle services | N | |
| Commercial parking | N | Standalone surface parking lots |
| | P | All other commercial parking |
| Park-and-ride facilities | N | |
| Taxicabs and car services | N | |
| Heavy vehicle and trailer sales | N | |
| Heavy vehicle and trailer service and storage | N | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—Indoor | N | Firing ranges |
| | P | All other commercial entertainment—Indoor. |
| Commercial entertainment—Outdoor | N | |
| Major event entertainment | N | |
| Recreational and cultural community services | P | |
| Parks and open space | P | |
| Non-profit membership assembly | P | |
| Religious assembly | P | |
| Health Services | | |
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | P | |
| Educational Services | | |
| Day care | P | |
| Basic education | P | |
| Post-secondary and adult education | P | |
| Civic Services | | |
| Government services | P | |

| | | |
|---|---|---|
| Social services | P | |
| Governmental maintenance services and construction | N | |
| Public Safety | | |
| Emergency services | P | |
| Detention facilities | N | |
| Military installations | N | |
| Funeral and Related Services | | |
| Cemeteries | N | |
| Funeral and cremation services | N | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | P | |
| Building and ground services and construction contracting | N | |
| Cleaning plants | N | |
| Industrial services | N | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | N | |
| Heavy wholesaling | N | |
| Warehousing and distribution | N | |
| Self-service storage | N | |
| Manufacturing | | |
| General manufacturing | P | General manufacturing, provided the manufacturing does not exceed 5,000 square feet of total floor area per development site and retail sales of the products manufactured is provided on-site. |
| | N | All other general manufacturing. |
| Heavy manufacturing | N | |
| Printing | N | |
| Transportation Facilities | | |
| Aviation facilities | N | |
| Passenger ground transportation facilities | P | Transit stop shelters |
| | N | All other passenger ground transportation facilities |
| Marine facilities | N | |

| Utilities | | |
|---|---------|---|
| Basic utilities | N | Reservoirs; water storage facilities; electric substation. |
| | P | All other basic utilities. |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | N | |
| Power generation facilities | N | |
| Data center facilities | N | |
| Fuel dealers | N | |
| Waste-related facilities | N | |
| Mining and natural resource extraction | N | |
| Petroleum and natural gas | N | |
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | N | |
| Forestry | N | |
| Agriculture and forestry services | N | |
| Keeping of livestock and other animals | N | |
| Animal services | P | |
| Other Uses | | |
| Temporary uses | P | The following temporary uses: <ul style="list-style-type: none"> ■ <u>Construction modular, subject to SRC 701.016.</u> ■ Emergency shelter, subject to SRC 701.025. ■ Managed temporary village, subject to SRC 701.030. ■ <u>Safe parking shelter, subject to SRC 701.041.</u> |
| Home occupations | S | Home occupations, subject to SRC 700.020. |
| Accessory dwelling units | S | Accessory dwelling units, subject to SRC 700.007. |

- (b) *Prohibited uses.* Notwithstanding Table 534-1, any permitted, special, or conditional use within the MU-II zone shall be a prohibited use if developed with a drive-through.
- (c) *Continued uses.* Existing uses within the MU-II zone established prior to August 24, 2022, but which would otherwise be made non-conforming by this chapter, are hereby deemed continued uses.
- (1) Buildings or structures housing a continued use may be structurally altered, enlarged, or rebuilt following damage or destruction, provided:

- (A) Such alteration, enlargement, or rebuilding of a conforming development complies with the standards in this chapter; or
- (B) Such alteration, enlargement, or rebuilding of a continued development complies with the standards set forth in SRC 534.015(g).
- (2) A continued use shall terminate if the building or structure ceases to be occupied for that continued use for any reason for a continuous period of one year.
- (3) Conversion of the building or structure to a conforming use shall thereafter prevent conversion back to the former continued use or any other continued use.

Sec. 534.015. - Development standards.

Development within the MU-II zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the MU-II zone shall conform to the standards set forth in Table 534-2.

**TABLE 534-2
LOT STANDARDS**

| Table 534-2: Lot Standards | | |
|-----------------------------------|-----------------|---|
| Requirement | Standard | Limitations & Qualifications |
| Lot Area | | |
| All Uses | None | |
| Lot Width | | |
| All Uses | None | |
| Lot Depth | | |
| All Uses | None | |
| Street Frontage | | |
| All Uses | 16 ft. | |

(b) *Dwelling unit density.* Development within the MU-II zone that is exclusively residential shall have a minimum density of 15 dwelling units per acre.

(c) *Setbacks.* Setbacks within the MU-II zone shall conform to the standards set forth in Tables 534-3 and 534-4.

**TABLE 534-3
SETBACKS**

Table 534-3: Setbacks

| Requirement | Standard | Limitations & Qualifications |
|-----------------------------|--------------------------------|--|
| Abutting Street | | |
| Buildings | | |
| All uses | 0 ft. <u>or</u> Max. 10 ft. | (1) Maximum 10-foot setback of up to 10 feet is permitted <u>applies</u> if the setback area is used for pedestrian amenities. |
| | | <p>a) The maximum setback does not apply to a new building if another building exists between a minimum of 50 percent of the street-facing façade of the new building and the street.</p> <p>b) For double frontage lots, the maximum setback shall only apply to the street with the highest street classification. For double frontage lots where both streets have the same classification, the applicant may choose on which street the maximum setback shall apply. <u>For double frontage lots, the setback abutting a street shall only apply to the street with the highest street classification or, where both streets have the same classification, the street designated by the applicant. No minimum or maximum setback is required abutting the other street.</u></p> |
| | | <p>(2) A minimum setback of five feet to a maximum setback of 10 feet is permitted for ground-floor residential uses if horizontal separation is provided pursuant to [SRC] 534.015(h).</p> <p><u>a) The maximum setback does not apply to a new building if another building exists between a minimum of 50 percent of the street-facing façade of the new building and the street.</u></p> <p><u>b) For double frontage lots, the maximum setback abutting a street shall only apply to the street with the highest street classification or, where both streets have the same classification, the street designated by the applicant. No maximum setback is required abutting the other street.</u></p> |
| Accessory Structures | | |
| All uses | Min. 10 ft. | |
| Vehicle Use Areas | | |
| All uses | Per SRC chapter 806 | The use of a berm under 806.035(c)(2)(B) is prohibited. |
| Interior Side | | |
| Buildings | | |
| All uses | Zone-to-zone setback | |

| | | |
|-----------------------------|------------------------------------|--|
| | (Table 534-4) | |
| Accessory Structures | | |
| All uses | Zone-to-zone setback (Table 534-4) | |
| Vehicle Use Areas | | |
| All uses | Zone-to-zone setback (Table 534-4) | |
| Interior Rear | | |
| Buildings | | |
| All uses | Zone-to-zone setback (Table 534-4) | |
| Accessory Structures | | |
| All uses | Zone-to-zone setback (Table 534-4) | |
| Vehicle Use Areas | | |
| All uses | Zone-to-zone setback (Table 534-4) | |

**TABLE 534-4
ZONE-TO-ZONE SETBACKS**

| Table 534-4: Zone-to-Zone Setbacks | | | |
|---|------------------------------------|---|------------------------------------|
| Abutting Zone | Type of Improvement | Setback | Landscaping & Screening |
| EFU | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. ⁽¹⁾ | Type A |
| Residential zone | Buildings and accessory structures | Min. 10 ft. plus 1.5 feet for each 1 foot of building height above 15 feet ⁽²⁾ | Type C |
| | Vehicle Use Areas | Min. 5 ft. | Type C |
| Mixed-use zone | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. ⁽¹⁾ | Type A |
| Commercial zone | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. ⁽¹⁾ | Type A |
| Public zone | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. ⁽¹⁾ | Type A |
| Industrial and employment zone | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. ⁽¹⁾ | Type A |
| Limitations & Qualifications | | | |
| (1) Zone-to-zone setbacks are not required abutting an alley. | | | |
| (2) The additional 1.5-feet for each 1-foot of building height above 15 feet does not apply abutting a creek. | | | |

(d) *Lot coverage; height; building frontage.* Buildings and accessory structures within the MU-II zone shall conform to the lot coverage, height, and building frontage standards set forth in Table 534-5.

**TABLE 534-5
LOT COVERAGE; HEIGHT; BUILDING FRONTAGE**

| Table 534-5: Lot Coverage; Height; Building Frontage | | |
|---|-----------------|---|
| Requirement | Standard | Limitations & Qualifications |
| Lot Coverage | | |
| Buildings and Accessory Structures | | |
| All uses | No Max. | |
| Rear Yard Coverage | | |
| Buildings | | |
| All uses | NA | |
| Accessory Structures | | |
| All uses | No Max. | |
| Height | | |
| Buildings and Accessory Structures | | |
| All uses | Max. 45 ft. | Applicable to buildings on a lot or lots that are contiguous to a National Register Residential Historic District. For the purposes of this standard, contiguous shall include a lot or lots that are separated from a National Register Residential Historic District by an alley. |
| | Max. 55 ft. | Applicable to buildings on all other lots. |
| Building Frontage | | |
| Buildings | | |
| All uses | Min. 50% | (1) For corner lots, this standard must be met on the frontage of the street with the highest street classification. For the intersecting street, the building frontage standard is a minimum of 40%. |
| | | (2) For corner lots where both streets have the same classification, the applicant may choose on which street to meet the minimum 50% building frontage standard and on which street to meet the minimum 40% building frontage standard. |

| | | |
|-----------------------------|----------------|---|
| | | (3) For double frontage lots, this standard must only be met on the street with the highest classification. Where both streets have the same classification, the applicant may choose on which street the building frontage standard shall apply. |
| Accessory Structures | | |
| All uses | Not applicable | Accessory structures shall be located behind or beside buildings. |

- (e) *Parking.* Required off-street parking shall not be located on a new standalone surface parking lot in the MU-I zone or MU-II zone.
- (f) *Landscaping.*
 - (1) *Setback areas.* Setbacks, except setback areas abutting a street that provide pedestrian amenities or horizontal separation pursuant to [SRC] 534.015(h), shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.
 - (2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapter 806 and SRC chapter 807.
- (g) *Continued development.* Buildings and structures existing within the MU-II zone on September 12, 2018, that would be made non-conforming development by this chapter are hereby deemed continued development. The owner shall have the burden to demonstrate continued development status under this subsection.
 - (1) *Single family uses.*
 - (A) *Buildings.* Continued development housing a continued single family use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to development standards of the Single Family Residential (RS) zone set forth in SRC chapter 511 and to all other applicable provisions of the UDC, except for lot size and dimension standards in SRC chapter 511.
 - (B) *Accessory structures.* Existing accessory structures on the same property as a continued single family use may be structurally altered or enlarged, or rebuilt following damage or destruction, and new accessory structures to a continued use may be constructed, provided such alteration, enlargement, rebuilding, or new accessory structure construction conforms to the development standards of the Single Family Residential (RS) zone set forth in SRC chapter 511, except the lot size and dimensions standards, and to all other applicable provisions of the UDC.
 - (C) *Option to rebuild in same location.* Notwithstanding SRC 543.015(h)(1)(A) and (B), any continued development housing a continued single family use or associated accessory structure rebuilt following damage or destruction may either be located on the same location on the lot as the original building or structure, or in compliance with the setbacks of the Single Family Residential (RS) zone set forth in SRC 511.010(b).
 - (2) *All other uses.* Continued development, housing a use other than a continued single family use, may be structurally altered, enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to the following standards:

- (A) *Minor alterations.* Exterior alterations to buildings that alter less than 20 percent of an existing building facade area facing a primary street are exempt from all of the development standards in this chapter. Such alterations shall not increase the building facade's nonconformity to the pedestrian-oriented design standards in Table 534-6.
- (B) *Minor additions.* Additions to buildings that enlarge or alter an existing building facade area facing a primary street by less than 20 percent are exempt from all of the development standards in this chapter except for interior setbacks, parking, landscaping, and maximum height standards. Such additions shall not increase the building facade's nonconformity to the pedestrian-oriented design standards in Table 534-6.
- (C) *Major alterations.* Exterior alterations to buildings that alter between 20 percent and 60 percent of an existing building facade area facing a primary street shall decrease that building facade's nonconformity to all pedestrian-oriented design standards in Table 534-6 that are applicable to that alteration. Such alterations are exempt from all other development standards in this chapter.
- (D) *Major additions.* Additions to buildings that enlarge or alter an existing building facade area facing a primary street by between 20 percent and 60 percent shall:
 - (i) Comply with a minimum of three of the pedestrian-oriented design standards in Table 534-6; or
 - (ii) Comply with a minimum of one of the pedestrian-oriented design standards in Table 534-6 and add perimeter landscaping in vehicle use areas if such landscaping is not already required under SRC 534.015(f).

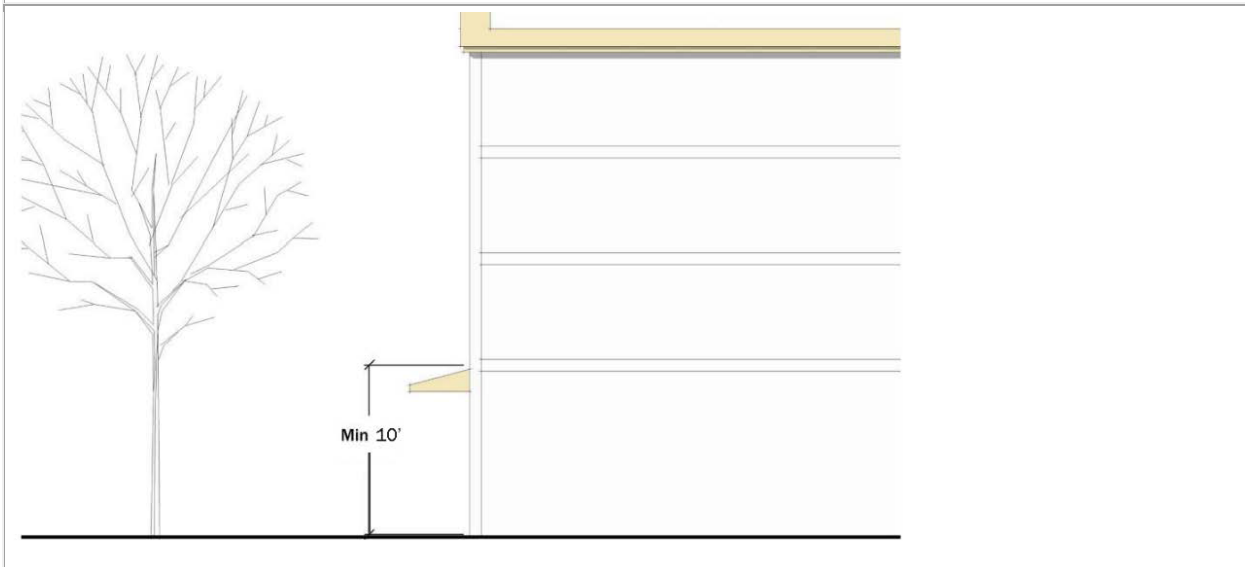
For the purposes of [SRC] 534.015(h)(2)(C)(i) and (ii), the pedestrian-oriented design standards in Table 534-6 shall apply to the addition. Major additions must meet all other development standards in this chapter except for building frontage and maximum setback abutting a street.
- (E) *Substantial alterations.* Exterior alterations to buildings that alter more than 60 percent of an existing building facade area facing a primary street shall meet all applicable pedestrian-oriented design standards in Table 534-6. Such alterations are exempt from all other development standards in this chapter.
- (F) *Substantial additions or redevelopment.* Additions to buildings that enlarge or alter an existing building facade area facing a primary street by more than 60 percent shall meet all applicable development standards in this chapter. Continued development that is rebuilt following damage or destruction shall meet all development standards in this chapter.
- (G) *Accessory structure.* Alterations and additions to accessory structures shall meet all applicable development standards in this chapter.
- (h) *Pedestrian-oriented design.* Development within the MU-II zone, excluding development requiring historic design review, shall conform to the pedestrian-oriented design standards set forth in Table 534-6. Any development requiring historic design review shall only be subject to design review according to the historic design review standards or the historic design review guidelines set forth in SRC chapter 230.

**TABLE 534-6
PEDESTRIAN-ORIENTED DESIGN**

Table 534-6: Pedestrian-Oriented Design

| Requirement | Standard | Limitations & Qualifications |
|---|-------------|--|
| Ground Floor Height | | |
| This standard applies to building ground floors on primary streets. | Min. 10 ft. | For the purposes of this standard, ground floor height is measured from the floor to the ceiling of the first floor. |

FIGURE 534-1
GROUND FLOOR HEIGHT



| Separation of Ground Floor Residential Uses | | |
|--|---|--|
| This standard applies when a dwelling unit is located on the ground floor. | Vertical or horizontal separation shall be provided | For the purposes of this standard, separation is required between the public right-of-way and the residential entryway and any habitable room. |
| | Vertical Distance Min. 1.5 ft. Max. 3 ft. | Vertical separation shall take the form of several steps or a ramp to a porch, stoop, or terrace. |
| | Horizontal Distance Min. 5 ft. Max. 10 ft. | Horizontal separation shall take the form of a landscaped area such as private open space or hardscaped area such as a plaza. |

FIGURE 534-2
HORIZONTAL SEPARATION



Building Facade Articulation

| | | |
|--|-----------------|---|
| <p>This standard applies to building facades facing primary streets.</p> | <p>Required</p> | <p>(1) For buildings on corner lots, where the primary street intersects with a secondary street, these standards shall apply to the full length of the front facade and the portion of the side facade that extends a minimum of 50 feet from the corner where the primary street meets the secondary street, or to the edge of the building or the lot, whichever is shorter.</p> |
| | | <p>(2) Buildings shall incorporate vertical and horizontal articulation and shall divide vertical mass into a base, middle, and top.</p> |
| | | <p>a) Base: Ground floor facades shall be distinguished from middle facades by at least one of the following standards:</p> |
| | | <p>1. Change in materials.</p> |
| | | <p>2. Change in color.</p> |
| | | <p>3. Molding or other horizontally-articulated transition piece.</p> |
| | | <p>b) Middle: Middle facades shall provide visual interest by incorporating at a</p> |

| | | | |
|--|--|-----|--|
| | | | minimum of every 50 feet at least one of the following standards: |
| | | | 1. Recesses of a minimum depth of two feet. |
| | | | 2. Extensions of a minimum depth of two feet. |
| | | | 3. Vertically-oriented windows. |
| | | | 4. Pilasters that project away from the building. |
| | | c) | Top: Building tops shall be defined by at least one of the following standards: |
| | | | 1. Cornice that is a minimum of eight inches tall and a minimum of three inches beyond the face of the facade. |
| | | | 2. Change in material from the upper floors, with that material being a minimum of eight inches tall. |
| | | | 3. Offsets or breaks in roof elevation that are a minimum of three feet in height. |
| | | | 4. A roof overhang that is a minimum of eight inches beyond the face of the facade. |
| | | (3) | The repainting of a facade of an existing building is exempt from this standard. |

FIGURE 534-3
ARTICULATION



| Ground Floor Windows | | |
|--|--|---|
| <p>This standard applies to building ground floors on primary streets.</p> | <p>Residential uses Min. 30%</p> | <p>(1) For the purposes of this standard, ground floor building facades shall include the minimum percentage of transparent windows. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum visible transmittance (VT) of 37 percent.</p> |
| | <p>Non-residential uses Min. 65%</p> | <p>(2) For buildings on corner sites, where the primary street intersects with a secondary street, this standards shall apply to the full length of the front facade and the portion of the side facade that extends a minimum of 50 feet from the corner where the primary street meets the secondary street, or to the edge of the building or the lot, whichever is shorter.</p> |

FIGURE 534-4
GROUND FLOOR WINDOWS



Building Entrances

| | | |
|--|-----------------|---|
| <p>This standard applies to building ground floors on primary streets.</p> | <p>Required</p> | <p>(1) For non-residential uses on the ground floor, a primary building entrance for each tenant space facing a primary street shall be located on the primary street. If a building has frontage on a primary street and any other street, a single primary building entrance for a non-residential tenant space at the corner of the building where the streets intersect may be provided at that corner.</p> |
| | | <p>(2) For residential uses on the ground floor, a primary building entrance for each building facade facing a primary street shall be located on the primary street. If a building has frontage on a primary street and any other street, a single primary building entrance for a residential use on the ground floor may be provided at the corner of the building where the streets intersect.</p> |
| | | <p>(3) Building entrances shall include weather protection.</p> |

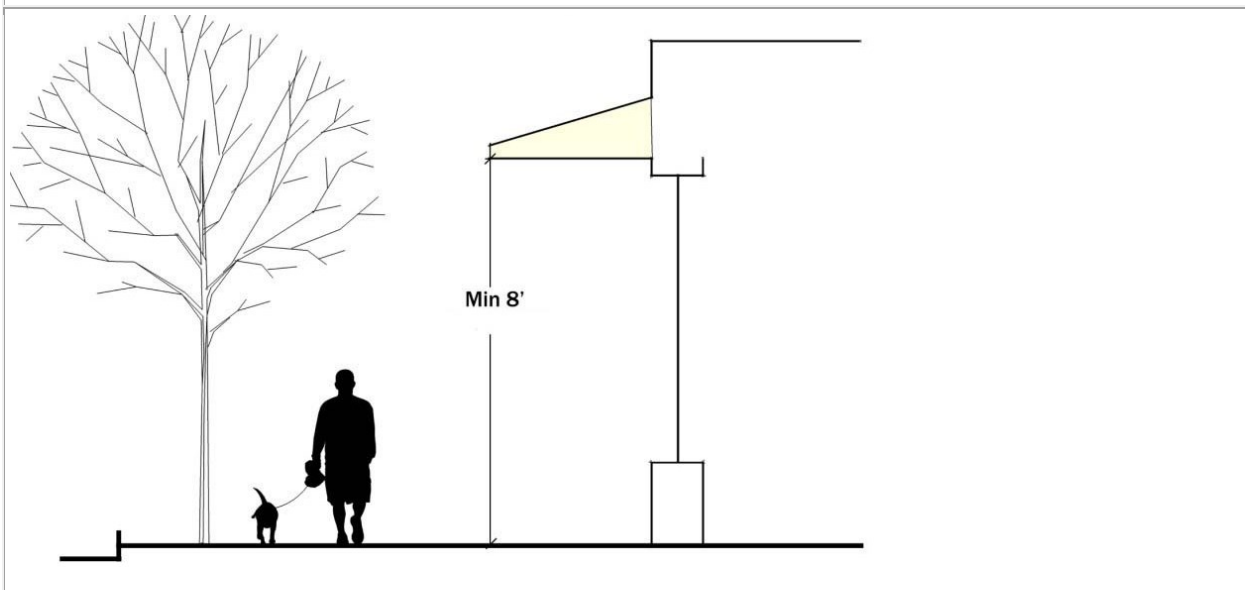
FIGURE 534-5
ENTRANCE AT BUILDING CORNER



Weather Protection

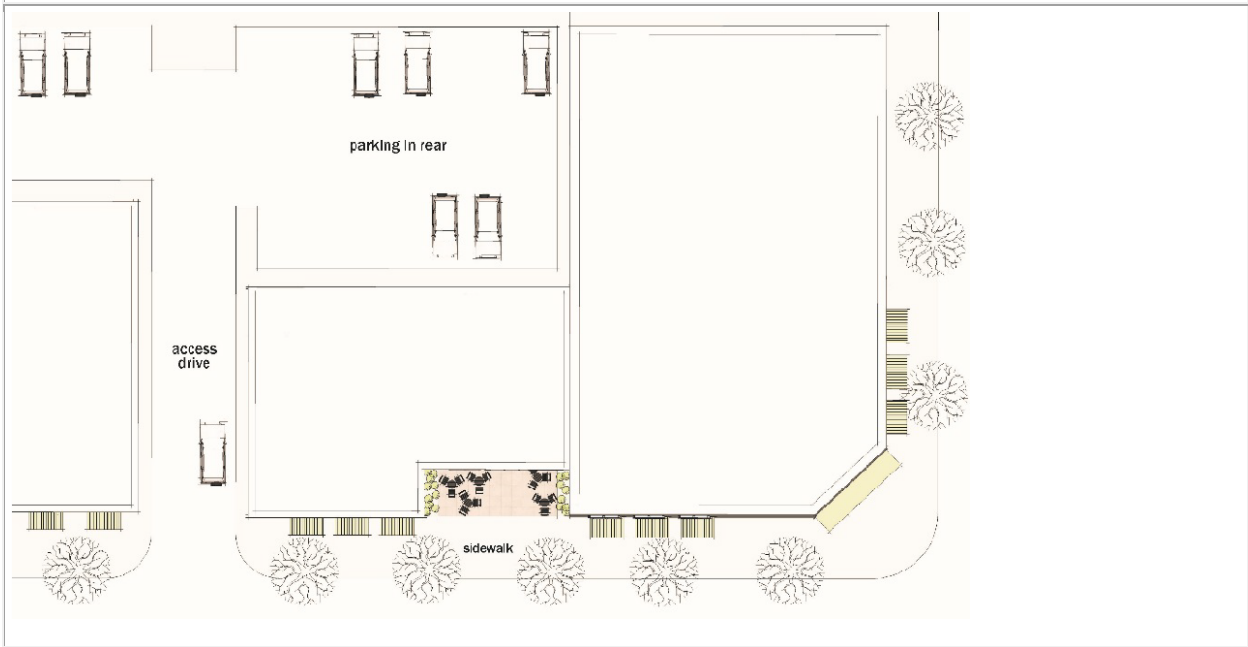
| | | |
|--|--|---|
| <p>This standard applies to building ground floors adjacent to a street.</p> | <p>Residential uses Min. 50%</p> | <p>(1) For the purposes of this standard, weather protection in the form of awnings or canopies shall be provided along the ground floor building facade for the minimum length required.</p> |
| | <p>Non-residential uses Min. 75%</p> | <p>(2) Awnings or canopies shall have a minimum clearance height above the sidewalk or ground surface of 8 feet and may encroach into the street right-of-way as provided in SRC 76.160.</p> |

FIGURE 534-6
WEATHER PROTECTION



| Parking Location | | |
|--|----------|---|
| This standard applies to off-street parking areas and vehicle maneuvering areas. | Required | Off-street surface parking areas and vehicle maneuvering areas shall be located behind or beside buildings and structures. Off-street surface parking areas and vehicle maneuvering areas shall not be located between a building or structure and a street |

FIGURE 534-7
OFF-STREET PARKING

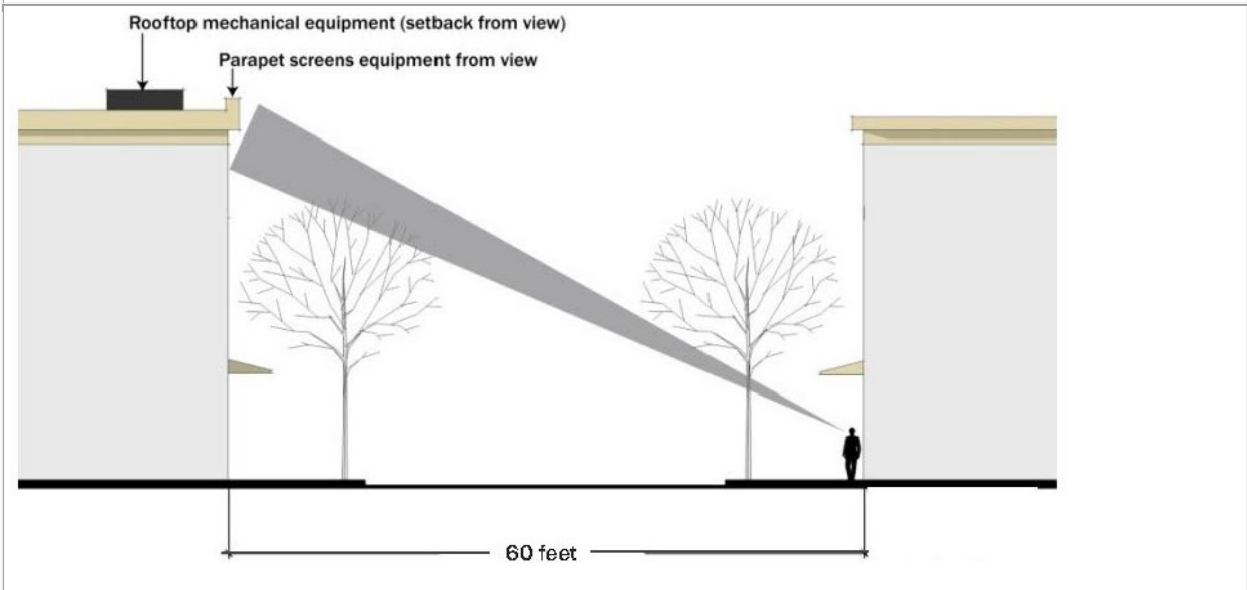


| Mechanical and Service Equipment | | |
|--|----------|--|
| This standard applies to mechanical and service equipment. | Required | (1) Ground level mechanical and service equipment shall be screened with landscaping or a site-obscuring fence or wall. Ground level mechanical and service equipment shall be located behind or beside buildings. |
| | | (2) Rooftop mechanical equipment, with the exception of solar panels and wind generators, shall be set back or screened so as to not be visible to a person standing at ground level 60 feet from the building. |

FIGURE 534-8
GROUND-LEVEL MECHANICAL EQUIPMENT



FIGURE 534-9
ROOFTOP MECHANICAL EQUIPMENT



Sec. 535.010. - Uses.

- (a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the MU-III zone are set forth in Table 535-1.

**TABLE 535-1
USES**

| Table 535-1: Uses | | |
|-------------------------|--------|---|
| Use | Status | Limitations and Qualifications |
| Household Living | | |
| Single family | P | The following single family activities: ■ Townhouse. |

| | | |
|---|---|---|
| | | <ul style="list-style-type: none"> ■ Residential home, as defined under ORS 197.660. ■ Single family, when located in a mixed-use building. |
| | N | All other single family. |
| Two family | P | Two family, when located in a mixed-use building. |
| | N | All other two family. |
| Three family | S | Subject to SRC 700.081. |
| Four family | S | Subject to SRC 700.081. |
| Multiple family | P | |
| Group Living | | |
| Room and board | P | Room and board serving 5 or fewer persons. |
| | C | Room and board serving 6 to 75 persons. |
| | N | All other room and board. |
| Residential care | P | |
| Nursing care | P | |
| Lodging | | |
| Short-term commercial lodging | P | |
| Long-term commercial lodging | C | |
| Nonprofit shelters | P | Nonprofit shelters serving 5 or fewer persons. |
| | C | Nonprofit shelters serving 6 to 75 persons. |
| | P | Nonprofit shelters serving victims of domestic violence for 10 or fewer persons. |
| | N | All other nonprofit shelters. |
| Retail Sales and Service | | |
| Eating and drinking establishments | P | |
| Retail sales | N | Used merchandise stores, where sales and storage of merchandise and equipment is not conducted entirely within a building. |
| | P | All other retail sales. |
| Personal services | P | |
| Postal services and retail financial services | P | |
| Business and Professional Services | | |
| Office | P | |

| | | |
|--|---|---|
| Audio/visual media production | P | |
| Laboratory research and testing | P | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service | | |
| Motor vehicle and manufactured dwelling and trailer sales | C | |
| Motor vehicle services | P | Gasoline service stations. |
| | C | All other motor vehicle services. |
| Commercial parking | P | |
| Park-and-ride facilities | P | |
| Taxicabs and car services | P | |
| Heavy vehicle and trailer sales | C | Truck rental and leasing. |
| | N | All other heavy vehicle and trailer sales. |
| Heavy vehicle and trailer service and storage | C | The following heavy vehicle and trailer service and storage activities: <ul style="list-style-type: none"> ■ Truck stops. ■ Heavy vehicle and equipment operation instruction. ■ Tire retreading and tire repair shops. |
| | N | All other heavy vehicle and trailer service and storage. |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | C | Nightclubs, located within 200 feet of a residential zone. |
| | P | All other commercial entertainment—indoor. |
| Commercial entertainment—outdoor | C | Privately owned camps, campgrounds, and recreational vehicle parks. |
| | N | The following commercial entertainment—outdoor activities: <ul style="list-style-type: none"> ■ Amusement parks. ■ Drive-in movie theaters. |
| | P | All other commercial entertainment—outdoor. |
| Major event entertainment | C | |
| Recreational and cultural community services | P | |
| Parks and open space | P | |
| Nonprofit membership assembly | P | |
| Religious assembly | P | |
| Health Services | | |

| | | |
|---|---|--|
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | P | |
| Education Services | | |
| Day care | P | |
| Basic education | P | |
| Post-secondary and adult education | P | |
| Civic Services | | |
| Governmental services | P | |
| Social services | P | |
| Governmental maintenance services and construction | N | |
| Public Safety | | |
| Emergency services | P | |
| Detention facilities | N | |
| Military Installations | P | |
| Funeral and Related Services | | |
| Cemeteries | N | |
| Funeral and cremation services | P | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | P | |
| Building and grounds services and construction contracting | P | The following buildings and grounds services and construction contracting activities: <ul style="list-style-type: none"> ■ Landscape, lawn, and garden services. ■ Tree and shrub services. |
| | C | Carpet and upholstery cleaning establishments. |
| | N | All other building and grounds services and construction contracting. |
| Cleaning plants | N | |
| Industrial services | P | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | N | |
| Heavy wholesaling | N | |
| Warehousing and distribution | C | Distribution centers for online, mail order, and catalog sales. |

| | | |
|---|---------|--|
| | N | All other warehousing and distribution. |
| Self-service storage | N | |
| Manufacturing | | |
| General manufacturing | P | General manufacturing, provided the manufacturing does not exceed 10,000 square feet of total floor area per development site and retail sales of the products manufactured is provided on-site. |
| | C | The following general manufacturing activities, when exceeding 10,000 square feet of total floor area per development site: <ul style="list-style-type: none"> ■ Industrial and institutional food service contractors. ■ Costume jewelry and precious metals metalsmithing. ■ Sundries and notions. ■ Signs. |
| | N | All other general manufacturing. |
| Heavy manufacturing | N | |
| Printing | P | |
| Transportation Facilities | | |
| Aviation facilities | N | |
| Passenger ground transportation facilities | P | |
| Marine facilities | N | |
| Utilities | | |
| Basic utilities | C | Reservoirs; water storage facilities. |
| | P | All other basic utilities. |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | C | |
| Power generation facilities | C | |
| Data center facilities | N | |
| Fuel dealers | N | |
| Waste-related facilities | C | The following waste-related facilities are allowed conditionally: <ul style="list-style-type: none"> ■ Recycling depots. ■ Solid waste transfer stations. |
| | N | All other waste-related facilities. |
| Mining and Natural Resource Extraction | | |
| Petroleum and natural gas production | N | |

| | | |
|---|---|--|
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | N | Marijuana production. |
| | P | All other agriculture. |
| Forestry | P | |
| Agriculture and forestry services | P | |
| Keeping of livestock and other animals | N | |
| Animal services | N | New wildlife rehabilitation facility. |
| | P | All other animal services. |
| Other Uses | | |
| Temporary uses | P | The following temporary uses: <ul style="list-style-type: none"> ■ <u>Construction modular, subject to SRC 701.016.</u> ■ Emergency shelter, subject to SRC 701.025. ■ Managed temporary village, subject to SRC 701.030. ■ <u>Safe parking shelter, subject to SRC 701.041.</u> ■ Temporary motor vehicle and recreational vehicle sales, subject to SRC 701.035. |
| Home occupations | S | Home occupations, subject to SRC 700.020. |
| Accessory dwelling units | S | Accessory dwelling units, subject to SRC 700.007. |

- (b) *Continued uses.* Existing, legally-established uses established prior to August 24, 2022, but which would otherwise be made nonconforming by this chapter, are hereby deemed continued uses.
- (1) Building or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 535.015(f).
 - (2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for that use; provided, however, conversion of the building or structure to a conforming use shall thereafter prevent conversion back to the former continued use or any other continued use.
- (c) *Adaptive reuse of existing industrial buildings and structures.* In order to allow for greater flexibility in the use of existing industrial buildings and structures within the area shown in Figure 535-1, the adaptive reuse of industrial buildings and structures existing on August 24, 2022, is allowed as set forth in this subsection.
- (1) *Uses.* Any use within the industrial use classification that is a permitted, special, or conditional use within the General Industrial (IG) Zone shall be a permitted, special, or conditional use within an existing industrial building or structure within the area shown in Figure 535-1.
 - (2) *Development standards; design review.* The exterior of the existing industrial building or structure may be altered, but shall not be enlarged. The exterior alteration shall comply with all applicable standards of the IG Zone. The exterior alteration shall not be subject to the development standards, or the design review guidelines or the design review standards, of this chapter.

- (3) *Termination.* Adaptive reuse of an existing industrial building or structure shall terminate as provided in this subsection. When the adaptive reuse of an existing industrial building or structure has terminated, the property shall thereafter only be used for uses allowed in the MU-III zone.
- (A) Change of use to any use that is allowed in the MU-III zone shall terminate the adaptive reuse of the building or structure.
- (B) Determination by the Building Official that the building or structure is derelict or dangerous, as defined in SRC 50.600 and 56.230, shall terminate the adaptive reuse of the building or structure.
- (C) Substantial damage or destruction of the building or structure by any cause, to the extent that the cost of repair or restoration would exceed 60 percent of the building or structure replacement cost using new materials and conforming to the current building codes, shall terminate the adaptive reuse of the building or structure. Cost of repair or restoration, and replacement cost, shall be determined by the Building Official. The Building Official's determination is appealable as provided in SRC 20J.240 through 20J.430 for contested case proceedings.

Sec. 536.010. - Uses.

- (a) The permitted (P), special (S), conditional (C), and prohibited (N) uses in the MU-R zone are set forth in Table 536-1.

| TABLE 536-1: USES | | |
|-------------------------------|---------------|--|
| | Status | |
| Household Living | | |
| Single family | P | The following single family activities: <ul style="list-style-type: none"> • Townhouse. • Residential home, as defined under ORS 197.660. |
| | N | All other single family. |
| Two family | N | |
| Three family | P | |
| Four family | P | |
| Multiple family | P | |
| Group Living | | |
| Room and board | P | Room and board serving 5 or fewer persons. |
| | N | All other room and board |
| Residential care | P | The following residential care activities: <ul style="list-style-type: none"> • Residential facility, as defined under ORS 197.660. • Assisted living. |
| | N | All other residential care. |
| Nursing care | N | |
| Lodging | | |
| Short-term commercial lodging | P | |
| Long-term commercial lodging | N | |

| | | |
|--|---|--|
| Non-profit shelters | N | |
| Retail Sales and Services | | |
| Eating and drinking establishments | P | |
| Retail sales | P | |
| Personal services | P | |
| Postal services and retail financial services | P | |
| Business and Professional Services | | |
| Office | P | |
| Audio/visual media production | P | |
| Laboratory research and testing | P | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service | | |
| Motor vehicle and manufactured dwelling and trailer sales | N | |
| Motor vehicle services | N | |
| Commercial parking | N | Standalone surface parking lots |
| | P | All other commercial parking |
| Park-and-ride facilities | N | |
| Taxicabs and car services | N | |
| Heavy vehicle and trailer sales | N | |
| Heavy vehicle and trailer service and storage | N | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—Indoor | N | Firing ranges |
| | P | All other commercial entertainment—Indoor. |
| Commercial entertainment—Outdoor | N | |
| Major event entertainment | C | |
| Recreational and cultural community services | P | |

| | | |
|---|---|--|
| Parks and open space | P | |
| Non-profit membership assembly | P | |
| Religious assembly | P | |
| Health Services | | |
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | P | |
| Educational Services | | |
| Day care | P | |
| Basic education | P | |
| Post-secondary and adult education | P | |
| Civic Services | | |
| Government services | P | |
| Social services | P | |
| Governmental maintenance services and construction | N | |
| Public Safety | | |
| Emergency services | P | |
| Detention facilities | N | |
| Military installations | N | |
| Funeral and Related Services | | |
| Cemeteries | N | |
| Funeral and cremation services | N | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | P | |
| Building and ground services and construction contracting | N | |
| Cleaning plants | N | |
| Industrial services | N | |
| Wholesale Sales, Storage, and Distribution | | |

| | | |
|--|---------|--|
| General wholesaling | P | General wholesaling, provided the following is met: <ul style="list-style-type: none"> Wholesaling is in buildings and structures constructed prior to August 24, 2022, retail sales in the same line of goods is provided on-site, and the wholesaling does not exceed 50 percent of total floor area per development site or 10,000 square feet, whichever is more; or, Wholesaling is in buildings and structures constructed after August 24, 2022, retail sales in the same line of goods is provided on-site, and wholesaling does not exceed 5,000 square feet of total floor area per development site. |
| | N | |
| Heavy wholesaling | N | |
| Warehousing and distribution | N | |
| Self-service storage | N | |
| Manufacturing | | |
| General manufacturing | P | General manufacturing, provided the following is met: <ul style="list-style-type: none"> Manufacturing is in buildings and structures constructed prior to August 24, 2022, retail sales of the products manufactured is provided on-site, and the manufacturing does not exceed 50 percent of total floor area per development site or 10,000 square feet, whichever is more; or, Manufacturing is in buildings and structures constructed after August 24, 2022, retail sales of the products manufactured is provided on-site, and manufacturing does not exceed 5,000 square feet of total floor area per development site. |
| | N | All other general manufacturing. |
| Heavy manufacturing | N | |
| Printing | P | |
| Transportation Facilities | | |
| Aviation facilities | N | |
| Passenger ground transportation facilities | P | |
| Marine facilities | C | |
| Utilities | | |
| Basic utilities | N | Reservoirs; water storage facilities; electric substation. |
| | P | All other basic utilities. |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | N | |

| | | |
|---|---|---|
| Power generation facilities | N | |
| Data center facilities | N | |
| Fuel dealers | N | |
| Waste-related facilities | N | |
| Mining and natural resource extraction | N | |
| Petroleum and natural gas | N | |
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | N | |
| Forestry | N | |
| Agriculture and forestry services | N | |
| Keeping of livestock and other animals | N | |
| Animal services | P | |
| Other Uses | | |
| Temporary uses | P | The following temporary uses: <ul style="list-style-type: none"> ■ <u>Construction modular, subject to SRC 701.016.</u> ■ Emergency shelter, subject to SRC 701.025. ■ Managed temporary village, subject to SRC 701.030. ■ <u>Safe parking shelter, subject to SRC 701.041.</u> |
| Home occupations | S | Home occupations, subject to SRC 700.020. |
| Accessory dwelling units | S | Accessory dwelling units, subject to SRC 700.007. |

- (b) *Prohibited uses.* Notwithstanding Table 536-1, any permitted, special, or conditional use within the MU-R zone shall be a prohibited use if developed with a drive-through.
- (c) *Continued uses.* Existing uses within the MU-R zone established prior to August 24, 2022, but which would otherwise be made non-conforming by this chapter, are hereby deemed continued uses.
- (1) Buildings or structures housing a continued use may be structurally altered, enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 526.015(f).
 - (2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for that use; provided, however, conversion of the building or structure to a conforming use shall thereafter prevent conversion back to the former continued use or any other continued use.

Sec. 536.015. - Development standards.

Development within the MU-R zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the MU-R zone shall conform to the standards set forth in Table 536-2.

**TABLE 536-2
LOT STANDARDS**

| Table 536-2: Lot Standards | | |
|-----------------------------------|-----------------|---------------------------------------|
| Requirement | Standard | Limitations and Qualifications |
| Lot Area | | |
| All uses | None | |
| Lot width | | |
| All uses | None | |
| Lot depth | | |
| All uses | None | |
| Street frontage | | |
| All uses | 16 ft. | |

(b) *Dwelling unit density.* Development within the MU-R zone that is exclusively residential shall have a minimum density of 15 dwelling units per acre.

(c) *Setbacks.* Setbacks within the MU-R zone shall conform to the standards set forth in Tables 536-3 and 536-4.

**TABLE 536-3
SETBACKS**

| Table 536-3: Setbacks | | |
|------------------------------|--------------------------------|--|
| Requirement | Standard | Limitations and Qualifications |
| Abutting Street | | |
| Buildings | | |
| All uses | 0 ft. <u>or</u> Max. 10 ft. | (1) Maximum 10-foot setback of up to 10 feet is permitted <u>applies</u> if the setback area is used for pedestrian amenities. |
| | | a) The maximum setback does not apply to a new building if another building exists between a minimum of 50 percent of the street-facing façade of the new building and the street. |
| | | b) For double frontage lots, the maximum setback shall only apply to the street with the highest street classification. For double frontage lots where both streets have the same classification, the applicant may choose on which street the maximum setback shall apply. For double frontage lots, the setback abutting a street shall only apply to the street with the highest street classification or, where both streets have the same classification, the street designated by the applicant. No minimum or maximum setback is required abutting the other street. |

| | | |
|-----------------------------|------------------------------------|---|
| | | c) For lots contiguous to the river and located between the river and a street, the maximum setback shall only apply along a minimum of 50 percent of the length of the lot line abutting a street. |
| Accessory Structures | | |
| All uses | Min. 10 ft. | |
| Vehicle Use Areas | | |
| All uses | Per SRC chapter 806 | The use of a berm under SRC 806.035(c)(2)(B) is prohibited. |
| Interior Side | | |
| Buildings | | |
| All uses | Zone-to-zone setback (Table 536-4) | |
| Accessory Structures | | |
| All uses | Zone-to-zone setback (Table 536-4) | |
| Vehicle Use Areas | | |
| All uses | Zone-to-zone setback (Table 536-4) | |
| Interior Rear | | |
| Buildings | | |
| All uses | Zone-to-zone setback (Table 536-4) | |
| Accessory Structures | | |
| All uses | Zone-to-zone setback | |

| | | |
|--------------------------|------------------------------------|--|
| | (Table 536-4) | |
| Vehicle Use Areas | | |
| All uses | Zone-to-zone setback (Table 536-4) | |

**TABLE 536-4
ZONE-TO-ZONE SETBACKS**

| Table 536-4: Zone-to-Zone Setbacks | | | |
|---|------------------------------------|---------------------------|------------------------------------|
| Abutting Zone | Type of Improvement | Setback | Landscaping & Screening |
| EFU | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. ⁽¹⁾ | Type A |
| Residential zone | Buildings and accessory structures | Min. 15 ft. | Type C |
| | Vehicle use areas | Min. 5 ft. | Type C |
| Mixed-use zone | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. ⁽¹⁾ | Type A |
| Commercial zone | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. ⁽¹⁾ | Type A |
| Public zone | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. ⁽¹⁾ | Type A |
| Industrial and employment zone | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. ⁽¹⁾ | Type A |
| Limitations & Qualifications | | | |
| (1) Zone-to-zone setbacks are not required abutting an alley. | | | |

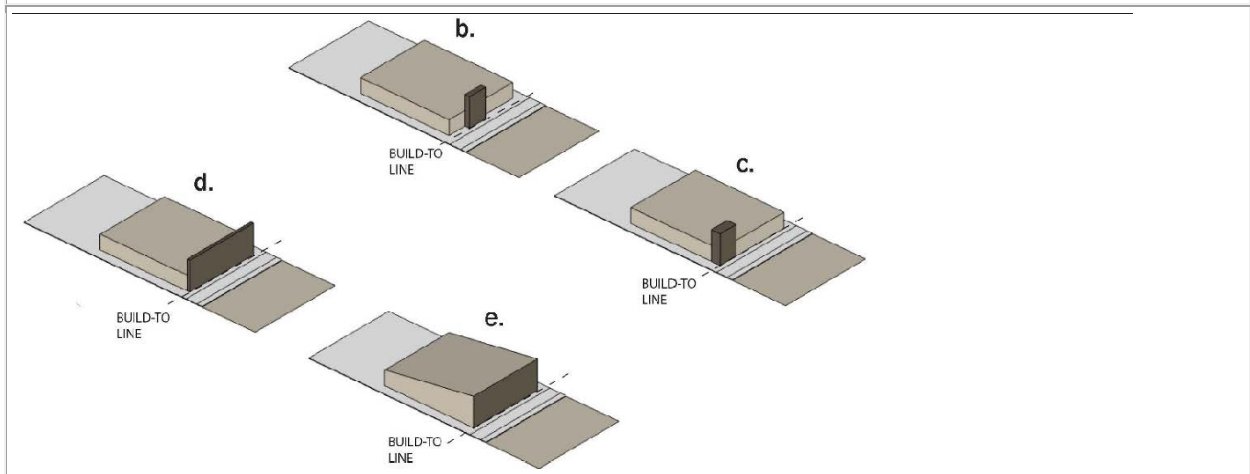
- (d) *Lot coverage; height; building frontage.* Buildings and accessory structures within the MU-R zone shall conform to the lot coverage, height, and building frontage standards set forth in Table 536-5.

**TABLE 536-5
LOT COVERAGE; HEIGHT; BUILDING FRONTAGE**

| Table 536-5: Lot Coverage; Height; Building Frontage | | |
|---|-----------------|---------------------------------------|
| Requirement | Standard | Limitations and Qualifications |
| Lot Coverage | | |

| | | |
|---|-------------|--|
| Buildings and Accessory Structures | | |
| All uses | No Max. | |
| Rear Yard Coverage | | |
| Buildings | | |
| All uses | NA | |
| Accessory Structures | | |
| All uses | No Max. | |
| Height | | |
| Buildings | | |
| All uses | Max. 70 ft. | |
| | Min. 20 ft. | New buildings or additions shall satisfy the minimum height requirements through one of the following options: |
| | | a) Roof. Provide a roof that is 20 feet in height. |
| | | b) Prominent entry. Provide an attached entry that is 20 feet in height, extends for a minimum of 25 percent of the length of the front facade, and extends to the front lot line. |
| | | c) Cupola. Provide a 20-foot tall portion of the building for a minimum of 25 percent of the length of the front facade. It shall include the front facade wall and extend a minimum of 10 feet behind the front wall. |
| | | d) False front. Provide a front facade wall that is 20 feet in height along the entire length of the building. |
| | | e) Reverse shed. Provide a front facade wall that is 20 feet in height along the entire length of the building, and slope the roof down toward the rear of the building. |

FIGURE 536-1
EXAMPLE OF OPTIONS TO MEET MINIMUM HEIGHT REQUIREMENT



| | | |
|-----------------------------|----------------|---|
| Accessory Structures | | |
| All uses | Max. 70 ft. | |
| Building Frontage | | |
| Buildings | | |
| All uses | Min. 50% | (1) For corner lots, this standard must be met on the frontage of the street with the highest street classification. For the intersecting street, the building frontage standard is a minimum of 40%. |
| | | (2) For corner lots where both streets have the same classification, the applicant may choose on which street to meet the minimum 50% building frontage standard and on which street to meet the minimum 40% building frontage standard. |
| | | (3) For double frontage lots, this standard must only be met on the street with the highest classification. Where both streets have the same classification, the applicant may choose on which street the building frontage standard shall apply. |
| Accessory Structures | | |
| All uses | Not applicable | Accessory structures shall be located behind or beside buildings. |

- (e) *Landscaping.*
 - (1) *Setback areas.* Setbacks, except setback areas abutting a street that provide pedestrian amenities, shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.
 - (2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapter 806 and SRC chapter 807.
- (f) *Continued development.* Buildings and structures existing on August 24, 2022, that would be made non-conforming development by this chapter are hereby deemed continued development. The owner shall have the burden to demonstrate continued development status under this subsection.
 - (1) *Single family uses.*
 - (A) *Buildings.* Continued development housing a continued single family use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to development standards of the Single Family Residential (RS) zone set forth in SRC chapter 511 and to all other applicable provisions of the UDC, except for lot size and dimension standards in SRC chapter 511.
 - (B) *Accessory structures.* Existing accessory structures on the same property as a continued single family use may be structurally altered or enlarged, or rebuilt following damage or destruction, and new accessory structures to a continued use may be constructed, provided such alteration, enlargement, rebuilding, or new accessory structure construction conforms to the development standards of the Single Family Residential (RS) zone set forth in SRC chapter 511, except the lot size and dimensions standards, and to all other applicable provisions of the UDC.
 - (C) *Option to rebuild in same location.* Notwithstanding SRC 536.015(f)(1)(A) and (B), any continued development housing a continued single family use or associated accessory structure rebuilt following damage or destruction may either be located on the same location on the lot as the original building or structure, or in compliance with the setbacks of the Single Family Residential (RS) zone set forth in SRC 511.010(b).

- (2) *All other uses.* Continued development, housing a use other than a continued single family use, may be structurally altered, enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to the following standards:
- (A) *Minor alterations.* Exterior alterations to buildings that alter less than 20 percent of an existing building facade area facing a primary street are exempt from all of the development standards in this chapter. Such alterations shall not increase the building facade's nonconformity to the pedestrian-oriented design standards in Table 536-6.
 - (B) *Minor additions.* Additions to buildings that enlarge or alter an existing building facade area facing a primary street by less than 20 percent are exempt from all of the development standards in this chapter except for interior setbacks, parking, landscaping, and maximum height standards. Such additions shall not increase the building facade's nonconformity to the pedestrian-oriented design standards in Table 536-6.
 - (C) *Major alterations.* Exterior alterations to buildings that alter between 20 percent and 60 percent of an existing building facade area facing a primary street shall decrease that building facade's nonconformity to all pedestrian-oriented design standards in Table 536-6 that are applicable to that alteration. Such alterations are exempt from all other development standards in this chapter.
 - (D) *Major additions.* Additions to buildings that enlarge or alter an existing building facade area facing a primary street by between 20 percent and 60 percent shall:
 - (i) Comply with a minimum of three of the pedestrian-oriented design standards in Table 536-6; or
 - (ii) Comply with a minimum of one of the pedestrian-oriented design standards in Table 536-6 and add perimeter landscaping in vehicle use areas if such landscaping is not already required under SRC 536.015(d).
For the purposes of SRC 536.015(f)(2)(D)(i) and (ii), the pedestrian-oriented design standards in Table 536-6 shall apply to the addition. Major additions must meet all other development standards in this chapter except for building frontage, maximum setback abutting a street, and minimum height.
 - (E) *Substantial alterations.* Exterior alterations to buildings that alter more than 60 percent of an existing building facade area facing a primary street shall meet all applicable pedestrian-oriented design standards in Table 536-6. Such alterations are exempt from all other development standards in this chapter.
 - (F) *Substantial additions or redevelopment.* Additions to buildings that enlarge or alter an existing building facade area facing a primary street by more than 60 percent shall meet all applicable development standards in this chapter. Continued development that is rebuilt following damage or destruction shall meet all development standards in this chapter.
 - (G) *Accessory structure.* Alterations to and additions to accessory structures shall meet all applicable development standards in this chapter.
- (g) *Pedestrian-oriented design.* Development within the MU-R zone, excluding development requiring historic design review, shall conform to the pedestrian-oriented design standards set forth in Table 536-6. Any development requiring historic design review shall only be subject to design review according to the historic design review standards or the historic design review guidelines set forth in SRC chapter 230.

**TABLE 536-6
PEDESTRIAN-ORIENTED DESIGN**

| Table 536-6: Pedestrian-Oriented Design | | |
|--|-----------------|---------------------------------------|
| Requirement | Standard | Limitations and Qualifications |
| Ground Floor Height | | |

| | | |
|---|-------------|--|
| This standard applies to building ground floors on primary streets. | Min. 10 ft. | For the purposes of this standard, ground floor height is measured from the floor to the ceiling of the first floor. |
|---|-------------|--|

FIGURE 536-2
GROUND FLOOR HEIGHT



Public Pedestrian Access

| | | |
|--|--|---|
| This standard applies between the Willamette River and Front Street. | Public pedestrian access shall be provided at least every 400 feet | (1) For the purposes of this standard, public pedestrian access shall be in the form of a sidewalk, street, or alley that is a minimum of 12 feet wide and that meets at least three of the following standards: |
| | | (a) Incorporate visual contrast or tactile finish texture. (b) Be constructed with pavers, scored or colored concrete, and/or stamped asphalt. (c) Be elevated above parking areas and driveways by a height of 3 to 3.5 inches. (d) Be defined with landscaping or building features such as canopies, awnings, or arcades. (e) Provide active use frontages and/or entrances with overlooking windows, stoops, or terraces. (f) Provide pedestrian-level lighting. |

FIGURE 536-3
PEDESTRIAN CONNECTIONS



Building Facade Articulation

| | | |
|--|-----------------|---|
| <p>This standard applies to building facades facing primary streets.</p> | <p>Required</p> | <p>(1) For buildings on corner lots, where the primary street intersects with a secondary street, these standards shall apply to the full length of the front facade and the portion of the side facade that extends a minimum of 50 feet from the corner where the primary street meets the secondary street, or to the edge of the building or the lot, whichever is shorter.</p> |
| | | <p>(2) Buildings shall incorporate vertical and horizontal articulation and shall divide vertical mass into a base, middle, and top.</p> |
| | | <p>a) Base: Ground floor facades shall be distinguished from middle facades by at least one of the following standards:</p> |
| | | <p>1. Change in materials.</p> |
| | | <p>2. Change in color.</p> |
| | | <p>3. Molding or other horizontally-articulated transition piece.</p> |
| | | <p>b) Middle: Middle facades shall provide visual interest by incorporating at a minimum of every 50 feet at least one of the following standards:</p> |
| | | <p>1. Recesses of a minimum depth of two feet.</p> |
| | | <p>2. Extensions of a minimum depth of two feet.</p> |
| | | <p>3. Vertically-oriented windows.</p> |
| | | <p>4. Pilasters that project away from the building.</p> |

| | | |
|--|-----|--|
| | | c) Top: Building tops shall be defined by at least one of the following standards: |
| | | 1. Cornice that is a minimum of eight inches tall and a minimum of three inches beyond the face of the facade. |
| | | 2. Change in material from the upper floors, with that material being a minimum of eight inches tall. |
| | | 3. Offsets or breaks in roof elevation that are a minimum of three feet in height. |
| | | 4. A roof overhang that is a minimum of eight inches beyond the face of the facade. |
| | (3) | The repainting of a facade of an existing building is exempt from this standard. |

**FIGURE 536-4
ARTICULATION**



Ground Floor Windows

| | | |
|---|----------|---|
| This standard applies to building ground floors on primary streets and building ground floors along the riverfront. | Min. 65% | (1) For the purposes of this standard, ground floor building facades shall include the minimum percentage of transparent windows. The windows shall not be mirrored or treated in such a way as to block visibility into the building. The windows shall have a minimum visible transmittance (VT) of 37 percent. |
| | | (2) For buildings on corner sites, where the primary street intersects with a secondary street, this standard shall apply to the full length of the front facade and the portion of the side facade that extends a minimum of 50 feet from the corner where the primary street meets the secondary |

street, or to the edge of the building or the lot, whichever is shorter.

FIGURE 536-5
GROUND FLOOR WINDOWS



Building Entrances

| | | |
|--|-----------------|---|
| <p>This standard applies to building ground floors on primary streets and building ground floors along the riverfront.</p> | <p>Required</p> | <p>(1) For non-residential uses on the ground floor, a primary building entrance for each tenant space facing a primary street shall be located on the primary street. If a building has frontage on a primary street and any other street, a single primary building entrance for a non-residential tenant space at the corner of the building where the streets intersect may be provided at that corner.</p> |
| | | <p>(2) For residential uses on the ground floor, a primary building entrance for each building facade facing a primary street shall be located on the primary street. If a building has frontage on a primary street and any other street, a single primary building entrance for a residential use on the ground floor may be provided at the corner of the building where the streets intersect.</p> |
| | | <p>(3) For all uses on the ground floor of a building along the riverfront, at least one primary building entrance shall face the Willamette River.</p> |

| | | |
|--|--|--|
| | | (4) Building entrances shall include weather protection. |
|--|--|--|

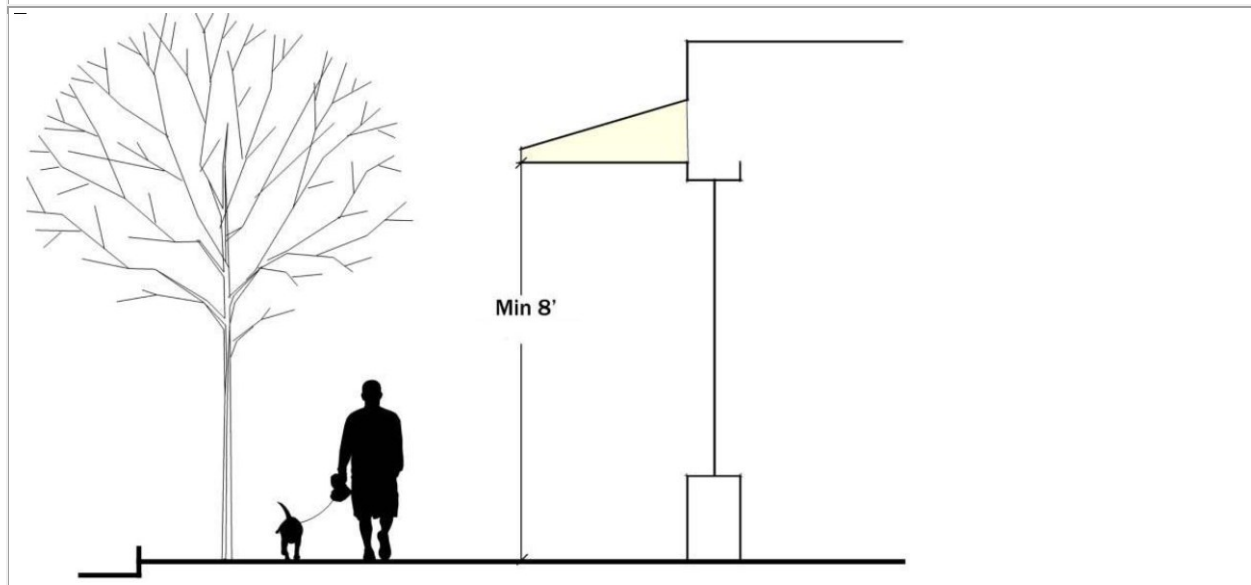
FIGURE 536-6
ENTRANCE AT BUILDING CORNER



Weather Protection

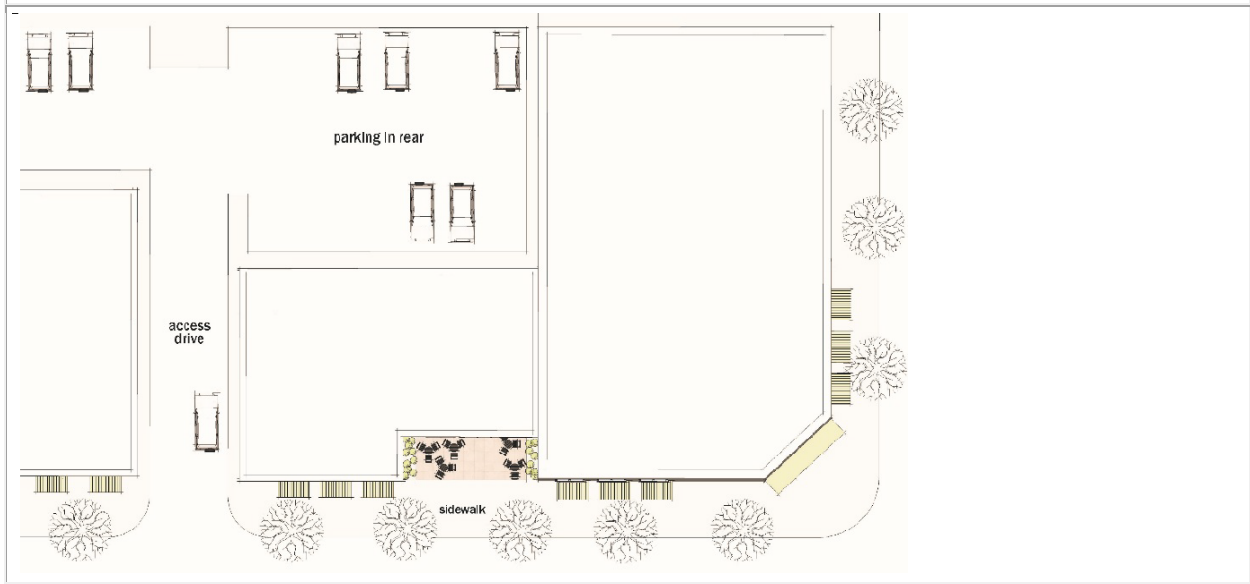
| | | |
|--|--|--|
| This standard applies to building ground floors adjacent to a street and along the riverfront. | Residential uses Min. 50% Non-residential uses Min. 75% | (1) For the purposes of this standard, weather protection in the form of awnings or canopies shall be provided along the ground floor building facade for the minimum length required. |
| | | (2) Awnings or canopies shall have a minimum clearance height above the sidewalk or ground surface of 8 feet and may encroach into the street right-of-way as provided in SRC 76.160. |

FIGURE 536-7
WEATHER PROTECTION



| Parking Location | | |
|---|-----------------|---|
| <p>This standard applies to off-street parking areas and vehicle maneuvering areas.</p> | <p>Required</p> | <p>Off-street surface parking areas and vehicle maneuvering areas shall be located behind or beside buildings and structures. Off-street surface parking areas and vehicle maneuvering areas shall not be located between a building or structure and a street.</p> <p>(1) a) When a building is located on property contiguous to the river and is located between the river and a street, off-street surface parking areas and vehicle maneuvering areas may be located between a building and the street along a minimum-maximum of 50 percent of the length of the lot line abutting a street, provided a three-foot tall, decorative, sight-obscuring wall is provided between those areas and the street.</p> |

FIGURE 536-8
OFF-STREET PARKING

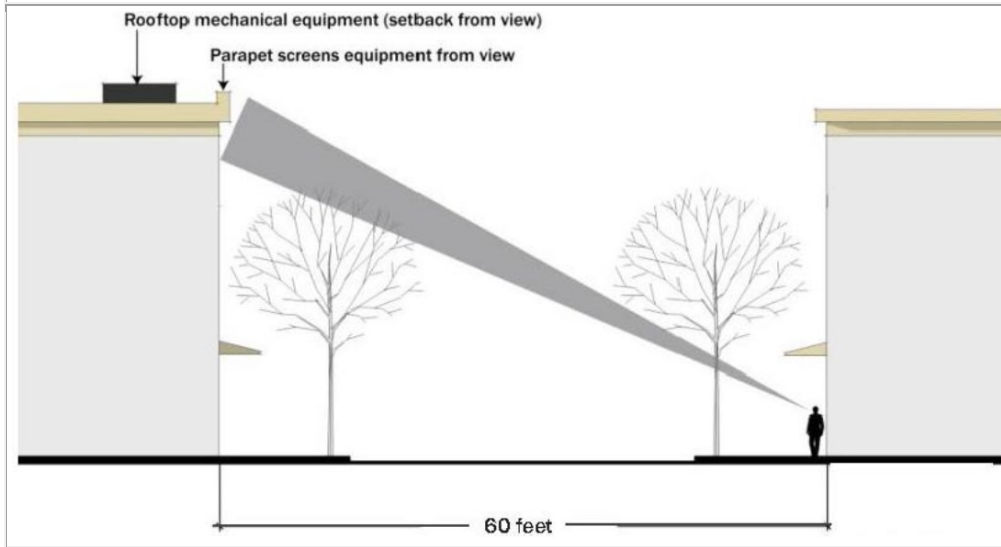


| Mechanical and Service Equipment | | |
|---|-----------------|---|
| <p>This standard applies to mechanical and service equipment.</p> | <p>Required</p> | <p>(1) Ground level mechanical and service equipment shall be screened with landscaping or a site-obscuring fence or wall. Ground level mechanical and service equipment shall be located behind or beside buildings.</p> |
| | | <p>(2) Rooftop mechanical equipment, with the exception of solar panels and wind generators, shall be set back or screened so as to not be visible to a person standing at ground level 60 feet from the building.</p> |

FIGURE 536-9
GROUND-LEVEL MECHANICAL EQUIPMENT



FIGURE 536-10
ROOFTOP MECHANICAL EQUIPMENT



Sec. 537.005. - Uses.

- (a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the ESMU zone are set forth in Table 537-1.

TABLE 537-1
USES

| Table 535-1: Uses | | |
|-------------------------|--------|--------------------------------|
| Use | Status | Limitations and Qualifications |
| Household Living | | |
| Single family | P | |

| | | |
|--|---|--|
| Two family | P | |
| Three family | P | |
| Four family | P | |
| Multiple family | P | |
| Group Living | | |
| Room and board | P | Room and board serving 5 or fewer persons. |
| | C | Room and board serving 6 to 75 persons. |
| | N | All other room and board. |
| Residential care | P | |
| Nursing care | P | |
| Lodging | | |
| Short-term commercial lodging | P | |
| Long-term commercial lodging | P | |
| Non-profit shelters | P | The following non-profit shelter activities: <ul style="list-style-type: none"> ■ Non-profit shelters serving 5 or fewer persons. ■ Non-profit shelters for victims of domestic violence serving 10 or fewer persons. |
| | C | Non-profit shelters serving 6 to 75 persons. |
| | N | All other non-profit shelters. † |
| Retail Sales and Services | | |
| Eating and drinking establishments | P | |
| Retail sales | P | |
| Personal services | P | |
| Postal services and retail financial services | P | |
| Business and Professional Services | | |
| Office | P | |
| Audio/visual media production | P | |
| Laboratory research and testing | P | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service | | |

| | | |
|--|---|--|
| Motor vehicle and manufactured dwelling and trailer sales | N | |
| Motor vehicle services | N | |
| Commercial parking | P | |
| Park-and-ride facilities | P | |
| Taxicabs and car services | N | |
| Heavy vehicle and trailer sales | N | |
| Heavy vehicle and trailer service and storage | N | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | C | Nightclubs, located within 200 feet of a residential zone. |
| | P | All other commercial entertainment—indoor. |
| Commercial entertainment—outdoor | N | Privately owned camps, campgrounds, and recreational vehicle parks. |
| | C | The following commercial entertainment—outdoor activities: <ul style="list-style-type: none"> ■ Amusement parks. ■ Drive-in movie theaters. |
| | P | All other commercial entertainment—outdoor. |
| Major event entertainment | N | |
| Recreational and cultural community services | P | |
| Parks and open space | P | |
| Non-profit membership assembly | P | |
| Religious assembly | P | |
| Health Services | | |
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | P | |
| Educational Services | | |
| Day care | P | |
| Basic education | P | |
| Post-secondary and adult education | P | |
| Civic Services | | |
| Governmental services | P | |

| | | |
|---|---|---|
| Social services | P | |
| Governmental maintenance services and construction | N | |
| Public Safety | | |
| Emergency services | P | |
| Detention facilities | N | |
| Military installations | N | |
| Funeral and Related Services | | |
| Cemeteries | N | |
| Funeral and cremation services | P | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | N | |
| Building and grounds services and construction contracting | N | |
| Cleaning plants | N | |
| Industrial services | N | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | N | |
| Heavy wholesaling | N | |
| Warehousing and distribution | N | |
| Self-service storage | N | |
| Manufacturing | | |
| General manufacturing | P | General manufacturing, provided the manufacturing does not exceed 10,000 square feet of total floor area per development site and retail sales of the products manufactured is provided on-site. |
| | N | All other general manufacturing. |
| Heavy manufacturing | N | |
| Printing | P | |
| Transportation Facilities | | |
| Aviation facilities | N | |
| Passenger ground transportation facilities | P | The following passenger ground transportation facilities: <ul style="list-style-type: none"> ■ Local and suburban passenger transportation. ■ Intercity and rural highway passenger transportation |
| | N | All other passenger ground transportation facilities. |

| | | |
|---|---------|---|
| Marine facilities | N | |
| Utilities | | |
| Basic utilities | C | Reservoirs; water storage facilities. |
| | P | All other basic utilities. |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | C | |
| Power generation facilities | C | |
| Data center facilities | N | |
| Fuel dealers | N | |
| Waste-related facilities | N | |
| Mining and natural resource extraction | | |
| Petroleum and natural gas production | N | |
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | N | |
| Forestry | N | |
| Agriculture and forestry services | P | |
| Keeping of livestock and other animals | N | |
| Animal services | N | Wildlife rehabilitation facility |
| | P | |
| Other Uses | | |
| Temporary uses | P | The following temporary uses: <ul style="list-style-type: none"> ■ <u>Construction modular, subject to SRC 701.016.</u> ■ Emergency shelter, subject to SRC 701.025. ■ Managed temporary village, subject to SRC 701.030. ■ <u>Safe parking shelter, subject to SRC 701.041.</u> |
| Home occupations | S | Home occupations are allowed subject to SRC 700.020; provided however, notwithstanding SRC 700.020(d), onsite sales associated with professional services, artists, and craftspeople is permitted. |
| Accessory dwelling unit | S | Accessory dwelling units, subject to SRC 700.007. |

- (b) *Prohibited uses.* Notwithstanding Table 537-1, any permitted, special, or conditional use within the ESMU zone shall be a prohibited use if developed with a drive-through.
- (c) *Continued uses.* Land uses existing within the ESMU zone prior to June 13, 2018, which would otherwise be made non-conforming by this chapter, are hereby deemed continued uses.
- (1) Buildings or structures housing a continued use may be structurally altered, enlarged, or rebuilt following damage or destruction, provided:
 - (A) Such alteration, enlargement, or rebuilding of a conforming development complies with the standards in this chapter; or
 - (B) Such alteration, enlargement, or rebuilding of a continued development complies with the standards set forth in SRC 537.010(a).
 - (2) Conversion of the building or structure to a conforming use shall thereafter prevent conversion back to the former continued use or any other continued use.
 - (3) A determination by the Building Official that the building or structure housing a continued use is derelict or dangerous, as defined in SRC 50.600 and 56.230, shall terminate the continued use status conferred by this subsection and the property may thereafter only be used for uses allowed in the ESMU zone.

Sec. 540.005. - Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the PA zone are set forth in Table 540-1.

| TABLE 540-1. USES | | |
|-------------------------------|---------------|---|
| Use | Status | Limitations & Qualifications |
| Household Living | | |
| Single family | P | The following single family activities: <ul style="list-style-type: none"> ■ Dwelling unit for a caretaker on the premises being cared for or guarded. ■ Houseboats, when developed in conjunction with a marina. |
| | S | Manufactured home as a dwelling for a caretaker, subject to SRC 700.030. |
| | N | All other single family. |
| Two family | N | |
| Three family | N | |
| Four family | N | |
| Multiple family | N | |
| Group Living | | |
| Room and board | N | |
| Residential care | N | |
| Nursing care | N | |
| Lodging | | |
| Short-term commercial lodging | N | |
| Long-term commercial lodging | N | |

| | | |
|---|---|---|
| Nonprofit shelters | N | |
| Retail Sales and Service | | |
| Eating and drinking establishments | P | Mobile food units. |
| | N | All other eating and drinking establishments. |
| Retail sales | N | |
| Personal services | N | |
| Postal services and retail financial services | N | |
| Business and Professional Services | | |
| Office | N | |
| Audio/visual media production | N | |
| Laboratory research and testing | N | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services | | |
| Motor vehicle and manufactured dwelling and trailer sales | N | |
| Motor vehicle services | N | |
| Commercial parking | N | |
| Park-and-ride facilities | N | |
| Taxicabs and car services | N | |
| Heavy vehicle and trailer sales | N | |
| Heavy vehicle and trailer service and storage | N | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | P | |
| Commercial entertainment—outdoor | N | The following commercial entertainment—outdoor activities: <ul style="list-style-type: none"> ■ Camps. ■ Recreational vehicle parks. |
| | P | All other commercial entertainment—indoor. |
| Major event entertainment | P | |
| Recreational and cultural community services | P | |
| Parks and open space | P | |
| Nonprofit membership assembly | N | |
| Religious assembly | N | |

| | | |
|---|---|--|
| Health Services | | |
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | N | |
| Educational Services | | |
| Day care | N | |
| Basic education | N | |
| Post-secondary and adult education | N | |
| Civic Services | | |
| Governmental services | N | |
| Social services | N | |
| Governmental maintenance services and construction | N | |
| Public Safety | | |
| Emergency services | P | |
| Detention facilities | N | |
| Military installations | P | |
| Funeral and Related Services | | |
| Cemeteries | N | |
| Funeral and cremation services | N | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | N | |
| Building and grounds services and construction contracting | N | |
| Cleaning plants | N | |
| Industrial services | N | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | N | |
| Heavy wholesaling | N | |
| Warehousing and distribution | N | |
| Self-service storage | N | |
| Manufacturing | | |
| General manufacturing | N | |
| Heavy manufacturing | N | |

| | | |
|---|---------|---|
| Printing | N | |
| Transportation Facilities | | |
| Aviation facilities | N | |
| Passenger ground transportation facilities | P | Transit stop shelters. |
| | N | All other passenger ground transportation facilities. |
| Marine facilities | P | Marinas. |
| | N | All other marine facilities. |
| Utilities | | |
| Basic utilities | P | |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | N | |
| Power generation facilities | N | |
| Data center facilities | N | |
| Fuel dealers | N | |
| Waste-related facilities | N | |
| Mining and Natural Resource Extraction | | |
| Petroleum and natural gas production | N | |
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | N | Marijuana production. |
| | P | All other agriculture. |
| Forestry | P | |
| Agriculture and forestry services | N | |
| Keeping of livestock and other animals | N | |
| Animal services | C | Wildlife rehabilitation facilities. |
| | N | All other animal services. |
| Other Uses | | |
| Temporary uses | P | The following temporary uses: <ul style="list-style-type: none"> ■ <u>Construction modular, subject to SRC 701.016.</u> ■ Emergency shelter, subject to SRC 701.025. ■ Managed temporary village, subject to SRC 701.030. ■ <u>Safe parking shelter, subject to SRC 701.041.</u> |
| Home occupations | N | |

Sec. 541.005. - Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the PC zone are set forth in Table 541-1.

| TABLE 541-1. USES | | |
|---|---------------|---|
| Use | Status | Limitations & Qualifications |
| Household Living | | |
| Single family | P | Dwelling unit for a caretaker on the premises being cared for or guarded. |
| | S | Manufactured home as a dwelling for a caretaker, subject to SRC 700.030. |
| | N | All other single family. |
| Two family | N | |
| Three family | N | |
| Four family | N | |
| Multiple family | N | |
| Group Living | | |
| Room and board | N | |
| Residential care | N | |
| Nursing care | N | |
| Lodging | | |
| Short-term commercial lodging | N | |
| Long-term commercial lodging | N | |
| Nonprofit shelters | N | |
| Retail Sales and Service | | |
| Eating and drinking establishments | N | |
| Retail sales | N | |
| Personal services | N | |
| Postal services and retail financial services | N | |
| Business and Professional Services | | |
| Office | N | |
| Audio/visual media production | N | |
| Laboratory research and testing | N | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services | | |

| | | |
|--|---|--|
| Motor vehicle and manufactured dwelling and trailer sales | N | |
| Motor vehicle services | N | |
| Commercial parking | N | |
| Park-and-ride facilities | N | |
| Taxicabs and car services | N | |
| Heavy vehicle and trailer sales | N | |
| Heavy vehicle and trailer service and storage | N | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | N | |
| Commercial entertainment—outdoor | N | |
| Major event entertainment | N | |
| Recreational and cultural community services | N | |
| Parks and open space | P | |
| Nonprofit membership assembly | N | |
| Religious assembly | N | |
| Health Services | | |
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | N | |
| Educational Services | | |
| Day care | N | |
| Basic education | N | |
| Post-secondary and adult education | N | |
| Civic Services | | |
| Governmental services | N | |
| Social services | N | |
| Governmental maintenance services and construction | N | |
| Public Safety | | |
| Emergency services | N | |
| Detention facilities | N | |
| Military installations | N | |
| Funeral and Related Services | | |
| Cemeteries | P | |

| | | |
|---|---------|--|
| Funeral and cremation services | C | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | N | |
| Building and grounds services and construction contracting | N | |
| Cleaning plants | N | |
| Industrial services | N | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | N | |
| Heavy wholesaling | N | |
| Warehousing and distribution | N | |
| Self-service storage | N | |
| Manufacturing | | |
| General manufacturing | N | |
| Heavy manufacturing | N | |
| Printing | N | |
| Transportation Facilities | | |
| Aviation facilities | N | |
| Passenger ground transportation facilities | P | Transit stop shelters. |
| | N | All other passenger ground transportation facilities. |
| Marine facilities | N | |
| Utilities | | |
| Basic utilities | P | |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | N | |
| Power generation facilities | N | |
| Data center facilities | N | |
| Fuel dealers | N | |
| Waste-related facilities | N | |
| Mining and Natural Resource Extraction | | |
| Petroleum and natural gas production | N | |

| | | |
|---|---|---|
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | N | Marijuana production. |
| | P | All other agriculture. |
| Forestry | P | |
| Agriculture and forestry services | N | |
| Keeping of livestock and other animals | N | |
| Animal services | N | |
| Other Uses | | |
| Home occupations | N | |
| <u>Temporary uses</u> | P | <p>The following temporary uses:</p> <ul style="list-style-type: none"> ■ <u>Construction modular, subject to SRC 701.016.</u> ■ <u>Safe parking shelter, subject to SRC 701.041.</u> |

Sec. 542.005. - Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the PE zone are set forth in Table 542-1.

| TABLE 542-1. USES | | |
|-------------------------------|--------|---|
| Use | Status | Limitations & Qualifications |
| Household Living | | |
| Single family | P | Dwelling unit for a caretaker on the premises being cared for or guarded. |
| | S | Manufactured home as a dwelling for a caretaker, subject to SRC 700.030. |
| | N | All other single family. |
| Two family | N | |
| Three family | N | |
| Four family | N | |
| Multiple family | N | |
| Group Living | | |
| Room and board | N | |
| Residential care | P | |
| Nursing care | P | |
| Lodging | | |
| Short-term commercial lodging | N | |

| | | |
|---|---|---|
| Long-term commercial lodging | N | |
| Nonprofit shelters | P | |
| Retail Sales and Service | | |
| Eating and drinking establishments | P | Mobile food units. |
| | N | All other eating and drinking establishments. |
| Retail sales | N | |
| Personal services | N | |
| Postal services and retail financial services | N | |
| Business and Professional Services | | |
| Office | P | The following office activities: <ul style="list-style-type: none"> ■ Distance education and distance learning. ■ Home health care services. |
| | N | All other office. |
| Audio/visual media production | N | |
| Laboratory research and testing | N | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services | | |
| Motor vehicle and manufactured dwelling and trailer sales | N | |
| Motor vehicle services | N | |
| Commercial parking | N | |
| Park-and-ride facilities | N | |
| Taxicabs and car services | N | |
| Heavy vehicle and trailer sales | N | |
| Heavy vehicle and trailer service and storage | N | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | N | |
| Commercial entertainment—outdoor | N | |
| Major event entertainment | N | |
| Recreational and cultural community services | P | |
| Parks and open space | P | |
| Nonprofit membership assembly | N | |
| Religious assembly | N | |

| | | |
|---|---|--|
| Health Services | | |
| Medical centers/hospitals | P | |
| Outpatient medical services and laboratories | P | |
| Educational Services | | |
| Day care | P | |
| Basic education | P | |
| Post-secondary and adult education | P | |
| Civic Services | | |
| Governmental services | N | |
| Social services | P | |
| Governmental maintenance services and construction | N | |
| Public Safety | | |
| Emergency services | P | |
| Detention facilities | N | |
| Military installations | N | |
| Funeral and Related Services | | |
| Cemeteries | N | |
| Funeral and cremation services | N | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | N | |
| Building and grounds services and construction contracting | N | |
| Cleaning plants | N | |
| Industrial services | N | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | N | |
| Heavy wholesaling | N | |
| Warehousing and distribution | N | |
| Self-service storage | N | |
| Manufacturing | | |
| General manufacturing | N | |
| Heavy manufacturing | N | |

| | | |
|---|---------|---|
| Printing | N | |
| Transportation Facilities | | |
| Aviation facilities | N | |
| Passenger ground transportation facilities | P | Transit stop shelters. |
| | N | All other passenger ground transportation facilities. |
| Marine facilities | N | |
| Utilities | | |
| Basic utilities | P | |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | N | |
| Power generation facilities | N | |
| Data center facilities | N | |
| Fuel dealers | N | |
| Waste-related facilities | N | |
| Mining and Natural Resource Extraction | | |
| Petroleum and natural gas production | N | |
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | N | Marijuana production. |
| | P | All other agriculture. |
| Forestry | P | |
| Agriculture and forestry services | N | |
| Keeping of livestock and other animals | N | |
| Animal services | C | Wildlife rehabilitation facilities. |
| | N | All other animal services. |
| Other Uses | | |
| Temporary uses | P | The following temporary uses: <ul style="list-style-type: none"> ■ <u>Construction modular, subject to SRC 701.016.</u> ■ Emergency shelter, subject to SRC 701.025. ■ Managed temporary village, subject to SRC 701.030. ■ <u>Safe parking shelter, subject to SRC 701.041.</u> |
| Home occupations | N | |

Sec. 543.005. - Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the PH zone are set forth in Table 543-1.

| TABLE 543-1. USES | | |
|---|---------------|---|
| Use | Status | Limitations & Qualifications |
| Household Living | | |
| Single family | P | Dwelling unit for a caretaker on the premises being cared for or guarded. |
| | S | Manufactured home as a dwelling for a caretaker, subject to SRC 700.030. |
| | N | All other single family. |
| Two family | N | |
| Three family | N | |
| Four family | N | |
| Multiple family | P | Conversion or rehabilitation of a historic contributing building or local historic resource for multiple family residential use, when owned and managed by a public agency or a public/private partnership. |
| | N | All other multiple family. |
| Group Living | | |
| Room and board | N | |
| Residential care | P | |
| Nursing care | P | |
| Lodging | | |
| Short-term commercial lodging | N | |
| Long-term commercial lodging | N | |
| Nonprofit shelters | P | |
| Retail Sales and Service | | |
| Eating and drinking establishments | P | Mobile food units. |
| | N | All other eating and drinking establishments. |
| Retail sales | P | Drug stores and pharmacies. |
| | N | All other retail sales. |
| Personal services | N | |
| Postal services and retail financial services | N | |

| Business and Professional Services | | |
|---|---|---|
| Office | P | Home health care services. |
| | C | Distance education and distance learning. |
| | N | All other office. |
| Audio/visual media production | N | |
| Laboratory research and testing | N | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services | | |
| Motor vehicle and manufactured dwelling and trailer sales | N | |
| Motor vehicle services | N | |
| Commercial parking | N | |
| Park-and-ride facilities | N | |
| Taxicabs and car services | N | |
| Heavy vehicle and trailer sales | N | |
| Heavy vehicle and trailer service and storage | N | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | N | |
| Commercial entertainment—outdoor | N | |
| Major event entertainment | N | |
| Recreational and cultural community services | P | |
| Parks and open space | P | |
| Nonprofit membership assembly | N | |
| Religious assembly | N | |
| Health Services | | |
| Medical centers/hospitals | P | |

| | | |
|---|---|--|
| Outpatient medical services and laboratories | P | |
| Educational Services | | |
| Day care | P | |
| Basic education | C | |
| Post-secondary and adult education | C | |
| Civic Services | | |
| Governmental services | P | Administration of public health programs. |
| | N | All other governmental services. |
| Social services | P | |
| Governmental maintenance services and construction | N | |
| Public Safety | | |
| Emergency services | P | |
| Detention facilities | P | |
| Military installations | N | |
| Funeral and Related Services | | |
| Cemeteries | N | |
| Funeral and cremation services | N | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | N | |
| Building and grounds services and construction contracting | N | |
| Cleaning plants | N | |
| Industrial services | N | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | N | |
| Heavy wholesaling | N | |
| Warehousing and distribution | P | General warehousing and storage, when operated by a public entity. |
| | N | All other warehousing and distribution. |
| Self-service storage | N | |

| Manufacturing | | |
|---|---------|--|
| General manufacturing | N | |
| Heavy manufacturing | N | |
| Printing | N | |
| Transportation Facilities | | |
| Aviation facilities | P | Helicopter landing areas. |
| | N | All other aviation facilities. |
| Passenger ground transportation facilities | P | Transit stop shelters. |
| | N | All other passenger ground transportation facilities. |
| Marine facilities | N | |
| Utilities | | |
| Basic utilities | P | |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | N | |
| Power generation facilities | N | |
| Data center facilities | N | |
| Fuel dealers | N | |
| Waste-related facilities | P | Compost facility for yard debris franchise haulers and government entities, when located on the site of, and in compliance with, the Oregon State Corrections Area Plan. |
| | N | All other waste-related facilities. |
| Mining and Natural Resource Extraction | | |
| Petroleum and natural gas production | N | |
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | N | Marijuana production. |
| | P | All other agriculture. |
| Forestry | P | |
| Agriculture and forestry services | N | |

| | | |
|--|---|---|
| Keeping of livestock and other animals | N | |
| Animal services | C | Wildlife rehabilitation facilities. |
| | N | All other animal services. |
| Other Uses | | |
| Temporary uses | P | The following temporary uses: <ul style="list-style-type: none"> ■ <u>Construction modular, subject to SRC 701.016.</u> ■ Emergency shelter, subject to SRC 701.025. ■ Managed temporary village, subject to SRC 701.030. ■ <u>Safe parking shelter, subject to SRC 701.041.</u> |
| Home occupations | N | |

Sec. 544.005. - Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the PS zone are set forth in Table 544-1.

| TABLE 544-1. USES | | |
|---------------------------------|--------|---|
| Use | Status | Limitations & Qualifications |
| Household Living | | |
| Single family | P | Dwelling unit for a caretaker on the premises being cared for or guarded. |
| | S | Manufactured home as a dwelling for a caretaker, subject to SRC 700.030. |
| | N | All other single family. |
| Two family | N | |
| Three family | N | |
| Four family | N | |
| Multiple family | N | |
| Group Living | | |
| Room and board | N | |
| Residential care | P | |
| Nursing care | P | |
| Lodging | | |
| Short-term commercial lodging | N | |
| Long-term commercial lodging | N | |
| Nonprofit shelters | P | |
| Retail Sales and Service | | |

| | | |
|---|---|---|
| Eating and drinking establishments | P | |
| retail sales | P | Caterers. |
| | N | All other retail sales. |
| Personal services | N | |
| Postal services and retail financial services | N | |
| Business and Professional Services | | |
| Office | P | The following office activities: <ul style="list-style-type: none"> ■ Distance education and distance learning. ■ Home health care services. ■ Information technology services. |
| | N | All other office. |
| Audio/visual media production | N | |
| Laboratory research and testing | N | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services | | |
| Motor vehicle and manufactured dwelling and trailer sales | N | |
| Motor vehicle services | N | |
| Commercial parking | N | |
| Park-and-ride facilities | P | |
| Taxicabs and car services | N | |
| Heavy vehicle and trailer sales | N | |
| Heavy vehicle and trailer service and storage | P | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | N | |
| Commercial entertainment—outdoor | N | |
| Major event entertainment | N | |
| Recreational and cultural community services | P | |
| Parks and open space | P | |
| Nonprofit membership assembly | N | |
| Religious assembly | N | |
| Health Services | | |
| Medical centers/hospitals | P | |

| | | |
|---|---|--|
| Outpatient medical services and laboratories | P | |
| Educational Services | | |
| Day care | P | |
| Basic education | P | |
| Post-secondary and adult education | P | |
| Civic Services | | |
| Governmental services | P | |
| Social services | P | |
| Governmental maintenance services and construction | P | |
| Public Safety | | |
| Emergency services | P | |
| Detention facilities | P | |
| Military installations | P | |
| Funeral and Related Services | | |
| Cemeteries | N | |
| Funeral and cremation services | N | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | N | |
| Building and grounds services and construction contracting | N | |
| Cleaning plants | N | |
| Industrial services | N | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | N | |
| Heavy wholesaling | N | |
| Warehousing and distribution | P | Major post offices and postal distributions centers. |
| | N | All other warehousing and distribution. |
| Self-service storage | N | |
| Manufacturing | | |
| General manufacturing | N | |
| Heavy manufacturing | N | |
| Printing | P | |

| Transportation Facilities | | |
|---|---------|---|
| Aviation facilities | P | Helicopter landing areas. |
| | N | All other aviation facilities. |
| Passenger ground transportation facilities | P | |
| Marine facilities | N | |
| Utilities | | |
| Basic utilities | P | |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | P | |
| Power generation facilities | P | |
| Data center facilities | P | |
| Fuel dealers | N | |
| Waste-related facilities | C | Solid waste disposal sites. |
| | N | All other waste-related facilities. |
| Mining and Natural Resource Extraction | | |
| Petroleum and natural gas production | N | |
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | N | Marijuana production. |
| | P | All other agriculture. |
| Forestry | P | |
| Agriculture and forestry services | N | |
| Keeping of livestock and other animals | N | |
| Animal services | C | Wildlife rehabilitation facility. |
| | N | All other animal services. |
| Other Uses | | |
| Temporary uses | P | The following temporary uses: <ul style="list-style-type: none"> ■ <u>Construction modular, subject to SRC 701.016.</u> ■ Emergency shelter, subject to SRC 701.025. ■ Managed temporary village, subject to SRC 701.030. ■ <u>Safe parking shelter, subject to SRC 701.041.</u> |
| Home occupations | N | |

Sec. 545.005. - Uses.

The permitted (P), special (S), conditional (C), and prohibited (N) uses in the PM zone are set forth in Table 545-1.

| TABLE 545-1. USES | | |
|---|---------------|--|
| Use | Status | Limitations & Qualifications |
| Household Living | | |
| Single family | P | The following single family activities: <ul style="list-style-type: none"> ■ Single family detached dwelling. ■ Dwelling unit for a caretaker on the premises being cared for or guarded. |
| | N | All other single family. |
| Two family | P | Two family, when located on a corner lot. |
| | N | All other two family. |
| Three family | S | Subject to SRC 700.081. |
| Four family | S | Subject to SRC 700.081. |
| Multiple family | P | |
| Group Living | | |
| Room and board | P | |
| Residential care | P | |
| Nursing care | N | |
| Lodging | | |
| Short-term commercial lodging | N | |
| Long-term commercial lodging | N | |
| Nonprofit shelters | P | |
| Retail Sales and Service | | |
| Eating and drinking establishments | P | |
| Retail sales | P | Caterers. |
| | N | All other retail sales. |
| Personal services | N | |
| Postal services and retail financial services | P | |
| Business and Professional Services | | |
| Office | P | |

| | | |
|---|---|--|
| Audio/visual media production | N | |
| Laboratory research and testing | P | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services | | |
| Motor vehicle and manufactured dwelling and trailer sales | N | |
| Motor vehicle services | N | |
| Commercial parking | P | |
| Park-and-ride facilities | P | |
| Taxicabs and car services | N | |
| Heavy vehicle and trailer sales | N | |
| Heavy vehicle and trailer service and storage | N | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | N | |
| Commercial entertainment—outdoor | N | |
| Major event entertainment | N | |
| Recreational and cultural community services | P | |
| Parks and open space | P | |
| Nonprofit membership assembly | P | |
| Religious assembly | P | |
| Health Services | | |
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | N | The following outpatient medical services and laboratories activities: <ul style="list-style-type: none"> ■ Medical laboratories. ■ Dental laboratories. ■ Outpatient care facilities. ■ Kidney dialysis centers. ■ Commercial blood banks, plasma centers. ■ Commercial reproductive services. |
| | P | All other outpatient medical services and laboratories. |
| Educational Services | | |
| Day care | P | |

| | | |
|---|---|--|
| Basic education | N | |
| Post-secondary and adult education | N | |
| Civic Services | | |
| Governmental services | P | |
| Social services | P | |
| Governmental maintenance services and construction | P | |
| Public Safety | | |
| Emergency services | N | The following emergency services activities: <ul style="list-style-type: none"> ■ Ambulance station. ■ Ambulance service facility. |
| | P | All other emergency services. |
| Detention facilities | P | |
| Military installations | P | |
| Funeral and Related Services | | |
| Cemeteries | P | |
| Funeral and cremation services | N | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | N | |
| Building and grounds services and construction contracting | P | The following building and grounds services and construction contracting activities: <ul style="list-style-type: none"> ■ Disinfecting and pest control services. ■ Building cleaning and maintenance services. |
| | N | All other building and grounds services and construction contracting. |
| Cleaning plants | N | |
| Industrial services | N | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | N | |
| Heavy wholesaling | N | |
| Warehousing and distribution | N | |
| Self-service storage | N | |
| Manufacturing | | |
| General manufacturing | N | |
| Heavy manufacturing | N | |

| | | |
|---|---------|---|
| Printing | N | |
| Transportation Facilities | | |
| Aviation facilities | P | Helicopter landing areas. |
| | N | All other aviation facilities. |
| Passenger ground transportation facilities | P | Transit stop shelters. |
| | N | All other passenger ground transportation facilities. |
| Marine facilities | N | |
| Utilities | | |
| Basic utilities | P | |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | N | |
| Power generation facilities | N | |
| Data center facilities | P | |
| Fuel dealers | N | |
| Waste-related facilities | N | |
| Mining and Natural Resource Extraction | | |
| Petroleum and natural gas production | N | |
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | N | Marijuana production. |
| | P | All other agriculture. |
| Forestry | P | |
| Agriculture and forestry services | N | |
| Keeping of livestock and other animals | N | |
| Animal services | N | |
| Other Uses | | |
| Accessory short-term rentals | S | Accessory short-term rental, subject to SRC 700.006 |
| Temporary uses | P | The following temporary uses: <ul style="list-style-type: none"> ■ <u>Construction modular, subject to SRC 701.016.</u> |

| | | |
|---|---|--|
| | | <ul style="list-style-type: none"> ■ Emergency shelter, subject to SRC 701.025. ■ Managed temporary village, subject to SRC 701.030. ■ <u>Safe parking shelter, subject to SRC 701.041.</u> |
| Home occupations | S | Home occupations, subject to SRC 700.020. |
| Guest houses and guest quarters | P | Guest houses and guest quarters are permitted as an accessory use to single family, provided such houses and quarters are dependent upon the main building for either kitchen or bathroom facilities, or both, and are used for temporary lodging and not as a place of residence. |
| Storage of commercial vehicle as an accessory use to household living | P | Storage of a commercial vehicle as an accessory use to household living is permitted, provided no more than 1 commercial vehicle is stored per dwelling unit. |

Sec. 550.010. - Uses.

(a) *EC zone.* The permitted (P), special (S), conditional (C), and prohibited (N) uses in the EC zone are set forth in Table 550-1.

| TABLE 550-1. EC ZONE USES | | |
|------------------------------------|--------|--|
| Use | Status | Limitations & Qualifications |
| Household Living | | |
| Single family | P | Dwelling unit for a caretaker or watchperson on the premises being cared for or guarded. |
| | N | All other single family. |
| Two family | N | |
| Three family | N | |
| Four family | N | |
| Multiple family | N | |
| Group Living | | |
| Room and board | N | |
| Residential care | N | |
| Nursing care | N | |
| Lodging | | |
| Short-term commercial lodging | N | |
| Long- term commercial lodging | N | |
| Nonprofit shelters | N | |
| Retail Sales and Service | | |
| Eating and drinking establishments | N | |

| | | |
|--|---|--------------------------|
| Retail sales | N | |
| Personal services | N | |
| Postal services and retail financial services | N | |
| Business and Professional Services | | |
| Office | N | Public utility offices. |
| | P | All other office. |
| Audio/visual media production | P | |
| Laboratory research and testing | P | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service | | |
| Motor vehicle and manufactured dwelling and trailer sales | N | |
| Motor vehicle services | N | |
| Commercial parking | N | |
| Park-and-ride facilities | N | |
| Taxicabs and car services | N | |
| Heavy vehicle and trailer sales | P | |
| Heavy vehicle and trailer service and storage | N | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | N | |
| Commercial entertainment—outdoor | N | |
| Major event entertainment | N | |
| Recreational and cultural community services | N | |
| Parks and open space | P | |
| Nonprofit membership assembly | N | |
| Religious assembly | N | |
| Health Services | | |
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | P | |
| Educational Services | | |
| Day care | P | Child day care services. |

| | | |
|---|---|--|
| | N | All other day care |
| Basic education | N | |
| Post-secondary and adult education | N | |
| Civic Services | | |
| Governmental services | N | |
| Social services | N | |
| Governmental maintenance services and construction | N | |
| Public Safety | | |
| Emergency services | P | |
| Detention facilities | N | |
| Military installations | N | |
| Funeral and Related Services | | |
| Cemeteries | N | |
| Funeral and cremation services | N | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | N | |
| Building and grounds services and construction contracting | N | Public utility service and storage yards. |
| | P | All other building and grounds services and construction contracting. |
| Cleaning plants | P | |
| Industrial services | P | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | P | |
| Heavy wholesaling | N | The following heavy wholesaling activities: <ul style="list-style-type: none"> ■ Salvage or wrecking yards. ■ Scrap dealers. |
| | P | All other heavy wholesaling. |
| Warehousing and distribution | N | The following warehousing and distribution activities: <ul style="list-style-type: none"> ■ Stockpiling of sand, gravel, or other aggregate materials. ■ Storage of weapons and ammunition. |
| | P | All other warehousing and distribution. |
| Self-service storage | N | |
| Manufacturing | | |
| General manufacturing | P | |

| | | |
|---|---------|--|
| Heavy manufacturing | N | The following heavy manufacturing activities: <ul style="list-style-type: none"> ■ Animal slaughtering and processing. ■ Cement, concrete, and asphalt product manufacturing. ■ Nonmetallic mineral product manufacturing. ■ Lumber mills, pulp and paper mills, and other similar wood products manufacturing. |
| | P | All other heavy manufacturing. |
| Printing | P | |
| Transportation Facilities | | |
| Aviation facilities | N | |
| Passenger ground transportation facilities | P | Transit stop shelters. |
| | N | All other passenger ground transportation facilities. |
| Marine facilities | N | |
| Utilities | | |
| Basic utilities | P | |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | N | |
| Power generation facilities | P | |
| Data center facilities | P | |
| Fuel dealers | N | Solid fuel dealers. |
| | P | All other fuel dealers are permitted. |
| Waste-related facilities | P | Recycling operations. |
| | N | All other waste-related facilities. |
| Mining and Natural Resource Extraction | | |
| Petroleum and natural gas production | N | |
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | N | Marijuana production. |
| | P | All other agriculture. |
| Forestry | N | |
| Agriculture and forestry services | P | |
| Keeping of livestock and other animals | N | |
| Animal services | N | |
| Other Uses | | |

| | | |
|------------------|---|---|
| Temporary uses | P | The following temporary uses: <ul style="list-style-type: none"> ■ <u>Construction modular, subject to SRC 701.016.</u> ■ Emergency shelter, subject to SRC 701.025. ■ Managed temporary village, subject to SRC 701.030. ■ <u>Safe parking shelter, subject to SRC 701.041.</u> |
| Home occupations | N | |

(b) *EC Retail-Service Center Subzone*. The permitted (P), special (S), conditional (C), and prohibited (N) uses in the EC Retail-Service Center Subzone are set forth in Table 550-2. Such uses are the only uses allowed within the EC Retail-Service Center Subzone.

| TABLE 550-2. EC RETAIL-SERVICE CENTER SUBZONE USES | | |
|--|--------|--------------------------------|
| Use | Status | Limitations and Qualifications |
| Household Living | | |
| Single family | N | |
| Two family | N | |
| Three family | N | |
| Four family | N | |
| Multiple family | N | |
| Group Living | | |
| Room and board | N | |
| Residential care | N | |
| Nursing care | N | |
| Lodging | | |
| Short-term commercial lodging | P | |
| Long- term commercial lodging | N | |
| Nonprofit shelters | N | |
| Retail Sales and Service | | |
| Eating and drinking establishments | P | |
| Retail sales | P | |
| Personal services | P | |
| Postal and retail financial services | P | |
| Business and Professional Services | | |
| Office | P | |
| | N | |
| Audio/visual media production | N | |

| | | |
|--|---|---|
| Laboratory research and testing | N | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service | | |
| Motor vehicle and manufactured dwelling and trailer sales | N | |
| Motor vehicle services | P | The following motor vehicle services: <ul style="list-style-type: none"> ■ Gasoline service stations. ■ Car washes. ■ Quick lubrication services. |
| | N | All other motor vehicle services. |
| Commercial parking | N | |
| Park-and-ride facilities | N | |
| Taxicabs and car services | N | |
| Heavy vehicle and trailer sales | N | |
| Heavy vehicle and trailer service and storage | N | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | N | Theaters. |
| | P | All other commercial entertainment—indoor. |
| Commercial entertainment—outdoor | N | The following commercial entertainment—outdoor activities: <ul style="list-style-type: none"> ■ Recreational vehicle parks. ■ Drive-in movie theaters. |
| | P | All other commercial entertainment—outdoor. |
| Major event entertainment | N | |
| Recreational and cultural community services | N | |
| Parks and open space | N | |
| Nonprofit membership assembly | N | |
| Religious assembly | N | |
| Health Services | | |
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | P | |
| Educational Services | | |
| Day care | P | |
| Basic education | N | |

| | | |
|---|---|--|
| Post-secondary and adult education | P | The following post-secondary and adult education activities: <ul style="list-style-type: none"> ■ Business schools. ■ Vocational schools. |
| | N | All other post-secondary and adult education. |
| Civic Services | | |
| Governmental services | N | |
| Social services | N | |
| Governmental maintenance services and construction | N | |
| Public Safety | | |
| Emergency services | N | |
| Detention facilities | N | |
| Military installations | N | |
| Funeral and Related Services | | |
| Cemeteries | N | |
| Funeral and cremation services | N | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | P | |
| Building and grounds services and construction contracting | N | |
| Cleaning plants | N | |
| Industrial services | N | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | N | |
| Heavy wholesaling | N | |
| Warehousing and distribution | N | |
| Self-service storage | N | |
| Manufacturing | | |
| General manufacturing | N | |
| Heavy manufacturing | N | |
| Printing | N | |
| Transportation Facilities | | |
| Aviation facilities | N | |

| | | |
|---|---------|--|
| Passenger ground transportation facilities | P | Transit stop shelters. |
| | N | All other passenger ground transportation services. |
| Marine facilities | N | |
| Utilities | | |
| Basic utilities | P | |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | N | |
| Power generation facilities | N | |
| Data center facilities | N | |
| Fuel dealers | N | |
| Waste-related facilities | P | Recycling depots. |
| | N | All other waste-related facilities. |
| Mining and Natural Resource Extraction | | |
| Petroleum and natural gas production | N | |
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | N | |
| Forestry | N | |
| Agriculture and forestry services | N | |
| Keeping of livestock and other animals | N | |
| Animal services | P | |
| Other Uses | | |
| Home occupations | N | |

Sec. 551.005. Uses.

- (a) Except as otherwise provided in this section, the permitted (P), special (S), conditional (C), and prohibited (N) uses in the IC zone are set forth in Table 551-1.

| TABLE 551-1. USES | | |
|-------------------------|--------|---|
| Use | Status | Limitations & Qualifications |
| Household Living | | |
| Single family | P | The following single family activities: <ul style="list-style-type: none"> ■ Residential home, as defined under ORS 197.660, within an existing single family dwelling allowed as a |

| | | |
|--|----|---|
| | | continued use pursuant to SRC 551.005(b). <ul style="list-style-type: none"> ■ Dwelling unit for a caretaker on the premises being cared for or guarded. ■ <u>Manufactured home.</u> |
| | S | Manufactured home as a dwelling for a caretaker, subject to SRC 700.030. |
| | C | The following single family activities: <ul style="list-style-type: none"> ■ Single family detached dwelling. ■ Residential home, as defined under ORS 197.660. ■ Manufactured home. |
| | N | All other single family. |
| Two family | C | Duplex. |
| | NP | All other two family. Two family, when located in a mixed-use building. |
| Three family | SP | Subject to SRC 700.081. Three family, when located in a mixed-use building. |
| | N | All other three family. |
| Four family | SP | Subject to SRC 700.081. Four family, when located in a mixed-use building. |
| | N | All other four family. |
| Multiple family | CP | Multiple family, when located in a mixed-use building. |
| | N | All other multiple family. |
| Group Living | | |
| Room and board | C | Room and board serving up to 75 persons. |
| | N | All other room and board. |
| Residential care | C | |
| Nursing care | P | |
| Lodging | | |
| Short-term commercial lodging | P | |
| Long- term commercial lodging | C | |
| Nonprofit shelters | C | Nonprofit shelters serving up to 75 persons. |
| | P | Nonprofit shelters serving victims of domestic violence for 10 or fewer persons. |
| | N | All other nonprofit shelters. |
| Retail Sales and Service | | |
| Eating and drinking establishments | P | |
| Retail sales | P | |
| Personal services | P | |
| Postal services and retail financial services | P | |
| Business and Professional Services | | |
| Office | P | |
| Audio/visual media production | P | |
| Laboratory research and testing | P | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service | | |
| Motor vehicle and manufactured dwelling and trailer sales | P | |
| Motor vehicle services | P | |
| Commercial parking | P | |

| | | |
|---|---|---|
| Park-and-ride facilities | P | |
| Taxicabs and car services | P | |
| Heavy vehicle and trailer sales | P | |
| Heavy vehicle and trailer service and storage | P | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | C | Night clubs, located within 200 feet of a residential zone. |
| | P | All other commercial entertainment—indoor. |
| Commercial entertainment—outdoor | P | |
| Major event entertainment | N | Race tracks. |
| | P | All other major event entertainment. |
| Recreational and cultural community services | P | |
| Parks and open space | P | |
| Nonprofit membership assembly | P | |
| Religious assembly | P | |
| Health Services | | |
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | P | |
| Education Services | | |
| Day care | P | |
| Basic education | P | |
| Post-secondary and adult education | P | |
| Civic Services | | |
| Governmental services | P | |
| Social services | P | |
| Governmental maintenance services and construction | P | |
| Public Safety | | |
| Emergency services | P | |
| Detention facilities | N | |
| Military installations | P | |
| Funeral and Related Services | | |
| Cemeteries | N | |
| Funeral and cremation services | P | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | P | |
| Building and grounds services and construction contracting | P | |
| Cleaning plants | P | |
| Industrial services | P | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | P | |
| Heavy wholesaling | C | The following heavy wholesaling activities: <ul style="list-style-type: none"> ■ Firearms wholesalers. ■ Wood products and timber wholesalers. |

| | | |
|----------------------------------|---|---|
| | N | The following heavy wholesaling activities: <ul style="list-style-type: none"> ■ Chemicals and allied products wholesalers. ■ Scrap dealers. |
| | P | All other heavy wholesaling. |
| Warehousing and distribution | P | |
| Self-service storage | P | |
| Manufacturing | | |
| General manufacturing | P | The following general manufacturing activities: <ul style="list-style-type: none"> ■ Industrial and institutional food service contractors. ■ Sign manufacturing. ■ Fabrics, leather goods, footwear, and apparel manufacturing. Except rubber and plastic footwear manufacturing. ■ General food manufacturing. ■ Beverage and related products manufacturing. ■ Tobacco products manufacturing. ■ Cabinetry. ■ Aircraft and aircraft parts manufacturing. ■ Motor vehicles and motor vehicle equipment manufacturing. ■ Computer and electronics manufacturing. ■ Paperboard containers and boxes manufacturing. |
| | C | The following general manufacturing activities: <ul style="list-style-type: none"> ■ Rubber and plastic footwear manufacturing. ■ Rubber and plastics products manufacturing. ■ Costume jewelry and precious metals metalsmithing. ■ Furniture manufacturing. ■ Fabricated metal products manufacturing. ■ Wood product manufacturing. ■ Engineered wood product manufacturing. ■ Wood preservation. ■ Plastics and rubber products manufacturing. ■ General chemical manufacturing. ■ Leather tanning. ■ Metal coating and engraving. ■ Battery manufacturing. ■ Ship and boat building. ■ Commercial and service industry machinery manufacturing. ■ Metalworking machinery manufacturing. ■ Sawmill and woodworking machinery manufacturing. |
| | N | All other general manufacturing. |
| Heavy manufacturing | N | |
| Printing | P | |
| Transportation Facilities | | |
| Aviation facilities | C | Helicopter landing areas, with or without passenger and freight terminal facilities. |
| | N | All other aviation facilities. |

| | | |
|---|---------|---|
| Passenger ground transportation facilities | P | |
| Marine facilities | P | |
| Utilities | | |
| Basic utilities | P | |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | C | |
| Power generation facilities | C | |
| Data center facilities | P | |
| Fuel dealers | P | |
| Waste-related facilities | P | Recycling depots. |
| | C | Solid waste transfer stations. |
| | N | All other waste-related facilities. |
| Mining and Natural Resource Extraction | | |
| Petroleum and natural gas production | C | |
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | C | Marijuana production. |
| | P | All other agriculture. |
| Forestry | P | |
| Agriculture and forestry services | P | |
| Keeping of livestock and other animals | C | The following keeping of livestock and other animal activities: <ul style="list-style-type: none"> ■ Animal shelters. ■ Boarding kennels. ■ Animal training facilities. |
| | N | All other keeping of livestock and other animals. |
| Animal services | C | Wildlife rehabilitation facilities. |
| | P | All other animal services. |
| Other Uses | | |
| Temporary uses | P | The following temporary uses: <ul style="list-style-type: none"> ■ <u>Construction modular, subject to SRC 701.016.</u> ■ Emergency shelter, subject to SRC 701.025. ■ Managed temporary village, subject to SRC 701.030. ■ <u>Safe parking shelter, subject to SRC 701.041.</u> |
| Home occupations | S | Home occupations, subject to SRC 700.020. |
| Accessory dwelling unit | S | Accessory dwelling units, subject to SRC 700.007. |

- (b) Continued uses. Existing, legally-established uses established prior to August 24, 2022, but which would otherwise be made nonconforming by this chapter, are hereby deemed continued uses.
- (1) Building or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 551.010(fg).
 - (2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for that use; provided, however, conversion of the building or structure to another use shall thereafter prevent conversion back to that use.

Sec. 551.010. Development standards.

Development within the IC zone must comply with the development standards set forth in this section.

(a) *Lot standards.* Lots within the IC zone shall conform to the standards set forth in Table 551-2.

| TABLE 551-2. LOT STANDARDS | | |
|----------------------------|-------------|---|
| Requirement | Standard | Limitations & Qualifications |
| Lot Area | | |
| All uses | None | |
| Lot Width | | |
| All uses | None | |
| Lot Depth | | |
| All uses | None | |
| Street Frontage | | |
| Single Family | Min. 40 ft. | Applicable to lots fronting on the turnaround of a cul-de-sac street or the outside curve of curved street having a radius of 200 ft. or less and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line. |
| | Min. 30 ft. | |
| All other uses | Min. 16 ft. | |

(b) *Setbacks.* Setbacks within the IC zone shall be provided as set forth in Tables 551-3 and 551-4.

| TABLE 551-3. SETBACKS | | |
|---|---------------------|---|
| Requirement | Standard | Limitations & Qualifications |
| Abutting Street | | |
| Buildings | | |
| All uses | Min. 5 ft. | |
| Accessory Structures | | |
| Accessory to single family, two family, three family, four family, and multiple family | None | Applicable to accessory structures not more than 4 ft. in height. |
| | Min. 5 ft. | Applicable to accessory structures greater than 4 ft. in height. |
| Accessory to all other uses | Min. 5 ft. | Not applicable to transit stop shelters. |
| Vehicle Use Areas | | |
| All uses | Per SRC chapter 806 | |
| Interior Front | | |
| Buildings | | |
| Single family, two family, three family, and four family | None | |
| Multiple family | Min. 15 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |

| | | |
|--|---------------------------------------|--|
| All other uses | Zone-to-zone setback (Table 551-4) | |
| Accessory Structures | | |
| Accessory to single family, two family, three family, and four family | Min. 5 ft. | |
| Accessory to multiple family | Min. 15 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| Accessory to all other uses | Zone-to-zone setback (Table 551-4) | |
| Vehicle Use Areas | | |
| Single family, two family, three family, and four family | Per SRC chapter 806 | |
| Multiple family | Min. 15 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| All other uses | Zone-to-zone setback (Table 551-4) | |
| Interior Side | | |
| Buildings | | |
| Single family and two family | None | |
| Three family and four family | Min. 5 ft. | |
| Multiple family | Min. 15 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| All other uses | Zone-to-zone setback (Table 551-4) | |
| Accessory Structures | | |
| Accessory to single family, two family, three family, and four family | None | Applicable to accessory structures having at least 1 wall which is an integral part of a fence. |
| | Min. 5 ft. | Applicable to all other accessory structures. |
| Accessory to multiple family | Min. 15 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| Accessory to all other uses | Zone-to-zone setback (Table 551-4) | |
| Vehicle Use Areas | | |
| Single family, two family, three family, and four family | Per SRC chapter 806 | |
| Multiple family | Min. 15 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| All uses | Zone-to-zone setback (Table 551-4) | |
| Interior Rear | | |
| Buildings | | |
| Single family, two family, three family, and four family | None | |
| Multiple family | Min. 15 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| All other uses | Zone-to-zone setback (Table 551-4) | |
| Accessory Structures | | |

| | | |
|--|--|---|
| Accessory to single family, two family, three family, and four family | None | Applicable to accessory structures not more than 9 ft. in height. |
| | Min. 1 ft. for each 1 ft. of height over 9 ft. | Applicable to accessory structures greater than 9 ft. in height. |
| | Min. 1 ft. | Applicable to accessory structures adjacent to an alley, unless a greater setback is required based on the height of the accessory structure. |
| Accessory to multiple family | Min. 15 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| Accessory to all other uses | Zone-to-zone setback (Table 551-4) | |
| Vehicle Use Areas | | |
| Single family, two family, three family, and four family | Per SRC chapter 806 | |
| Multiple family | Min. 15 ft. | Required landscaping shall meet the Type C standard set forth in SRC chapter 807. |
| All other uses | Zone-to-zone setback (Table 551-4) | |

| TABLE 551-4. ZONE-TO-ZONE SETBACKS | | | |
|--|------------------------------------|------------------------|-------------------------|
| Abutting Zone | Type of Improvement | Setback ⁽¹⁾ | Landscaping & Screening |
| EFU | Buildings and accessory structures | Min. 5 ft. | Type A |
| | Vehicle use areas | | |
| Residential Zone | Buildings and accessory structures | Min. 30 ft. | Type C |
| | Vehicle use areas | | |
| Mixed-Use Zone | Buildings and accessory structures | Min. 5 ft. | Type A |
| | Vehicle use areas | | |
| Commercial Zone | Buildings and accessory structures | Min. 5 ft. | Type A |
| | Vehicle use areas | | |
| Public Zone | Buildings and accessory structures | Min. 5 ft. | Type A |
| | Vehicle use areas | | |
| Industrial and Employment Zone: EC, IC, IBC, and IP | Buildings and accessory structures | None | N/A |
| | Vehicle use areas | Min. 5 ft. | Type A |
| Industrial and Employment Zone: IG | Buildings and accessory structures | Min. 10 ft. | Type C |
| | Vehicle use areas | | |
| Limitations and Qualifications | | | |
| ⁽¹⁾ Zone-to-zone setbacks are not required abutting an alley. | | | |

(c) *Lot coverage; height.* Buildings and accessory structures within the IC zone shall conform to the lot coverage and height standards set forth in Table 551-5.

| TABLE 551-5. LOT COVERAGE; HEIGHT | | |
|---|----------|------------------------------|
| Requirement | Standard | Limitations & Qualifications |
| Lot Coverage | | |
| Buildings and Accessory Structures | | |

| | | |
|---|-------------|--|
| All uses | No Max. | |
| Height | | |
| Buildings | | |
| All uses | Max. 70 ft. | |
| Accessory Structures | | |
| Accessory to single family, two family, three family, and four family | Max. 15 ft. | |
| Accessory to all other uses | Max. 70 ft. | |

(d) *Landscaping.*

- (1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.
- (2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and 807.
- (3) *Development site.* A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicular use areas, may count towards meeting this requirement.

(e) *Industrial performance standards.* Within the IC zone, no land or structure shall be used or occupied unless maintained and operated in continuing compliance with all applicable standards adopted by the Oregon Department of Environmental Quality (DEQ), including the holding of all licenses and permits required by DEQ regulations, local ordinance, and state and federal law.

~~(f) *Additional standards for manufactured homes.* Manufactured homes shall, in addition to the development standards generally applicable in the IC zone, comply with the following:~~

- ~~(1) Manufactured homes shall be multi-sectional and enclose a space of not less than 860 square feet.~~
- ~~(2) Manufactured homes shall be placed on an excavated and back-filled foundation, and enclosed continuously at the perimeter with material comparable to the predominant materials used in foundations of surrounding dwellings.~~
- ~~(3) Manufactured homes shall have a pitched roof, with a slope not less than a nominal three feet in height for each 12 feet in width.~~
- ~~(4) Manufactured homes shall have exterior siding and roofing which in color, material, and appearance is similar to the exterior siding and roofing commonly used on residential dwellings within the community, or which is comparable to the predominant materials used on surrounding dwellings.~~
- ~~(5) Manufactured homes shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards equivalent to the performance standards required of single family dwellings constructed under the State Building Code as defined in ORS 455.010.~~
- ~~(6) Manufactured homes shall have a garage or carport constructed of like materials.~~

~~(fg) *Development standards for continued uses.*~~

- ~~(1) *Buildings.* Buildings housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to development standards set forth in this chapter and to all other applicable provisions of the UDC.~~

- (2) *Accessory structures.* Existing accessory structures to a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, and new accessory structures to a continued use may be constructed, provided such alteration, enlargement, rebuilding, or new accessory structure construction conforms to the development standards set forth in this chapter and to all other applicable provisions of the UDC.
- (3) *Option to rebuild in same location.* Notwithstanding SRC 551.010(gf)(1) and (2), any building or accessory structure rebuilt following damage or destruction may either be located on the same location on the lot as the original building or structure, or may be enlarged, provided the enlargement does not increase the building or structure's nonconformity to development standards set forth in this chapter and all other applicable provisions of the UDC.

Sec. 551.015. Design review.

Design review under SRC chapter 225 is required for development within the IC as follows:

- ~~(a) Multiple family development shall be subject to design review according to the multiple family design review standards set forth in SRC chapter 702.~~
- (a) Residential care with five or more self-contained dwelling units shall be subject to design review according to the multiple family design review standards set forth in SRC chapter 702.

Sec. 552.005. - Uses.

- (a) The permitted (P), special (S), conditional (C), and prohibited (N) uses in the IBC zone are set forth in Table 552-1.

| TABLE 552-1. USES | | |
|---------------------------------|---------------|---|
| Use | Status | Limitations & Qualifications |
| Household Living | | |
| Single family | N | |
| Two family | N | |
| Three family | N | |
| Four family | N | |
| Multiple family | N | |
| Group Living | | |
| Room and board | N | |
| Residential care | N | |
| Nursing care | N | |
| Lodging | | |
| Short-term commercial lodging | P | Short-term commercial lodging, subject to SRC 552.005(b). |
| Long-term commercial lodging | N | |
| Nonprofit shelters | N | |
| Retail Sales and Service | | |

| | | |
|---|---|---|
| Eating and drinking establishments | P | Eating and drinking establishments are permitted, unless noted below, subject to SRC 552.005(b). |
| | N | Drive-in or drive-through facilities. |
| Retail sales | P | The following retail sales activities, subject to SRC 552.005(b): <ul style="list-style-type: none"> ■ Photocopying and blueprinting. ■ Office supplies. |
| | N | All other retail sales. |
| Personal services | N | |
| Postal services and retail financial services | P | Postal services and retail financial services are permitted, subject to SRC 552.005(b). |
| Business and Professional Services | | |
| Office | P | |
| Audio/visual media production | P | Audio/visual media production, provided it is conducted within an enclosed building. |
| Laboratory research and testing | P | Laboratory research and testing, provided it is conducted within an enclosed building. |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services | | |
| Motor vehicle and manufactured dwelling and trailer sales | N | |
| Motor vehicle services | P | Gasoline service stations, subject to SRC 552.005(b). |
| | N | All other motor vehicle services. |
| Commercial parking | N | |
| Park-and-ride facilities | N | |
| Taxicabs and car services | N | |
| Heavy vehicle and trailer sales | P | Heavy equipment rental and leasing, subject to SRC 552.005(b). |
| | N | All other heavy vehicle and trailer sales. |
| Heavy vehicle and trailer service and storage | N | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | P | Health clubs, gyms, and membership sports and recreation clubs, subject to SRC 552.005(b). |
| | N | All other commercial entertainment—indoor. |
| Commercial entertainment—outdoor | N | |

| | | |
|---|---|---|
| Major event entertainment | N | |
| Recreational and cultural community services | N | |
| Parks and open space | P | |
| Nonprofit membership assembly | N | |
| Religious assembly | N | |
| Health Services | | |
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | P | Outpatient medical services and laboratories, subject to SRC 552.005(b). |
| Educational Services | | |
| Day care | P | Child day care services, subject to SRC 552.005(b). |
| | N | All other day care. |
| Basic education | N | |
| Post-secondary and adult education | P | Post-secondary and adult education, subject to SRC 552.005(b). |
| Civic Services | | |
| Governmental services | P | |
| Social services | N | |
| Governmental maintenance services and construction | N | |
| Public Safety | | |
| Emergency services | P | Emergency services, subject to SRC 552.005(b). |
| Detention facilities | N | |
| Military installations | N | |
| Funeral and Related Services | | |
| Cemeteries | N | |
| Funeral and cremation services | N | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | P | General repair services, subject to SRC 522.005(b). |
| Building and grounds services and construction contracting | P | Buildings and grounds services and construction contracting, subject to SRC 552.005(b). |
| Cleaning plants | N | |

| | | |
|---|---------|---|
| Industrial services | P | Industrial services, subject to SRC 552.005(b). |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | P | General wholesaling, provided it is conducted within an enclosed building. |
| Heavy wholesaling | P | Heavy wholesaling, provided it is conducted within an enclosed building. |
| Warehousing and distribution | P | Warehousing and distribution, provided it is conducted within an enclosed building. |
| Self-service storage | P | Self-service storage, provided it is conducted within an enclosed building. |
| Manufacturing | | |
| General manufacturing | P | General manufacturing, provided it is conducted within an enclosed building. Retail sales of products manufactured on the site are permitted. |
| Heavy manufacturing | N | |
| Printing | P | Printing, provided it is conducted within an enclosed building. Retail sales of products produced on the site are permitted. |
| Transportation Facilities | | |
| Aviation facilities | C | Helicopter landing areas, with or without passenger and freight terminal facilities. |
| | N | All other aviation facilities. |
| Passenger ground transportation facilities | P | Transit stop shelters. |
| | N | All other passenger ground transportation facilities. |
| Marine facilities | N | |
| Utilities | | |
| Basic utilities | P | |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | C | |
| Power generation facilities | C | |
| Data center facilities | P | Data center facilities, provided they are conducted within an enclosed building. |
| Fuel dealers | P | Fuel dealers, subject to SRC 552.005(b). |
| Waste-related facilities | N | |
| Mining and Natural Resource Extraction | | |

| | | |
|---|---|---|
| Petroleum and natural gas production | N | |
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | N | Marijuana production. |
| | P | All other agriculture. |
| Forestry | N | |
| Agriculture and forestry services | N | |
| Keeping of livestock and other animals | N | |
| Animal services | N | |
| Other Uses | | |
| Temporary uses | P | The following temporary uses: <ul style="list-style-type: none"> ■ <u>Construction modular, subject to SRC 701.016.</u> ■ Emergency shelter, subject to SRC 701.025. ■ Managed temporary village, subject to SRC 701.030. ■ <u>Safe parking shelter, subject to SRC 701.041.</u> |
| Home occupations | N | |

- (b) Limitations on uses. Where a use is allowed subject to the provisions of this subsection, the use shall conform to the following additional limitations:
- (1) The use shall be limited to no more than 10,000 square feet of total floor area per development site; provided, however:
 - (A) Short-term commercial lodging may accommodate up to 100 guest rooms per development site, regardless of total floor area.
 - (B) Health clubs, gyms, and membership sports and recreation clubs may occupy up to 50,000 square feet of total floor area per development site.

Sec. 553.005. - Uses.

- (a) The permitted (P), special (S), conditional (C), and prohibited (N) uses in the IP zone are set forth in Table 553-1.

| TABLE 553-1. USES | | |
|-------------------------|--------|---|
| Use | Status | Limitations and Qualifications |
| Household Living | | |
| Single family | P | Dwelling unit for a caretaker on the premises being cared for or guarded. |
| | S | Manufactured home as a dwelling for a caretaker, subject to SRC 700.030. |
| | N | All other single family. |
| Two family | N | |

| | | |
|---|---|---|
| Three family | N | |
| Four family | N | |
| Multiple family | N | |
| Group Living | | |
| Room and board | N | |
| Residential care | N | |
| Nursing care | N | |
| Lodging | | |
| Short-term commercial lodging | P | |
| Long-term commercial lodging | N | |
| Nonprofit shelters | N | |
| Retail Sales and Service | | |
| Eating and drinking establishments | P | |
| Retail sales | P | Retail sales is permitted, provided that the total building floor area devoted to retail sales does not exceed 30 percent of the total floor area of all buildings on the development site and the products sold are primarily products manufactured on-site. |
| | | Notwithstanding the above paragraph, the following retail sales activities are permitted without the above limitation and qualification: <ul style="list-style-type: none"> ■ News dealers and newsstands. ■ Tobacco stores and stands. ■ Caterers. |
| | N | All other retail sales. |
| Personal services | N | |
| Postal services and retail financial services | P | Banks, credit unions, and other customer oriented facilities for financial institutions. |
| | N | All other postal services and retail financial services. |
| Business and Professional Services | | |
| Office | P | The following office activities: <ul style="list-style-type: none"> ■ Photofinishing laboratories. ■ Headquarters of banks and other financial institutions. ■ Insurance carriers and brokers. ■ Real estate. ■ Communication services. ■ Engineering, architectural, and surveying services. ■ Accounting services. |

| | | |
|---|---|---|
| | | <ul style="list-style-type: none"> ■ Management and public relations services. ■ Technical services provided by independent authors and artists. ■ Research. ■ Music publishing. ■ Actuarial consulting. ■ Environmental consultants. ■ Call centers. ■ Vocational trade schools. |
| | N | All other office. |
| Audio/visual media production | P | |
| Laboratory research and testing | P | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services | | |
| Motor vehicle and manufactured dwelling and trailer sales | N | |
| Motor vehicle services | P | The following motor vehicle services activities: <ul style="list-style-type: none"> ■ Motorcycle repair. ■ Gasoline service stations. |
| | N | All other motor vehicle services. |
| Commercial parking | P | |
| Park-and-ride facilities | P | |
| Taxicabs and car services | N | |
| Heavy vehicle and trailer sales | N | |
| Heavy vehicle and trailer service and storage | P | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | P | Health clubs, gyms, and membership sports and recreation clubs. |
| | N | All other commercial entertainment—indoor. |
| Commercial entertainment—outdoor | N | |
| Major event entertainment | N | |
| Recreational and cultural community services | N | |
| Parks and open space | P | |

| | | |
|---|---|---|
| Nonprofit membership assembly | N | |
| Religious assembly | N | |
| Health Services | | |
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | N | |
| Educational Services | | |
| Day care | P | Child day care services. |
| | N | All other day care. |
| Basic education | N | |
| Post-secondary and adult education | P | Vocational trade schools. |
| | N | All other post-secondary and adult education. |
| Civic Services | | |
| Governmental services | N | |
| Social services | N | |
| Governmental maintenance services and construction | P | |
| Public Safety | | |
| Emergency services | P | |
| Detention facilities | N | |
| Military installations | N | |
| Funeral and Related Services | | |
| Cemeteries | N | |
| Funeral and cremation services | N | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | P | |
| Building and grounds services and construction contracting | P | |
| Cleaning plants | P | |
| Industrial services | P | |
| Wholesale Sales, Storage, and Distribution | | |

| | | |
|--|---------|---|
| General wholesaling | P | |
| Heavy wholesaling | C | The following heavy wholesaling activities: <ul style="list-style-type: none"> ■ Petroleum and petroleum products wholesalers. ■ Chemicals and allied products wholesalers. ■ Firearms wholesalers. ■ Wood products and timber wholesalers. |
| | N | All other heavy wholesaling. |
| Warehousing and distribution | P | |
| Self-service storage | P | |
| Manufacturing | | |
| General manufacturing | P | |
| Heavy manufacturing | N | The following heavy manufacturing activities: <ul style="list-style-type: none"> ■ Petroleum and coal products manufacturing. ■ Primary metal manufacturing. ■ Cement and concrete product manufacturing. ■ Lime and gypsum product manufacturing. |
| | C | All other heavy manufacturing activities. |
| Printing | P | |
| Transportation Facilities | | |
| Aviation facilities | C | Helicopter landing areas, with or without passenger and freight terminal facilities. |
| | N | All other aviation facilities. |
| Passenger ground transportation facilities | P | |
| Marine facilities | N | |
| Utilities | | |
| Basic utilities | P | |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | C | |
| Power generation facilities | C | |
| Data center facilities | P | |
| Fuel dealers | N | |
| Waste-related facilities | P | Recycling depots. |
| | C | Solid waste transfer stations. |

| | | |
|---|---|---|
| | N | All other waste-related facilities. |
| Mining and Natural Resource Extraction | | |
| Petroleum and natural gas production | C | |
| Surface mining | N | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | C | Marijuana production. |
| | P | All other agriculture. |
| Forestry | P | |
| Agriculture and forestry services | N | |
| Keeping of livestock and other animals | C | |
| Animal services | C | |
| Other Uses | | |
| Temporary uses | P | The following temporary uses: <ul style="list-style-type: none"> ■ <u>Construction modular, subject to SRC 701.016.</u> ■ Emergency shelter, subject to SRC 701.025. ■ Managed temporary village, subject to SRC 701.030. ■ <u>Safe parking shelter, subject to SRC 701.041.</u> |
| Home occupations | S | Home occupations, subject to SRC 700.020. |
| Accessory dwelling units | S | Accessory dwelling units, subject to SRC 700.007. |

- (b) Continued uses. Existing single family and two family uses, other than manufactured dwellings, within the IP zone constructed prior to February 1, 1983, but which would otherwise be made nonconforming by this chapter, are hereby deemed continued uses.
- (1) Building or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 553.010(g).
 - (2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for a residential use; provided, however, conversion of the building or structure to a nonresidential use shall thereafter prevent conversion back to a residential use.

Sec. 553.010. - Development standards.

Development within the IP zone must comply with the development standards set forth in this section.

- (a) *Lot standards.* Lots within the IP zone shall conform to the standards set forth in Table 553-2.

| TABLE 553-2. LOT STANDARDS | | |
|-----------------------------------|-----------------|---|
| Requirement | Standard | Limitations & Qualifications |
| Lot Area | | |
| All uses | None | |

| | | |
|------------------------|-------------|---|
| Lot Width | | |
| All uses | None | |
| Lot Depth | | |
| All uses | None | |
| Street Frontage | | |
| Single family | Min. 40 ft. | |
| | Min. 30 ft. | Applicable to lots fronting on the turnaround of cul-de-sac street or the outside curve of a curved street having a radius of 200 ft. or less and a direction change of 60 degrees or more. In no case shall the lot width be less than 40 ft. at the front building setback line. |
| All other uses | Min. 16 ft. | |

(b) *Setbacks.* Setbacks within the IP zone shall be provided as set forth in Tables 553-3 and 553-4.

| TABLE 553-3. SETBACKS | | |
|------------------------------|------------------------------------|---|
| Requirement | Standard | Limitations & Qualifications |
| Abutting Street | | |
| Buildings | | |
| All uses | Min. 20 ft. | |
| Accessory Structures | | |
| Accessory to all uses | Min. 20 ft. | Not applicable to transit stop shelters. |
| Vehicle Use Areas | | |
| All uses | Min. 20 ft. | |
| Interior Front | | |
| Buildings | | |
| All uses | Zone-to-zone setback (Table 553-4) | Not applicable adjacent to a railroad siding or spur. |
| Accessory Structures | | |
| Accessory to all uses | Zone-to-zone setback (Table 553-4) | Not applicable adjacent to a railroad siding or spur. |
| Vehicle Use Areas | | |
| All uses | Zone-to-zone setback (Table 553-4) | Not applicable adjacent to a railroad siding or spur. |
| Interior Side | | |
| Buildings | | |
| All uses | Zone-to-zone setback (Table 553-4) | Not applicable adjacent to a railroad siding or spur. |
| Accessory Structures | | |
| Accessory to all uses | Zone-to-zone setback (Table 553-4) | Not applicable adjacent to a railroad siding or spur. |

| | | |
|-----------------------------|------------------------------------|---|
| Vehicle Use Areas | | |
| All uses | Zone-to-zone setback (Table 553-4) | Not applicable adjacent to a railroad siding or spur. |
| Interior Rear | | |
| Buildings | | |
| All uses | Zone-to-zone setback (Table 553-4) | Not applicable adjacent to a railroad siding or spur. |
| Accessory Structures | | |
| Accessory to all uses | Zone-to-zone setback (Table 553-4) | Not applicable adjacent to a railroad siding or spur. |
| Vehicle Use Areas | | |
| All uses | Zone-to-zone setback (Table 553-4) | Not applicable adjacent to a railroad siding or spur. |

| TABLE 553-4. ZONE-TO-ZONE SETBACKS | | | |
|--|------------------------------------|------------------------------|------------------------------------|
| Abutting Zone | Type of Improvement | Setback⁽¹⁾ | Landscaping & Screening |
| EFU | Buildings and accessory structures | Min. 10 ft. | Type A |
| | Vehicle use areas | | |
| Residential Zone | Buildings and accessory structures | Min. 30 ft. | Type C |
| | Vehicle use areas | | |
| Mixed-Use Zone | Buildings and accessory structures | Min. 10 ft. | Type A |
| | Vehicle use areas | | |
| Commercial Zone | Buildings and accessory structures | Min. 10 ft. | Type A |
| | Vehicle use areas | | |
| Public Zone | Buildings and accessory structures | Min. 10 ft. | Type A |
| | Vehicle use areas | | |
| Industrial and Employment Zone: EC, IC, IBC, and IP | Buildings and accessory structures | Min. 10 ft. | Type A |
| | Vehicle use areas | | |
| Industrial and Employment Zone: IG and H | Buildings and accessory structures | Min. 10 ft. | Type C |
| | Vehicle use areas | | |
| Limitations and Qualifications ⁽¹⁾ Zone-to-zone setbacks are not required abutting an alley. | | | |

- (c) *Lot coverage; height.* Buildings and accessory structures within the IP zone shall conform to the lot coverage and height standards set forth in Table 553-5.

| TABLE 553-5. LOT COVERAGE; HEIGHT | | |
|--|-----------------|---|
| Requirement | Standard | Limitations & Qualifications |
| Lot Coverage | | |
| Buildings and Accessory Structures | | |
| All uses | No Max. | |
| Height | | |
| Buildings | | |
| All uses | Max. 45 ft. | |
| Accessory Structures | | |
| Accessory to all uses | Max. 45 ft. | |

- (d) *Landscaping.*
- (1) *Setbacks.* Required setbacks shall be landscaped. Landscaping shall conform to the standards set forth in SRC chapter 807.
 - (2) *Vehicle use areas.* Vehicle use areas shall be landscaped as provided under SRC chapters 806 and 807.
 - (3) *Development site.* A minimum of 15 percent of the development site shall be landscaped. Landscaping shall meet the Type A standard set forth in SRC chapter 807. Other required landscaping under the UDC, such as landscaping required for setbacks or vehicle use areas, may count towards meeting this requirement.
- (e) *Outdoor storage.* Within the IP zone, outdoor storage shall conform to the following standards:
- (1) Storage areas shall not be located within required setbacks.
 - (2) Storage areas shall be enclosed by a minimum six-foot-high sight-obscuring fence, wall, or hedge; or a berm.
 - (3) Materials and equipment stored shall not exceed a maximum height of 14 feet above grade; provided, however, materials and equipment more than six feet in height above grade shall be screened by sight-obscuring landscaping.
- (f) *Industrial performance standards.* Within the IP zone, no land or structure shall be used or occupied unless maintained and operated in continuing compliance with all applicable standards adopted by the Oregon Department of Environmental Quality (DEQ), including the holding of all licenses and permits required by DEQ regulation, local ordinance, and state and federal law.
- (g) *Development standards for continued uses.*
- (1) *Buildings.* Buildings housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding conforms to development standards set forth in this chapter and to all other applicable provisions of the UDC.
 - (2) *Accessory structures.* Existing accessory structures to a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, and new accessory structures to a continued use may be constructed, provided such alteration, enlargement, rebuilding, or new accessory structure construction conforms to the development standards set forth in this chapter and to all other applicable provisions of the UDC.
 - (3) *Option to rebuild in same location.* Notwithstanding SRC 553.010(g)(1) and (2), any building or accessory structure rebuilt following damage or destruction may either be located on the same location on the lot as the original building or structure, or may be enlarged, provided the

enlargement does not increase the building or structure's nonconformity to development standards set forth in this chapter and all other applicable provisions of the UDC.

- (3) *Option to rebuild in same location.* Notwithstanding SRC 553.010(g)(1) and (2), any building or accessory structure rebuilt following damage or destruction may either be located on the same location on the lot as the original building or structure, or in compliance with the setbacks of the Single Family Residential (RS) Zone set forth in SRC 511.010(b).

Sec. 554.005. - Uses.

- (a) The permitted (P), special (S), conditional (C), and prohibited (N) uses in the IG zone are set forth in Table 554-1.

| TABLE 554-1. USES | | |
|------------------------------------|---------------|---|
| Use | Status | Limitations & Qualifications |
| Household Living | | |
| Single family | P | Dwelling unit for a caretaker on the premises being cared for or guarded. |
| | S | Manufactured home as a dwelling for a caretaker, subject to SRC 700.030. |
| | N | All other single family. |
| Two family | N | |
| Three family | N | |
| Four family | N | |
| Multiple family | N | |
| Group Living | | |
| Room and board | N | |
| Residential care | N | |
| Nursing care | N | |
| Lodging | | |
| Short-term commercial lodging | P | Short-term rentals. |
| | N | All other short-term commercial lodging. |
| Long-term commercial lodging | N | |
| Nonprofit shelters | N | |
| Retail Sales and Service | | |
| Eating and drinking establishments | P | |
| Retail sales | P | The following retail sales activities: <ul style="list-style-type: none"> ■ Photocopying, duplicating, and blueprinting services. ■ Retail nurseries and lawn and garden supply stores. ■ Lumber and other building materials dealers. |
| | N | All other retail sales. |

| | | |
|---|---|--|
| Personal services | P | The following personal services activities are permitted: <ul style="list-style-type: none"> ■ Laundromats. ■ Drycleaners. |
| | N | All other personal services. |
| Postal services and retail financial services | P | Banks, credit unions, and other customer-oriented facilities for financial institutions. |
| | N | All other postal services and retail financial services. |
| Business and Professional Services | | |
| Office | P | The following office activities are permitted: <ul style="list-style-type: none"> ■ Headquarters of banks and other financial institutions. ■ Direct mail advertising services. ■ Commercial art and photography. ■ Secretarial and court reporting services. ■ Photo finishing laboratories. ■ Management and public relations services. ■ Outdoor advertising services. ■ Professional, business, or political membership organizations. ■ Arrangement of transportation. ■ Vocational trade schools. ■ Research. ■ Telecommunication services. |
| | N | All other office. |
| Audio/visual media production | P | |
| Laboratory research and testing | P | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Services | | |
| Motor vehicle and manufactured dwelling and trailer sales | N | The following motor vehicle and manufactured dwelling and trailer sales activities: <ul style="list-style-type: none"> ■ Automobile sales. ■ Manufactured dwelling sales. ■ Recreational vehicle sales, when the sales display area is greater than 5 acres in size. |
| | P | All other motor vehicle and manufactured dwelling and trailer sales. |
| Motor vehicle services | N | Gasoline service stations. |
| | P | All other motor vehicle services. |
| Commercial parking | P | |
| Park-and-ride facilities | P | |
| Taxicabs and car services | P | |
| Heavy vehicle and trailer sales | P | |

| | | |
|--|---|---|
| Heavy vehicle and trailer service and storage | N | Truck stops. |
| | P | All other heavy vehicle and trailer service and storage. |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment—indoor | P | Health clubs, gyms, and membership sports and recreation clubs. |
| | N | All other commercial entertainment—indoor. |
| Commercial entertainment—outdoor | N | |
| Major event entertainment | C | Race tracks. |
| | N | All other major event entertainment. |
| Recreational and cultural community services | N | |
| Parks and open space | P | |
| Nonprofit membership assembly | P | |
| Religious assembly | P | |
| Health Services | | |
| Medical centers/hospitals | N | |
| Outpatient medical services and laboratories | N | |
| Educational Services | | |
| Day care | P | Child day care services. |
| | N | All other day care. |
| Basic education | N | |
| Post-secondary and adult education | P | Vocational trade schools. |
| | N | All other post-secondary and adult education. |
| Civic Services | | |
| Governmental services | N | |
| Social services | N | |
| Governmental maintenance services and construction | P | |
| Public Safety | | |
| Emergency services | P | |
| Detention facilities | N | |
| Military installations | N | |
| Funeral and Related Services | | |

| | | |
|---|---------|--|
| Cemeteries | N | |
| Funeral and cremation services | N | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| General repair services | P | |
| Building and grounds services and construction contracting | P | |
| Cleaning plants | P | |
| Industrial services | P | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | P | |
| Heavy wholesaling | S | Scrap and waste material wholesalers, subject to SRC 700.065. |
| | C | Chemicals and allied products wholesalers. |
| | P | All other heavy wholesaling. |
| Warehousing and distribution | P | |
| Self-service storage | P | |
| Manufacturing | | |
| General manufacturing | P | |
| Heavy manufacturing | C | |
| Printing | P | |
| Transportation Facilities | | |
| Aviation facilities | C | Helicopter landing areas, with or without passenger and freight terminal facilities. |
| | N | All other aviation facilities. |
| Passenger ground transportation facilities | P | |
| Marine facilities | P | The following marine facilities: <ul style="list-style-type: none"> ■ Water transportation of passengers. ■ Services incidental to water transportation services. |
| | N | All other marine facilities. |
| Utilities | | |
| Basic utilities | P | |
| Wireless communication facilities | Allowed | Wireless communication facilities are allowed, subject to SRC chapter 703. |
| Drinking water treatment facilities | P | |
| Power generation facilities | P | |

| | | |
|---|---|---|
| Data center facilities | N | |
| Fuel dealers | P | |
| Waste-related facilities | P | Recycling depots. |
| | C | Solid waste transfer stations. |
| | N | All other waste-related facilities. |
| Mining and Natural Resource Extraction | | |
| Petroleum and natural gas production | C | |
| Surface mining | C | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | S | Marijuana production. |
| | P | All other agriculture. |
| Forestry | P | |
| Agriculture and forestry services | P | |
| Keeping of livestock and other animals | C | |
| Animal services | P | |
| Other Uses | | |
| Temporary uses | P | The following temporary uses: <ul style="list-style-type: none"> ■ <u>Construction modular, subject to SRC 701.016.</u> ■ Emergency shelter, subject to SRC 701.025. ■ Managed temporary village, subject to SRC 701.030. ■ <u>Safe parking shelter, subject to SRC 701.041.</u> |
| Home occupations | S | Home occupations, subject to SRC 700.020. |
| Accessory dwelling units | S | Accessory dwelling units, subject to SRC 700.007. |

- (b) Continued uses. Existing single family and two family uses, other than manufactured dwellings, within the IG zone constructed prior to February 1, 1983, but which would otherwise be made nonconforming by this chapter, are hereby deemed continued uses.
- (1) Building or structures housing a continued use may be structurally altered or enlarged, or rebuilt following damage or destruction, provided such alteration, enlargement, or rebuilding complies with the standards set forth in SRC 554.010(f).
 - (2) Cease of occupancy of a building or structure for a continued use shall not preclude future use of the building or structure for a residential use; provided, however, conversion of the building or structure to a nonresidential use shall thereafter prevent conversion back to a residential use.

~~Sec. 700.025. Manufactured home.~~

~~Where designated as a special use, manufactured homes shall comply with the additional standards set forth in this section. The standards in this section cannot be modified through conditional use approval.~~

- ~~(a) The manufactured home shall be multi-sectional and enclose a space of not less than 860 square feet.~~

- ~~(b) The manufactured home shall be placed on an excavated and back-filled foundation that shall be enclosed continuously at the perimeter with material comparable to the predominant materials used in foundations of surrounding dwellings.~~
- ~~(c) The manufactured home shall have a pitched roof with a slope of not less than three feet in height for each 12 feet in width.~~
- ~~(d) The manufactured home shall have exterior siding and roofing that in color, material, and appearance is similar to the exterior siding and roofing commonly used on residential dwellings within the community, or which is comparable to the predominant materials used on surrounding dwellings.~~
- ~~(e) The manufactured home shall be certified by the manufacturer to have an exterior thermal envelope meeting performance standards equivalent to the performance standards required of single family dwellings constructed under the State Building Code as defined in ORS 455.010.~~
- ~~(f) The manufactured home shall have a garage or carport constructed of like materials.~~

Sec. 700.030. Manufactured home as dwelling for a caretaker.

~~Where designated as a special use, a manufactured home as dwelling for a caretaker shall comply with the additional standards set forth in this section.~~

- ~~(a) The manufactured home shall be used exclusively as the residence for a caretaker on the property where the manufactured home is located.~~
- ~~(b) Only manufactured homes that were manufactured after June 15, 1976, which exhibit the Oregon Department of Commerce "Insignia of Compliance" that indicates conformance with Housing and Urban Development (HUD) standards shall be allowed as a dwelling for a caretaker.~~
- ~~(c) The manufactured home shall be a minimum of 24 feet in width and shall enclose a space of not less than 860 square feet.~~
- ~~(d) The manufactured home shall have exterior siding and roofing that in color, material, and appearance is similar to the exterior siding and roofing commonly used on residential dwellings within the community.~~
- ~~(e) The manufactured home shall have a pitched roof with a minimum slope of two inches in height for each 12 inches in width.~~
- ~~(f) Unless set on a ground level foundation, the manufactured home shall have skirting that in design, color, and texture appears to be an integral part of the adjacent exterior wall of the manufactured home.~~
- ~~(g) Screening. Outdoor storage of furniture, tools, equipment, building materials, or supplies shall be screened. Screening shall be sight-obscuring and shall blend with the environment of the main use of the premises.~~
- ~~(h) Landscaping. Landscaping shall be provided around the manufactured home. The landscaping shall be a minimum of 20 feet in depth from each side of the manufactured home.~~

Sec. 700.055. - Religious assembly.

Where designated as a special use, religious assembly shall comply with the additional standards set forth in this section.

- (a) Where a development site is located in two or more zones, the entire development site shall comply with the more restrictive development standards of the zones involved.
- (b) Notwithstanding SRC chapter 270, existing nonconforming religious assemblies that are substantially damaged or destroyed by any cause may be rebuilt provided that the degree of nonconformity is not

increased. For purposes of this section, "existing nonconforming religious assemblies" are religious assemblies that were nonconforming on February 25, 1993.

- (c) Seating capacity. The seating capacity of the largest space within a religious assembly shall not exceed the standards set forth in Table 700-3. Where seating is provided in the form of fixed individual seating, one fixed individual seat equals one seat. Where seating is provided in the form of fixed benches, two feet of fixed bench length equals one seat. In areas where portable seating is provided, 15 square feet of floor area equals one seat. Maximum seating capacity cannot be modified through conditional use approval.

| TABLE 700-3. SEATING CAPACITY | | |
|--------------------------------------|-----------------|---|
| Zone | Standard | Limitations & Qualifications |
| RA zone | Max. 375 | Applicable to: <ul style="list-style-type: none"> ■ Lots abutting a local street. ■ Lots abutting a collector or arterial street with less than 250 feet of frontage on such street. |
| | No Max. | Applicable to: <ul style="list-style-type: none"> ■ Lots abutting a collector or arterial street with 250 feet or more of frontage on such street. ■ Lots located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets. ■ Double frontage lots with both frontages on collector or arterial streets. |
| RS and NH zones | Max. 375 | Applicable to lots abutting local, collector, and arterial streets. |
| RM-I, RM-II, and RM-III zones | Max. 500 | Applicable to: <ul style="list-style-type: none"> ■ Lots abutting a local street. ■ Lots abutting a collector or arterial street with less than 250 feet of frontage on such street. |
| | No Max. | Applicable to: <ul style="list-style-type: none"> ■ Lots abutting a collector or arterial street with 250 feet or more of frontage on such street. ■ Lots located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets. ■ Double frontage lots with both frontages on collector or arterial streets. |
| CO zone | Max. 500 | Applicable to: <ul style="list-style-type: none"> ■ Lots abutting a local street. ■ Lots abutting a collector or arterial street, but which are not located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets. |
| | No Max. | Applicable to lots located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets. |

- (d) *Locational standards.* Religious assemblies shall be located on streets as set forth in Table 700-4.

| TABLE 700-4. LOCATIONAL STANDARDS | | |
|--|------------------------------|---|
| Zone | Street Type | Standard |
| RA zone | Local street | Allowed for seating capacity of 375 seats or less. |
| | Collector or arterial street | Allowed for seating capacity of 375 seats or less, when located on a lot with less than 250 feet of frontage on a collector or arterial street. |

| | | |
|-------------------------------|------------------------------|--|
| | | Allowed, regardless of seating capacity, when: <ul style="list-style-type: none"> ■ Located on a lot with 250 feet or more of frontage on a collector or arterial street. ■ Located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets. ■ Double frontage lots with both frontages on collector or arterial streets. |
| RS and NH zones | Local street | Allowed for seating capacity of 375 seats or less. |
| | Collector or arterial street | Allowed for seating capacity of 375 seats or less. |
| RM-I, RM-II, and RM-III zones | Local street | Allowed for seating capacity of 500 seats or less. |
| | Collector or arterial street | Allowed for seating capacity of 500 seats or less, when located on lot with less than 250 feet of frontage on a collector or arterial street. Allowed, regardless of seating capacity, when: <ul style="list-style-type: none"> ■ Located on a lot with 250 feet or more of frontage on a collector or arterial street. ■ Located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets. ■ Double frontage lots with both frontages on collector or arterial streets. |
| CO zone | Local street | Allowed for seating capacity of 500 seats or less. |
| | Collector or arterial street | Allowed for seating capacity of 500 seats or less, when not located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets. Allowed, regardless of seating capacity, when located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets. |

(e) *Access.* Access to religious assemblies may be provided from local, collector, or arterial streets. Access provided from a local street shall conform to the standards set forth in Table 700-5.

| TABLE 700-5. LOCAL STREET ACCESS | |
|-----------------------------------|--|
| Zone | Standard |
| RA and RS zones | Only 1 access point allowed. |
| RM-I, RM-II, RM-III, and CO zones | Access points shall be located not more than 125 feet from a collector or arterial street. |

(f) *Lot standards.* Maximum lot area and minimum street frontage requirements for religious assemblies are set forth in Table 700-6. The lot standards identified in Table 700-6 apply to an individual lot, or contiguous lots when two or more lots under a single ownership are combined to accommodate the development. For purposes of this subsection, contiguous lots shall include lots that are separated by an alley.

| TABLE 700-6. LOT STANDARDS | | |
|----------------------------|--------------|---|
| Requirement | Standard | Limitations & Qualifications |
| Maximum Lot Area | | |
| RA zone | Max. 2 acres | Applicable to: <ul style="list-style-type: none"> ■ Lot abutting a local street. |

| | | |
|-----------------------------------|-------------------------|---|
| | | <ul style="list-style-type: none"> ■ Lot abutting a collector or arterial street with less than 250 feet of frontage on such street. |
| | No Max. | <p>Applicable to:</p> <ul style="list-style-type: none"> ■ Lot abutting a collector or arterial street with 250 feet or more of frontage on such street. ■ Lot located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets. ■ Double frontage lot with both frontages on collector or arterial streets. |
| RS and NH zones | Max. 2 acres | |
| RM-I, RM-II, and RM-III zones | Max. 3.5 acres | <p>Applicable to:</p> <ul style="list-style-type: none"> ■ Lot abutting a local street. ■ Lot abutting a collector or arterial street with less than 250 feet of frontage on such street. |
| | No Max. | <p>Applicable to:</p> <ul style="list-style-type: none"> ■ Lot abutting a collector or arterial street with 250 feet or more of frontage on such street. ■ Lot located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets. ■ Double frontage lot with both frontages on collector or arterial streets. |
| CO zone | Max. 3.5 acres | <p>Applicable to:</p> <ul style="list-style-type: none"> ■ Lot abutting a local street. ■ Lot abutting a collector or arterial street, but which is not located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets. |
| | No Max. | Applicable to lot located at the intersection of a collector and arterial street, 2 collector streets, or 2 arterial streets. |
| Street Frontage | | |
| RA, RS, and NH zones | Min. 100 ft. per street | |
| RM-I, RM-II, RM-III, and CO zones | Min. 150 ft. per street | |

(g) *Setbacks.* Setbacks for religious assemblies shall be provided as set forth in Table 700-7.

| TABLE 700-7. SETBACKS | | |
|---|-----------------|---|
| Requirement | Standard | Limitations & Qualifications |
| Abutting Street | | |
| Buildings and Accessory Structures | | |

| | | |
|--|--|--|
| RA, RS, RM-I, RM-II, RM-III, and NH zones | Min. 12 ft. | Applicable to buildings and accessory structures not more than 25 ft. in height. |
| | Min. 12 ft., plus 2 feet for each 5 feet of height over 25 ft. | Applicable to building and accessory structures greater than 25 ft. in height. |
| CO zone | Min. 20 ft. | Applicable only where buildings and accessory structures are located on a lot abutting a residential zone. |
| Vehicle Use Areas | | |
| RA, RS, RM-I, RM-II, RM-III, RH , CO, and NH zones | Min. 12 ft. | |
| Interior Front | | |
| Buildings and Accessory Structures | | |
| RA, RS, RM-I, RM-II, RM-III, and NH zones | Min. 12 ft. | Applicable to buildings and accessory structures not more than 25 ft. in height. |
| | Min. 12 ft., plus 2 feet for each 5 feet of height over 25 ft. | Applicable to building and accessory structures greater than 25 ft. in height. |
| CO zone | Min. 50 ft. | Applicable only where buildings and accessory structures are located on a lot abutting a residential zone. |
| Vehicle Use Areas | | |
| RA, RS, RM-I, RM-II, RM-III, CO, and NH zones | Min. 5 ft. | |
| | Min. 15 ft. | Applicable when abutting a residential zone. |
| Interior Side | | |
| Buildings and Accessory Structures | | |
| RA, RS, RM-I, RM-II, RM-III, and NH zones | Min. 12 ft. | Applicable to buildings and accessory structures not more than 25 ft. in height. |
| | Min. 12 ft., plus 2 feet for each 5 feet of height over 25 ft. | Applicable to building and accessory structures greater than 25 ft. in height. |
| CO zone | Min. 50 ft. | Applicable only where buildings and accessory structures are located on a lot abutting a residential zone. |
| Vehicle Use Areas | | |
| RA, RS, RM-I, RM-II, RM-III, CO, and NH zones | Min. 5 ft. | |
| | Min. 15 ft. | Applicable when abutting a residential zone. |
| Interior Rear | | |
| Buildings and Accessory Structures | | |
| RA, RS, RM-I, RM-II, RM-III and NH zones | Min. 12 ft. | Applicable to buildings and accessory structures not more than 25 ft. in height. |

| | | |
|---|--|--|
| | Min. 12 ft., plus 2 feet for each 5 feet of height over 25 ft. | Applicable to building and accessory structures greater than 25 ft. in height. |
| CO zone | Min. 50 ft. | Applicable only where buildings and accessory structures are located on a lot abutting a residential zone. |
| Vehicle Use Areas | | |
| RA, RS, RM-I, RM-II, RM-III, CO, and NH zones | Min. 5 ft. | |
| | Min. 15 ft. | Applicable when abutting a residential zone. |

(h) *Lot coverage; height.* Buildings and accessory structures for religious assemblies shall conform to the lot coverage and height standards set forth in Table 700-8.

| TABLE 700-8. LOT COVERAGE; HEIGHT | | |
|---|-----------------|--|
| Requirement | Standard | Limitations & Qualifications |
| Lot Coverage | | |
| Buildings and Accessory Structures | | |
| RA, RS, RM-I, RM-II, RM-III, CO, and NH zones | Max. 40% | Applicable to an individual lot, or contiguous lots when multiple lots are combined under a single ownership to accommodate the development. For the purpose of this requirement, contiguous shall include lots that are separated by an alley |
| Height | | |
| Buildings and Accessory Structures | | |
| RA, RS, and NH zones | Max. 35 ft. | |
| | Max. 50 ft. | Applicable to spires, steeples, and towers without usable floor space. |

- (i) *Off-street parking.*
 - (1) *Location.*
 - (A) Off-street parking may be located on-site or off-site. When parking is provided off-site, it shall be located:
 - (i) On a lot or lots that are contiguous to the lot containing the main building or use; or
 - (ii) Within 600 feet of the lot containing the main building or use, on a lot or lots within a nonresidential zone.
 - (B) For the purposes of this subsection, contiguous shall include a lot or lots that are separated from the lot containing the main building or use by an alley.
 - (2) *Screening.* Off-street parking areas shall be screened from abutting residential zoned property as provided in SRC 806.
- (j) *Landscaping.* All lot area not developed for buildings, structures, sports fields, parking, loading, or driveways shall be landscaped as provided in SRC chapter 807.
- (k) *Related uses.* Schools, day care facilities, kindergartens, meeting facilities for clubs and organizations, and other similar activities operated primarily for the purpose of religious instruction, worship, government of the church, or the fellowship of its congregation shall be permitted. When such activities are not

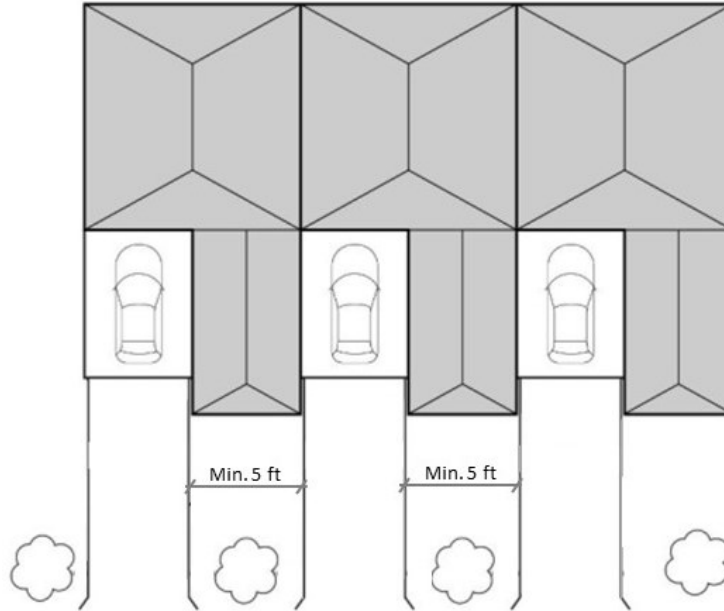
operated primarily for the purpose of religious instruction, worship, government of the church, or the fellowship of its congregation, the activities shall be allowed only if they are an allowed use in the zone.

Sec. 700.081. Three family and four family uses.

Where designated as a special use, three family and four family uses shall comply with the additional standards set forth in this section.

- (a) *Main entrance orientation.* At least one main entrance for each building within a three family or four family use must meet the following standards:
 - (1) The entrance must be located within eight feet of the longest street-facing wall of the dwelling unit and either:
 - (A) Face the street;
 - (B) Be at an angle of up to 45 degrees from the street;
 - (C) Face a common open space that is adjacent to the street; or
 - (D) Open onto a porch that:
 - (i) Is at least 25 square feet in area; and
 - (ii) Has at least one entrance facing the street or has a roof.
 - (2) The standards of this subsection shall not apply to any detached structure for which more than 50 percent of its street-facing façade is separated from the property line abutting the street by a dwelling.
- (b) *Off-street parking location.* Garages and off-street parking areas shall not be located between a building and a street, except in compliance with the following standards:
 - (1) The garage or off-street parking area is separated from the property line abutting the street by a dwelling; ~~or~~
 - (2) The combined width of all garages and outdoor on-site parking and maneuvering areas does not exceed 50 percent of the street frontage; ~~or-~~
 - (3) For a flag lot that is set back from the street at the side of another lot:
 - (i) Each individual garage and off-street parking space is separated from any other garage and outdoor off-street parking space by a minimum of five feet; and
 - (ii) Each driveway leading to the individual garage and off-street parking space is separated from any other driveway by a minimum five-foot-wide landscape strip, planted with grass or planted to the Type A standard set forth in SRC chapter 807. (See Figure 700-1)

FIGURE 700-1. SEPARATION OF GARAGE AND PARKING SPACES



- (c) *Exception for existing single-family detached dwelling conversions.* A triplex or quadplex that is created through a conversion of, or addition to, an existing single-family detached dwelling shall not be required to comply with the standards of this section.

Sec. 700.085. Townhouses.

Where designated as a special use, townhouses shall comply with the additional standards set forth in this section.

- (a) *Permitted development.*
- (1) Within the Residential Agriculture (RA), and Single Family Residential (RS), ~~and Duplex Residential (RD)~~ Zones, not more than four townhouses, each on a separate platted lot, may be attached.
 - (2) Within any zone, other than the Residential Agriculture (RA), and Single Family Residential (RS), ~~and Duplex Residential (RD)~~ Zones, not more than six townhouses, each on a separate platted lot, may be attached.
- (b) *Interior side setback.* Any exterior wall or portion thereof which faces but is not contiguous to an interior side lot line shall be setback a minimum of five feet for new townhouses or three feet for existing townhouses; otherwise, the interior side setback requirements of the UDC shall not apply. The provisions of this subsection shall also apply to accessory structures.

Sec. 701.005. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Construction Modular means a structure designed for temporary use that requires a building permit, which provides office space, break rooms, restrooms, temporary accommodations for a use on the site that has been displaced due to construction, or any similar accommodations, during an active construction project.

Construction storage yard means a storage area for construction supplies, materials, and/or equipment, located on a site other than the construction site itself, for use only during the actual construction of a project.

Emergency shelter means a temporary facility that provides safe and habitable shelter and supporting services to individuals without shelter or in need of temporary relief from adverse environmental conditions during periods of time when authorized by the City's Emergency Program Manager.

Managed temporary village means an area providing temporary living accommodations to unhoused individuals in a managed and secure environment within temporary non-permanent structures, such as micro shelters, tents, and vehicles, and with consistent access to on-site restrooms, storage, garbage removal, and additional services.

Replacement single family dwelling means a new single family dwelling constructed to replace an existing owner occupied, site-built, single family dwelling on the same lot.

Residential sales/development office means a building or structure within a subdivision, planned unit development (PUD), condominium development, apartment complex, or manufactured dwelling park whose principal use is for the sale, rent, lease, and/or development of lots, units, and/or structures within the subdivision, PUD, condominium development, apartment complex, or manufactured dwelling park.

Safe Parking Shelter means a facility that allows overnight vehicle camping for unhoused individuals.

Shelter unit means an individual structure within a managed temporary village providing living and sleeping accommodations.

Temporary and seasonal gravel off-street parking and loading area means a gravel off-street parking or loading area utilized to meet a need for parking or loading that is temporary or seasonal in nature, and which is restricted to a limited duration.

Temporary motor vehicle and recreational vehicle sales means the use of property for the sale of cars, light trucks, or recreational vehicles by a commercial dealer for a period that does not exceed four consecutive days.

Sec. 701.010. Temporary use permit.

(a) *Applicability.* No building, structure, or land shall be used or developed for any use which is allowed as a temporary use under the UDC unless a temporary use permit has been granted pursuant to this chapter.

(b) *Classes.*

(1) *Class 1 temporary use permit.* A Class 1 temporary use permit is a temporary use permit for the following:

(A) Christmas tree sales;

(B) Construction Modular;

~~(C)~~ Construction storage yard;

~~(D)~~ Emergency shelter;

~~(E)~~ Managed temporary village with ten or fewer shelter units;

~~(F)~~ Replacement single family dwelling;

~~(G)~~ Residential sales/development office; ~~and~~

(H) Safe Parking Shelter; and

(G) Temporary motor vehicle and recreational vehicle sales.

(2) *Class 2 temporary use permit.* A Class 2 temporary use permit is a temporary use permit for the following:

(A) Managed temporary village with 11 to 40 shelter units; and

(B) Temporary and seasonal gravel parking and loading areas.

(c) *Procedure type.*

(1) A Class 1 temporary use permit is processed as a Type I procedure under SRC chapter 300.

(2) A Class 2 temporary use permit is processed as a Type II procedure under SRC chapter 300.

Sec. 701.016. Construction Modular.

Construction modulars shall comply with the following:

- (a) Temporary use permit required. Construction modulars shall require a Class 1 temporary use permit.
- (b) Submittal requirements. In addition to the submittal requirements for a Type I application under SRC chapter 300, an application for a Class 1 temporary use permit for a construction modular shall include the following:
 - (1) A site plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:
 - (A) The location of the proposed temporary construction modular.
 - (2) A restoration plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:
 - (A) If the placement of the construction modular would disturb a landscaped or undeveloped site, the restoration plan shall demonstrate how the site will be restored to its previous condition when the modular is removed.
- (c) Standards. Temporary construction modular shall comply with the standards set forth in this subsection.
 - (1) Period of use. A construction modular may operate in the location authorized under a temporary use permit during active construction. The modular must be removed prior to the final occupancy being granted to the on-site construction project.
 - (2) Location. A construction modular shall be located on the construction site or within 500 feet of the construction site it serves. For purposes of this subsection, the term "construction site" means the property subject to an active building permit.
- (d) Criteria. A Class 1 temporary use permit for a construction modular shall be granted if the applicable standards set forth in this section are met.

Sec. 701.030. - Managed temporary village.

Managed temporary villages shall comply with the following:

- (a) Temporary use permit required. Managed temporary villages shall require either a Class 1 or Class 2 temporary use permit.
 - (1) A Class 1 temporary use permit shall be required for a managed temporary village with ten or fewer shelter units.
 - (2) A Class 2 temporary use permit shall be required for a managed temporary village with 11 to 40 shelter units.
- (b) Submittal requirements. In addition to the submittal requirements set forth under SRC chapter 300, an application for a Class 1 or Class 2 temporary use permit for managed temporary village shall include the following:
 - (1) A site plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:
 - (A) The total size area, dimensions, and orientation relative to north;
 - (B) The proposed layout of the site, including the location of all proposed shelter units and structures, the separation between shelter units, and the setbacks of all shelter units and structures to perimeter property lines;

- (C) The location of the following as applicable:
 - (i) Space for on-site manager;
 - (ii) ~~Restroom~~ Toilet, handwashing, and shower facilities;
 - (iii) Food preparation and dining facilities;
 - (iv) Laundry facilities, or, if laundry services will not be provided on-site, an explanation of how laundry services will be provided in the operation and management plan;
 - (v) Trash collection area(s);
 - (vi) Secured covered storage area(s) for resident's personal belongings;
 - (vii) Common gathering area(s);
 - (viii) The area where residents can receive medical care, casework, counseling, and other support services;
 - (ix) Secured storage area for any flammable or explosive materials, such as propane tanks used in food preparation, that will be used in the operation of the shelter;
 - (x) The location, height, and material of required perimeter fencing and screening; and
 - (xi) The location of proposed off-street parking and vehicle use areas, driveway approaches, and driveways.
- (2) Written authorization from the owner of the property to use it as a managed temporary camping area.
- (3) Proof of management entity's experiencing operating non-profit shelters.
- (4) An operation and management plan setting for the rules for shelter use and provisions for facility operation and maintenance.
- (5) For sites within a floodplain, a flood warning and response plan that includes advance flood warning coordination and an evacuation plan.

Sec. 701.041. Safe Parking Shelter

Safe parking shelters shall comply with the following:

- (a) Temporary use permit required. Safe parking shelters shall require a Class 1 temporary use permit.
- (b) Submittal requirements. In addition to the submittal requirements for a Type I application under SRC chapter 300, an application for a Class 1 temporary use permit for a safe parking shelter shall include the following:
 - (1) A site plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:
 - (A) The total size, area, dimensions, and orientation relative to north;
 - (B) The location of the following as applicable:
 - (i) The location of the off-street parking or vehicle use area(s) where vehicles will be parked overnight;
 - (ii) The location of restroom facilities that will be available to overnight guests; and
 - (iii) The location of trash collection area(s) that will be available to overnight campers;
 - (2) The number of vehicles proposed to be served per night;
 - (3) Written authorization from the owner of the property to use it as a safe parking shelter; and
 - (4) An operation and management plan setting forth the rules for shelter use and provisions for shelter operation and maintenance.
- (c) Standards. Safe parking shelters shall comply with the standards set forth in this subsection.

(1) Period of use.

- (A) A safe parking shelter may operate at the location approved under a temporary use permit for a period not to exceed three years.
- (B) The temporary use permit may be renewed annually, provided the applicant demonstrates that the facts upon which the temporary use permit was originally granted have not materially changed and the shelter has maintained conformance with the standards set forth in this section. Notwithstanding subsection (c)(2)(B)(ii) of this subsection, subsequent rezoning to a residential zone on an abutting property shall not be reason for the denial of the renewal of an application.

(2) Location.

- (A) A safe parking shelter shall only be located:
 - (i) In a zone where the use is allowed; and
 - (ii) On property that is used and developed exclusively for a governmental, non-profit, religious, commercial, or industrial use.
- (B) Notwithstanding subsection (c)(2)(A) of this section, a safe parking shelter shall not be located:
 - (i) On property developed exclusively for residential use.

(3) Maximum number vehicles allowed. The maximum total number of vehicles within a safe parking shelter shall not exceed ten.

(4) Operational Standards.

- (A) Hours of Operation. Safe parking shelters shall only operate between the hours of 7:00 p.m. and 7:00 a.m. All vehicles shall be required to leave the premises outside of the hours of operation.
- (B) Required support services and facilities. A safe parking shelter shall provide at a minimum the following on-site services and facilities for the health and safety of overnight guests:
 - (i) A minimum of one toilet per 10 occupants;
 - (ii) Handwashing facilities; and
 - (iii) A solid waste receptacle that is the equivalent of one 32 cubic foot garbage receptacle for each vehicle on the premises in addition to any garbage receptacles otherwise required for the property.
- (C) Fees for accommodations and services. The operator of a safe parking shelter may not charge overnight guests a fee for any of the accommodations or services required under this section.
- (D) Operation and management plan. A safe parking shelter shall include an operation and management plan that shall at a minimum identify:
 - (i) Rules for shelter use and a code of conduct for governing resident behavior;
 - (ii) Provisions for supervision, safety, and security;
 - (iii) The proposed operational period for the shelter;
 - (iv) Provisions for shelter operation and maintenance including:
 - (aa) Garbage pickup and disposal;
 - (bb) Sewage and grey water pickup and disposal;
 - (cc) Pest control services; and

- (dd) How the site will be kept free of trash and debris.
 - (vii) The support services and facilities that will be provided to shelter residents.
- (6) Development standards. Safe parking shelters shall conform to the following development standards:
- (A) Location of Vehicles. Safe sleep parking vehicles must be parked in an approved parking lot or vehicle use area. If an existing off-street parking or vehicle use area is proposed to be expanded to accommodate a proposed safe sleep shelter, the expanded off-street parking or vehicle use area shall comply with the applicable standards of SRC Chapter 806.
 - (B) Permitted vehicle type. Vehicles such as cars, trucks, vans, motorized recreational vehicles, and similar conveyances are permitted. Vehicles at safe parking shelters shall conform to the following:
 - (i) All vehicles used for camping must be operable and able to leave the premises every morning;
 - (ii) Any vehicles possessing a septic system must be emptied and free of leaks prior to admittance to the site; and
 - (iii) Prefabricated, non-permanent, portable structures such as tiny homes, yurts, Conestoga huts, and tents, and other non-vehicle structures are not permitted for overnight camping in a safe parking shelter.
 - (C) Safe sleeping shelter vehicles shall not be located in a manner which obstructs required pedestrian connections, fire lanes or emergency access areas, or required vision clearance areas.
 - (D) No open flames will be allowed at the location, including within the vehicles.
- (7) Additional applicable codes and standards. In addition to all other applicable laws and regulations, a safe sleep shelter shall be developed, maintained, and operated in compliance with the applicable provisions of the following:
- (A) SRC chapter 50 (Property Maintenance);
 - (B) SRC chapter 56 (Building Code);
 - (C) SRC chapter 58 (Fire Prevention Code);
 - (D) SRC chapter 93 (Noise);
 - (E) SRC chapter 97 (Human Rights).
- (d) Criteria. A Class 1 temporary use permit for a safe sleep shelter shall be granted if all of the applicable standards set forth in this section are met.

CHAPTER 704. – AFFORDABLE HOUSING

Sec. 704.001. - Purpose.

The purpose of this chapter is to promote the development of affordable housing.

Sec. 704.005. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Affordable housing means, for purposes of SRC 704.010, residential property:

- (a) In which:
 - (1) Each unit on the property is made available to own or rent to families with incomes of 80 percent or less of the area median income as determined by the Oregon Housing Stability Council based on information from the United States Department of Housing and Urban Development; or
 - (2) The average of all units on the property is made available to families with incomes of 60 percent or less of the area median income; and
- (b) Whose affordability is enforceable, including as described in ORS 456.270 to 456.295, for a duration of no less than 30 years.

Sec. 704.010. – Affordable housing allowed pursuant to ORS 197.308.

- (a) **Applicability.** The provisions of this section apply to affordable housing subject to ORS 197.308.
- (b) **Permitted use.** Where affordable housing pursuant to this section is not otherwise allowed as a permitted use in the zone where it is proposed to be located, it shall, notwithstanding any other provision of the UDC, be allowed as a permitted use.
- (c) **Development standards.**
 - (1) Except as provided under subsection (c)(2) of this section, affordable housing pursuant to this section shall conform to all applicable provisions of the UDC.
 - (2) **Dwelling unit density and height:**
 - (i) Affordable housing pursuant to this section may exceed the maximum dwelling unit density and maximum height in the zone in which it is located, provided such housing conforms with ORS 197.308.
 - (ii) Where a maximum density is not specified in the zone and residential uses are allowed outright, the additional height provided for in ORS 197.308(4)(b)(C) is allowed.
- (d) **Special use standards for middle housing.** Where a three family use, four family use, or cottage cluster is proposed as affordable housing pursuant to this section in a zone where it is otherwise prohibited, such use shall comply with the special use standards set forth under SRC chapter 700.
- (e) **Multiple family design review.** Except as provided in SRC 702.005(B), design review under SRC chapter 225 is required for all multiple family development according to the multiple family design review standards set forth in SRC chapter 702.

Sec. 800.025. Flag lots.

Flag lots are allowed subject to the standards set forth in this section.

- (a) *Lot area.* The lot area of a flag lot shall conform to the lot area standards of the UDC. Lot area shall be calculated exclusive of the flag lot accessway.
- (b) *Lot dimensions.* The lot dimensions of a flag lot shall conform to the lot dimension standards of the UDC. Lot dimensions shall be calculated exclusive of the flag lot accessway.
- (c) *Flag lot accessways.* Flag lot accessways shall be developed and maintained in conformance with the standards set forth in Table 800-1 and this subsection.

| TABLE 800-1. FLAG LOT ACCESSWAY STANDARDS | | | |
|---|------------------------|-------------|-------------|
| Number of Lots Served by Accessway | Maximum Length | Total Width | Paved Width |
| 1—2 lots units (residential zoned property) | 150 ft. ⁽¹⁾ | Min. 20 ft. | Min. 15 ft. |

| | | | |
|---|------------------------|---------------------------|---------------------------|
| 3—4 lots/units (residential zoned property) | 400 ft. ⁽¹⁾ | Min. 25 ft. | Min. 20 ft. |
| 1—4 lots (nonresidential zoned property) | 400 ft. ⁽¹⁾ | Min. 25 27 ft. | Min. 20 22 ft. |
| <u>Limitations and Qualifications</u> | | | |
| <p>⁽¹⁾ Maximum flag lot accessway length shall not apply where geographic features make it impractical, and when approved by the Planning Administrator following review and recommendation by the Fire Marshal.</p> | | | |

- (1) *Maximum ~~development~~ number of lots served by flag lot accessway.* A maximum of four lots may be served by a flag lot accessway. For residential lots created after [Insert effective day of ordinance], a maximum of four residential units may be served by the flag lot accessway.
- (2) *Flag lot accessway grade.* Flag lot accessway grade shall conform to the Salem Fire Prevention Code.
- (3) *Fire Department access and flag lot accessway turnarounds.*
 - (A) Unobstructed fire apparatus access shall be provided to within 150 feet of any facility, building, or portion of a building, unless the building is equipped with an approved automatic fire sprinkler system or where geographic features make it impractical and an alternative means of fire protection is provided and approved by the Fire Marshal.
 - (B) Flag lot accessways greater than 150 feet in length shall include a turnaround meeting Salem Fire Prevention Code standards, unless the buildings served by the flag lot accessway are equipped with approved automatic fire sprinkler systems or where geographic features make it impractical and an alternative means of fire protection is provided and approved by the Fire Marshal.

- (d) *Parking prohibited on flag lot accessways.* Parking shall be prohibited on flag lot accessways. No parking signs shall be posted and maintained on both sides of the accessway. The signs shall read "NO PARKING"; provided, however, where parking is prohibited because of a fire lane, the signs shall read "NO PARKING - FIRE LANE" and shall be installed in accordance with Salem Fire Prevention Code standards.
- (e) *Maximum percentage of flags lots within a subdivision.* Within a subdivision, up to 15 percent of the lots may be flag lots.

Sec. 806.005. - Off-street parking; when required.

- (a) *General applicability.* Except as otherwise provided in this section, off-street parking shall be provided and maintained as required under this chapter for:
 - (1) Each proposed new use or activity.
 - (2) Any change of use or activity, when such change of use or activity results in a parking ratio requiring a greater number of spaces than the previous use or activity.
 - (3) Any intensification, expansion, or enlargement of a use or activity.
- (b) *Applicability to Downtown Parking District.* Within the Downtown Parking District, off-street parking shall not be required.
- (c) Applicability to mixed uses in the MU-I, MU-II, MU-III, and MU-R zones. Off-street parking shall not be required for any uses in the MU-I, MU-II, MU-III, and MU-R zones, provided the property is located within one quarter-mile of the Core Network and is developed with multiple family. The one quarter-mile distance shall be measured along a route utilizing public or private streets that are existing or will be constructed with the development.

- (d) Applicability to uses near frequent transit service. Off-street parking shall not be required for any uses located within one-half mile of a transit stop that has 15-minute transit service as measured along a route utilizing public or private streets that are existing or will be constructed with the development.
- (ee) Applicability to nonconforming off-street parking areas.
- (1) When off-street parking is required to be added to an existing off-street parking area that has a nonconforming number of spaces, the number of spaces required under this chapter for any new use or activity, any change of use or activity, or any intensification, expansion, or enlargement of a use or activity shall be provided, in addition to the number of spaces required to remedy the existing deficiency.
 - (2) Notwithstanding subsection (1) of this section, when a property is changed in use to any of the following uses or activities, or any of the following uses or activities are added to a property, any existing deficiency in the number of off-street parking spaces shall not be required to be remedied and only those additional spaces required for the change of use or addition of the new use shall be required:
 - (A) Accessory dwelling unit.
 - (B) Mobile food unit located in the Neighborhood Hub zone.
- ~~(d) Applicability to mixed uses in the MU-I, MU-II, MU-III, and MU-R zones. Off-street parking shall not be required for any uses in the MU-I, MU-II, MU-III, and MU-R zones, provided the property is located within one-quarter-mile of the Core Network and is developed with multiple family. The one-quarter-mile distance shall be measured along a route utilizing public or private streets that are existing or will be constructed with the development.~~

Sec. 806.010. - Proximity of off-street parking to use or activity served.

Required off-street parking shall be located on the same development site as the use or activity it serves or in the following locations:

- (a) *Residential zones.* Within residential zones, required off-street parking may be located within 200 feet of the development site containing the use or activity it serves.
- (b) *Nonresidential zones.* Within commercial, mixed-use, public, and industrial and employment zones, other than the CB, WSCB, and SWMU zones, required off-street parking may be located within 500 feet of the development site containing the use or activity it serves.
- (c) *Central business district zone.* Within the Central Business (CB) Zone:
 - (1) Off-street parking for customers may be located within 800 feet of the development site containing the use or activity it serves; and
 - (2) Off-street parking for employees or residents may be located within 2,000 feet of the development site containing the use or activity it serves.
- (d) *South waterfront mixed-use zone.* Within the South Waterfront Mixed Use (SWMU) Zone, required off-street parking may be located anywhere within the South Waterfront Mixed Use (SWMU) Zone. Required off-street parking shall not be located in a different zone.
- ~~(e) *Broadway/High Street Retail Overlay Zone, Broadway/High Street Housing Overlay Zone and Broadway/High Street Transition Overlay Zone.* Within the Broadway/High Street Retail Overlay Zone, Broadway/High Street Housing Overlay Zone and Broadway/High Street Transition Zone, required off-street parking may be located within 800 feet of the development site containing the use or activity it serves.~~
- (ef) *West Salem Central Business District Zone.* Within the West Salem Central Business (WSCB) Zone, required off-street parking may be located within 800 feet of the development site containing the use or activity it serves.
- (gf) *Mixed Use-I (MU-I) and Mixed Use-II (MU-II).* Within the Mixed Use-I (MU-I) and Mixed Use-II (MU-II) zones, required off-street parking may be located within 800 feet of the development site containing the use or activity it serves.
- (gh) *Exception.* Notwithstanding subsections (a) through (g) of this section, where required off-street parking for non-residential uses is to be located off-site from the use or activity it serves, it shall only be located within a non-residential zone or in a zone where the use or activity it serves is allowed. Parking located off-site from the use or activity it serves cannot be used to exceed maximum parking requirements set forth under SRC 806.015(d).

Sec. 806.015. - Amount off-street parking.

(a) *Minimum required off-street parking.* Unless otherwise provided under the UDC, off-street parking shall be provided in amounts not less than those set forth in Table 806-1.

| TABLE 806-1. MINIMUM OFF-STREET PARKING | | |
|---|--|--|
| Use | Minimum Number of Spaces Required ⁽¹⁾ | Limitations & Qualifications |
| Household Living | | |
| Single family | None | Applicable to <u>the following single family activities:</u> <ul style="list-style-type: none"> ■ Townhouses. ■ <u>Single family dwelling units that are affordable.</u>⁽²⁾ ■ <u>Manufactured homes that are affordable in manufactured home parks.</u>⁽³⁾ ■ <u>Single family dwelling units smaller than 750 square feet.</u> |
| | 1 | Applicable to single family, other than townhouses, located within the CSDP area. |
| | 2 | Applicable to all other single family |
| Two family | None | |
| Three family | None | |
| Four family | None | |
| Multiple family ⁽²⁾ | None | Applicable to cottage clusters. |
| | None | Applicable to <u>the following multiple family activities:</u> <ul style="list-style-type: none"> ■ <u>Multiple family dwelling units smaller than 750 square feet.</u> ■ <u>Multiple family that is affordable.</u>⁽²⁾ ■ <u>Multiple family that is publicly supported.</u>⁽⁴⁾ ■ MMultiple family located within the CSDP area or one quarter-mile of the Core Network. ⁽³⁾⁽⁵⁾ |
| | 1 per 4 dwelling units | Applicable to the following multiple family activities: <ul style="list-style-type: none"> ■ Low income elderly housing. ■ Housing for people with intellectual and developmental disabilities, as defined under OAR 411-320. |
| | 1 per dwelling unit | Applicable to all other multiple family. |
| Group Living | | |
| Room and board facilities | None | |
| Residential care | 1 per 350 sq. ft. <u>None</u> | |
| Nursing care | 1 per 3 beds | |

| Lodging | | |
|--|--------------------------------------|--|
| Short-term commercial lodging | 1 per guest room or suite | |
| Long-term commercial lodging | | |
| Nonprofit shelters | None | Applicable to non-profit shelters located within the CSDP area or one quarter-mile of the Core Network. ⁽²⁾ |
| | 1 per guest room or suite | Applicable to nonprofit shelters for victims of domestic violence serving 10 or fewer persons. |
| | 1 per 10 persons served | Applicable to all other nonprofit shelters |
| Retail Sales and Service | | |
| Eating and drinking establishments | 1 per 250 sq. ft. | |
| Retail sales | 1 per 900 sq. ft. | Applicable to the following retail sales activities: <ul style="list-style-type: none"> ■ Building materials, hardware, nurseries, and lawn and garden supply stores. ■ Auto supply stores. ■ Furniture and home furnishing stores. ■ Household appliance and radio, television, music, and consumer electronics stores. |
| | 1 per 400 sq. ft. | Applicable to all other retail sales located within the MU-I zone or MU-II zone. |
| | 1 per 250 sq. ft. | Applicable to all other retail sales located within all zones except the MU-I zone or MU-II zone. |
| Personal services | 1 per 1,000 sq. ft. | Applicable to laundry, dry cleaning, and garment services. |
| | 1 per 350 sq. ft. | Applicable to all other personal services. |
| Postal services and retail financial services | 1 per 500 sq. ft. | |
| Shopping center | 1 per 250 sq. ft. | |
| Business and Professional Services | | |
| Office | 1 per 350 sq. ft. | |
| Audio/visual media production | | |
| Laboratory research and testing | | |
| Office complex | | |
| Motor Vehicle, Trailer, and Manufactured Dwelling Sales and Service | | |
| Motor vehicle and manufactured dwelling and trailer sales | 1 per 900 sq. ft. | |

| | | |
|--|--|---|
| Motor vehicle services | | |
| Taxicabs and car services | | |
| Heavy vehicle and trailer sales | | |
| Heavy vehicle and trailer service and storage | | |
| Commercial parking | N/A | |
| Park-and-ride facilities | | |
| Recreation, Entertainment, and Cultural Services and Facilities | | |
| Commercial entertainment— indoor | 1 per 5 seats or 10 feet of bench length | Applicable to theaters. |
| | 3 per court, plus additional 1 per 5 seats or 10 feet of bench length | Applicable to tennis, racquetball, and handball courts. |
| | 1 per 300 sq. ft. | Applicable to all commercial entertainment— indoor. |
| Commercial entertainment— outdoor | 3 per court, plus additional 1 per 5 seats or 10 feet of bench length | Applicable to tennis, racquetball, and handball courts. |
| | 4 per tee | Applicable to golf courses. |
| | 1 per 2,000 sq. ft. of gross site area | Applicable to all other commercial entertainment—outdoor. |
| Major event entertainment | The greater of the following: 1 per 5 seats or 10 feet of bench length; or 1 per 25 sq. ft. of floor area of assembly space. | |
| Recreational and cultural community services | 4 per tee | Applicable to golf courses. |
| | 1 per 350 sq. ft. | Applicable to all other indoor Recreational and cultural community services. |
| | 1 per 2,000 sq. ft. of gross site area | Applicable to all other outdoor Recreational and cultural community services. |
| Parks and open space | None | |
| Nonprofit membership assembly | 1 per 350 sq. ft. | |
| Religious assembly | 1 per 5 seats or 10 feet of bench length within the principle worship area; or 1 per 80 sq. ft. within the principal worship area, when no fixed seating or benches are provided. | |

| Health Services | | | |
|--|---|--|--|
| Medical centers/hospitals | 1.5 per bed | | |
| Outpatient medical services and laboratories | 1 per 350 sq. ft. | | |
| Education Services | | | |
| Day care | 1 <u>None</u> | Day Care serving 1 to 12 persons | Parking requirement applies in addition to spaces required for any dwelling. |
| | 2 | Day Care serving 13 to 18 persons | |
| | 3 | Day Care serving 19 to 26 persons | |
| | 4 | Day Care serving 27 or more persons | |
| Basic education | 2 per classroom | Applicable to elementary schools. | |
| | 1 per 6 students | Applicable to secondary schools. The number of students shall be calculated based on the total number of students the school is designed to accommodate. | |
| Post-secondary and adult education | 1 per 350 sq. ft. | Applicable to vocational and trade schools. | |
| | 1 per 4 students | Applicable to all other post-secondary and adult education. The number of students shall be calculated based on the total number of students the school is designed to accommodate. | |
| Civic Services | | | |
| Governmental services | 1 per 500 sq. ft. | | |
| Social services | 1 per 350 sq. ft. | | |
| Governmental maintenance services and construction | The greater of the following: 0.75 per employee; or 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.) 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.) | | |
| Public Safety | | | |

| | | |
|---|--|---|
| Emergency services | 1 per employee, plus 1 additional space per ambulance | Applicable to ambulance stations. |
| | 1 per 500 sq. ft. | Applicable to all other emergency services. |
| Detention facilities | 1 per 2,000 sq. ft. | |
| Military installations | 1 per 500 sq. ft. | |
| Funeral and Related Services | | |
| Cemeteries | 1 per 350 sq. ft. | |
| Funeral and cremation services | 1 per 5 seats or 10 feet of bench length in the chapel | |
| Construction Contracting, Repair, Maintenance, and Industrial Services | | |
| Building and grounds services and construction contracting | The greater of the following: 0.75 per employee; or | |
| Industrial services | 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.) | |
| | 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) | |
| | 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.) | |
| General repair services | 1 per 350 sq. ft. | |
| Cleaning plants | 1 per 1,000 sq. ft. | |
| Wholesale Sales, Storage, and Distribution | | |
| General wholesaling | 1 per 1,500 sq. ft. | |
| Heavy wholesaling | | |
| Warehousing and distribution | The greater of the following: 0.75 per employee; or | |
| Self-service storage | 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.) | |
| | 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) | |
| | 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.) | |
| Manufacturing | | |
| General manufacturing | The greater of the following: 0.75 per employee; or | |
| Heavy manufacturing | | |
| Printing | 1 per 5,000, sq. ft. (Less than 50,000 sq. ft.) | |

| | | |
|---|---|--|
| | 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) | |
| | 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.) | |
| Transportation Facilities | | |
| Aviation facilities | The greater of the following: 0.75 per employee; or | |
| Passenger ground transportation facilities; | 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.) 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.) | |
| Marine facilities | 1 per boat berth or docking space. | Applicable to marinas. |
| | The greater of the following: 0.75 per employee; or 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.) 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.) | Applicable to all other marine facilities. |
| Utilities | | |
| Basic utilities | The greater of the following: 0.75 per employee; or | |
| Drinking water treatment facilities | 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.) | |
| Power generation facilities | 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) | |
| Data center facilities | 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.) | |
| Waste related facilities | None | |
| Wireless communication facilities | 1 per 200 sq. ft. | |
| Fuel dealers | | |
| Mining and Natural Resource Extraction | | |

| | | |
|---|---|---|
| Petroleum and natural gas production | The greater of the following: 0.75 per employee; or | |
| Surface mining | 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.) | |
| | 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) | |
| | 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.) | |
| Farming, Forestry, and Animal Services | | |
| Agriculture | 5 | Applicable when retail sales are involved. |
| Forestry | | |
| Agriculture and forestry services | The greater of the following: 0.75 per employee; or 1 per 5,000 sq. ft. (Less than 50,000 sq. ft.) 1 per 10,000 sq. ft. (50,000 to 100,000 sq. ft.) 1 per 15,000 sq. ft. (Greater than 100,000 sq. ft.) | |
| Keeping of livestock and other animals | 1 per 400 sq. ft. | |
| Animal services | 1 per 400 sq. ft. | |
| Other Uses | | |
| Accessory short-term rentals | None | |
| Temporary uses | Per SRC chapter 701 | |
| Home occupations | 1 per nonresident employee | Parking requirement applies in addition to spaces required for the dwelling unit. |
| Accessory dwelling units | None | |
| <p>(1) Unless otherwise provided, when required off-street parking is expressed in terms of a number of spaces per a square footage, the square footage shall equal the gross floor area.</p> <p>(2) The minimum number of spaces per dwelling unit may be reduced by 25 percent for dwelling units that are affordable to households with incomes equal to or less than 80 percent of the median family income for the county in which the development is built or for the state, whichever income is greater. Affordable means the dwelling units are available for rent or purchase by households who meet applicable maximum income limits, not to exceed 80 percent of the area median income, adjusted for family size, as determined based on data from the United States Department of Housing and Urban Development or its successor agency.</p> <p>(3) Affordable means the manufactured homes are located on spaces in manufactured home parks available for rent by households who meet applicable maximum income limits, not to exceed 100 percent of the area median income, adjusted for family size, as determined based on data from the United States Department of Housing and Urban Development or its successor agency.</p> | | |

(4) Publicly supported means the multiple family housing receives or benefits from government assistance under either a contract for rent assistance from the United States Department of Housing and Urban Development, the United States Department of Agriculture or the Housing and Community Services Department that contains an affordability restriction; or a contract that is for any other type of government assistance or subsidy that includes an affordability restriction and that is identified in rules adopted by the Housing and Community Services Department.

(5) The distance shall be measured along a route utilizing public or private streets that are existing or will be constructed with the development.

- (b) *Compact parking.* Up to 75 percent of the minimum off-street parking spaces required under this chapter may be compact parking spaces.
- (c) *Carpool and vanpool parking.* New developments with 60 or more required off-street parking spaces, and falling within the public services and industrial use classifications, and the business and professional services use category, shall designate a minimum of five percent of their total off-street parking spaces for carpool or vanpool parking.
- (d) *Required electric vehicle charging spaces.* For any newly constructed building with five or more dwelling units on the same lot, including buildings with a mix of residential and nonresidential uses, a minimum of 40 percent of the off-street parking spaces provided on the site for the building shall be designated as spaces to serve electrical vehicle charging. In order to comply with this subsection, such spaces shall include provisions for electrical service capacity, as defined in ORS 455.417.
- ~~(e)~~ *Maximum off-street parking.*
 - (1) Maximum off-street parking is based upon the minimum number of required off-street parking spaces. Except as otherwise provided in this section, and unless otherwise provided under the UDC, off-street parking shall not exceed the amounts set forth in Table 806-2A.

| TABLE 806-2A. MAXIMUM OFF-STREET PARKING | |
|--|--|
| Minimum Number of Off-Street Parking Spaces Required (From Table 806-1) | Maximum Number of Off-Street Parking Spaces Allowed |
| 20 spaces or less | 2.5 times minimum number of spaces required. |
| More than 20 spaces | 1.75 times minimum number of spaces required. |

- (2) *Maximum off-street parking where no minimum off-street parking is required.* Where an activity does not require a minimum number of off-street parking spaces based on the requirements of Table 806-1, or because it is located in an area where no minimum off-street parking is required for the activity, off-street parking shall not exceed the amounts set forth in Table 806-2B. Parks and open space are exempt from maximum off-street parking standards.

| TABLE 806-2B. MAXIMUM OFF-STREET PARKING WHERE NO MINIMUM OFF-STREET PARKING IS REQUIRED | | |
|---|-----------------------------------|---|
| No Minimum Off-Street Parking Required: | Maximum Off-Street Parking | Limitations & Qualifications |
| Based on requirements of Table 806-1 | 1.75 per dwelling unit | Applicable to townhouses, two family, three family, four family, and cottage clusters |
| | 1.75 per dwelling unit | Applicable to multiple family located within the |

| | | |
|--|--|---|
| | | CSDP area or one quarter-mile of the Core Network |
| | 1 per 900 sq. ft. | Applicable to all other uses |
| Because activity is located in area where no minimum off-street parking is required for the activity | The maximum off-street parking otherwise allowed for the activity if it were located in an area where minimum off-street parking was required. | |

(ef) *Reductions to required off-street parking through alternative modes of transportation.*

- (1) Construction of transit related improvements. When adjacent to transit service, minimum required off-street parking may be reduced by up to ten percent for redevelopment of an existing off-street parking area for transit-related improvements, including transit stops, pullouts and shelters, park and ride lots, transit-oriented developments, and similar facilities.
- (2) Satisfaction of off-street parking through implementation of a plan for alternative modes of transportation. Minimum required off-street parking for uses or activities other than household living may be reduced through implementation of a plan providing for the use of alternative modes of transportation to decrease the need for off-street parking. The plan shall be reviewed as a Class 2 Adjustment under SRC chapter 250.

(fg) *Reductions to required off-street parking for multiple family developments.*

- (1) For multiple family developments, the minimum number of required off-street parking spaces may be reduced through one or more of the following options, provided that the total number of off-street parking spaces reduced shall not exceed 25 percent:
 - (A) *Transit access.* The minimum number of required off-street parking spaces may be reduced by:
 - (i) 10 percent where developments are located within one-quarter mile of a transit stop as measured along a route utilizing public or private streets that are existing or will be constructed with the development; or
 - (ii) 20 percent where developments are located within one-quarter mile of a transit stop that has 15-minute transit service as measured along a route utilizing public or private streets that are existing or will be constructed with the development.
 - (B) *Covered bicycle parking.* The minimum number of required off-street parking spaces may be reduced by one space for every four covered bicycle parking spaces provided in addition to the minimum number of bicycle parking spaces required as set forth in SRC 806.055. The additional covered bicycle parking spaces must meet the standards of SRC 806.060 and must be located on site either outdoors or in a bike storage room that is accessible to all residents of the multiple family development.
 - (C) *Shared car or van.* The minimum number of required off-street parking spaces may be reduced by four spaces for every shared car or shuttle van that is provided on site and available for use by all residents.

Sec. 806.025. Off-street parking and vehicle storage area development standards for single family, two family, three family, and four family uses or activities.

Unless otherwise provided under the UDC, off-street parking and vehicle storage areas for single family, two family, three family, and four family uses or activities shall be developed and maintained as provided in this section.

(a) *Location within yards.*

- (1) *Front yard abutting street.* Within a front yard abutting a street, off-street parking and vehicle storage shall be allowed only:

- (A) Within a garage or carport;
 - (B) On a driveway leading to:
 - (i) A garage or carport;
 - (ii) A garage that has been legally converted to another use subsequent to its construction as a garage;
 - (iii) A screened off-street parking area; or
 - (iv) A screened vehicle storage area; or
 - (C) On a circular driveway meeting the standards set forth in SRC 806.030(e).
- (2) *Side and rear yards abutting street.* Within side and rear yards abutting a street, off-street parking and vehicle storage shall be allowed only:
- (A) Within a garage or carport;
 - (B) Within an off-street parking area or vehicle storage area that is screened as set forth in SRC 806.025(f); or
 - (C) On a driveway leading to:
 - (i) A garage or carport;
 - (ii) A garage that has been legally converted to another use subsequent to its construction as a garage;
 - (iii) A screened off-street parking area; or
 - (iv) A screened vehicle storage area; or
 - (D) On a circular driveway meeting the standards set forth in SRC 806.030(e).
- (3) *Interior front, side, and rear yards.* Within interior front, side, and rear yards, off-street parking and vehicle storage shall be allowed only:
- (A) Within a garage or carport;
 - (B) Within an off-street parking area or vehicle storage area that is screened as set forth in SRC 806.025(f); or
 - (C) On a driveway leading to:
 - (i) A garage or carport;
 - (ii) A garage that has been legally converted to another use subsequent to its construction as a garage;
 - (iii) A screened off-street parking area; or
 - (iv) A screened vehicle storage area.
- (b) *Garage or carport vehicle entrance setback abutting street or flag lot accessway.* The vehicle entrance of a garage or carport facing a street or flag lot accessway shall be setback a minimum of 20 feet.
- (c) *Dimensions.* Off-street parking spaces shall conform to the minimum dimensions set forth in Table 806-3.

| TABLE 806-3. MINIMUM OFF-STREET PARKING SPACE DIMENSIONS | | |
|--|-------|--------|
| Type of Space | Width | Depth |
| Compact | 8 ft. | 15 ft. |
| Standard | 9 ft. | 19 ft. |

- (d) *Maneuvering.* Where access to off-street parking is taken from an alley, a minimum maneuvering depth of 24 feet shall be provided between the back of the parking space and the opposite side of the alley.
- (e) *Surfacing.* Off-street parking areas and vehicle storage areas shall be paved with a hard surface material meeting the Public Works Design Standards.
- (f) *Screening.* Off-street parking areas and vehicle storage areas shall be screened as follows:
 - (1) Off-street parking areas located within a garage or carport or on a driveway are not required to be screened. All other off-street parking areas shall be screened from all public areas, public streets, and abutting residential uses by a minimum six-foot-tall sight-obscuring fence, wall, or hedge.
 - (2) Vehicle storage areas within an enclosed structure or on a driveway are not required to be screened. All other vehicle storage areas shall be screened from all public areas, public streets, and abutting residential uses by a minimum six-foot-tall sight-obscuring fence, wall, or hedge.
- (g) *Standards for more than four parking spaces.* Except as provided in subsection (1) of this section, an off-street parking area with more than four parking spaces shall comply with the standards set forth in SRC 806.035.
 - (1) *Exceptions:* An off-street parking area with more than four parking spaces that are located in a garage, driveway leading to a garage or carport, or driveway leading to a garage that has been legally converted to another use subsequent to its construction as a garage shall comply with the standards set forth in this section SRC 806.025.

Sec. 808.030. - Tree and vegetation removal permits.

- (a) *Applicability.*
 - (1) Except as provided in subsection (a)(2) of this section, no trees or native vegetation protected under SRC 808.015, SRC 808.020, or SRC 808.025 shall be removed unless a tree and vegetation removal permit has been issued pursuant to this section.
 - (2) Exceptions. A tree and vegetation removal permit is not required for the removal of trees or native vegetation protected under SRC 808.015, SRC 808.020, or SRC 808.025 when the removal is:
 - (A) Necessary for maintenance of a vision clearance area, as required in SRC chapter 805;
 - (B) Required by the City or a public utility for the installation, maintenance, or repair of roads or utilities, including water lines, sewer lines, gas lines, electric lines, and telecommunications lines. This exception does not apply to new development or construction in a riparian corridor;
 - (C) Removal of a City tree, as defined under SRC 86.010, that is subject to the requirements of SRC chapter 86;
 - (D) Necessary for continued maintenance of existing landscaping. For the purposes of this exception, the term "existing landscaping" means an area within a riparian corridor which was adorned or improved through the planting of flowers and trees, contouring the land, or other similar activity prior to June 21, 2000;
 - (E) Necessary for the installation, maintenance, or repair of public irrigation systems, stormwater detention areas, pumping stations, erosion control and soil stabilization features, and pollution reduction facilities. Maintenance includes the cleaning of existing drainage facilities and trash removal;
 - (F) Removal of invasive non-native or nuisance vegetation in riparian corridors;
 - (G) Necessary for public trail or public park development and maintenance;

- (H) Necessary to conduct flood mitigation;
 - (I) Necessary to effect emergency actions which must be undertaken immediately, or for which there is insufficient time for full compliance with this chapter, when it is necessary to prevent an imminent threat to public health or safety, prevent imminent danger to public or private property, or prevent an imminent threat of serious environmental degradation. Trees subject to emergency removal must present an immediate danger of collapse. For purposes of this subsection, the term "immediate danger of collapse" means that the tree is already leaning, with the surrounding soil heaving, and there is a significant likelihood that the tree will topple or otherwise fall and cause damage. The person undertaking emergency action shall notify the Planning Administrator within one working day following the commencement of the emergency activity. If the Planning Administrator determines that the action or part of the action taken is beyond the scope of allowed emergency action, enforcement action may be taken;
 - (J) Removal of a hazardous tree pursuant to an order issued by the City;
 - (K) A commercial timber harvest conducted in accordance with the Oregon Forest Practices Act, ORS 527.610—527.992, on property enrolled in a forest property tax assessment program, and which is not being converted to a non-forestland use. Properties from which trees have been harvested under the Oregon Forest Practices Act may not be partitioned, subdivided, developed as a planned unit development, or developed for commercial uses or activities for a period of five years following the completion of the timber harvest;
 - (L) Associated with mining operations conducted in accordance with an existing operating permit approved by the Oregon Department of Geology and Mineral Industries under Oregon Mining Claim law, ORS 517.750—517.955;
 - (M) Necessary as part of a restoration activity within a riparian corridor undertaken pursuant to an equivalent permit issued by the Oregon Division of State Lands and/or the United States Corps of Engineers; provided, however, that the permittee must provide, prior to the removal, a copy of the permit and all required monitoring reports to the Planning Administrator;
 - (N) Removal of trees on a lot or parcel 20,000 square feet or greater, or on contiguous lots or parcels under the same ownership that total 20,000 square feet or greater, and the removal does not result in:
 - (i) Removal of more than five trees or 15 percent of the trees, whichever is greater, within a single calendar year;
 - (ii) Removal of more than 50 percent of the trees within any five consecutive calendar years; and
 - (iii) Removal of heritage trees, significant trees, and trees in riparian corridors;
 - (O) Undertaken pursuant to a tree conservation plan, required in conjunction with any development proposal for the creation of lots or parcels to be used for single family uses, two family uses, three family uses, four family uses, or cottage clusters, approved under SRC 808.035;
 - (P) Undertaken pursuant to a tree conservation plan adjustment granted under SRC 808.040; or
 - (Q) Undertaken pursuant to a tree variance granted under SRC 808.045.
- (b) *Procedure type.* A tree and vegetation removal permit is processed as a Type I procedure under SRC chapter 300.
- (c) *Submittal requirements.* In addition to the submittal requirements for a Type I application under SRC chapter 300, an application for a tree and vegetation removal permit shall include the following:
- (1) A site plan, of a size and form and in the number of copies meeting the standards established by the Planning Administrator, containing the following information:
 - (A) The total site area, dimensions, and orientation relative to north;

- (B) Site topography shown at two-foot contour intervals;
 - (C) The location of any existing structures on the site;
 - (D) The type, size, and location of trees and native vegetation to be preserved or removed;
 - (E) The locations and descriptions of staking or other protective devices to be installed for trees and native vegetation to be preserved; and
 - (F) The site plan may contain a grid or clear delineation of phases that depict separate areas where the work is to be performed.
- (2) In addition to the information required by subsection (c)(1) of this section, an application for tree or native vegetation removal connected with restoration activity in a riparian corridor shall include:
- (A) A delineation of the boundaries of the riparian corridor on the site plan;
 - (B) A conceptual tree and vegetation planting or replanting plan;
 - (C) A completed wetland delineation or determination, if applicable;
 - (D) A grading plan, if grading is planned or anticipated;
 - (E) A verification from the Department of Public Works that erosion control measures will be initiated, if required; and
 - (F) A monitoring and maintenance plan, if required by Oregon Division of State Lands or the United States Corps of Engineers.
- (3) Waiver of submittal requirements for certain restoration activities in riparian corridors. The Planning Administrator may waive the requirement to submit all or part of the information required by subsections (c)(1) and (2) of this section for a restoration activity in a riparian corridor that affects less than one-quarter acre and does not require a permit from the Oregon Division of State Lands or United States Corps of Engineers.
- (d) *Approval criteria.* An application for a tree and vegetation removal permit shall be granted if one or more of the following criteria are met:
- (1) *Hazardous tree.* The tree removal is necessary because the condition or location of the tree presents a hazard or danger to persons or property; and the hazard or danger cannot reasonably be alleviated by treatment or pruning, or the tree has a disease of a nature that even with reasonable treatment or pruning is likely to spread to adjacent trees and cause such trees to become hazardous trees.
 - (2) *Repair, alteration, or replacement of existing structures.* The tree or native vegetation removal is reasonably necessary to effect the otherwise lawful repair, alteration, or replacement of an existing structure, the footprint of the repaired, altered, or replacement structure is not enlarged, and no additional riparian corridor area is disturbed beyond that essential to the repair, alteration, or replacement of the existing structure.
 - (3) *Water-dependent activities.* The tree or native vegetation removal is necessary for the development of a water-dependent activity, and no additional riparian corridor area will be disturbed beyond that essential to the development of the water-dependent activity.
 - (4) *Restoration activity within riparian corridor.* The tree or native vegetation removal is required for a restoration activity within a riparian corridor designed to improve the habitat, hydrology, or water quality function of the riparian corridor, and:
 - (A) The short-term impacts of the restoration activity will be minimized;
 - (B) Effective erosion control measures will be implemented;
 - (C) All necessary permits have been applied for or obtained; and

- (D) No trees or native vegetation will be removed unless the removal is justified for the long term benefit of the environment and is in keeping with acceptable riparian restoration guidance.
- (5) *Removal of significant tree in connection with the construction of a development other than single family, two family, three family, four family, or cottage cluster.* The removal of the significant tree is necessary for the construction of a development other than single family, two family, three family, four family, or cottage cluster and:
 - (A) Without approval of the tree removal permit the proposed development cannot otherwise meet the applicable development standards of the UDC without a variance or adjustment.
 - (B) There are no reasonable design alternatives that would enable preservation of the tree. In determining whether there are no reasonable design alternatives, the following factors, which include but are not limited to the following, shall be considered:
 - (i) *Streets.* The removal is necessary due to:
 - (aa) The location and alignment of existing streets extended to the boundary of the subject property;
 - (bb) The planned alignment of a street identified in the Salem Transportation System Plan (TSP);
 - (cc) A street required to meet connectivity standards, to serve property where a flag lot accessway is not possible, or where a cul-de-sac would exceed maximum allowed length;
 - (dd) Any relocation of the proposed street resulting in lots that do not meet lot standards;
 - (ee) A required boundary street improvement.
 - (ii) *Utilities.* The removal is necessary due to existing or proposed utilities that cannot be relocated to an alternative location.
 - (iii) *Site topography.* The removal is necessary due to the topography of site which will require severe grading in the critical root zone of the tree in order to comply with maximum street or intersection grades, fire department access requirements, or Fair Housing Act or ADA accessibility standards.
 - ~~(C) Not more than five significant trees or 15 percent of the significant trees, whichever is greater, on the lot or parcel, or on contiguous lots or parcels under the same ownership, are proposed for removal.~~
- (e) *Conditions of approval.*
 - (1) Conditions may be imposed on the approval of a tree and vegetation removal permit to ensure compliance with the approval criteria.
 - (2) In addition to the conditions imposed under subsection (e)(1) of this section, tree and vegetation removal permits for the removal of trees or native vegetation in connection with a restoration activity within a riparian corridor shall include the following condition:
 - (A) Trees and native vegetation removed shall be replaced in compliance with the tree and native vegetation replacement standards set forth in SRC 808.055.

Exhibit B
FINDINGS FOR ENGROSSED ORDINANCE BILL NO. 22-22

**AMENDMENTS TO THE UNIFIED DEVELOPMENT CODE
 TO RESPOND TO A LAND USE BOARD OF APPEALS DECISION,
 IMPLEMENT CHANGES IN STATE LAW AND RULES,
 ADD NEW TEMPORARY USES, AND ADDRESS OTHER ISSUES**

(CODE AMENDMENT CASE NO. CA22-05)

Substantive Findings

SRC 110.085 establishes the following approval criteria which must be met in order for a code amendment to be approved:

1. *The amendment is in the best interest of the public health, safety, and welfare of the City; and*

Finding: The proposed code amendment is in the best interest of the public health, safety, and welfare of the City because it codifies the City’s existing vehicles camping program as a temporary use permit for “safe parking shelters.” The City authorized the existing program under an emergency declaration in 2020, and the proposed code amendment establishes standards for safe parking shelters that mirror that existing program. For example, safe parking shelters are only allowed on property owned by non-profits, governments and commercial entities. By codifying the program in the proposed code amendment, it can continue to be an option to provide shelter for Salem’s unsheltered population without the need for an emergency declaration, which typically expires after a period of time.

In addition, the proposed amendment creates a new temporary use category for construction modulars, which removes barriers to their use. These modulars, which typically house office space and restrooms, are used by contractors during long-term construction projects. Currently, they must get a building permit and must meet the development standards in the zone in which they are located. With the proposed code amendment, they can be used more easily on a temporary basis, recognizing that they are not intended to be permanent structures and instead are removed at the end of a construction project.

The proposed code amendment also responds to an order issued by the Oregon Land Use Board of Appeals (LUBA) in East Park, LLC vs. City of Salem. Specifically, LUBA found that the City erred in denying a conditional use permit for a proposed multifamily development in the Retail Commercial (CR) zone because the criteria for such a permit is not clear and objective. ORS 197.307 requires that local governments only apply clear and objective standards, conditions, and procedures regulating the development of housing. Currently, multifamily housing is only allowed in the CR zone – and Commercial General (CG) and Industrial Commercial (IC) – through a conditional use permit. LUBA determined that some of the criteria for a conditional use permit are not clear and objective. This proposed code amendment rectifies that issue identified by LUBA by removing the requirement for a conditional use permit for multifamily housing in the CR, CG, and IC zones. The amendment would instead allow multifamily housing outright in the CR, CG, and

IC zones if that housing is located in a mixed-use building.

Affordable housing will also continue to be allowed in the CR, CG, and IC zones, as the proposed code amendment creates a new affordable housing chapter to implement Senate Bill 8, which passed during the 2021 Oregon Legislative Session. SB 8, which has been incorporated into ORS 197.308, promotes the development of affordable housing by requiring local governments to allow such housing on properties zoned for commercial uses, religious assembly, or public lands, or the housing is owned by a public body or religious corporation. (Affordable housing is defined in SB 8 as housing in which each unit is available to families with incomes of 80 percent or less of the area median income or the average of all units is available to families with incomes of 60 percent or less of area median income, and the affordability period is at least 30 years.) Therefore, this proposed code amendment encourages the development of affordable housing by allowing such housing more broadly in Salem, including allowing it outright in the CR, CG, and IC zones.

2. *The amendment conforms with the Salem Area Comprehensive Plan, applicable Statewide Planning Goals, and applicable administrative rules adopted by the Department of Land Conservation and Development.*

Finding: The Salem Area Comprehensive Plan (Comprehensive Plan) is the long-range plan for guiding future growth and development in the Salem area. The Comprehensive Plan establishes a framework to guide all land use and related activities in line with the community's vision, and it aims to ensure orderly and efficient development that meets the community's needs. The Comprehensive Plan was updated by the City of Salem and acknowledged by the Department of Land Conservation and Development (DLCD) in August of 2022.

The proposed code amendment was reviewed for conformance with the applicable goals and policies of the Comprehensive Plan. The following goals and policies relate to the proposed code amendment:

H 2 Housing Affordability Goal: *Provide opportunities for housing that are affordable to current and future residents of all income levels.*

H 2.6 Shelter to housing continuum: *A continuum of shelter to housing opportunities should be encouraged through regulations, incentives, or other tools to help address the needs of unsheltered residents and those at risk of losing housing.*

The proposed code amendment is consistent with the above goal and policy because it codifies the City's existing vehicle camping program by creating a temporary use category for safe parking shelters. This allows the program to continue to be an option to provide shelter for Salem's unsheltered population without the need for an emergency declaration. This aligns with policy H2.6 by reinforcing Salem's continuum of shelter to housing opportunities.

As mentioned above, the proposed code amendment implements SB 8, which passed during the 2021 Oregon Legislative Session. SB 8 promotes the development of affordable housing by requiring local governments to allow such housing on properties zoned for commercial uses, religious assembly, or public lands, or the housing is owned by a public body or

religious corporation. Therefore, this proposed code amendment encourages the development of affordable housing by allowing such housing more broadly in Salem, including allowing it outright in the CR, CG, and IC zones. This code amendment also eliminates minimum off-street parking requirements for affordable housing and shelters that serve people experiencing homelessness, as required by new State administrative rules that resulted from the Climate-Friendly and Equitable Communities rulemaking. This promotes the development of affordable housing and shelters by not mandating that space be used for parking if it not needed.

H1 Housing Choice Goal: *Promote a variety of housing options to meet the needs, abilities, and preferences of all current and future residents.*

H 1.1 Housing types: *A variety of housing types shall be allowed and encouraged throughout the Salem Urban Area, including single-family homes, accessory dwelling units, manufactured homes, townhouses, middle housing, and multifamily housing.*

The proposed code amendment encourages a variety of housing types – particularly middle housing and multifamily housing – by simplifying and decreasing the minimum lot size requirements for such housing in the Commercial Office (CO) zone. Currently, for example, a three family development in the CO zone is required to have a minimum lot size of 5,000 square feet plus additional area based on the number of bedrooms in each dwelling unit (e.g., an additional 750 square feet for a one-bedroom unit, 1,000 square feet for a two-bedroom unit, and 1,200 square feet for a three+ unit). Under the proposed code amendment, the minimum lot size would be 5,000 square feet for a three family development and 6,000 square feet for a four family or multifamily development.

In addition, the proposed code amendment implements House Bill 4064, which restricts local governments from imposing additional standards to manufactured homes that do not apply to detached single-family homes. Specifically, the proposed amendment removes the special use standards that apply to manufactured homes such as requirements for roof pitches, minimum building size, and exterior color and material. This removes potential barriers to the development and placement of manufactured homes in Salem.

H 4 Complete Neighborhood Goal: *Encourage housing that provides convenient access to jobs, services, and amenities that meets residents' daily needs.*

H 4.1 Mixed use: *The development of housing should be encouraged in mixed-use areas to increase access to jobs and services and promote walkable, complete neighborhoods.*

The proposed code amendment encourages housing in employment areas and mixed-use areas to increase access to jobs and services. As mentioned earlier, the proposed amendment removes the requirement for a conditional use permit for multifamily housing in the CR, CG, and IC zones, provided that the housing is part of a mixed-use building. The CR, CG, and IC zones are generally located in employment areas with jobs and services such as 12th and 13th Streets SE and the Fairview Industrial area. The proposed code amendment therefore helps promote complete neighborhoods by allowing housing outright in mixed-use projects in employment areas.

E 2 Land Supply Goal: *Maintain an adequate supply of land to meet Salem's economic and employment needs.*

E 2.1 Employment land: *The City shall provide a supply of employment land that accommodates the amounts, size, types, locations, and service levels needed to meet the short-term and long-term employment growth forecasts for the Salem Urban Area.*

The proposed code amendment is consistent with the above goal and policy because it helps maintain an adequate supply of land to meet Salem's employment needs. The Salem Economic Opportunities Analysis (EOA), adopted in 2015, determined that the Salem area has a projected deficit of commercial land. The proposed code amendment helps meet this need by ensuring that commercial zones such as the CR and CG zones – as well as the IC zone – are generally preserved as employment lands and used for employment uses as opposed to housing, which can be accommodated in residential and mixed-use zones. (Salem's projected housing needs through 2035, as identified by the Salem Housing Needs Analysis, have been met.) Under the proposed code amendment, nonresidential uses – including commercial uses – would be required to be included in a mixed-use building in order for housing to be developed.

The proposed code amendment was also reviewed for conformance with the applicable Statewide Planning Goals and administrative rules adopted by the Department of Land Conservation and Development. The following goals are applicable to the proposed code amendment:

Goal 1 – Citizen Involvement: *To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.*

The process to adopt this proposed code amendment requires public notice and affords the public an opportunity to review, comment, and take part in the approval process.

Goal 9 – Economic Development: *To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens*

The proposed code amendment is consistent with the above goal because it helps maintain an adequate supply of land to meet Salem's employment needs. As mentioned above, the EOA determined that the Salem area has a projected deficit of commercial land. The proposed code amendment helps meet this need by ensuring that commercial zones such as the CR and CG zones – as well as the IC zone – are generally preserved as employment lands and used for employment uses as opposed to standalone housing, which can be accommodated in residential and mixed-use zones.

Specifically, the CR, CG, and IC zones could still be developed with standalone commercial uses as well as mixed-use buildings that include commercial uses. The zones could not be developed with standalone housing. Instead, nonresidential uses – such as commercial uses – would be required to be included in a mixed-use building in order for housing to be developed. This proposed amendment therefore does not negatively impact Salem's supply of employment land.

Goal 10 – Housing: *To provide for the housing needs of citizens of the state.*

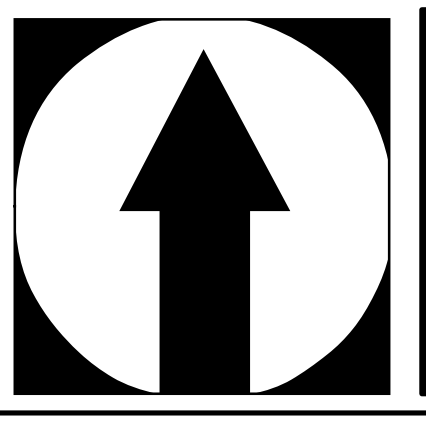
The proposed code amendment is consistent with the above goal because it removes a potential barrier – the requirement for a conditional use permit – to providing housing in the CR, CG, and IC zones. It encourages the development of housing in mixed-use buildings by allowing such housing outright in those three employment zones.

The proposed amendment also codifies the City’s existing vehicle camping program by creating a temporary use category for safe parking shelters. This allows the program to continue to be an option to provide shelter for Salem’s unsheltered population without the need for an emergency declaration. As a result, Salem’s ability to meet the community’s housing needs are increased.

In addition, the proposed code amendment implements SB 8, as mentioned earlier. SB 8 promotes the development of affordable housing by requiring local governments to allow such housing on properties zoned for commercial uses, religious assembly, or public lands, or the housing is owned by a public body or religious corporation. Therefore, this proposed code amendment encourages the development of affordable housing by allowing such housing more broadly in Salem, including allowing it outright in the CR, CG, and IC zones.

Goal 14 – Urbanization: *To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.*

The proposed code amendment conforms to this goal because it promotes the efficient use of land by helping accommodate Salem’s urban population within its portion of the UGB. It does this by promoting the development of affordable housing and multifamily housing in mixed-use building while helping ensure employment lands continue to be available for employment uses. The code amendment also ensures that land that is annexed into the city is zoned in conformance with the City’s Comprehensive Plan Map. This, in turn, helps ensure that the land annexed into the City is developed to meet Salem’s housing and employment needs.

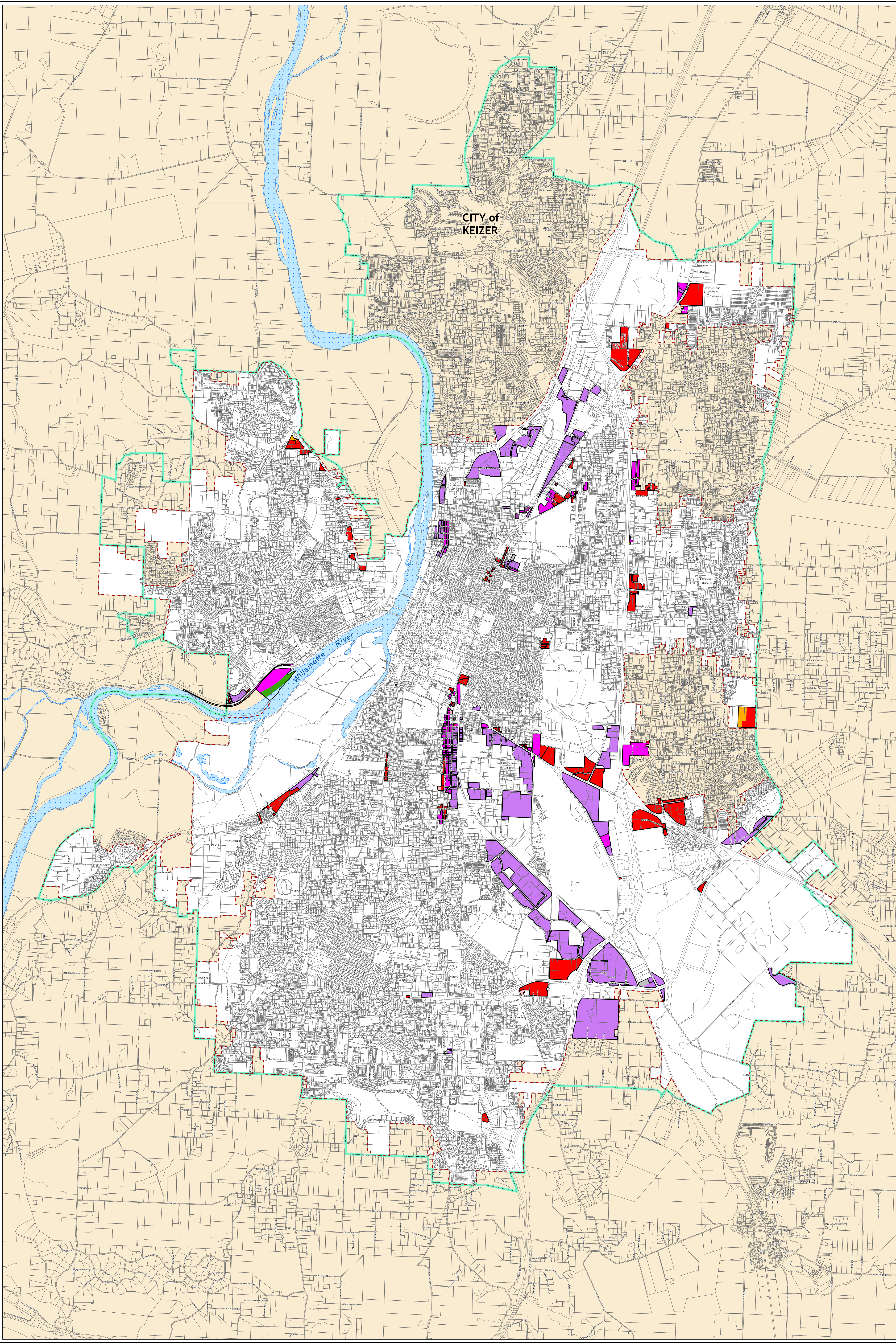


Adopted Salem Zoning (CR, CG and IC Only Analysis)

City of Salem

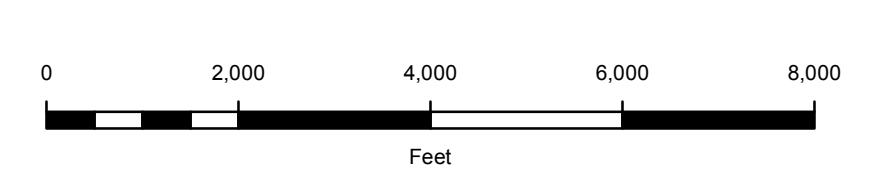
Community Development Department

SEPTEMBER
2022



Key

- Adopted Salem Zoning Designations**
- CB - Central Business District
 - CG - General Commercial
 - CO - Commercial Office
 - CR - Retail Commercial
 - EC - Employment Center
 - EFU - Exclusive Farm Use
 - ESMU - Edgewater/Second Street Mixed-Use Corridor
 - FMU - Fairview Mixed-Use
 - IBC - Industrial Business Campus
 - IC - Industrial Commercial
 - IG - General Industrial
 - IP - Industrial Park
 - MU-I - Mixed Use-I
 - MU-II - Mixed Use-II
 - MU-III - Mixed Use-III
 - MU-R - Mixed Use - Riverfront
 - NH - Neighborhood Hub
 - PA - Public Amusement
 - PC - Public-Private Cemetery
 - PE - Public-Private Education
 - PH - Public Health
 - PM - Capitol Mall
 - PS - Public Service
 - RA - Residential Agriculture
 - RM1 - Multiple Family Residential 1
 - RM2 - Multiple Family Residential 2
 - RM3 - Multiple Family Residential 3
 - RS - Single Family Residential
 - SWMU - South Waterfront Mixed-Use
 - WSCB - West Salem Central Business District
- Urban Growth Boundary
 - Salem City Limits
 - Outside Salem City Limits
 - Taxlots
 - Street Centerlines
 - Willamette River
 - Final CR, CG or IC Properties (incl. split zone areas)



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Eunice Kim

From: Marissa Theve <marissatheve@gmail.com>
Sent: Wednesday, November 2, 2022 2:21 PM
To: CityRecorder
Cc: Virginia Stapleton; Eunice Kim; Chris Hoy
Subject: City Council Public Hearing on Code Update Nov. 14

Greetings,

I would like to provide the following written public comment on the proposed UDC updates for the November 14th public hearing. I am in support of all the listed updates (both those required by state law and those the City proposed of its own accord). The Unified Development Code could, however, use much further simplification. The housing shortage was caused in part by a nationwide pattern of exclusionary copy and paste code like Salem's, which is restrictive and favors only the most expensive housing types (single family on large lots). This is precisely why the state has stepped in to supersede the prescriptive zoning and expensive off-street parking requirements in places like Salem.

These UDC changes are a great starting point to make Salem more equitable and inclusive, but we can do better than the bare minimum. It's time to stop micromanaging development and set the stage for a future where an adequate housing supply can mean the end of homelessness in Salem.

Marissa Theve
97301

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Marissa Theve
Pronouns: she/her/hers

From: [r. m. miguez](#)
To: [CityRecorder](#)
Subject: Regarding Proposed Unified Development Code Update (CA 22-05)
Date: Wednesday, November 2, 2022 9:54:06 AM

To whom it may concern:

I support the proposed changes to the City of Salem's Unified Development Code. In particular, I strongly support the change identified as Minimum Parking Requirements. Parking is a poor use of space. It also encourages car dependence. Cars already consume an overabundance of public space. Let's support public and alternative modes of transportation instead of wasting money on personal automobile infrastructure.

Best,

Matthew Miguez
980 Tamarack St NE
Salem, OR 97301