

*Sherwood - Industrial
USES*

Chapter 16.31 - INDUSTRIAL LAND USE DISTRICTS⁽¹⁹⁾

Sections:

Footnotes:

-- (19) --

Editor's note—Ord. No. 2012-011, adopted August 7, 2012, amended the Code by consolidating the provisions of Chs. 16.31, 16.32 and 16.34. Former Ch. 16.31, §§ 16.31.010—16.31.100, pertained to the Employment Industrial district, and derived from Ord. 2010-014, adopted October 5, 2010. See Chs. 16.32 and 16.34 for specific derivation.

16.31.010 - Purpose

A. Employment Industrial (EI) - The EI zoning district provides employment areas that are suitable for, and attractive to, key industries and industry clusters that have been identified by the State of Oregon and the City's economic development strategy as important to the state and local economy. The following are preferred industry sectors for areas zoned EI: Clean Technology; Technology and Advanced Manufacturing; and Outdoor Gear and Active Wear.

Land zoned EI shall provide for large and medium-sized parcels for industrial campuses and other industrial sites that can accommodate a variety of industrial companies and related businesses. Areas zoned EI are also intended to provide the opportunity for flex building space within small- and medium-sized industrial campuses and business parks to accommodate research and development companies, incubator/emerging technology businesses, related materials and equipment suppliers, and or spin-off companies and other businesses that derive from, or are extensions of, larger campus users and developments. Retail and commercial uses are allowed only when directly supporting area employers and employees.

Industrial establishments and support services shall not have objectionable external features and shall feature well-landscaped sites and attractive architectural design, as determined by the Hearing Authority.

B. Light Industrial (LI) - The LI zoning district provides for the manufacturing, processing, assembling, packaging and treatment of products which have been previously prepared from raw materials. Industrial establishments shall not have objectionable external features and shall feature well-landscaped sites and attractive architectural design, as determined by the Commission.

C. General Industrial (GI) - The GI zoning district provides for the manufacturing, processing, assembling, packaging and treatment of products from previously prepared or raw materials, providing such activities can meet and maintain minimum environmental quality standards and are situated so as not to create significant adverse effects to residential and commercial areas of the City. The minimum contiguous area of any GI zoning district shall be fifty (50) acres.

(Ord. No. 2012-011, § 2, 8-7-2012)

16.31.020 - Uses

A. The table below identifies the land uses that are permitted outright (P), permitted conditionally (C) and not permitted (N) in the industrial zoning districts. The specific land use categories are described and defined in [Chapter 16.88](#).

B. Uses listed in other sections of this Code, but not within this specific table are prohibited.

C. Any use not otherwise listed that can be shown to be consistent or associated with the uses permitted outright or conditionally in the industrial zones or contribute to the achievement of the objectives of the industrial zones may be permitted outright or conditionally, utilizing the provisions of [Chapter 16.88](#).

D. Additional limitations for specific uses are identified in the footnotes of this table.

Uses	LI	GI	EI ¹
RESIDENTIAL			
• Dwelling unit, including a manufactured home, for one (1) security person employed on the premises and their immediate family	P	P	P
CIVIC			
• Hospitals	C	N	N
• Police and fire stations and other emergency services	C	C	C
• Vehicle testing stations	C	C	C
• Postal services - Public	C	C	C
• Postal substations when located entirely within and incidental to a use permitted outright	C	C	C
• Public and private utility structures, including but not limited to telephone exchanges, electric substations, gas regulator stations, treatment plants, water wells, and public work yards	P	P	P
• Small-scale power generation facilities	P	P	P
• Large-scale power generation facilities	C	P	C
• Public recreational facilities including parks, trails, playfields and sports and racquet courts on publicly owned property or under power line easements	C	C	C
COMMERCIAL			
• Commercial Trade Schools, commercial educational services and training facilities	P	P	C
Entertainment/recreation			
• Country clubs, sports and racquet clubs and other similar clubs	C	C	C
• Indoor recreation facilities such as arcades, mini-golf, or bounce house facilities ^{2,3}	C	C	C
Motor Vehicle related			

• Motorized vehicle and sport craft repairs and service	C	C	N
• Motorized vehicle and sport craft repair and service clearly incidental and secondary to and customarily associated with a use permitted outright or conditionally	P	P	P
• Automotive, boat, trailer and recreational vehicle storage	C	C	N
• Vehicle fueling stations or car wash facilities ⁴	C	C	C
• junkyards and salvage yards	N	N	N
• Manufactures home sales and display area	N	N	N
Office and Professional Support services			
• Business and professional offices ⁵	P	P	P
• Business support services such as duplicating, photocopying, mailing services, fax and computer facilities ⁶	P	P	C
• Any incidental business, service, processing, storage or display, not otherwise permitted, that is essential to and customarily associated with a use permitted outright, provided said incidental use is conducted entirely within an enclosed building	C	C	C
Childcare			
• Day cares, preschools, and kindergartens, when clearly secondary to a permitted use	P	P	P
• Day cares, preschools, and kindergartens as a stand-alone use ⁶	C	C	C
General Retail - sales oriented			
• Incidental retail sales or display/showroom directly associated with a permitted use and limited to a maximum of 10% of the total floor area of the business ⁷	P	P	P
• Medical marijuana dispensary, not exceeding 3,000 square feet of gross square footage	P ¹⁰	P ¹⁰	N
• Tool and equipment rental and sales, including truck rental ⁷	P	P	P
• Retail plant nurseries and garden supply stores (excluding wholesale plant nurseries)	P	P	N
• Wholesale building material sales and service	C	P	N
• Retail building material sales and lumberyards ⁷	C	P	N
Personal Services			
• Health clubs and studios less than 5,000 square feet in size	P	P	P
• Personal services catering to daily customers where patrons pay for or receive a service rather than goods or materials, including but not limited to financial, beauty, pet grooming, and similar services ⁸	C	C	C
• Public or commercial parking (non- accessory)	N	N	N
• Veterinarian offices and animal hospitals	C	C	C
• Animal boarding/Kennels and daycare facilities with outdoor recreation areas ⁸	C	C	C
Eating and Drinking establishments:			
• Restaurants, taverns, and lounges without drive-thru ⁷	C	C	C
• Restaurants with drive-thru services	N	N	N
INDUSTRIAL			
• Limited manufacturing entirely within an enclosed building that is generally secondary to a permitted or conditional commercial use	P	P	P
• Medical or dental laboratories	P	P	P
• Laboratories (not medical or dental)	P	P	P
• mini-warehousing or self-storage	N	P	N

• Distribution, warehousing and storage associated with a permitted use	P	P	P
• Research and development and associated manufacturing	P	P	P
• Contractors' storage and equipment yards, building maintenance services, and similar uses	C	P	N
• Laundry, dry cleaning, dyeing, or rug cleaning plants	C	P	N
Manufacture, compounding, processing, assembling, packaging, treatment, fabrication, wholesaling, warehousing or storage of the following articles or products:			
• Food products, appliances, textiles and fiber products, pottery, glass and previously pulverized clay ceramics, small electronics, communication equipment, instruments, toys, novelties, electronics components, maintenance equipment, vending machines, cosmetics, chemicals and other small products and tools manufactured from previously prepared or semi-finished materials	P	P	N
• Pharmaceuticals in facilities up to 50,000 square feet building size	P	P	P
• Pharmaceuticals in facilities larger than 50,000 square feet building size	N	C	N
• Building components, furniture, fixtures, signs	P	P	N
• Non-motorized recreational vehicles and equipment	P	P	N
• Manufactured homes, farm equipment, and greenhouses	N	P	N
• Any non-toxic materials or products made of metal, paper, wood, plastic, stone, fabric or other materials or products not otherwise permitted in the zone	P	P	N
• Renewable energy/energy efficiency, sustainable environmental products, advanced manufacturing, high technology, biotechnology, sports apparel and other recreational products	P	P	P
• Acids, paints, dyes, pigments, soaps, ammonia, chlorine, sodium compounds, fertilizer, herbicides, insecticides and similar chemicals	N	C	N
• Toxins or explosive materials, or any product or compound determined by a public health official to be detrimental to the health, safety and welfare of the community	N	N	N
• Sawmills	C	C	N
• Pulp and paper mills	N	N	N
• Distillation of oil, coal, wood or tar compounds and the creosote treatment of any products	N	N	N
• Metal rolling and extraction mills, forge plants, smelters and blast furnaces	N	N	N
• Meat, fish, poultry and tannery processing	N	N	N
• Sand and gravel pits, rock crushing facilities, aggregate storage and distribution facilities or concrete or asphalt batch plants	N	C	N
• Solid waste transfer stations	N	C	N
• General purpose solid waste landfills, incinerators, and other solid waste facilities	N	N	N
• Manufacture of biomedical compounds as regulated by the U.S. Food and Drug Administration	N	C	N
WIRELESS COMMUNICATION FACILITIES			
• Radio, television, and similar communication stations, including associated transmitters	C	C	C
• Wireless communication towers ⁹ and transmitters	C	C	C
• Wireless communication facilities on City-owned property	C	C	C
• Wireless communication antennas co-located on an existing tower or on an existing building or structure not exceeding the roof of the structure	P	P	P
OTHER			
Agricultural uses including but not limited to:			
• Farm equipment sales and rentals	N	N	N

• Farming and horticulture	P	P	P
• Raising of animals other than household pets	N	N	N
• Truck and bus yards	N	P	N

¹ See special criteria for the EI zone, [16.31.030](#) and the Tonquin Employment Area (TEA), [16.31.040](#).

² If use is mixed with another, such as a restaurant, it is considered secondary to that use and permitted, provided it occupies less than fifty (50) percent of the total area.

³ Limited in size to five thousand (5,000) square feet in a single outlet and no more than twenty thousand (20,000) square feet in multiple outlets in the same development project.

⁴ Limited to Cardlock or wholesale- no public retail fuel sales.

⁵ Limited in size to five thousand (5,000) square feet in a single outlet and no more than twenty thousand (20,000) square feet in multiple outlets in the same development project.

⁶ Limited in size to five thousand (5,000) square feet in a single outlet and no more than twenty thousand (20,000) square feet in multiple outlets in the same development project.

⁷ Limited in size to five thousand (5,000) square feet in a single outlet and no more than twenty thousand (20,000) square feet in multiple outlets in the same development project.

⁸ Animal boarding/kennels and daycare facilities entirely within an enclosed building are considered "other personal service."

⁹ Except for towers located within one thousand (1,000) feet of the Old Town District which are prohibited.

¹⁰ See Special Criteria for Medical Marijuana Dispensary under [Section 16.38.020](#).

(Ord. No. 2015-005, § 2, 5-5-2015; Ord. No. 2015-003, § 2, 3-17-2015; Ord. No. 2012-011, § 2, 8-7-2012)

16.31.030 - Development Standards

A. Generally

No lot area, setback, yard, landscaped area, open space, off-street parking or loading area, or other site dimension or requirement, existing on, or after, the effective date of this Code shall be reduced below the minimum required by this Code. Nor shall the conveyance of any portion of a lot, for other than a public use or right-of-way, leave a lot or structure on the remainder of said lot with less than minimum Code dimensions, area, setbacks or other requirements, except as permitted by [Chapter 16.84](#) (Variances and Adjustments).

B. Development Standards

Except as otherwise provided, required minimum lot areas and dimensions and setbacks shall be:

Development Standards by Zone	EI	LI	GI
Lot area- Industrial Uses:	3 acres ⁹	10,000 SF	20,000 SF
Lot area- Commercial Uses (subject to Section 16.31.050):	10,000 SF	10,000 SF	20,000 SF
Lot width at front property line:	100 feet		
Lot width at building line:	100 feet		
Front Yard Setback ¹¹	20 feet	20 feet	None
Side Yard Setback ¹⁰	None	None	None
Rear Yard Setback ¹¹	None	None	None
Corner lot street side ¹¹	20 feet	20 feet	None
Height ¹¹	50 feet		

⁹ Lots within the EI zone that were legal lots of record prior to October 5, 2010 and smaller than the minimum lot size required in the table below may be developed if found consistent with other applicable requirements of [Chapter 16.31](#) and this Code. Further subdivision of lots smaller than three (3) acres shall be prohibited unless [Section 16.31.050](#) applies.

¹⁰ When a yard is abutting a residential zone or public park, there shall be a minimum setback of forty (40) feet provided for properties zoned Employment Industrial and Light Industrial Zones, and a minimum setback of fifty (50) feet provided for properties zoned General Industrial.

¹¹ Structures located within one-hundred (100) feet of a residential zone shall be limited to the height requirements of that residential zone.

16.31.040 - Employment Industrial (EI) Restrictions

A. Use Restrictions

1. Retail and professional services that cater to daily customers, such as restaurants and financial, insurance, real estate, legal, medical and dental offices, shall be limited in the EI zone.
 - a. New buildings for stores, branches, agencies or other retail uses and services shall not occupy more than five thousand (5,000) square feet of sales or service area in a single outlet and no more than twenty thousand (20,000) square feet of sales or service area in multiple outlets in the same development project, and

b. New buildings for stores, branches, agencies or other retail uses and services shall not be located on lots or parcels smaller than five (5) acres in size. A "development project" includes all improvements proposed through a site plan application.

2. Notwithstanding the provisions of Section 16.31.050 "Commercial Nodes Use Restrictions", commercial development permitted under 16.31.050(1)(a) may only be proposed concurrent with or after industrial development on the same parcel. Commercial development may not occur prior to industrial development on the same parcel.

B. Land Division Restrictions

1. Lots or parcels prior to October 5, 2010 that are smaller than the minimum lot size required in the EI zone may be developed if found consistent with other applicable requirements of Chapter 16.31 and this code. Further subdivision of lots smaller than three (3) acres shall be prohibited unless Section 16.31.050 applies.
2. Lots or parcels larger than fifty (50) acres may be divided into smaller lots and parcels pursuant to a Planned Unit Development approved by the city so long as the resulting division yields at least one (1) lot or parcel of at least 50 acres in size.
3. Lots or parcels fifty (50) acres or larger, including those created pursuant to subsection (2) above, may be divided into any number of smaller lots or parcels pursuant to a Planned Unit Development approved by the city so long as at least forty (40) percent of the area of the lot or parcel has been developed with industrial uses or uses accessory to industrial use.

(Ord. No. 2012-011, § 2, 8-7-2012)

16.31.050 - Tonquin Employment Area (TEA) Commercial Nodes Use Restrictions

- A. Within the Tonquin Employment Area (TEA), only commercial uses that directly support industrial uses located within the TEA are permitted as conditional uses.
- B. Commercial development, not to exceed a total of five (5) contiguous acres in size, may be permitted.
- C. Commercial development may not be located within three hundred (300) feet of SW 124th Avenue or SW Oregon Street, and must be adjacent to the proposed east-west collector street.

(Ord. No. 2012-011, § 2, 8-7-2012)

16.31.060 - Community Design

For standards relating to off-street parking and loading, energy conservation, historic resources, environmental resources, landscaping, access and egress, signs, parks and open space, on-site storage, and site design, the applicable provisions of Divisions V, VIII and IX will apply.

(Ord. No. 2012-011, § 2, 8-7-2012)

16.31.070 - Floodplain

Except as otherwise provided, Section 16.134.020 shall apply.

(Ord. No. 2012-011, § 2, 8-7-2012)

Chapter 16.88 - INTERPRETATION OF SIMILAR USES

Sections:

16.88.010 - Generally

Where an interpretation is required as to the applicability of the provisions of this Code to a proposed land use which is not specifically listed or otherwise clearly indicated as allowed, conditionally allowed or prohibited, a written request for an interpretation may be submitted to the City Manager or his/her designee.

(Ord. No. 2012-011, § 2, 8-7-2012; Ord. 98-1053, § 1; Ord. 86-851)

16.88.020 - Application Content

The request shall be submitted with a fee pursuant to Section 16.74.020 and shall include information on the following characteristics of the proposed use:

- A. Description of the activity to be conducted on the site.
- B. Noise and odor characteristics.
- C. Description of material or product storage requirements.
- D. Amount and type of traffic to be generated.
- E. Description of the structures required.

(Ord. No. 2012-011, § 2, 8-7-2012; Ord. 86-851, § 3)

16.88.030 - Approvals

The City Manager or his/her designee may authorize a use to be included among the allowed uses, if the use 1) is similar to and of the same general type as the uses specifically allowed; 2) is consistent with the Comprehensive Plan; and 3) has similar intensity, density, off-site impacts and impacts on community facilities as uses permitted in the zone, and described in section 16.88.040 below. The action of the City Manager or his/her designee may be appealed to the Commission in accordance with Chapter 16.76.

(Ord. No. 2012-011, § 2, 8-7-2012; Ord. 98-1053, § 1; Ord. 86-851)

16.88.040 - Uses

This chapter classifies land uses and activities into use categories on the basis of common functional, product, or physical characteristics. The use categories provide a systematic basis for assignment of present and future uses to zones. The decision to allow or prohibit the use categories in the various zones is based on the goals and policies of the Comprehensive Plan. Uses are assigned to the category whose description most closely describes the nature of the primary use. A primary use is the activity, or combination of activities of chief importance on the site, and the main purposes for which the land or structures are intended, designed, or ordinarily used. Accessory uses are uses or activities which are a subordinate part of a primary use and are clearly incidental to a primary use on site.

A. Residential Use Types

1. *Residential uses* are intended for habitation by one (1) or more individuals on a wholly or primarily non-transient basis. These uses usually include accommodations for cooking, sleeping, bathing, and similar common areas typically associated with habitation. Residential uses include, but are not limited to the following housing types:
 - (1) Single-family detached - A structure consisting of a single dwelling unit which is for occupancy by one (1) or more persons on a single parcel or lot.
 - (2) Single-family attached - A structure consisting of one (1) or more attached single dwelling unit which is for occupancy by one (1) or more persons on separate parcels or lots. Examples include but are not necessarily limited to townhomes and rowhouses.
 - (3) Two-family - A structure consisting of two (2) dwelling units on the same parcel or lot. Two (2) family homes are commonly referred to as a duplex.
 - (4) Multi-family - A structure consisting of three (3) or more dwelling units on the same parcel or lot. Multi-family homes include, but are not limited to garden apartments, apartments, condominiums, and in some cases attached townhomes or rowhouses on a single lot or parcel.
 - (5) Institutional and residential care facilities — A facility licensed by or under the authority of the Department of Health and Human Services under ORS 443.400 to 443.460 which provides residential care alone or in conjunction with treatment or training or a combination thereof for six (6) to fifteen (15) individuals who need not be related. Examples include residential care homes, group homes, halfway homes, etc.

B. Civic Use Types

1. *Civic uses* are basic governmental and private services intended to provide for the basic living, religious, educational, recreational, cultural, protective, and other similar needs of all citizens within the community. Examples include but are not limited to:
 - (1) Churches, mosques, temples and other religious facilities
 - (2) Hospitals
 - (3) Schools
 - (4) Major and minor utilities
 - (5) Transportation facilities
 - (6) Police and fire stations
 - (7) Post offices
 - (8) Senior centers
 - (9) Community centers
 - (10) Libraries
 - (11) Museums
 - (12) Fraternal lodges
 - (13) Veterans organizations
 - (14) Public parking garages
 - (15) Cemeteries and crematory mausoleums
 - (16) Public gardens, parks, trails, and playfields
 - (17) Government offices
 - (18) Treatment plants
 - (19) Public works yards
2. *Wireless communication uses* are uses that are associated with the provision of cellular, broadband, or other communication types that involve the placement of towers, relay stations, and similar infrastructure to provide service. Generally, wireless communication facilities include:
 - (1) Towers
 - (2) Transmitters

- (3) Antennae
- (4) Similar infrastructure intended to be protected by the Telecommunications Act of 1996.

C. Commercial Use Types

1. Commercial use types are uses that include the sale or rental of goods and services that are customarily associated with those businesses that are not considered to be civic or industrial uses. Examples of commercial use types can be identified through several different subcategories as follows:
 - a. *Entertainment and recreation uses* are establishments providing participant or spectator recreation or entertainment, either indoors or outdoors, for a fee or admission charge. Illustrative examples of commercial recreation and entertainment uses include:
 - (1) Adult entertainment businesses
 - (2) Theaters or cinemas
 - (3) Drive-in theaters
 - (4) Country clubs
 - (5) Recreational vehicle parks
 - (6) Private sports and racquet clubs
 - (7) Golf courses
 - (8) Arcades or electronic game centers
 - (9) Health and fitness clubs
 - (10) Bowling alley
 - (11) Ice/roller skating rinks
 - b. *Hospitality and lodging uses* are uses that provide temporary, short term lodging including:
 - (1) *Bed and breakfast* means a dwelling unit that offers guest rooms or suites for a fee for a limited period of time not to exceed thirty (30) days, with incidental eating and drinking service provided from a single kitchen for guests only.
 - (2) *Hotel* means an establishment that provides guest rooms or suites for a fee to transient guests for sleeping purposes. Access to units is primarily from interior lobbies, courts, or halls. Related accessory uses may include conference and meeting rooms, restaurants, bars, and recreational facilities. Guest rooms may or may not contain kitchen facilities for food preparation (i.e., refrigerators, sinks, stoves, and ovens). Hotels with kitchen facilities are commonly known as extended stay hotels.
 - (3) *Motel* means an establishment that provides guest rooms for a fee to transient guests for sleeping purposes. Guest rooms do not contain kitchen facilities. A motel is distinguished from a hotel primarily by direct independent access to, and adjoining parking for, each guest room.
 - c. *Motor vehicle related uses* include the sales, servicing, rental, and storage of motorized vehicles including automobiles, trucks, motorcycles, boats, recreational vehicles, trailers, helicopters, airplanes, scooters, construction equipment, tractors, semi-trucks, and similar type uses. This category includes:
 - (1) Motorized vehicle and sport craft repairs and service
 - (2) Automotive, boat, trailer and recreational vehicle storage.
 - (3) Vehicle fueling stations
 - (4) Car wash facilities
 - (5) Junkyards
 - (6) Salvage yards
 - (7) Manufactured home sales and display areas.
 - d. *Office and professional services uses* are uses where business services are provided to the general public, or in some cases, where professional services (e.g., accounting, architectural, engineering, legal, planning, psychological, psychiatric, etc.) are provided. Office and Professional Services generally provide clerical, duplicating, photocopying, mailing services, fax and computer services, executive, management, or administrative services for private firms or organizations. Office and Professional Services uses do not include medical and dental offices. Examples of office and professional services include, but are not limited to:
 - (1) Law offices
 - (2) Architecture and engineering offices
 - (3) Accounting offices
 - (4) Call centers
 - (5) Financial, insurance, and real estate offices
 - e. *Medical and dental office uses* are offices that provide personal health services including prevention, diagnosis, treatment, and rehabilitation services provided by physicians, naturopaths, dentists, physician assistants, physical therapists, chiropractors, massage therapists, and similar uses. Medical laboratories are allowed under this classification as an accessory use. Examples include, but are not limited to:
 - (1) Clinics
 - (2) Veterinary offices
 - (3) Animal hospitals
 - (4) Dentist offices
 - (5) Doctors' offices
 - (6) Urgent care facilities
 - f. *Childcare uses* are uses that provide nonmedical care for children on less than a twenty-four (24) hour basis that are regulated under the most current Oregon Revised Statute ORS 657A. Childcare uses do not include facilities providing care that is primarily group athletic or social activities sponsored by or under the supervision of an organized club or hobby group. Childcare uses include the following uses:
 - (1) In-home daycare means any use that provides day care to fewer than six (6) children within the care givers primary residence.
 - (2) Daycare Facility means any facility that provides day care to six (6) or more children, including a child day care center or group day care home, including those known under a descriptive name, such as nursery school, preschool, kindergarten, child playschool, child development center, except for those facilities excluded by law, and family day care providers as defined by this code. This term applies to the total day care operation and it includes the physical setting, equipment, staff, provider, program, and care of children.
 - g. *General retail uses* are uses that engage in the sale or rental of commonly used merchandise and goods that are consumed for everyday living. The City of Sherwood classifies general retail uses into large format and small format. Large format facilities are ten thousand (10,000) square feet or greater and small format are retail facilities that are less than ten thousand (10,000) square feet. General Retail uses may include but are not limited to:
 - (1) Grocery stores
 - (2) Department stores
 - (3) Convenience stores without fuel sales
 - (4) Furniture stores

- (5) Hardware stores
- (6) Pharmacies
- (7) Book stores
- (8) Electronics stores
- (9) Auto parts stores
- (10) Sporting goods stores
- (11) Toy stores
- (12) Jewelry stores

h. *Personal services uses* are uses that people come to rely on for their personal needs, but are not necessarily required on a daily basis. Examples of personal service uses include, but are not limited to:

- (1) Barbershops and beauty salons
- (2) Dry cleaning pick-up stores with limited equipment
- (3) Laundromats (self-service laundries)
- (4) Locksmiths
- (5) Shoe repair shops
- (6) Tailors and seamstresses
- (7) Health and fitness clubs
- (8) Dance or music studios
- (9) Pet grooming
- (10) Indoor pet daycare

i. *Eating and drinking establishments* are uses that sale prepared food and beverages for consumption on or off of the site on which the business sits. Examples include but are not limited to:

- (1) Restaurants (including drive-through, fast food, and sit-down)
- (2) Taverns and lounges
- (3) Coffee shops
- (4) Ice cream shops
- (5) Sandwich shops

D. Industrial Use Types

1. *Distribution, warehousing, and storage uses* are uses that engage in warehousing, storing, or distributing goods primarily to retailers; to industrial, commercial, institutional, or professional businesses. Generally, these uses are not open to the public. Uses within this category, may include but are not limited to:

- (1) Moving companies
- (2) Mini-storage
- (3) Specific retail storage and distribution
- (4) Freight delivery
- (5) Beverage distribution.

2. *Laboratory uses* are facilities that primarily engage in the research, development, and controlled production of electronic, industrial, medical, dental, biotechnological, and scientific commodities.

3. *Metal fabrication and engineering uses* are uses that involve the design and processing of metals to create new products. Examples include but are not limited to:

- (1) Machine shops
- (2) Fabrication shops
- (3) Welding shops

4. *Small-scale industrial service uses* are uses that manufacture finished parts or products primarily from previously prepared materials; and provide industrial services within an enclosed building. These uses include the outdoor storage of products, materials, equipment, or bulk fuels. Examples include uses that assemble and process food products, appliances, textiles and fiber products, pottery, glass, small electronics, maintenance equipment, vending machines, cosmetics, and tools. This category may also include:

- (1) Contractor's storage and equipment yards
- (2) Laundry and dry cleaning plants
- (3) Fabric dyeing facilities
- (4) Auto dismantling within an enclosed building
- (5) Manufacture of stone works and concrete products (excluding concrete ready-mix plants)
- (6) Commercial bakeries
- (7) Small scale energy facilities include facilities, such as solar panels, that produce energy but are generally not visible from neighboring properties, with the exception of facilities attached to a building that do not exceed the height limits of the underlying zone and do not exceed the building height by more than twenty-five (25) percent.

5. *Large-scale industrial service uses* are uses that use mechanical or chemical transformation of materials or substances to manufacture or process new products. The land uses engaged in these activities are usually described as plants, factories or mills and characteristically use power-driven machines and materials handling equipment. Establishments engaged in assembling component parts of manufactured products are also considered under this classification. Also included, is the blending of materials such as lubricating oils, plastic resins, or metals. Examples of large-scale industrial service uses include, but are not limited to:

- (1) Sawmills
- (2) Pharmaceutical manufacturers
- (3) Pulp and paper mills
- (4) Distillation of oil, coal, wood, or tar compounds and the creosote treatment of products
- (5) Metal rolling and extraction mills
- (6) Forge plants
- (7) Smelters
- (8) Blast furnaces
- (9) Sand and gravel pits
- (10) Rock crushing facilities

- (11) Aggregate storage and distribution facilities
 - (12) Concrete or asphalt batch plants
 - (13) Solid waste transfer stations
 - (14) Large scale energy facilities are facilities that generally exceed the impacts associated with a small-scale energy facility, and may include power plants, solar farms, and other similar uses.
6. *Hazardous facilities* are uses that manufacture, process, or dispose of chemicals and compounds that are determined by a public health official to be detrimental to the health, safety, and welfare of the community and may include acids, paints, dyes, toxins, explosive materials, ammonia, chlorine, sodium compounds, fertilizers, herbicides, insecticides, and similar chemicals or compounds.
- E. Agriculture Use Types
1. *Agricultural uses* are uses that facilitate farming and horticulture. Allowed uses include the sales and rental of farm equipment, farm activities as defined by ORS 215, which states, "'farm use" means the current employment of land for the primary purpose of obtaining a profit in money by raising, harvesting and selling crops or the feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur-bearing animals or honeybees or for dairying and the sale of dairy products or any other agricultural or horticultural use or animal husbandry or any combination thereof. "Farm use" includes the preparation, storage and disposal by marketing or otherwise of the products or by-products raised on such land for human or animal use. "Farm use" also includes the current employment of land for the primary purpose of obtaining a profit in money by stabling or training equines including but not limited to providing riding lessons, training clinics and schooling shows. "Farm use" also includes the propagation, cultivation, maintenance and harvesting of aquatic, bird and animal species that are under the jurisdiction of the State Fish and Wildlife Commission, to the extent allowed by the rules adopted by the commission. "Farm use" includes the on-site construction and maintenance of equipment and facilities used for the activities described in this subsection.
- (Ord. No. 2012-011, § 2, 8-7-2012)

Hillsboro Code (research date 10/30/15)**12.10.300 Industrial Use Categories.**

Industrial use categories include the following sections:

12.10.310	Industrial Services
12.10.320	Manufacturing and Production
12.10.330	Solid Waste Treatment and Recycling
12.10.340	Vehicle Storage
12.10.350	Warehouse and Freight Movement
12.10.360	Wholesale Sales

12.10.310 Industrial Services.

A. Characteristics. Industrial Services Uses are engaged in repair and/or servicing of industrial, business or consumer machinery, equipment, products or by-products or in training or instruction of such repair or servicing. Contractors and building maintenance firms and similar Uses perform services on- or off-site.

B. Examples of Uses.

- Building, heating, plumbing and electrical contractors
- Bulk sales of building materials and landscaping materials
- Contracting firms with on-site storage of equipment and materials
- Data storage, processing and information technology centers
- Equipment rental facilities
- Extermination services
- Fuel oil distribution and solid fuel yards
- Heavy truck servicing and repair
- Janitorial and building maintenance services
- Laundry, dry-cleaning and carpet cleaning plants (not self-service)
- Printing, publishing and lithography shops
- Research and development laboratories
- Repair and servicing of heavy construction or farm equipment (not automobiles)
- Tire retreading or recapping
- Tool, electric motor and scientific or professional instrument repair
- Trade schools where industrial vehicles and equipment are operated

- Truck stops
- Welding and machine shops

C. Examples of Accessory Uses.

- Interior and exterior storage of equipment and materials
- Offices
- Parking for customers, employees and fleet vehicles

D. Exceptions.

1. If equipment and materials are stored off-site, and work is not undertaken on-site, contracting firms are classified as Industrial Services.
2. Hotels, restaurants and other services which are part of a truck stop are considered accessory to the truck stop.

12.10.320 Manufacturing and Production.

A. Characteristics. Manufacturing and Production companies are involved in the manufacturing, processing, fabrication, packaging and/or assembly of products on-site, using natural, man-made, raw, secondary or partially-completed materials. Products are generally not displayed or sold on site, but if so, sales and display are accessory to the primary Use. This category includes cottage industry as defined in Section 12.01.500. Products may be displayed or sold on site in a cottage industry Use.

B. Examples of Uses.

- Breweries, distilleries and wineries
- Catering establishments and commissaries
- Concrete batching and asphalt mixing plants
- Manufacture of solar, wind-power or other energy production devices
- Food, beverage, and related product processing
- Manufacture or assembly of machinery, equipment and instruments
- Manufacture of micro-processors and computer components
- Production of artwork and toys
- Production of chemical, rubber, leather, clay, bone, plastic, stone or glass materials or products
- Production of prefabricated structures, including manufactured dwellings
- Production or fabrication of metals or metal products including enameling and galvanizing
- Sign making
- Weaving or production of textiles or apparel

- Woodworking, including cabinet makers
 - Printing, publishing, and lithography shops
- C. Examples of Accessory Uses.
- Cafeterias
 - Employee recreational facilities
 - Interior and exterior storage
 - Offices
 - Parking for employees and fleet vehicles
 - Research and development specific to the primary Use
 - On-site caretaker residence
 - Food and beverage production, on-site tasting rooms, with or without food service
- D. Exceptions.
1. Manufacturing of goods to be sold primarily on-site and to the general public is classified as Retail Products and Services.
 2. Compost production and rendering plants are classified as Solid Waste Treatment and Recycling.

12.10.330 Solid Waste Treatment and Recycling.

- A. Characteristics. Solid Waste Treatment and Recycling are characterized by Uses that receive, process and/or recycle solid waste materials.
- B. Examples of Uses.
- Vehicle and heavy machinery salvage and wrecking
 - Energy recovery plants
 - Hazardous-waste collection sites
 - Portable toilet collection, storage and pumping
 - Commercial recycling collection sites
 - Landfills
 - Commercial waste composting and/or compost production
 - Rendering plants
- C. Examples of Accessory Uses.
- Loading docks
 - Material recycling facilities
 - Offices
 - Parking for employees and fleet vehicles
 - Re-packaging, sales and shipment of by-products and salvaged goods

D. Exceptions.

1. Disposal of clean fill material, as defined in OAR 340-093-0030, is not regulated as a land use.
2. Community recycling or composting facilities at a community garden are classified as Community Services.

12.10.340 Vehicle Storage.

A. Characteristics. Vehicle storage yards provide covered or uncovered storage facilities for vehicles including automobiles, trucks, trailers, boats and recreational vehicles.

B. Examples of Uses.

- Vehicle impoundment yards
- Vehicle fleet storage and maintenance facilities
- Towing and vehicle storage operations
- School bus yards
- Recreational vehicle storage

C. Examples of Accessory Uses.

- Caretaker's residence
- Offices for security and/or leasing functions
- Waste disposal facilities for tenants' use
- Mini-warehouse units accessory to the vehicle storage
- Fleet maintenance, refueling and storage
- Parking for customers and employees

D. Exceptions. None.

12.10.350 Warehouse and Freight Movement.

A. Characteristics. Warehouse and Freight Movement companies are involved in the storage, repackaging, delivery and movement of products.

B. Examples of Uses.

- Centralized warehouses
- Cold storage plants, including frozen food lockers
- General freight storage
- Household and business moving operations
- Major post offices
- Major wholesale distribution centers
- Parcel or postal distribution facilities

- Storage and stockpiling of sand, gravel, or other aggregate or raw materials
- Freight terminals and yards
- Mail-order merchandise warehouses
- Heavy rail facilities
- Transfer and storage facilities without individual units

C. Examples of Accessory Uses.

- Loading docks
- Maintenance areas
- Offices
- Parking for customers, employees and fleet vehicles
- Customer support centers

D. Exceptions.

1. Uses that involve the transfer or storage of solid or liquid wastes are classified as Solid Waste Treatment and Recycling.
2. Mini-warehouses are classified as Self-Service Storage.

12.10.360 Wholesale Sales.

A. Characteristics. Wholesale Sales companies are involved in the sale, lease and/or rental of products primarily to businesses. On-site sales to the general public are limited.

B. Examples of Uses.

- Mail order houses
- Sale and/or rental of construction and farm machinery, equipment, and vehicles, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment and store fixtures
- Wholesalers of food, clothing, auto parts, building hardware and office supplies

C. Examples of Accessory Uses.

- Offices
- Product repair facilities
- Parking for customers, employees and fleet vehicles
- Warehouses

D. Exceptions.

1. Companies that engage primarily in sales to the general public are classified as Retail Products and Services.

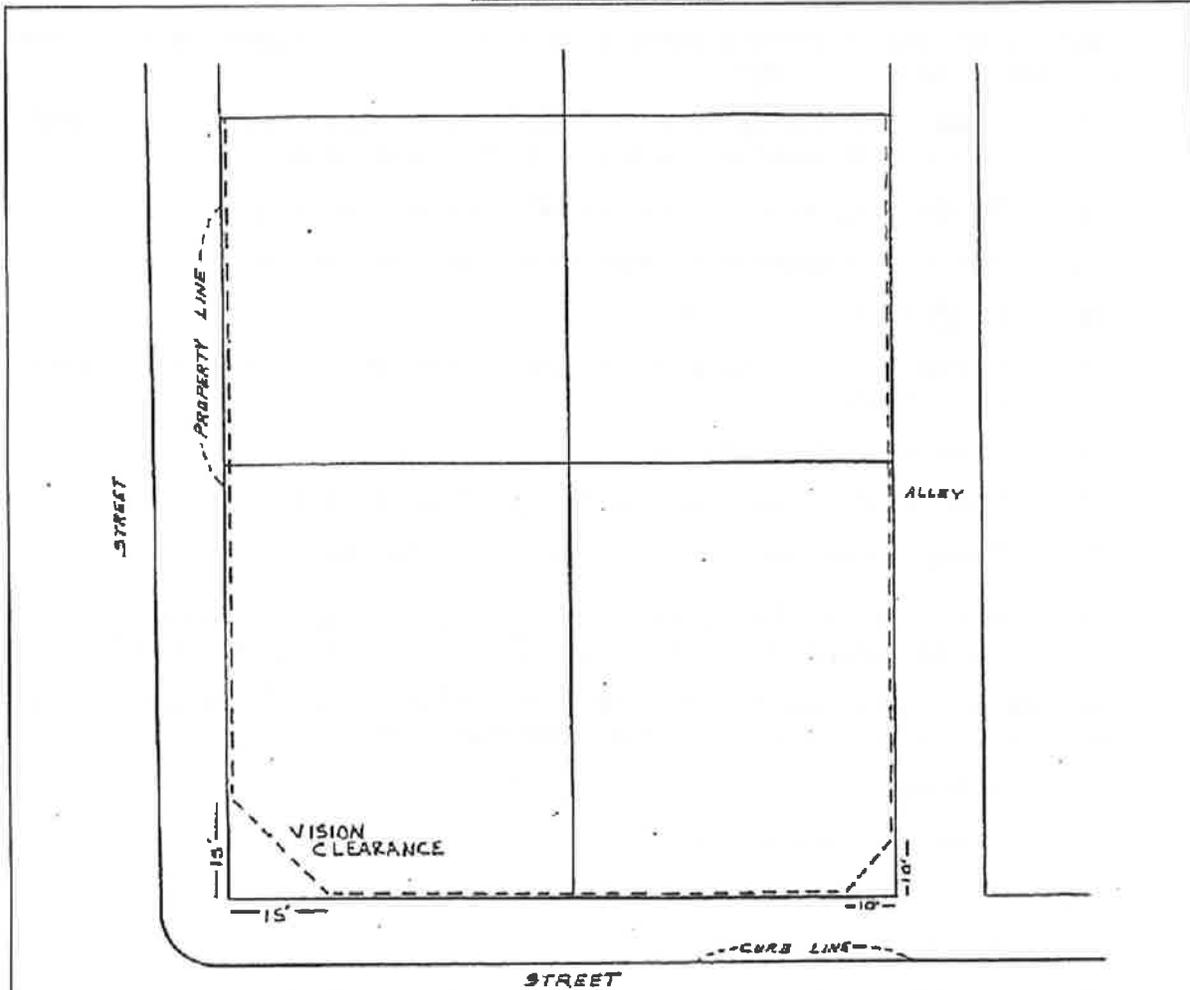
2. Companies that engage in sales on a membership basis are classified as either Retail and Products Services or Wholesale Sales, based on the characteristics of the Use.
3. Companies that are primarily storing goods with little on-site business activity are classified as Warehouse and Freight Movement.

Hillsboro Zoning Ordinance No. 1945

Sections 60 to 64A: M-2 Industrial Zone

For reference only. Information on this page not adopted as part of this Zoning Ordinance.

Industrial Zone M-2



M-2 INDUSTRIAL ZONE

Minimum Front and Side Yards.....	1 Foot if abutting public street or alley
Minimum Rear Yard.....	none
Minimum Lot Size.....	none
Minimum Width at Building Line.....	none
Minimum Lot Depth.....	none
Maximum Lot Coverage.....	none
Maximum Building Height.....	none

Industrial Zone M-2

Section 60. Uses Permitted Outright. In a M-2 zone, the following uses and their accessory uses are permitted outright:

- (1) A use permitted outright in a C-1 Zone, excluding mobile home parks and major retail use. (Amended by Ord. Nos. 2386/10-70 and 5050/8-01.)
- (2) Manufacturing, repairing, compounding, processing, or storage.
- (3) Dwelling for a caretaker or watchman working on the property.
- (4) (Deleted by Ord. No. 2910/6-78.)
- (5) Railroad tracks and facilities such as switching yards, spur or holding tracks, freight depots.
- (6) Wholesale distributor or outlet.
- (7) Light Rail Construction Area. (Added by Ord. No. 4300/12-94.)
- (8) Transit Park and Ride. (Added by Ord. No. 4300/12-94.)
- (9) Animal Services Facility including overnight boarding, but excluding outdoor exercise areas except as provided in Section 61. (Added by Ord. No. 5960/3-11.)

Section 61. Conditional Uses Permitted. In a M-2 Zone the following uses and their accessory uses are permitted when in accordance with Section 78 to 83:

- (1) Junk yard.
- (2) Motor vehicle wrecking yard.
- (3) (Deleted by Ord. No. 3029/8-79.)
- (4) Automobile service station. (Added by Ord. No. 2526/8-72.)
- (5) Corrections Facilities including, but not limited to, jails, half-way houses, probation center, and restitution centers. (Added by Ord. No. 2910/6-78.)
- (6) Radio transmission facilities. (Added by Ord. No. 3194/12-80.)
- (7) Child Care Facility. (Added by Ord. No. 3280/11-81 and Amended by Ord. No. 5168/7-02.)
- (8) Recreation Vehicle Parks (Added by Ord. No. 3609/4-86.)
- (9) School: junior high or senior high, college or university. (Added by Ord. No. 3775/8-88.)
- (10) Car Wash Facilities. (Added by Ord. No. 5106/2-02.)
- (11) Outdoor exercise areas accessory to animal services facilities. (Added by Ord. No. 5960/3-11.)

Section 62. Limitations on Use. In a M-2 Zone the following conditions and limitations shall apply:

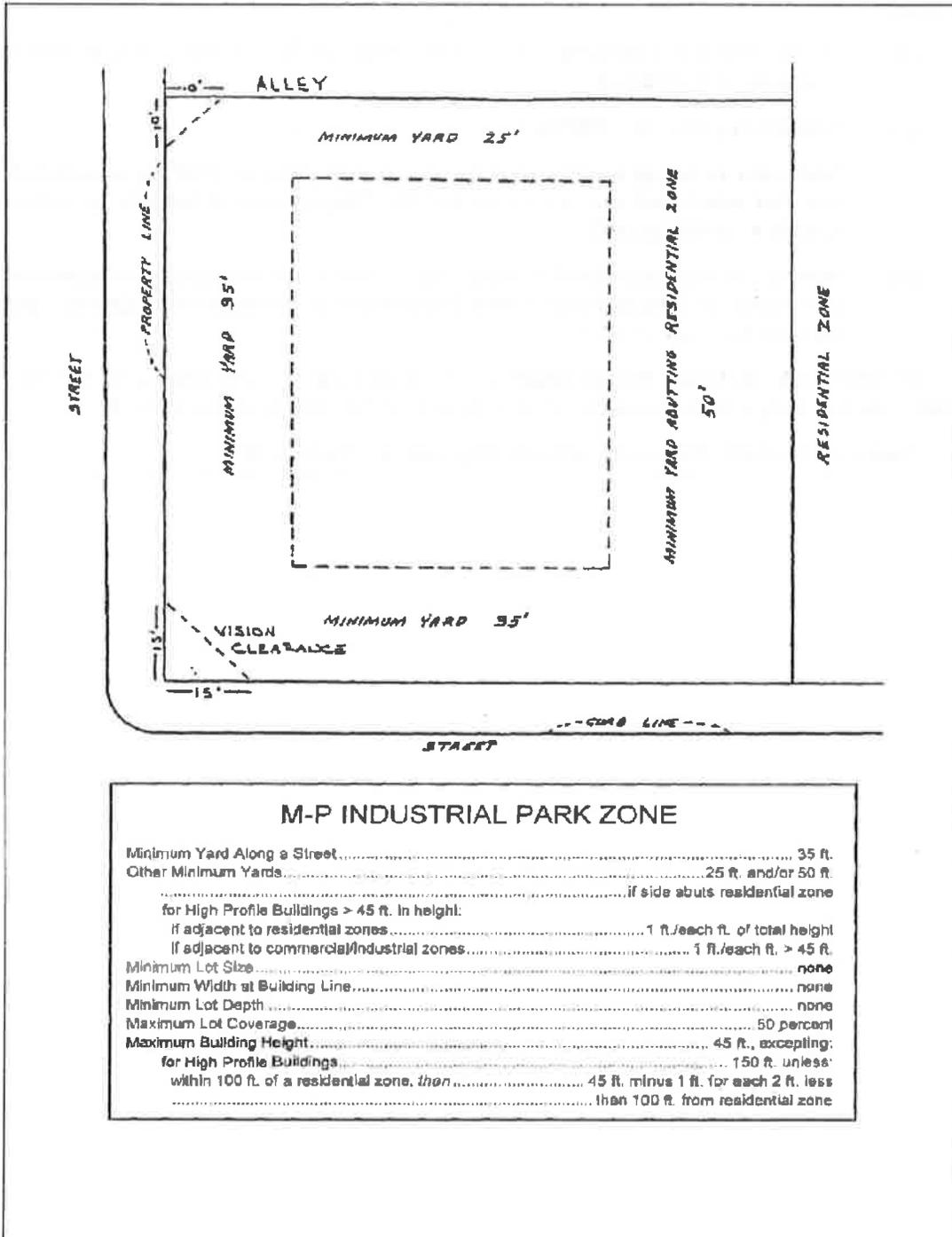
- (1) A use having the primary function of storing, utilizing or manufacturing explosive materials is prohibited.
- (2) (Deleted by Ord. No. 3343/7-82.)
- (3) Materials including wastes shall be stored and grounds shall be maintained in a manner which will not attract or aid the propagation of insects or rodents or create a health hazard.
- (4) Any use or operation shall comply with current state air quality and noise statutes and rules, as administered by the Department of Environmental Quality. (Added by Ord. No. 3343/7-82.)

Section 62A. Setback Requirements. The front yard and any side yard abutting upon a public street or alley shall be a minimum of one foot. (Added by Ord. No. 2497/3-72.)

Section 63 – 64A. (Deleted) (Deleted by Ord. No. 2670/9-74.)

For reference only. Information on this page not adopted as part of this Zoning Ordinance.

M-P Industrial Park Zone



M-P INDUSTRIAL PARK ZONE	
Minimum Yard Along a Street.....	35 ft.
Other Minimum Yards.....	25 ft. and/or 50 ft.
.....if side abuts residential zone	
for High Profile Buildings > 45 ft. in height:	
if adjacent to residential zones.....	1 ft./each ft. of total height
if adjacent to commercial/Industrial zones.....	1 ft./each ft. > 45 ft.
Minimum Lot Size.....	none
Minimum Width at Building Line.....	none
Minimum Lot Depth.....	none
Maximum Lot Coverage.....	50 percent
Maximum Building Height.....	45 ft., excepting:
for High Profile Buildings.....	150 ft. unless:
within 100 ft. of a residential zone, then.....	45 ft. minus 1 ft. for each 2 ft. less
than 100 ft. from residential zone.....	

Commercial Support Services: The following uses have been interpreted by the Hillsboro Planning Commission as commercial support services within the Industrial Park (M-P) zone; as referenced in the City of Hillsboro Zoning Ordinance No. 1945, Volume 1, Section 65 (8).

- (1) Banks;
- (2) Restaurants; (Amended by INT 1-04)
- (3) Day care centers;
- (4) Quick print shops;
- (5) Beauty salons and barber shops;
- (6) Dance, sports, and physical fitness center with a maximum floor area not exceeding 6,000 square feet;
- (7) Physical therapy clinics primarily for rehabilitation of injured workers;
- (8) Educational Facility providing tutoring service for students ages 5 through 18, restricted to 5,000 square feet or less in existing buildings;
- (9) Private Mailbox Service Center;
- (10) Private university restricted to 15,000 square feet of building space;
- (11) Executive suites hotel with restaurant and other amenities to serve industrial/business community; and,
- (12) Office supply retailer.

Section 65. Uses Permitted Outright. In a M-P zone the following uses and their accessory uses are permitted outright:

- (1) Dwelling for a caretaker or watchman working on the property.
- (2) Manufacturing, repairing, compounding, processing, or storage.
- (3) Office.
- (4) Public service or utility use.
- (5) Railroad tracks and facilities necessary to serve other permitted uses.
- (6) Research laboratory.

- (7) Wholesale distributor or outlet.
- (8) Commercial support services. (Amended by Ord. No. 3018/7-79.)
- (9) Offices or clinics for medicine, dentistry or other practices of the healing arts. (Added by Ord. No. 3942/8-90.)
- (10) Light Rail Facility. (Added by Ord. No. 4300/12-94.)
- (11) Customer service communications center. (Added by Ord. No. 4902/5-00.)

Section 65A. Conditional Uses Permitted. In a M-P zone, the following uses and their accessory uses are permitted when in accordance with Sections 78 to 83: (Added by Ord. No. 3194/12-80.)

- (1) Radio transmission facilities. (Added by Ord. No. 3194/12-80.)
- (2) Commercial recreational facility. (Added by Ord. No. 3599/2-86.)
- (3) Bed and Breakfast Inn. (Added by Ord. No. 4100/10-92.)
- (4) Conference Center. (Added by Ord. No. 4100/10-92.)
- (5) Mixed Use Industrial/Commercial Development, on sites smaller than two acres, within the Station Area Interim Protection District. (Added by Ord. No. 4223/4-94.)
- (6) Church, within an existing building. (Added by Ord. No. 4232/5-94.)
- (7) Light Rail Construction Area. (Added by Ord. No. 4300/12-94.)
- (8) Transit Park and Ride. (Added by Ord. No. 4300/12-94.)
- (9) Incidental truck and trailer rental within existing storage facilities. (Added by Ord. No. 4618/10-97.)
- (10) Veterinary Clinics and Animal Hospitals excluding outside animal runs. (Added by Ord. No. 4712/10-98.)
- (11) Colleges and Universities. (Added by Ord. No. 4772/4-99.)
- (12) Card lock fueling center. (Added by Ord. No. 5036/6-01.)
- (13) Animal Services Facility, with or without overnight boarding and/or outdoor exercise area. (Added by Ord. No. 5960/3-11.)

Section 66. Excluded Uses. In a M-P zone, notwithstanding the provisions of Section 65, the following uses are prohibited: (Added by Ord. No. 4670/4-98.)

- (1) A use having the primary function of storing, utilizing, or manufacturing explosive materials;
- (2) Rock crushing facilities; (Added by Ord. No. 4670/4-98.)
- (3) Aggregate storage and distribution facilities; (Added by Ord. No. 4670/4-98.)
- (4) Concrete and/or asphalt batch plants. (Added by Ord. No. 4670/4-98.)

Section 67. Signs. (Deleted by Ord. No. 5676/10-06. See Municipal Code Chapter 11.32)

Section 68. Setback Requirements. Except as provided in Section 93, in a M-P zone the yards shall be as follows:

- (1) For buildings 45 feet in height or less, the yard along a street other than an alley shall be a minimum of 35 feet.
- (2) For buildings 45 feet in height or less, the size of other yards shall be a minimum of 25 feet, except where the side of the lot is abutting a residential zone the yard shall be a minimum of 50 feet.
- (3) For high profile industrial buildings 45 feet or more in height, front, side, and rear yard setbacks shall be as specified in sections (1) and (2) above, plus an additional setback as follows:
 - (a) Adjacent to residential zones, one foot for each foot of total structural height; or
 - (b) adjacent to commercial or industrial zones, one foot for each foot of structural height above 45 feet. (Added by Ord. No. 4096/9-92.)

Section 69. Height of Buildings. In an M-P zone, the maximum structural height shall be 45 feet, with the exception of high profile industrial buildings as defined in Section 3 of this Ordinance. The maximum structural height of a high profile industrial building shall be 150 feet. However, all industrial structures placed closer than 100 feet to a residential zone shall have a maximum height of 45 feet minus one foot for each two feet less than 100 feet from the residential district boundary. (Amended by Ord. No. 4096/9-92 and 5955/12-10.)

Section 70. Lot Coverage. In a M-P zone buildings shall not occupy more than 50 percent of the lot area.

Section 71. Off-Street Parking and Loading. In a M-P zone, in addition to the requirements of Section 84 to 86, parking or loading shall not be permitted within a required side

or rear yard abutting a residential zone or within a required front yard unless the setback is increased to 75 feet and the first 20 feet from the property line are landscape.

Section 72. Performance Standards. In a M-P zone no land or structure shall be used or occupied unless there is continuing compliance with the following standards:

- (1) **Air Quality and Noise.** All uses and operations shall comply with current state air quality and noise statutes and rules, as administered by the Department of Environmental Quality. (Amended by Ord. No. 3343/7-82.)
- (2) (Deleted by Ord. No. 3343/7-82.)
- (3) (Deleted by Ord. No. 3343/7-82.)
- (4) (Deleted by Ord. No. 3343/7-82.)
- (5) **Heat and glare.**
 - (a) Except for exterior lighting, operations producing heat or glare shall be conducted entirely within an enclosed building.
 - (b) Exterior lighting shall be directed away from adjacent properties.
- (6) **Insects and rodents.** Materials including wastes shall be stored, and grounds shall be maintained in a manner that will not attract or aid the propagation of insects or rodents or create a health hazard.
- (7) **Materials and equipment storage.** The open storage of materials and equipment is permitted only under the following conditions:
 - (a) The storage must be in an area contained by a sight-obscuring fence at least six feet high, but no more than 10 feet high.
 - (b) Other standards of this Section apply.
- (8) **Boundary fences.** Fences will be allowed inside of a boundary planting screen and where it is necessary to protect property of the industry concerned or to protect the public from a dangerous condition with the following provisions:
 - (a) No fence shall be constructed in the required setback from a public right-of-way.
 - (b) Fences shall be of open wire mesh or similar open construction.

(9) Vehicular access.

- (a) Access points to an industrial site from a street shall be located to minimize traffic congestion and, to the extent possible, to avoid directing traffic into residential areas, all as approved by the Planning Commission.
- (b) Where possible within industrial districts, access to the street shall be made to serve more than one industrial site.

(10) Landscaping.

- (a) Properties abutting a residential Comprehensive Plan Land Use Map designation boundary shall provide and maintain a dense evergreen landscape buffer and such other screening measures as may be prescribed by the Planning Director in the event differences in elevation should defeat the purpose of this requirement. (Amended by Ord. No. 5955/12-10)
- (b) Yards adjacent to streets and those abutting a residential Comprehensive Plan Land Use Map designation boundary shall be continuously maintained in lawn, with lawn and trees or shrubs established and maintained in a manner providing a park-like character to the property. (Amended by Ord. No. 5955/12-10)
- (c) Other yards and unused property shall be maintained in grass or other suitable ground cover.
- (d) Sites of high profile industrial buildings shall have enhanced evergreen landscaping buffers and earthen berms as necessary to mitigate the increased visual impact of the taller building(s). The height and/or screening intensity of the landscaping and berms shall be determined in relation to the proximity of the high profile building(s) to a public street or an adjacent non-Industrial Comprehensive Plan Land Use Map designation boundary. (Added by Ord. No. 5955/12-10)

Section 73. (Deleted by Ord. No. 3543/6-85.)

Section 74. Administration and Enforcement.

- (1) Records. In an M-P zone as a condition for the granting of a building permit, it shall be agreed that, upon request of the city, information sufficient to determine the degree of compliance with the standards in Section 72 shall be furnished by the industry. Such requests may include a requirement for continuous records of operation likely to violate the standards, for periodic checks to assure maintenance of standards, or for special surveys in the event a question arises as to compliance.
- (2) (Deleted by Ord. No. 3110/4-80.)

- f. Hours of operation;
 - g. Building and site arrangement;
 - h. Vehicles used with the activity;
 - i. The relative number of vehicle trips generated by the activity;
 - j. Signs;
 - k. How the use advertises itself; and
 - l. Whether the activity would be likely to be found independent of the other activities on the site.
- B. Developments with multiple primary uses. When all of the primary uses of a development fall within one use category, then the development is assigned to that use category. When the primary uses of a development fall within different use categories, each primary use is classified in the applicable category and is subject to the regulations for that category.
- C. Accessory uses. Accessory uses are allowed by right in conjunction with the use unless stated otherwise in the regulations. Also, unless otherwise stated, they are subject to the same regulations as the primary use. Common accessory uses are listed as examples with the categories.
- D. Use of examples. The “Examples” subsection of each use category provides a list of examples of uses that are included in the use category. The names of uses on the lists are generic. They are based on the common meaning of the terms and not on what a specific use may call itself. For example, a use whose business name is “Wholesale Liquidation” but that sells mostly to consumers, would be included in the Sales Oriented Retail Category rather than the Wholesale Sales Category. This is because the actual activity on the site matches the description of Sales Oriented Retail. (Ord. 10-15 §1)

18.130.025 Category Titles

The names of the use categories start with capital letters throughout this title. (Ord. 10-15 §1)

18.130.030 Omitted and Unanticipated Uses

- A. Purpose. It is not possible to contemplate all of the various uses which will be compatible within a zoning district. Therefore, unintentional omissions occur and unanticipated uses may not be clearly assignable to a use category. The purpose of these provisions is to establish a procedure for determining whether certain specific uses would have been permitted in a zoning district had they been contemplated and whether such omitted and/or unanticipated uses are compatible with the listed uses.
- B. Process. The Director shall render an interpretation, as governed by Chapter 18.340.
- C. Approval standards. Approval or denial of an unlisted use application by the director shall be based on findings that:
- 1. The use is consistent with the intent and purpose of the applicable zoning district;

2. The use is similar to and of the same general type as the use categories listed in the zoning district;
3. The use has similar intensity, density, and off-site impacts as the use categories listed in the zoning district, to be evaluated using the criteria set forth in 18.130.015.A.2; and
4. The use has similar impacts on the community facilities as the listed use categories. Community facilities include streets, schools, libraries, hospitals, parks, police and fire stations, and water, sanitary sewer and storm drainage systems.

D. Other provisions.

1. The director shall not authorize an omitted and/or unanticipated use in a zoning district if the use category is specifically listed in another zone as either a permitted use, restricted use, or a conditional use.
2. The director shall maintain a list by zoning district of approved unlisted uses and the list shall have the same effect as an amendment to the use provisions of the applicable zone. (Ord. 10-15 §1)

18.130.040 Residential Use Types

A. Group Living.

1. Characteristics: Group Living is a living facility for groups of unrelated individuals which includes at least one person residing on the site who is responsible for supervising, managing, monitoring, and/or providing care, training, or treatment of residents. Large group living facilities may also be characterized by shared facilities for eating, hygiene, and/or recreation.
2. Accessory uses: Accessory uses commonly found are recreational facilities and parking.
3. Examples: Examples include dormitories; communes; fraternities and sororities; monasteries and convents; nursing and convalescent homes; some group homes for the physically and mentally disabled; and some residential programs for drug and alcohol treatment.
4. Exceptions:
 - a. Does not include lodging meeting the definition of Transitional Housing, Detention Facilities, and/or Commercial Lodging.
 - b. Does not include lodging where the residents meet the definition of Household, and where tenancy is arranged on a month-to-month basis, or for a longer period, which is classified as Household Living.

B. Household Living.

1. Characteristics: Household Living is characterized by the residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month-to-month basis, or for a longer period. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of commercial lodging or transitional housing. Apartment complexes that have accessory services such as food service, dining rooms, and housekeeping are included as

Household Living if tenancy meets length of stay requirements and residents have access to facilities for individual meal preparation. The maximum number of people who may reside in any given dwelling unit shall be determined by the state building code.

2. Accessory Uses: Accessory uses commonly found are recreational activities, keeping of normal household pets, hobbies, and parking of the occupants' vehicles. Home occupation and accessory dwelling units are examples of accessory uses that are subject to additional regulations.
3. Examples: Uses include living in houses, duplexes, apartments, condominiums, retirement center apartments, manufactured housing, and other structures with self-contained dwelling units. Includes most types of senior housing, e.g., congregate care, assisted living, if residents live in self-contained units.
4. Exceptions:
 - a. Does not include for-profit lodging, where tenancy may be arranged for periods less than one month. Such uses are considered a hotel or motel use and are classified as commercial lodging.
 - b. Does not include lodging meeting the definition of Transitional Housing.

C. Transitional Housing.

1. Characteristics: Transitional housing is characterized as public or non-profit living facilities possessing the same characteristics as Household or Group Living, but with tenancy less than 45 days.
2. Accessory Uses: Accessory uses commonly found are recreational facilities, parking of autos for the occupants and staff, and parking of vehicles for the facility.
3. Examples: Examples include homeless shelters, women's/children's shelters, drug/alcohol treatment facilities.
4. Exceptions:
 - a. Does not include for-profit lodging where tenancy may be arranged for periods less than one month, which is considered a hotel or motel use and is classified as Commercial Lodging
 - b. Does not include residential uses meeting the definition of Group Living.
 - c. Does not include residential uses where the residents meet the definition of Household Living.
 - d. Does not include residential uses meeting the definition of Detention Facilities. (Ord. 10-15 §1)

18.130.050 Civic Use Categories

A. Basic Utilities.

1. Characteristics: Basic Utilities are infrastructure services which need to be located in or near where the service is provided. Service may be public or privately provided.
2. Accessory Uses: Accessory uses commonly found are parking; and control, monitoring, data or transmission equipment and shelters.
3. Examples: Examples include water and sewer systems, telephone exchanges, power substations, and transit stations.
4. Exceptions:
 - a. Utility Offices where employees or customers are generally present are classified as offices.
 - b. Bus barns are classified as Warehouse/Freight Movement.
 - c. Public or private passageways, including easements, for the express purpose of transmitting or transporting electricity, gas, oil, water, sewage, communication signals, or other similar services on a regional level are classified as Rail Lines and Utility Corridors.

B. Colleges.

1. Characteristics: Colleges are institutions of higher education leading to a general or specialized degree. They are certified by the State Board of Higher Education or by a recognized accrediting agency, and tend to be in a campus like setting or on multiple blocks, with or without dormitories.
2. Accessory uses: Accessory uses commonly found include offices, housing for students, food service, laboratories, health and sports facilities, theaters, meeting areas, parking, maintenance facilities, and supporting commercial facilities.
3. Examples: Examples include universities, liberal arts colleges, community colleges, nursing and medical schools not accessory to a hospital, and seminaries.
4. Exceptions:
 - a. Does not include private, for-profit trade and vocational schools which are considered Personal Services.
 - b. Does not include public and private schools at the primary, elementary, middle, junior high, or high school level that provide state mandated basic education.

C. Community Recreation.

1. Characteristics: Community Recreation uses are public or non-profit recreational, social and multi-purpose facilities of an indoor and/or outdoor nature.
2. Accessory uses: Accessory uses commonly found are parking, offices, athletic facilities, clubhouses, picnic shelters, maintenance facilities, and concessions.
3. Examples: Examples include community centers, senior centers, indoor and outdoor tennis/racquetball and soccer clubs, indoor/outdoor swimming pools, parks, playgrounds, picnic areas and golf courses.

4. Exceptions:

- a. Does not include uses meeting the definition of Cultural Institutions.
- b. Does not include for-profit commercial recreational facilities which are considered Entertainment-Oriented Commercial Uses.
- c. Does not include multi-use trails, which are considered Transportation and Utility Corridors.

D. Cultural Institutions.

1. Characteristics: Cultural Institutions are uses of a public or non-profit nature which engage in the cultural, intellectual, historical, scientific, or artistic enrichment of the public.
2. Accessory uses: Accessory uses commonly found are parking, gift shops, bookstores, limited food and beverage services, and classrooms.
3. Examples: Examples include libraries, museums, and galleries.
4. Exceptions:
 - a. Does not include uses meeting the definition of Schools or Colleges.
 - b. Does not include uses meeting the definition of Community Recreation.
 - c. Does not include for-profit commercial recreational facilities which are considered Entertainment-Oriented Commercial.

E. Day Care.

1. Characteristics: Day Care is the provision of regular child care, with or without compensation, to four or more children by a person or person(s) who are not the child's parent, guardian, or person acting in place of the parent, in a facility meeting all state requirements.
2. Accessory uses: Accessory uses commonly found are offices, play areas and parking.
3. Examples: Examples include nursery schools, before-and-after school care facilities, and child development centers.
4. Exceptions:
 - a. Does not include care given by the parents, guardians, or relatives of the children, or by babysitters.

F. Emergency Services.

1. Characteristics: Emergency Services are public safety facilities necessary for the protection of life and property.
2. Accessory uses: Accessory uses may include offices; meeting areas; parking; food preparation areas; transmission equipment; and temporary holding cells within a police station.

3. Examples: Examples include police and fire stations, emergency communications, and ambulance services.
4. Exceptions:
 - a. Does not include uses meeting the definition of Detention Facilities.
 - b. Does not include uses meeting the definition of Medical Centers.

G. Medical Centers.

1. Characteristics: Medical Centers are facilities providing inpatient, outpatient, and emergency and related ancillary services to the sick and infirm, and are usually developed in a campus setting or on multiple blocks.
2. Accessory uses: Accessory uses may include diagnostic and treatment facilities, laboratories, surgical suites, kitchen/food service facilities; laundry, housekeeping and maintenance facilities; administrative offices and parking.
3. Examples: Examples include hospitals and medical complexes that include hospitals.
4. Exceptions:
 - a. Medical Centers may also include freestanding offices for hospital-based and/or private-practice physicians and other allied health care professionals; these medical office buildings are regulated as Offices.
 - b. Does not include uses meeting the definition of Emergency Services.

H. Postal Service.

1. Characteristics: Postal Service includes letter, periodical and package delivery services traditionally operated by the United States Postal Service and for-profit entities such as United Parcel Service and Federal Express. Such facilities typically include customer sales, sorting facilities, and fleet truck loading and storage.
2. Accessory uses: Accessory uses commonly found are offices, parking, and storage facilities.
3. Examples: Examples include U.S. Post Offices and parcel package distribution centers.

I. Religious Institutions.

1. Characteristics: Religious Institutions provide meeting space that is primarily used for religious worship.
2. Accessory uses: Accessory uses may include offices, classrooms, daycare, parking, social halls, and recreational activities.
3. Examples: Examples include churches, temples, synagogues, and mosques.

J. Schools.

1. Characteristics: Schools include public and private schools at the primary, elementary, middle, junior high, or high-school level that provide state-mandated basic education.
2. Accessory uses: Accessory uses may include play areas, cafeterias, recreational and sports facilities, athletic fields, auditoriums, and before-and-after-school daycare.
3. Examples: Examples include public and private daytime schools.
4. Exceptions:
 - a. Does not include preschools which are classified as Daycare uses.
 - b. Does not include private, profit-making trade and vocational schools which are considered Personal Services.
 - c. Does not include uses meeting the definition of Colleges.

K. Social/Fraternal Clubs/Lodges.

1. Characteristics: Social/Fraternal Clubs/Lodges are non-profit organizations with social, philanthropic, and/or recreational functions and activities.
2. Accessory uses: Accessory uses commonly found are offices, auditoriums, parking, and limited food and beverage service.
3. Examples: Examples include Veterans of Foreign Wars posts, Elks Lodges, and Masonic Temples. (Ord. 15-05 §2; Ord. 10-15 §1)

18.130.060 Commercial Use Categories

A. Adult Entertainment.

1. Characteristics: Adult Entertainment includes uses characterized or distinguished by an emphasis on matters depicting specified sexual activities or anatomical areas.
2. Accessory uses: Accessory uses commonly found include parking.
3. Examples: Examples include adult motion picture theaters, adult book stores, and topless, bottomless, and nude taverns and dance halls.

B. Animal-Related Commercial.

1. Characteristics: Animal-Related uses are those engaged in breeding, and/or boarding of normal household pets. Limited animal sales may or may not be part of the use.
2. Accessory uses: Accessory uses commonly found include parking, office space, and storage space.

3. Examples: Examples include animal breeders, kennels, overnight boarding facilities, and a single dwelling unit exclusively occupied by an on-site caretaker or the kennel owner/operator and family.
4. Exceptions:
 - a. Facilities where the primary activity is animal sales shall be considered Sales-Oriented Retail.
 - b. Does not include animal grooming, which is considered Personal Services or Repair-Oriented Retail.
 - c. Does not include veterinary clinics, which are considered Office.
 - d. Does not apply to poultry or livestock, which are considered an Agriculture/Horticulture Use.

C. Bulk Sales.

1. Characteristics: Establishments engaging in the sales, leasing, and rental of bulky items requiring extensive interior space for display.
2. Accessory uses: Accessory uses commonly found include parking, office space, and storage space.
3. Examples: Examples include furniture, large appliances, and home improvement.
4. Exceptions:
 - a. Does not include uses meeting the definition of Outdoor Sales.
 - b. Does not include Motor Vehicle Sales/Rental.

D. Commercial Lodging.

1. Characteristics: Commercial Lodging includes for-profit residential facilities where tenancy is typically less than one month.
2. Accessory uses: Accessory uses commonly found are parking, restaurants and bars, meeting and convention facilities, and recreational facilities for guests such as pools and gym.
3. Examples: Examples include hotels, motels, rooming houses, and bed-and-breakfast establishments.
4. Exceptions:
 - a. Does not include uses meeting the definition of Group Living or Transitional Housing.

E. Custom Arts and Crafts.

1. Characteristics: Establishments engaged in the on-site manufacture and sale of crafts, art, sculpture, pottery, stained glass, musical instruments, and similar items produced without the use of a mechanized assembly line or large-scale machinery. Typically the business is operated by an artist or craftsman who may or may not be supported by a small number of assistants.
2. Accessory uses: Accessory uses commonly found include showrooms, sales facilities, parking, office space, storage space, and temporary outdoor activities subject to further regulation under Chapter 18.785.
3. Examples: Examples include artisans and artists producing arts and crafts from materials such as wood, glass, fabric, fiber, and painted images on canvas or other portable materials.
4. Exceptions:
 - a. Does not include uses where customers come to paint or assemble their own craft or artwork. Such uses are considered Sales-Oriented-Retail.

F. Eating and Drinking Establishments.

1. Characteristics: Eating and Drinking Establishments are characterized by the sale of prepared food and beverages for consumption on-site or take-away.
2. Accessory uses: Accessory uses commonly found are parking and outdoor seating areas.
3. Examples: Examples include restaurants, delicatessens, retail bakeries, taverns, brew-pubs, and espresso bars.
4. Exceptions:
 - a. Does not include grocery stores and convenience stores, which are classified as Sales-Oriented General Retail.

G. Indoor Entertainment.

1. Characteristics: Indoor entertainment consists of for-profit facilities providing active recreational uses of a primarily indoor nature.
2. Accessory uses: Accessory uses commonly found include parking, offices, limited retail, and concessions.
3. Examples: Examples include health/fitness clubs, tennis, racquetball and soccer centers, recreational centers, skating rinks, bowling alleys, arcades, shooting ranges, and movie theaters.
4. Exceptions:
 - a. Does not include uses meeting the definition of Community Recreation or Cultural Institutions.

H. Major Event Entertainment.

1. Characteristics: Major Event Entertainment facilities are uses characterized by activities and structures that draw large numbers of people to specific events or shows. Activities are generally of a spectator nature.
2. Accessory uses: Accessory uses commonly found include parking, maintenance facilities, and concessions.
3. Examples: Examples include auditoriums, stadiums, convention centers and race tracks.
4. Exceptions:
 - a. Does not include uses meeting the definition of Cultural Institutions.
 - b. Does not include movie theaters or playhouses, which are considered Indoor Entertainment.

I. Motor Vehicle Sales/Rental.

1. Characteristics: Motor Vehicle Sales/Rental includes land uses involved in the sale, lease, and/or rental of cars, motorcycles, light and heavy trucks, mobile homes, boats, and recreational vehicles.
2. Accessory uses: Accessory uses commonly found include parking, auto repair and maintenance facilities, office space, and storage space.
3. Examples: Examples include auto dealerships, used car lots, and car rental facilities.

J. Motor Vehicle Servicing/Repair.

1. Characteristics: Motor Vehicle Servicing/Repair includes freestanding vehicle servicing and repair establishments not accessory to new vehicle sales.
2. Accessory uses: Accessory uses commonly found include parking, office space, and storage space.
3. Examples: Examples include general service stations, quick oil-change facilities, car washes, and body shops.

K. Non-Accessory Parking.

1. Characteristics: Non-Accessory Parking is any public or private parking which is not accessory to a primary use. A fee may or may not be charged. A facility that provides both accessory parking for a specific use and regular fee parking for people not connected to the use is also classified as Non-Accessory Parking.
2. Accessory uses: Accessory uses commonly found are a ticket booth to collect fees and house security personnel.
3. Examples: Examples include public and private structures and surface parking lots, freestanding fleet vehicle parking, commercial district shared parking lots, and transit park-and-ride lots.

4. Exceptions:

- a. Parking facilities accessory to a use, but which charge the public to park for occasional events nearby, are not considered Commercial Parking Facilities.

L. Office.

1. Characteristics: Office uses are characterized by activities conducted in an office setting that focus on the provision of goods and services, usually by professionals. Traditional Office uses are characterized by activities that generally focus on business, government, professional, medical, or financial services. Office uses may include activities that, while conducted in an office-like setting, are less consumer-oriented and focus on the support of off-site service personnel or in the development, testing, production, processing, packaging, or assembly of goods and products. Medical, dental, veterinary offices are out-patient clinics which provide healthcare to humans or animals, characterized by a professional or group of professionals assisted by support staff.

2. Accessory uses: Accessory uses commonly found are parking and storage facilities.

3. Examples: Examples include government offices; medical, dental, and veterinary clinics and laboratories; blood collection centers; professional offices for attorneys, architects, engineers, stockbrokers, insurance brokers, and other consultants; headquarters offices; sales offices; radio and television studios; administrative offices for painting, building, and landscaping contractors; and software development firms.

4. Exceptions:

- a. Offices that are part of and are located within a firm in another use category are considered accessory to the firm's primary activity.
- b. Contractors and others who perform services off-site are included in the Office category if equipment and materials are incidental to the office use and their storage does not constitute 50% or more of occupied space; otherwise, they are considered as Industrial Services.

M. Outdoor Entertainment.

1. Characteristics: Outdoor entertainment consists of for-profit facilities providing active recreational uses primarily in an out-of-doors setting.

2. Accessory uses: Accessory uses commonly found include parking, offices, clubhouses, and concessions.

3. Examples: Examples include outdoor tennis clubs, golf courses, and shooting ranges.

4. Exceptions:

- a. Does not include uses meeting the definition of Community Recreation.

N. Outdoor Sales.

1. Characteristics: Outdoor Sales are sales-oriented establishments requiring extensive outdoor or only partially-enclosed display and/or storage. These uses may be retail, wholesale, or a combination of the two.
2. Accessory uses: Accessory uses commonly found include parking and office space.
3. Examples: Examples include lumber yards and plant nurseries.
4. Exceptions:
 - a. Does not include Motor-Vehicle Sales/Rental and Vehicle Fuel.
 - b. Does not include outdoor dining areas for Eating and Drinking establishments.
 - c. Does not include incidental and temporary outdoor activities such as Christmas tree lots, "sidewalk sales," and seasonal markets, which may be subject to additional regulation under Chapter 18.785.
 - d. Does not include limited outdoor or partially-enclosed display and/or storage areas that are clearly incidental and accessory to retail uses selling hardware and home improvement supplies.

O. Personal Services.

1. Characteristics: Personal Services are establishments which are oriented towards the provision of consumer services in a manner typically necessitating no more than one consumer visit per service transaction.
2. Accessory uses: Accessory uses commonly found include parking, office space, and storage space.
3. Examples: Examples include banks/credit unions, barber/beauty shops, self-serve pet grooming, laundromats, copy centers, photographic studios, trade/vocational schools, mortuaries, and beverage container redemption centers.
4. Exceptions:
 - a. Does not include Office Uses.
 - b. Does not include Repair-Oriented Retail Uses.
 - c. Does not include Motor-Vehicle Servicing/Repair and Vehicle Fuel.

P. Repair-Oriented Retail.

1. Characteristics: Repair-Oriented Retail are establishments providing product repair of consumer and business goods, and other consumer services that typically necessitate two or more consumer visits per service transaction.

2. Accessory uses: Accessory uses commonly found include parking, office space, workshop space, and storage.
3. Examples: Examples include televisions and radios, bicycles, clocks, jewelry, guns, small appliances, office equipment, tailors and seamstresses, shoe repair, locksmiths, upholsterers, photo and laundry drop-off, dry-cleaners, quick printing, drop-off pet grooming and doggy-daycare.
4. Exceptions:
 - a. Does not include Motor-Vehicle Servicing/Repair.

Q. Sales-Oriented Retail.

1. Characteristics: Sales-Oriented Retail firms are involved in the sale, leasing, and rental of new or used products to the general public.
2. Accessory uses: Accessory uses commonly found include parking, office space, storage space, and temporary outdoor activities subject to regulation in Chapter 18.785.
3. Examples: Examples include art, art supplies, bicycles, clothing, dry goods, electronics, fabric, gifts, groceries, hardware, household products, jewelry, pets and pet products, pharmaceuticals, plants, printed materials, stationery, and printed and electronic media.
4. Exceptions:
 - a. Does not include uses meeting the definition of Bulk Sales.
 - b. Does not include uses meeting the definition of Outdoor Sales.
 - c. Does not include Motor-Vehicle Sales/Rental and Vehicle Fuel.

R. Self-Service Storage.

1. Characteristics: Commercial operations which provide rental of storage space to individuals or business uses. The storage areas are designed to allow private access by the tenant for storing or removing personal property.
2. Accessory uses: Accessory uses commonly found include parking, office space, and a dwelling unit for a residential caretaker.
3. Examples: Examples include single-story and multi-story facilities that provide individual storage areas for rent, often called mini-warehouses or self-storage facilities; and the storage of boats and recreational vehicles.
4. Exceptions:
 - a. Does not include moving and storage companies where there is no individual storage or where employees are primary movers of the goods to be stored. Such uses are considered Warehouse/Freight Movement.

- b. Does not include the storage of fleet vehicles, which is considered non-accessory parking, or the storage of sales or rental inventory, which is considered Motor Vehicle Sale/Rental.

S. Vehicle Fuel Sales.

1. Characteristics: Vehicle Fuel Sales includes establishments engaging in the sale of petroleum and non-petroleum based fuels for cars, motorcycles, trucks, recreational vehicles, and boats.
2. Accessory uses: Accessory uses commonly found include parking, office space, and storage space.
3. Examples: Examples include gas stations and electric vehicle charging stations. (Ord. 10-15 §1)

18.130.070 Industrial Use Categories

A. General Industrial.

1. Characteristics: General Industrial includes the manufacturing, processing and assembling of semi-finished or finished products from raw materials. All activities are contained within buildings, with some outside storage of raw materials.
2. Accessory uses: Accessory uses commonly include parking, office, and storage space.
3. Examples: Examples include food processing; breweries, distilleries and wineries; production of apparel or textiles; woodworking including cabinet makers; production of chemical, rubber, leather, clay, bone, plastic, stone or glass materials or products; manufacturing and production of large-scale machinery.
4. Exceptions:
 - a. Does not include uses meeting the definition of Custom Arts and Crafts.
 - b. Does not include the manufacture and production of goods from the composting of organic material, which is considered Waste-Related.

B. Heavy Industrial.

1. Characteristics: Heavy Industrial includes the manufacturing, processing, and assembling of semi-finished or finished products from raw materials. A substantial portion of activities and storage may be undertaken outdoors with resulting noise, glare vibration, and other potentially adverse impacts.
2. Accessory uses: Accessory uses may include parking, office, storage, and maintenance facilities.
3. Examples: Examples include energy production facilities; concrete batching and asphalt mixing; production of metals or metal products including enameling and galvanizing; production of cars, trucks, recreational vehicles or mobile homes.
4. Exceptions:

- a. Does not include energy production from the biological decomposition of organic materials, such uses are considered Waste-Related.

C. Industrial Services.

1. Characteristics: Industrial Services are uses that repair and service industrial, business, or consumer machinery, equipment, products or by-products. Firms that service consumer goods do so by mainly providing centralized services for separate retail outlets. Includes contractors, building maintenance services and similar uses, that perform services off-site. Few customers, especially the general public, come to the site.
2. Accessory uses: Accessory uses may include offices, parking, storage, loading docks, and railroad lead and spur lines to allow the loading and unloading of rail cars.
3. Examples: Examples include welding shops; machine shops; repair shops for tools, scientific/professional instruments, and motors; sales, repair, storage, salvage or wrecking of heavy machinery, metal and building materials; towing and vehicle storage; auto and truck salvage and wrecking; heavy truck servicing and repair; tire recapping and retreading; truck stops; building, heating, plumbing or electrical contractors; printing, publishing and lithography; exterminators; janitorial and building maintenance contractors; fuel oil distributions; solid fuel yards; laundry, dry-cleaning and carpet cleaning plants; and photo-finishing laboratories.
4. Exceptions:
 - a. Contractors and others who perform services off-site are included in the Office category if equipment and materials storage does not constitute 50% or more of occupied space and fabrication or similar work is not carried out at the site.

D. Light Industrial.

1. Characteristics: Light Industrial includes the production, processing, assembling, packaging, and/or treatment of finished products from previously prepared materials or components. All activities and storage is contained within buildings.
2. Accessory uses: Accessory uses commonly include parking, office, and storage space.
3. Examples: Examples include the manufacturing and assembly of small-scale machinery, appliances, computers and other electronic equipment; pharmaceuticals; scientific and musical instruments; art work, toys and other precision goods; sign-making; and catering facilities.
4. Exceptions:
 - a. Does not include uses meeting the definition of Custom Arts and Crafts.

E. Railroad Yards.

1. Characteristics: Railroad Yards are areas that contain multiple railroad tracks used for rail car switching, assembling of trains, and the transshipment of goods from other transportation modes to or from trains.

2. Accessory uses: Accessory uses may include offices, employee facilities, storage areas, and rail car maintenance and repair facilities.

F. Research and Development.

1. Characteristics: Research and Development includes facilities featuring a mix of uses including office, research laboratories and prototype manufacturing.
2. Accessory Uses: Accessory uses may include parking, storage, and employee facilities.
3. Exceptions:
 - a. If manufacturing is not present, it is considered an Office use.

G. Warehouse / Freight Movement.

1. Characteristics: Warehouse/Freight Movement includes uses involved in the storage and movement of large quantities of materials or products for themselves or other firms. Goods are generally delivered to other firms for the final consumer, except for some will-call pickups. May occur indoors and/or outdoors, and usually associated with significant truck and rail traffic. There is little on-site sales activity with the customer present.
2. Accessory uses: Accessory uses may include offices, parking, fleet truck parking and maintenance area, storage, docks, rail spur or lead lines, and the repackaging of goods..
3. Examples: Examples include freestanding warehouses associated with retail furniture or appliance outlets; household moving and general freight storage; cold storage plants/frozen food lockers; weapon and ammunition storage; major wholesale distribution centers; truck, marine and air freight terminals; bus barns; grain terminals; and stockpiling of sand, gravel, bark dust or other aggregate and landscaping materials.
4. Exceptions:
 - a. Uses that involve the transfer or storage of solid or liquid wastes are classified as Waste-Related uses.

H. Waste-Related.

1. Characteristics: Waste-Related uses are characterized as uses that receive solid or liquid wastes from others for disposal onsite or for transfer to another location, uses that collect sanitary wastes, or uses that manufacture or produce goods from the biological decomposition of organic material. Waste-Related uses also include uses that receive hazardous wastes from others and are subject to state regulations regarding hazardous waste management.
2. Accessory uses: Accessory uses may include parking, recycling of materials, offices, and repacking and transshipment of by-products.
3. Examples: Examples include recycling/garbage transfer stations; landfills; waste composting, energy recovery, portable sanitary equipment storage and pumping, and sewage treatment plants.
4. Exceptions:

- a. Infrastructure services that must be located in or near the area where the service is provided in order to function are considered Basic Utilities. Examples include sewer pipes that serve a development or water re-use pipes and tanks, pump stations, and collection stations necessary for the water re-use that serve a development or institution.
- b. The disposal of clean fill, as defined in OAR 340-093-0030, is not considered a waste-related use.

I. Wholesale Sales.

1. Characteristics: Wholesale Sales is characterized by the sale, leasing, or rental of equipment or products primarily intended for industrial, institutional, or commercial users. The use emphasizes on-site sales or order taking, and often include display areas. The uses may or may not be open to the general public, but sales to the general public are limited as a result of the way in which the firm operates. Products may be picked up on site or delivered to the customer.
2. Accessory uses: Accessory uses may include offices, product repair, warehouses, parking, and the repackaging of goods.
3. Examples: Examples include the sale or rental of machinery, equipment, building materials, special trade tools, welding supplies, machine parts, electrical supplies, janitorial supplies, restaurant equipment, and store fixtures; mail order houses; and wholesalers of food, clothing, auto parts, and building hardware.
4. Exceptions:
 - a. Firms that engage primarily in sales to the general public are classified as Sales-Oriented Retail or Bulk Sales.
 - b. Firms that are primarily storing goods with little on-site business activity are classified as Warehouse and Freight Movement. (Ord. 10-15 §1)

18.130.080 Other Use Categories

A. Agriculture / Horticulture.

1. Characteristics: Agricultural/Horticultural uses are open areas devoted to the raising, production, or keeping of plants and/or animals being raised for food or fiber production. Sales of products grown on site may be included.
2. Accessory uses: Accessory uses include dwellings for proprietors and animal training.
3. Examples: Examples include breeding or raising of fowl or livestock, stables, riding academies, farming, and truck gardening.
4. Exceptions:
 - a. Does not include nurseries, which are classified as Outdoor Sales.
 - b. Does not include uses involving common household pets, which are considered Animal Related Commercial uses.

B. Cemeteries.

1. Characteristics: Cemeteries are facilities for the permanent storage of human remains.
2. Accessory uses: Accessory uses may include chapels, mortuaries, offices, maintenance facilities, and parking.

C. Detention Facilities.

1. Characteristics: Detention facilities are uses devoted to the judicially required detention, incarceration, or supervision of people.
2. Accessory uses: Accessory uses include offices, recreational and health facilities, therapy facilities, maintenance facilities, and hobby and manufacturing facilities.
3. Examples include prisons, jails, probation centers, juvenile detention homes, and related post-incarceration and half-way houses.
4. Exceptions:
 - a. Programs that provide care and training or treatment for psychiatric, alcohol, or drug problems, where patients are residents of the program, but where patients are not supervised by police officers, are classified as transient housing.

D. Heliports.

1. Characteristics: Heliports are public or private facilities designed for the landing, departure, storage and fueling of helicopters.
2. Accessory uses: Accessory uses may include offices, parking, maintenance and fueling facilities.

E. Mining.

1. Characteristics: Mining is the extraction of mineral or aggregate resources from the ground for off-site use.
2. Accessory uses: Accessory uses may include office, parking, storage, sorting, and transfer facilities.
3. Examples: Examples include dredging or mining for sand or gravel, quarrying, and oil, gas, or geothermal drilling.

F. Transportation / Utility Corridors.

1. Characteristics: Transportation/Utility Corridors are regional corridors in public or private ownership, including easements, dedicated for the express use of rail lines; multi-use trails; above-grade or underground power or communication lines; water, sewer, and storm sewer lines; or similar services.
2. Accessory uses: Accessory uses commonly found include trailhead improvements such as public restrooms and parking lots.

3. Examples: Examples include rail trunk and feeder lines; multi-use trails; regional electrical transmission lines; and regional gas and petroleum pipelines.
4. Exceptions:
 - a. Railroad lead and spur lines for delivery of rail cars to sites or for unloading of rail cars on specific sites are classified as accessory to the primary use of the site.
 - b. Transportation / Utility Corridors contained within motor vehicle rights-of-way are not included.
 - c. Does not include Railroad Yards.

G. Wireless Communications Facilities.

1. Characteristics: Wireless Communication Facilities includes all devices, equipment, machinery, structures, and supporting elements necessary to produce electromagnetic radiation to produce a discrete wireless signal or message. Towers may be self-supporting, guyed, or mounted on poles or buildings.
2. Accessory uses: Accessory uses commonly includes related ancillary equipment buildings.
3. Examples: Examples include Television and AM/FM radio transmission towers, microwave relay stations, and cellular communications equipment.
4. Exceptions:
 - a. Does not include transmission facilities which are part of the public safety network, which are classified as Basic Utilities or Emergency Services.
 - b. Does not include amateur (ham) radio antennas or towers.
 - c. Does not include radio and television studios, which are classified as Office. (Ord. 15-05 §2; Ord. 10-15 §1) ■

**Chapter 18.530
INDUSTRIAL ZONING DISTRICTS**

Sections:

- 18.530.010 Purpose**
- 18.530.020 List of Zoning Districts**
- 18.530.030 Uses**
- 18.530.040 Development Standards**
- 18.530.050 Additional Development Standards**

18.530.010 Purpose

- A. Provide range of industrial services for city residents. One of the major purposes of the regulations governing development in industrial zoning districts is to ensure that a full range of job opportunities are available throughout the city so that residents can work close to home if they choose. The location of land within each industrial district must be carefully selected and design and development standards created to minimize the potential adverse impacts of industrial activity on established residential areas.
- B. Facilitate economic goals. Another purpose of these regulations is to ensure that there is a full range of economic activities and job opportunities within the city limits, in compliance with the economic goals of the City of Tigard Comprehensive Plan.

18.530.020 List of Zoning Districts

- A. I-P: industrial park district. The I-P zoning district provides appropriate locations for combining light manufacturing, office and small-scale commercial uses, e.g., restaurants, personal services and fitness centers, in a campus-like setting. Only those light industrial uses with no off-site impacts, e.g., noise, glare, odor, vibration, are permitted in the I-P zone. In addition to mandatory site development review, design and development standards in the I-P zone have been adopted to insure that developments will be well-integrated, attractively landscaped, and pedestrian-friendly.
- B. I-L: light industrial district. The I-L zoning district provides appropriate locations for general industrial uses including industrial service, manufacturing and production, research and development, warehousing and freight movement, and wholesale sales activities with few, if any, nuisance characteristics such as noise, glare, odor, and vibration.
- C. I-H: heavy industrial district. The I-H zoning district provides appropriate locations for intensive industrial uses including industrial service, manufacturing and production, research and development, warehousing and freight movement, railroad yards, waste-related and wholesale sales activities. Activities in the I-H zone include those which involve the use of raw materials, require significant outdoor storage and generate heavy truck and/or rail traffic. Because of these characteristics, I-H-zoned property has been carefully located to minimize impacts on established residential, commercial and light industrial areas.

18.530.030 Uses

- A. Types of uses. For the purposes of this chapter, there are four kinds of use:

1. A permitted (P) use is a use which is permitted outright, but subject to all of the applicable provisions of this title. If a use is not listed as a permitted use, it may be held to be a similar unlisted use under the provisions of Chapter 18.230;
 2. A restricted (R) use is permitted outright providing it is in compliance with special requirements, exceptions or restrictions;
 3. A conditional use (C) is a use the approval of which is at the discretion of the hearings officer. The approval process and criteria are set forth in Chapters 18.310 and 18.320. If a use is not listed as a conditional use, it may be held to be a similar unlisted use under the provisions of Chapter 18.230;
 4. A prohibited (N) use is one which is not permitted in a zoning district under any circumstances.
- B. Use table. A list of permitted, restricted, conditional and prohibited uses in industrial zones is presented in Table 18.530.1.
- C. Accessory structures.
1. Accessory structures are permitted in all industrial zones providing the site is still in compliance with all development standards, including, but not limited to, setbacks, height, lot coverage and landscaping requirements, of the base zone. All accessory structures shall comply with all requirements of the State Building Code. All accessory structures except those less than 120 square feet in size require a building permit.
 2. All freestanding and detached towers, antennas, wind-generating devices and TV receiving dishes, except as otherwise regulated by Chapter 18.798, Wireless Communication Facilities, shall have setbacks equal to or greater than the height of the proposed structure. Suitable protective anti-climb fencing and a landscaped planting screen, in accordance with Chapter 18.745, Landscaping and Screening, shall be provided and maintained around these structures and accessory attachments.

Table 18.530.1
Use Table: Industrial Zones

Use Category	I-P	I-L	I-H
RESIDENTIAL			
Household Living	R ¹	R ¹	R ¹
Group Living	N	N	N
Transitional Housing	N	N	N
Home Occupation	N	N	N
CIVIC (INSTITUTIONAL)			
Basic Utilities	C ¹⁴	C ¹⁴	P
Colleges	N	N	N
Community Recreation	C ¹⁰	C ¹⁰	C ¹⁰
Cultural Institutions	N	N	N
Day Care	R ^{3,9}	R ^{3,9}	R ^{3,9}
Emergency Services	P	P	P
Medical Centers	N	N	N
Postal Service	P	P	P
Public Support Facilities	P	P	P
Religious Institutions	N	N	N
Schools	N	N	N
Social/Fraternal Clubs/Lodges	N	N	N
COMMERCIAL			
Commercial Lodging	P	N	N
Custom Arts and Crafts	N	N	N
Eating and Drinking Establishments	R ²	N	N
Major Event Entertainment	N	N	N
Outdoor Entertainment	P	N	N
Indoor Entertainment	P	N	N
Adult Entertainment	N	N	N
Sales-Oriented	R ²	N	N
Personal Services	R ²	N	N
Repair-Oriented	P	N	N
Bulk Sales	R ^{4,11}	N	N
Outdoor Sales	N	P	P
Animal-Related	P	P	P
Motor Vehicle Sales/Rental	R ^{4,12,13}	P	P
Motor Vehicle Servicing/Repair	C	P	P
Vehicle Fuel Sales	P	P/C ⁷	P
Office	P	N	N
Self-Service Storage	P	P	P
Non-Accessory Parking	P	P	P
INDUSTRIAL			
Industrial Services	R ⁴	P	P
Light Industrial	P	P	P
General Industrial	N	P	P
Heavy Industrial	N	N	P
Railroad Yards	N	N	P
Research and Development	P	P	P
Warehouse/Freight Movement	N	P	P
Waste-Related	N	N	P
Wholesale Sales	R ⁴	P	P

**Table 18.530.1
Use Table: Industrial Zones (cont'd)**

Use Category	I-P	I-L	I-H
OTHER			
Agriculture/Horticulture	P ⁵	P ⁵	P ⁵
Cemeteries	N	C	N
Detention Facilities	C	N	C
Heliports	C	C	C
Mining	N	N	P
Wireless Communication Facilities	P/R ⁶	P	P
Transportation/Utility Corridors	P	P	P
Other	NA	NA	P ⁸

P=Permitted R=Restricted C=Conditional Use N=Not Permitted

- ¹ A single-family detached dwelling or single-family mobile or manufactured home allowed for caretaker or kennel owner/operator when located on the same lot as the permitted use and is exclusively occupied by the caretaker or kennel owner/operator and family.
- ² These limited uses, separately or in combination, may not exceed 20% of the entire square footage within a development complex. No retail uses shall exceed 60,000 square feet of gross leasable area per building or business.
- ³ In-home day care which meets all state requirements permitted by right.
- ⁴ Permitted if all activities, except employee and customer parking, are wholly contained within a building(s).
- ⁵ When an agricultural use is adjacent to a residential use, no poultry or livestock, other than normal household pets, may be housed or provided use of a fenced run within 100 feet of any nearby residence except a dwelling on the same lot.
- ⁶ See Chapter 18.798, Wireless Communication Facilities, for definition of permitted and restricted facilities in the I-P zone.
- ⁷ Vehicle fuel sales permitted outright unless in combination with convenience sales, in which case it is permitted conditionally.
- ⁸ Explosive storage permitted outright subject to regulations of the uniform fire code.
- ⁹ Day care uses with over five children are permitted subject to an environmental impact assessment in accordance with 18.530.050.C.1. The design of the day care must fully comply with State of Oregon requirements for outdoor openspace setbacks.
- ¹⁰ Limited to outdoor recreation on (1) land classified as floodplain on city flood maps, when the recreational use does not otherwise preclude future cut and fill as needed in order to develop adjoining industrially zoned upland; and (2) land located outside the floodplain as shown on city flood maps, when the recreation use is temporary and does not otherwise preclude allowed uses or conditional uses other than recreation within the district.
- ¹¹ These limited uses, shall only be allowed in IP zoned property east of SW 72nd Avenue. These uses, separately or in combination, shall not exceed 60,000 square feet of gross leasable area in a single building, or commercial retail uses with a total of more than 60,000 square feet of retail sales area on a single lot or parcel, or on contiguous lots or parcels, including those separated only by transportation right-of-way.
- ¹² These limited uses, separately or in combination, may not exceed 10,000 square feet/lot.
- ¹³ This use limited to boat sales/rental only.
- ¹⁴ Except water, storm, sanitary sewers, and other underground infrastructure facilities, which are allowed by right.

(Ord. 15-05 §2; Ord. 13-10 §1; Ord. 10-15 §1; Ord. 09-13; Ord. 09-01 §1; Ord. 04-14)

18.530.040 Development Standards

A. Compliance required. All development must comply with:

1. All of the applicable development standards contained in the underlying zoning district, except where the applicant has obtained variances or adjustments in accordance with Chapters 18.370.
2. All other applicable standards and requirements contained in this title.

B. Development standards. Development standards in industrial zoning districts are contained in Table 18.530.2 below:

**TABLE 18.530.2
DEVELOPMENT STANDARDS IN INDUSTRIAL ZONES**

STANDARD	I-P	I-L	I-H
Minimum Lot Size	None	None	None
Minimum Lot Width	50 ft.	50 ft.	50 ft.
Minimum Setbacks			
- Front yard	35 ft.	30 ft.	30 ft.
- Side facing street on corner & through lots [1]	20 ft.	20 ft.	20 ft.
- Side yard	0/50 ft. [3]	0/50 ft. [3]	0/50 ft. [3]
- Rear yard	0/50 ft. [3][4]	0/50 ft. [3]	0/50 ft. [3]
- Distance between front of garage & property line abutting a public or private street	--	--	--
Maximum Height	45 ft.	45 ft.	45 ft.
Maximum Site Coverage [2]	75 % [5]	85 %	85 %
Minimum Landscape Requirement	25 % [6]	15 %	15%

[1] The provisions of Chapter 18.795 (Vision Clearance) must be satisfied.

[2] Includes all buildings and impervious surfaces.

[3] No setback shall be required except 50 feet shall be required where the zone abuts a residential zoning district.

[4] Development in industrial zones abutting the Rolling Hills neighborhood shall comply with Policy 11.5.1.

[5] Maximum site coverage may be increased to 80% if the provisions of Section 18.530.050.B are satisfied.

[6] Except that a reduction to 20% of the site may be approved through the site development review process.

I-P – Industrial Park District I-L – Light Industrial I-H – Heavy Industrial
--

18.530.050 Additional Development Standards

A. Commercial lodging in the I-P zone. The following development standards shall apply for a commercial lodging facility located in the I-P zone:

1. Site size shall be a minimum of two acres and a maximum of five acres.
2. The site shall have access to be approved by the city engineer to an arterial or collector street with capacity sufficient to ensure that adequate access to local businesses is maintained.
3. Ancillary uses, also permitted in the I-P zone as contained in Chapter 18.530 shall be allowed as integral elements of the commercial lodging development, provided they comprise no more than 20% of total floor area.
4. Signage shall conform to Chapter 18.780.

B. Reduction of lot coverage requirements. Lot coverage may be increased from 75% to 80% as part of the site development review process, providing the following requirements are satisfied:

1. The minimum landscaping requirement shall be 20% of the site.
2. The applicant shall meet the following performance standards with regard to the landscaping plan approved as part of the site development review process:
 - a. Street trees, as required by 18.745.040.A shall be installed with a minimum caliper of three inches;
 - b. The landscaping between a parking lot and street property line shall have a minimum width of 10 feet;
 - c. All applicable buffering, screening and setback requirements contained in Section 18.745.050 shall be satisfied;
 - d. The applicant shall provide documentation of an adequate on-going maintenance program to ensure appropriate irrigation and maintenance of the landscape area.

C. Day care uses. The following standards shall apply for all commercial day care uses in industrial zones:

1. The environmental impact assessment must document noise, visible emissions, vibration, odor, glare and heat from uses within one quarter mile. A plan and program for day care facilities to provide mitigation on-site for any of the above off-site impacts must be provided. Sound attenuation walls, screening, window covering, shades, and other such means are appropriate means of mitigation and may be attached as conditions of approval.
2. The State of Oregon Child Care Division Certification Section shall be notified of the proposed site plans prior to submitting an application to insure that the plans submitted generally address the permitting requirements.
3. Prior to occupancy of the proposed day care, evidence of certification through the State of Oregon Child Care Division shall be provided. (Ord. 12-09 §1; Ord. 02-33) ■

Section 4.135. PDI- Planned Development Industrial Zone.

Section 4.135. PDI- Planned Development Industrial Zone.

- (.01) Purpose: The purpose of the PDI zone is to provide opportunities for a variety of industrial operations and associated uses.
- (.02) The PDI Zone shall be governed by Section 4.140, Planned Development Regulations, and as otherwise set forth in this Code.
- (.03) Uses that are typically permitted:
 - A. Warehouses and other buildings for storage of wholesale goods, including cold storage plants.
 - B. Storage and wholesale distribution of agricultural and other bulk products, provided that dust and odors are effectively contained within the site.
 - C. Assembly and packing of products for wholesale shipment
 - D. Manufacturing and processing
 - E. Motor vehicle services, or other services complementary or incidental to primary uses, and which support the primary uses by allowing more efficient or cost-effective operations
 - F. Manufacturing and processing of electronics, technical instrumentation components and health care equipment.
 - G. Fabrication
 - H. Office complexes - Technology
 - I. Corporate headquarters
 - J. Call centers
 - K. Research and development
 - L. Laboratories
 - M. Repair, finishing and testing of product types manufactured or fabricated within the zone.
 - N. Industrial services
 - O. Any use allowed in a PDC Zone, subject to the following limitations:
 - 1. Service Commercial uses (defined as professional services that cater to daily customers such as financial, insurance, real estate, legal, medical or dental offices) not to exceed 5000 square feet of floor area in a single building, or 20,000 square feet of combined floor area within a multi-building development.
 - 2. Office Complex Use (as defined in Section 4.001) shall not exceed 30% of total floor area within a project site.
 - 3. Retail uses, not to exceed 5000 square feet of indoor and outdoor sales, service or inventory storage area for a single building and 20,000 square feet

Section 4.135. PDI- Planned Development Industrial Zone.

of indoor and outdoor sales, service or inventory storage area for multiple buildings.

4. Combined uses under Subsections 4.135(.03)(O.)(1.) and (3.) shall not exceed a total of 5000 square feet of floor area in a single building or 20,000 square feet of combined floor area within a multi-building development.

P. Training facilities whose primary purpose is to provide training to meet industrial needs.

Q. Public facilities.

R. Accessory uses, buildings and structures customarily incidental to any permitted uses.

S. Temporary buildings or structures for uses incidental to construction work. Such structures to be removed within 30 days of completion or abandonment of the construction work.

T. Other similar uses, which in the judgment of the Planning Director, are consistent with the purpose of the PDI Zone.

(.04) Block and access standards:

The PDI zone shall be subject to the same block and access standards as the PDC zone, Section 4.131(.02) and (.03).

(.05) Performance Standards. The following performance standards apply to all industrial properties and sites within the PDI Zone, and are intended to minimize the potential adverse impacts of industrial activities on the general public and on other land uses or activities. They are not intended to prevent conflicts between different uses or activities that may occur on the same property.

A. All uses and operations except storage, off-street parking, loading and unloading shall be confined, contained, and conducted wholly within completely enclosed buildings, unless outdoor activities have been approved as part of Stage II, Site Design or Administrative Review.

B. Vibration: Every use shall be so operated that the ground vibration inherently and recurrently generated from equipment other than vehicles is not perceptible without instruments at any boundary line of the property on which the use is located.

C. Emission of odorous gases or other odorous matter in quantities as detectable at any point on any boundary line of the property on which the use is located shall be prohibited.

D. Any open storage shall comply with the provisions of Section 4.176, and this Section.

E. No building customarily used for night operation, such as a baker or bottling and distribution station, shall have any opening, other than stationary windows or required fire exits, within one hundred (100) feet of any residential district and any space used for loading or unloading commercial vehicles in connection with

such an operation shall not be within one hundred (100) feet of any residential district.

F. Heat and Glare:

1. Operations producing heat or glare shall be conducted entirely within an enclosed building.
2. Exterior lighting on private property shall be screened, baffled, or directed away from adjacent residential properties. This is not intended to apply to street lighting.

G. Dangerous Substances: Any use which involves the presence, storage or handling of any explosive, nuclear waste product, or any other substance in a manner which would cause a health or safety hazard for any adjacent land use or site shall be prohibited.

H. Liquid and Solid Wastes:

1. Any storage of wastes which would attract insects or rodents or otherwise create a health hazard shall be prohibited.
2. Waste products which are stored outside shall be concealed from view from any property line by a sight-obscuring fence or planting as required in Section 4.176.
3. No connection with any public sewer shall be made or maintained in violation of applicable City or State standards.
4. No wastes conveyed shall be allowed to or permitted, caused to enter, or allowed to flow into any public sewer in violation of applicable City or State standards.
5. All drainage permitted to discharge into a street gutter, caused to enter or allowed to flow into any pond, lake, stream, or other natural water course shall be limited to surface waters or waters having similar characteristics as determined by the City, County, and State Department of Environmental Quality.
6. All operations shall be conducted in conformance with the City's standards and ordinances applying to sanitary and storm sewer discharges.

I. Noise: Noise generated by the use, with the exception of traffic noises from automobiles, trucks, and trains, shall not violate any applicable standards adopted by the Oregon Department of Environmental Quality and W.C. 6.204 governing noise control in the same or similar locations. [Amended by Ord. 631, 7/16/07]

J. Electrical Disturbances. Except for electrical facilities wherein the City is preempted by other governmental entities, electrical disturbances generated by uses within the PDI zone which interfere with the normal operation of equipment or instruments within the PDI Zone are prohibited. Electrical disturbances which routinely cause interference with normal activity in abutting residential use areas are also prohibited.

K. Discharge Standards: There shall be no emission of smoke, fallout, fly ash, dust, vapor, gases, or other forms of air pollution that may cause a nuisance or injury to

Section 4.135. PDI- Planned Development Industrial Zone.

human, plant, or animal life, or to property. Plans of construction and operation shall be subject to the recommendations and regulations of the State Department of Environmental Quality. All measurements of air pollution shall be by the procedures and with equipment approved by the State Department of Environmental Quality or equivalent and acceptable methods of measurement approved by the City. Persons responsible for a suspected source of air pollution upon the request of the City shall provide quantitative and qualitative information regarding the discharge that will adequately and accurately describe operation conditions.

L. Open burning is prohibited.

M. Storage:

1. Outdoor storage must be maintained in an orderly manner at all times.
2. Outdoor storage area shall be gravel surface or better and shall be suitable for the materials being handled and stored. If a gravel surface is not sufficient to meet the performance standards for the use, the area shall be suitably paved.
3. Any open storage that would otherwise be visible at the property line shall be concealed from view at the abutting property line by a sight obscuring fence or planting not less than six (6) feet in height.

N. Landscaping:

1. Unused property, or property designated for expansion or other future use, shall be landscaped and maintained as approved by the Development Review Board. Landscaping for unused property disturbed during construction shall include such things as plantings of ornamental shrubs, lawns, native plants, and mowed, seeded fieldgrass.
2. Contiguous unused areas of undisturbed fieldgrass may be maintained in their existing state. Large stands of invasive weeds such as Himalayan blackberries, English ivy, cherry Laurel, reed canary grass or other identified invasive plants shall be removed and/or mowed at least annually to reduce fire hazard. These unused areas, located within a phased development project or a future expansion cannot be included in the area calculated to meet the landscape requirements for the initial phase(s) of the development.
3. Unused property shall not be left with disturbed soils that are subject to siltation and erosion. Any disturbed soil shall be seeded for complete erosion cover germination and shall be subject to applicable erosion control standards.

(.06) Other Standards:

- A. Minimum Individual Lot Size: No limit save and except as shall be consistent with the other provisions of this Code (e.g., landscaping, parking, etc.).
- B. Maximum Lot Coverage: No limit save and except as shall be consistent with the other provisions of this Code (e.g., landscaping, parking, etc.).
- C. Front Yard Setback: Thirty (30) feet. Structures on corner or through lots shall observe the minimum front yard setback on both streets. Setbacks shall also be

Section 4.135.5: Planned Development Industrial – Regionally Significant Industrial Area

maintained from the planned rights-of-way shown on any adopted City street plan.

- D. Rear and Side Yard Setback: Thirty (30) feet. Structures on corner or through lots shall observe the minimum rear and side yard setbacks on both streets. Setbacks shall also be maintained from the planned rights-of-way shown on any adopted City street plan.
 - E. No setback is required when side or rear yards abut on a railroad siding.
 - F. Corner Vision: Corner lots shall have no sight obstruction to exceed the vision clearance standards of Section 4.177.
 - G. Off-Street Parking and Loading: As provided in Section 4.155.
 - H. Signs: As provided in Sections 4.156.01 through 4.156.11. [Amended by Ord. No. 704, 6/18/12]
- [Section 4.135 amended by Ordinance No. 574, 11/1/04.]

Section 4.135.5: Planned Development Industrial – Regionally Significant Industrial Area

- (.01) Purpose. The purpose of the PDI-RSIA Zone is to provide opportunities for regionally significant industrial operations along with a limited and appropriate range of related and compatible uses; to provide the flexibility to accommodate the changing nature of industrial employment centers, to protect industrially zoned lands for industrial uses, primarily in those areas near significant transportation facilities for the movement of freight and to facilitate the redevelopment of under-utilized industrial sites.
- (.02) The PDI-RSIA Zone shall be governed by Section 4.140, Planned Development Regulations, and as otherwise set forth in this Code.
- (.03) Uses that are typically permitted:
 - A. Wholesale houses, storage units, and warehouses.
 - B. Laboratories, storage buildings, warehouses, and cold storage plants.
 - C. Assembly of electrical equipment, including the manufacture of small parts.
 - D. The light manufacturing, simple compounding or processing packaging, assembling and/or treatment of products, cosmetics, drugs, and food products, unless such use is inconsistent with air pollution, excess noise, or water pollution standards.
 - E. Office Complexes-Technology (as defined in Section 4.001).
 - F. Experimental, film or testing laboratories.
 - G. Storage and distribution of grain, livestock feed, provided dust and smell is effectively controlled.
 - H. Motor vehicle service facilities complementary or incidental to permitted uses.

Section 4.135.5: Planned Development Industrial – Regionally Significant Industrial Area

- I. Any use allowed in a PDC Zone or any other light industrial uses provided that any such use is compatible with industrial use and is planned and developed in a manner consistent with the purposes and objectives of Sections 4.130 to 4.140 and is subject to the following criteria:
 - 1. Service Commercial (defined as professional services that cater to daily customers such as financial, insurance, real estate, legal, medical or dental offices) shall not exceed 3000 square feet of floor space in a single building or 20,000 square feet of combined floor area within a multiple building development.
 - 2. Office Use (as defined in Section 4.001) shall not exceed 20% of total floor area within a project site.
 - 3. Retail uses not to exceed 3000 square feet of indoor and outdoor sales, service, or inventory storage area for a single building or 20,000 square feet of indoor and outdoor sales, service or inventory storage area for multiple buildings.
 - 4. Combined uses under I.1 and 3. above shall not exceed a total of 3000 square feet of floor area in a single building or 20,000 square feet of combined floor area within a multi-building development.
- J. Residential uses shall not exceed 10% of total floor area.
- K. Accessory uses, buildings and structures customarily incidental to any of the aforesaid principal permitted uses.
- L. Temporary buildings or structures for uses incidental to construction work, which buildings or structures shall be removed upon completion or abandonment of the construction work.
- M. Expansion of a building, structure or use approved prior to October 25, 2004 of up to 20% additional floor area and/or 10% additional land area.
- N. Other similar uses which in the judgment of the Planning Director are consistent with the purpose of the PDI-RSIA Zone.

(.04) Prohibited uses.

- A. Retail operations exceeding 3,000 square feet of area for sales, service area or storage area for retail inventory in a single building, or 20,000 square feet of sales, service or storage area for multiple buildings, except training facilities whose primary purpose is to provide training to meet industrial needs.
- B. Any use or activity that violates the performance standards specified in Subsection 4.135.5(.06), below.

(.05) Block and Access Standards. The PDI-RSIA Zone shall be subject to the same block and access standards as the PDC Zone [Section 4.131(.02) and (.03)].

(.06) Performance Standards. The following performance standards apply to all industrial properties and sites within the PDI-RSIA Zone, and are intended to minimize the

Section 4.135.5: Planned Development Industrial – Regionally Significant Industrial Area

potential adverse impacts of industrial activities on the general public and on other land uses or activities. They are not intended to prevent conflicts between different uses or activities that may occur on the same property or site.

- A. All uses and operations except storage, off-street parking, loading and unloading shall be confined, contained and conducted wholly within completely enclosed buildings, unless outdoor activities have been approved as part of Stage II, Site Design or Administrative Review.
- B. Vibration: Every use shall be so operated that the ground vibration inherently and recurrently generated from equipment other than vehicles is not perceptible without instruments at any boundary line of the property or site on which the use is located.
- C. Emission of odorous gases or other odorous matter in quantities detectable at any time and at any point on any boundary line of the property or site on which the use is located are prohibited.
- D. Any open storage shall comply with the provisions of Section 4.176 and this Section.
- E. No building customarily used for night operation, such as a bakery, bottling and distribution plant or other similar use, shall have any opening, other than stationary windows or required fire exits, within one hundred (100) feet of any residential district and any space used for loading or unloading commercial vehicles in connection with such an operation shall not be within one hundred (100) feet of any residential district.
- F. Heat and Glare.
 1. Operations producing heat or glare shall be conducted entirely within an enclosed building.
 2. Exterior lighting on private property shall be screened, baffled, or otherwise directed away from adjacent residential properties. This is not intended to apply to street lighting.
- G. Dangerous Substances: Any use which involves the presence, storage or handling of any explosive, nuclear waste product or any other substance in a manner which would cause a health or safety hazard on any adjacent land use or site shall be prohibited.
- H. Liquid and Solid Wastes:
 1. Any storage of wastes which would attract rodents or insects or otherwise create a health hazard shall be prohibited.
 2. Waste products which are stored outside shall be concealed from view from any property line by a sight-obscuring fence or planting as required by Section 4.176.
 3. No connection with any public sewer shall be made or maintained in violation of applicable City or State standards.

Section 4.135.5: Planned Development Industrial – Regionally Significant Industrial Area

4. No wastes conveyed shall be allowed to or permitted, caused to enter, or allowed to flow into any public sewer in violation of applicable City or State standards.
 5. All drainage permitted to discharge into a street gutter, caused to enter or allowed to flow into any pond, lake, stream or other natural water course shall be limited to surface waters or waters having similar characteristics as determined by the City, County, and State Department of Environmental Quality.
 6. All operations shall be conducted in conformance with the city's standards and ordinances applying to sanitary and storm sewer discharges.
- I. Noise: Noise generated by the use, with the exception of traffic uses from automobiles, trucks and trains, shall not violate any applicable standards adopted by the Oregon Department of Environmental Quality and W.C. 6.204 governing noise control in the same or similar locations. [Amended by Ord. 631, 7/16/07]
 - J. Electrical Disturbances. Except for electrical facilities wherein the City is preempted by other governmental entities, electrical disturbances generated by uses within the PDI-RSIA Zone which interfere with the normal operation of equipment or instruments within the PDI-RSIA Zone are prohibited. Electrical disturbances which routinely cause interference with normal activity in abutting residential uses are also prohibited.
 - K. Discharge Standards: There shall be no emission of smoke, fallout, fly ash, dust, vapors, gases or other forms of air pollution that may cause a nuisance or injury to human, plant or animal life or to property. Plans for construction and operation shall be subject to the recommendations and regulations of the State Department of Environmental Quality. All measurements of air pollution shall be by the procedures and with equipment approved by the State Department of Environmental Quality or equivalent and acceptable methods of measurement approved by the City. Persons responsible for a suspected source of air pollution upon request of the City shall provide quantitative and qualitative information regarding the discharge that will adequately and accurately describe operation conditions.
 - L. Open burning is prohibited.
 - M. Storage.
 1. Outdoor storage must be maintained in an orderly manner at all times.
 2. Outdoor storage areas shall be gravel surfaced or better and shall be sufficient for the materials being handled and stored. If a gravel surface is not sufficient to meet the performance standards for the use, the area shall be suitably paved.
 3. Any open storage that would otherwise be visible at the property line shall be concealed from view at the abutting property line by a sight obscuring fence or planting not less than 6' in height.

N. Landscaping.

1. Unused property, or property designated for expansion or other future use shall be landscaped and maintained as approved by the Development Review Board. Landscaping for unused property disturbed during construction shall include such materials as plantings of ornamental shrubs, lawns, native plants, and mowed, seeded fieldgrass.
2. Contiguous unused areas of undisturbed fieldgrass may be maintained in their existing state. Large stands of invasive weeds such as Himalayan blackberry, English ivy, cherry laurel, reed canary grass or other identified invasive species shall be removed and/or mowed at least annually to reduce fire hazard. These unused areas, located with a phased development project or a future expansion cannot be included in the area calculated to meet the landscape requirements for the initial phase(s) of the development.
3. Unused property shall not be left with disturbed soils that are subject to siltation and erosion. Any disturbed soil shall be seeded for complete erosion cover germination and shall be subject to applicable erosion control standards.

(.07) Other Standards.

A. Lot Size:

1. Parcels less than 50 acres in size at the time of adoption of this amended Section: Land divisions may occur in conformance with an approved Master Plan consistent with the requirements of this section. No lot size limit, save and except as shall be consistent with the other provisions of this code.
2. Parcels 50 acres or greater in size existing on October 25, 2004 may be divided into any number of parcels or lots pursuant to an approved Master Plan provided that at least one lot or parcel of at least 50 acres in size remains. Provided further however, at least forty percent (40%) of the lot or parcel so created has been developed or planned for industrial uses and associated accessory uses and no portion has been developed or planned for the uses listed in Section 4.135.5(03)(I)(1.) through (3).
3. Uses not subject to the foregoing lot size provisions:
 - a. Public facilities and services
 - b. Separation of a lot or parcel in order to protect a natural resource, to provide a public amenity, or to implement a remediation plan for a site identified by DEQ pursuant to ORS 465.225.
 - c. Separation of a lot or parcel containing a nonconforming use from the remainder of the site in order to improve the utility of the remainder site for the intended industrial uses
 - d. Separation for the purposes of financing when the new lot or parcel is consistent with the approved Master Plan.
 - e. Division of lots or parcels consistent with a Master Plan approved by the City prior to July 1, 2004.

Section 4.136. PF - Public Facility Zone.

- B. Maximum Lot Coverage. No limit save and except as shall be consistent with the other provisions of this code.
- C. Front Yard Setback. Thirty (30) feet. Structures on corner or through lots shall observe the minimum front yard setback on both streets. Setbacks shall also be maintained from the planned rights-of-way shown on any adopted City street plan.
- D. Rear and Side Yard Setback. Thirty (30) feet. Structures on corner or through lots shall observe the minimum rear and side yard setback on both streets. Setbacks shall also be maintained from the planned rights-of-way shown on any adopted City street plan.
- E. No setback is required when rear or side yards abut a railroad siding.
- F. Corner Vision. Corner lots shall have no lot obstruction to exceed the vision clearance standards of Section 4.177.
- G. Off-street Parking and Loading. As required in Section 4.155.
- H. Signs. As required in Sections 4.156.01 through 4.156.11. [Amended by Ord. No. 704, 6/18/12]

[Section 4.135.5 added by Ordinance No. 574, 11/1/04.]

Section 4.136. PF - Public Facility Zone.

- (.01) Purpose: The PF zone is intended to be applied to existing public lands and facilities; including quasi-public lands and facilities which serve and benefit the community and its citizens. Typical uses permitted in the PF Zone are schools, churches, public buildings, hospitals, parks and public utilities. Not all of the uses permitted in this zone are expected to be publicly owned.
- (.02) Uses Permitted Outright:
 - A. Municipal or Governmental Service Building
 - B. Churches
 - C. Hospital
 - D. Marina, public
 - E. Recreational and community buildings and grounds, playgrounds, swimming pools, tennis courts and similar recreational uses
 - F. Parking facilities
 - G. Public utilities and buildings
 - H. Library
 - I. Trails and pathways
 - J. Parks
 - K. Public Schools

2.2 – Zoning District Regulations | Purpose

Chapter 2.2 – Zoning District Regulations

Sections:

- 2.2.010 Purpose
- 2.2.020 Applicability
- 2.2.030 Allowed Uses
- 2.2.040 Lot and Development Standards
- 2.2.050 Setback Yards Exceptions
- 2.2.060 Residential Density Standards
- 2.2.070 Lot Coverage
- 2.2.080 Height Measurement, Exceptions, and Transition

User's Guide: This chapter is intended to provide a framework for designating allowed uses by zoning district. It is designed for cities with not more than 10 base zoning districts. The model provides a placeholder for additional zones, or overlay zones, under Chapter 2.4. Where a city requires more than 10 base zones or has adopted regulations for special planning areas (e.g., specific plan district or form-based code), the model can be modified to accommodate the additional zones.

Chapter 2.2 is meant to help cities comply with ORS 197.295-197.314 (Needed Housing) by providing clear and objective standards for housing. The model also addresses ORS 197.475-197.490, Manufactured Housing; ORS 197.660-197.670, Residential Homes and Facilities; and OAR 660-12-060, Transportation Planning Rule (TPR). In particular, the standards for downtowns and main street districts, including those provisions identified as optional, are consistent with TPR amendments for Multi-Modal Mixed Use Areas that went into effect January 1, 2012.

2.2.010 Purpose

Chapter 2.2 regulates allowed land uses (“uses”) and sets forth lot and development standards, including minimum dimensions, area, density, coverage, structure height, and other provisions that control the intensity, scale, and location of development. The regulations of this chapter are intended to implement the City of [name] Comprehensive Plan and the purposes of this Code, per Section 1.2.020.

2.2.020 Applicability

All real property in the City of [name] is subject to the zoning regulations of Chapter 2.2. Certain types of land uses are also subject to the Special Use regulations in Chapter 2.3. In addition, some properties are subject to both the general (“base zone”) regulations of Chapter 2.2 and the Overlay Zone regulations of Chapter 2.4. Property owners, realtors, project proponents, and others are advised to verify the regulations that apply to a particular property before beginning a new project, purchasing real estate, or marketing a property for sale.

2.2.030 Allowed Uses

User’s Guide: Three types of land use designations are provided: “P” means the use is permitted; “S” means the use is permitted with Special Use Standards (Chapter 2.3); “CU” means the use is allowed, subject to approval of a Conditional Use Permit (Chapter 4.4); and “N” means the use is not allowed. Uses that are not listed and that the city determines are not similar to an allowed use are prohibited. The designation of allowed uses in Table 2.2.110 should be tailored to local conditions. First, consider whether any existing land uses would become non-conforming before changing your code. (Chapter 1.4 addresses non-conforming uses.) The Model Code text should be adjusted, as needed, to minimize the number of non-conforming uses created.

- A. Uses Allowed in Base Zones.** Allowed uses include those that are permitted, those that are permitted subject to special use standards, and those that are allowed subject to approval of a conditional use permit, as identified by Table 2.2.030. Allowed uses fall into four general categories: Residential, Public and Institutional, Commercial, and Other. Where Table 2.2.030 does not list a specific use, and Article 5 Definitions does not identify the use or include it as an example of an allowed use, the City may find that use is allowed, or is not allowed, following the procedures of Section 1.5.020 Code Interpretations. Uses not listed in Table 2.2.030 and not found to be similar to an allowed use are prohibited.
- B. Permitted Uses and Uses Permitted Subject to Special Use Standards.** Uses listed as “Permitted (P)” are allowed provided they conform to Section 2.2.040 Lot and Development Standards. Uses listed as “Permitted Subject to Special Use Standards (S)” are allowed, provided they conform to the Chapter 2.3 Special Use Standards and Section 2.2.040 Lot and Development Standards. Uses listed as “Not Allowed (S)” are prohibited. Uses not listed but similar to those allowed may be permitted pursuant to Section 1.5.010.
- C. Conditional Uses.** Uses listed as “Conditional Use Permit Required (CU)” are allowed subject to the requirements of Chapter 4.4 Conditional Use Permits.
- D. Uses Regulated by Overlay Zones.** Notwithstanding the provisions of Chapter 2.2, additional standards may apply to uses within overlay zones. In addition, an overlay zone may allow exceptions to some standards of the underlying zone. See Chapter 2.4.
- E. Master Planned Developments.** Uses that are not otherwise allowed by the underlying zone may be permitted through the Master Planned Development procedure under Chapter 4.5.
- F. Accessory Uses.** Uses identified as “Permitted (P)” are permitted as primary uses and as accessory uses. For information on other uses that are customarily allowed as accessory, please refer to the description of the Use Categories in Article 5 Definitions.
- G. Mixed-Use.** Uses allowed individually are also allowed in combination with one another, in the same structure, or on the same site, provided all applicable development standards and building code requirements are met.
- H. Outdoor Uses and Unenclosed Activities.** Notwithstanding the provisions of Table 2.2.030, any use,

2.2 – Zoning District Regulations | Allowed Uses

except for an allowed accessory use, that occurs primarily outside (i.e., not within a permitted building) requires a Conditional Use Permit under Chapter 4.4. *[Examples of outdoor uses and unenclosed activities that may or may not be considered accessory uses, depending on their location and size relative to other uses on the same property, include, but are not limited to, automotive services, vehicle and equipment repair, fueling, drive-in restaurants, drive-up windows and similar drive-through facilities, automatic teller machines, kiosks, outdoor assembly and theaters, outdoor markets, and similar uses.]*

- I. **Temporary Uses.** Temporary uses occur *[only once in a calendar year and]* for not longer than *[(#) days]*, *[consecutively / cumulatively,]* in any calendar year. Uses may be permitted on a temporary basis, subject to review and approval under Chapter 4.3 Site Design Review.
- J. **Disclaimer.** Property owners are responsible for verifying whether a specific use is allowed on a particular site. *[Submittal of a Zoning Checklist for review and approval by the City (Planning Official) (is / may be) required in order to determine whether a use is allowed on a given site, and whether further land use review is required.]*

User's Guide: Land uses vary in scale and intensity from city to city. Therefore, concerns about land use impacts are not the same in all communities. While some small Oregon cities already have many of the uses listed, the market potential for some uses may be limited in other cities. The following table should be tailored to fit your community based on the comprehensive plan, which considers housing needs, economic opportunities, and local priorities. In general, the table is intended to encourage a wide range of housing choices while allowing flexibility for mixing compatible land uses. The optional Residential-Commercial (RC) zone, for example, is specifically designed to promote mixed-use, while serving as a transition between residential neighborhoods and more intensive commercial or employment areas. The model code also encourages small-scale retail operations in conjunction with allowed industrial uses, and light manufacturing or “artisanal uses” in conjunction with allowed commercial uses.

As you carry forward the regulations contained in your existing code and add new uses to Table 2.2.030, consider following the steps below:

- Where the current ordinance clearly describes a use as Permitted (P) or Permitted Conditionally (CU), carry those forward into the table, or make sure to discuss proposed policy changes with the planning commission and public.
 - Where the current ordinance is silent on whether a use is allowed but it clearly designates a similar use as Permitted or Permitted Conditionally, consider applying the same designation in the new code.
 - Where the current ordinance identifies a use as Permitted (P) but it prescribes specific standards for that use (e.g., hours of operation for home occupations, etc.), designate the use as a “Special Use (S),” and reference Chapter 2.3 Special Uses. Alternatively, if the standards are brief, consider including them into Table 2.2.030.
 - Where the current ordinance is unclear with respect to allowed uses, flag those uses for discussion with the planning commission. Remember not all uses in the model code will be appropriate to include in your city code.
-

2.2 – Zoning District Regulations | Allowed Uses

Table 2.2.030 – Uses Allowed by Zoning District

Uses	Residential Zones			Commercial Zones and Employment Zones					[Public Use]		[X]	Special Use Standards
	RL	[RM/RH]	[RC]	[D/MS]	GC	[LI/ME]	GI	[PF]	[P-OS]	[x]		
A. Residential Uses¹												
Single-Family Dwelling, Non-Attached	P	P	[P]	[S/N]	[S/N]	N	N	[N]	[N]			Sec 2.3.090
Single-Family Dwelling, Attached (Townhome)	[S/N]	S	[S]	[S/N]	[S/N]	N	N	[N]	[N]			Sec 2.3.090; Sec 2.3.210
[Accessory Dwelling]	[S]	[S]	[S]	[S]	[N]	[N]	[N]	[N]	[N]			[Sec 2.3.170]
[Boarding or Rooming House]	[N]	[CU]	[CU]	[CU]	[N]	[N]	[N]	[N]	[N]			
[Cottage Housing Cluster]	[N]	[S]	[S]	[N]	[N]	[N]	[N]	[N]	[N]			[Sec 2.3.190]
Duplex Dwelling	S	P	[S]	[S/N]	[S/N]	N	N	[N]	[N]			Sec 2.3.060
Manufactured Home	S	S	[S]	[S/N]	[S/N]	N	N	[N]	[N]			Sec 2.3.090; Sec 2.3.130
Manufactured Home Park	N	[S/N]	[S/N]	N	N	N	N	[N]	[N]			Sec 2.3.140
Multifamily Dwelling	N	S	[S]	[S/N]	[S/N]	N	N	[N]	[N]			Sec 2.3.080; 2.3.090
Family Daycare	S	S	[S]	[S/N]	[S/N]	N	N	[N]	[N]			Sec 2.3.100
Residential Care Home	S	S	[S]	[S/N]	[S/N]	N	N	[N]	[N]			Sec. 2.3.090; Sec 2.3.110
Residential Care Facility	N	S	[S]	[S/N]	[S/N]	N	N	[N]	[N]			Sec. 2.3.090; Sec 2.3.110
Home Occupation	S	S	[S]	[S/N]	[S/N]	N	N	[N]	[N]			Sec 2.3.120
[Micro-Generation; wind, solar, or geothermal energy (household use)]	[S]	[S]	[S]	[S]	[S]	[S]	[S]	[S]	[S]			[Sec 2.3.200]
[Vacation Rental Dwellings]	[S]	[N]	[N]	[S/N]	[N]	[N]	[N]	[N]	[N]			[Sec 2.3.220]

User's Guide: The above residential uses represent the range of "needed housing" that cities are generally required to zone land for under Statewide Planning Goal 10 (Housing). Care Homes or Facilities are subject to ORS 197.665 and 197.670, and the federal Fair Housing Amendments Act of 1988 (42 U.S.C. § 3615). The model code provides clear and objective standards for housing, per state law, and allows residential uses in commercial districts, per OAR 660-012-060.

KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

2.2 – Zoning District Regulations | Allowed Uses

Table 2.2.030 – Uses Allowed by Zoning District

Uses	Residential Zones			Commercial Zones and Employment Zones					[Public Use]		Special Use Standards
	RL	[RM/ RH]	[RC]	[D/ MS]	GC	[L/I/M E]	GI	[PF]	[P- OS]	[X]	
B. Public and Institutional Uses²											
[Airport, Public Use]	[N]	[N]	[N]	[N]	[N]	[S/N]	[N]	[S/N]	[N]		[per Airport Overlay Zone]
Automobile Parking, Public Off-street Parking	N	N	[P/CU]	CU	CU	CU	CU	[P]	[N]		
Cemetery, including Crematorium	[N/ICU]	N	[N]	N	N	N	N	[CU]	[CU]		
Child Daycare Center	N	N	[P/CU]	CU	CU	CU	N	[CU]	[N]		
Club Lodge, Fraternal Organization	N	N	[P/CU]	CU	CU	N	N	[CU]	[N]		
Community Service; includes Governmental Offices	N	N	[P/CU]	P	P	CU	N	[P]	[CU]		
[Community Garden]	[P/CU]	[P/CU]	[P/CU]	[P/CU]	[N/ICU]	N	N	[P]	[P]		
Clinic, Outpatient Only	N	N	[P/CU]	P	P	CU	N	[P]	[N]		
Emergency Services; includes Police, Fire, Ambulance	[N/ICU]	[N/ICU]	[CU]	CU	CU	CU	CU	[P]	[N]		
Hospital, including Acute Care Center	N	N	[N/ICU]	[N/ICU]	CU	CU	N	[CU]	[N]		
Mortuary	N	N	[N/ICU]	[N/ICU]	[N/ICU]	[N/ICU]	N	[CU]	[N/ICU]		
Non-Profit Member Organization Offices	N	N	CU	CU	CU	CU	N	[CU]	[N]		
Parks and Open Space, including Playgrounds, Trails, Nature Preserves, Athletic Fields, Courts, Swim Pools, and similar uses	[S/ICU]	[S/ICU]	[S/ICU]	[S/ICU]	[S/ICU]	[S/ICU]	[S/ICU]	[S/ICU]	[P]		[Sec 2.3.2.10]
[Prison]	[N]	[N]	[N]	[N]	[N]	[CU/N]	[N]	[CU/N]	[N]		

User's Guide: Because parks and open spaces can generate noise and lighting concerns, some communities require conditional use permit approval for parks and some open space uses. Another alternative is to allow uses subject to special standards. For example, neighborhood parks (e.g., tot lots or informal play fields) and natural areas that are limited to daytime use typically do not raise compatibility concerns and therefore can be permitted with standards.

² **KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.**

City of [Name]

Oregon Model Development Code

2.2 – Zoning District Regulations | Allowed Uses

Table 2.2.030 – Uses Allowed by Zoning District

Uses	Residential Zones				Commercial Zones and Employment Zones					[Public Use]		Special Use Standards
	RL	[RM/ RH]	[RC]	[D/ MS]	GC	[LI/ ME]	GI	[PF]	[P- OS]	[X]		
		[N]	[N]	[N]	[N]	[N]	[N]	[N]	[N]			
B. Public and Institutional Uses³ (continued)												
Public Works Utilities Storage Yards; includes Vehicle and Equipment Storage, Maintenance, and Repair	N	N	N	N	[CU/ N]	[CU/ N]	P	[P]	[CU]			
[Railroad Facilities]	[N]	[N]	[N]	[N]	[N]	[N]	[P]	[CU]	[N]			
Religious Institutions and Houses of Worship	CU	CU	CU	CU	CU	N	N	[N]	[N]			
School, Preschool-Kindergarten	CU	CU	CU	CU	CU	N	N	[CU]	[N]			
School, Secondary	CU	CU	CU	CU	CU	N	N	[CU]	[N]			
[School, College or Vocational]	N	N	CU	CU	CU	CU	N	[CU]	[N]			
Solid Waste Disposal or Recycling, except as accessory to permitted use	N	N	N	N	N	N	N	[CU]	[N]			
Transportation Facilities; includes construction, operation, and maintenance of facilities located within right-of-way controlled by a public agency, consistent with [Transportation System Plan / Comprehensive Plan].	The state Transportation Planning Rule (OAR 660, Division 12) requires that local codes permit transportation facilities. This is a placeholder.											
Utility Structures and Facilities, City Planned Projects; i.e., utilities identified by an adopted City master plan or development review approval	P	P	P	P	P	P	P	[P]	[P]			
Utility Structures and Facilities, Regional Projects; project is not part of an adopted City master plan or development review approval	[N/CU]	[N/CU]	[N/CU]	[N/CU]	[N/CU]	[N/CU]	[N/CU]	[CU]	[N/CU]			
[Wireless Communication Facilities]	[CU/N]	[CU/N]	[CU/N]	[CU/N]	[CU/N]	[P/CU]	[P/CU]	[P/CU]	[CU/N]			

³ KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

2.2 – Zoning District Regulations | Allowed Uses

Table 2.2.030 – Uses Allowed by Zoning District

Uses	Residential Zones				Commercial Zones and Employment Zones					[Public Use]		Special Use Standards
	RL	[RM/ RH]	[RC]	[ID/ MS]	GC	[LI/ ME]	GI	[PF]	[P- OS]	[X]		
											[N]	
C. Commercial Uses⁴												
Amusement, Entertainment, and Commercial Recreation; includes theaters, bowling alleys, miniature golf, concert venues, arcades, similar uses	N	N	CU	[P/ CU]	[P/ CU]	N	N	[CU]	[N]			
Artisanal and Light Manufacture Uses in Commercial zones – includes craftsman studios; and uses providing instruction and/or retail sales related to painting, sculpting, photography, picture framing, knitting, sewing, literature, theater, music, specialty foods or catering, or similar uses	-	-	S	S	S	-	-	-	-			Sec 2.3.040
Automobile Parking, Commercial Parking	N	N	CU	CU	CU	CU	CU	[N]	[N]			
Automotive Repair and Service, includes fueling station, car wash, tire sales and repair or replacement, painting, and other repair for automobiles, motorcycles, aircraft, boats, RVs, trucks, etc.	N	N	[N/ CU+S]	[N/ CU+S]	S	CU	[P/ CU]	[N]	[N]			Sec 2.3.050
Automotive Sales and Rental; includes motorcycles, boats, recreational vehicles, and trucks	N	N	N	[N/ CU+S]	S	N	N	[N]	[N]			
[Bed and Breakfast Inn]	[N/ CU+S]	[N/ CU+S]	[C/ +S]	[N/ CU+S]	[N/ CU+S]	[N]	[N]	[N]	[N]			[Sec 2.3.180]
Commercial Retail Sales and Services	N	N	CU	P	P	N	N	[N]	[N]			
Commercial Retail Sales and Services, in Conjunction with a Permitted Industrial Use, and limited to [X] square feet gross leasable area	N	N	N	N	N	CU	N	[N]	[N]			

User's Guide: The above provisions limiting automobile sales and service uses in downtowns and main street districts are consistent with the Multi-Modal Mixed Use provisions under OAR 660-012-060. See also, the drive-through service and general industrial use regulations in other parts of this table. The provision for “artisanal uses” is intended to encourage cottage industries that combine light manufacturing and retail uses in commercial zones.

4 KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

City of [Name]

Oregon Model Development Code

2.2 – Zoning District Regulations | Allowed Uses

Table 2.2.030 – Uses Allowed by Zoning District

Uses	Residential Zones			Commercial Zones and Employment Zones					[Public Use]		Special Use Standards
	RL	[RM/ RH]	[RC]	[D/ MS]	GC	[LI/ ME]	GI	[PF]	[P- OS]	[X]	
C. Commercial Uses (continued)⁵											
<i>[Data Center or Server Farm]</i>	N	N	[P/ CU]	[P/ CU]	P	P	P	[N]	[N]		
These uses can be mistaken for Office uses, though they typically employ few people and have large electrical demands.											
Customer Call Center	N	N	[P/ CU]	P	P	P	N	[N]	[N]		
Drive-Through Service	N	N	[CU+S]	[N/ CU +S]	S	S	S	[S]	[S]		Sec 2.3.050
This use should be discouraged in RC and D/MS zones.											
<i>[Golf Course or driving range, with pro shop, clubhouse, or restaurant]</i>	[N]	[N]	[N]	[N]	[CU]	[N]	[N]	[CU]	[N]		
<i>[Golf Course without pro shop, clubhouse, or restaurant]</i>	[N]	[N]	[N]	[N]	[CU]	[N]	[N]	[CU]	[CU]		
Hotels, Motels, and Similar Overnight Accommodations	N	N	[P/ CU]	P	P	N	N	[N]	[N]		
Kennel (See also, "Veterinary Clinic")	N	N	N	[CU/ N]	CU	CU	N	[CU]	[N]		
Lumber Yard and Similar Sales of Building or Contracting Supplies, or Heavy Equipment	N	N	[N/ CU]	[N/ CU]	CU	P	P	[N]	[N]		
Medical Clinic, Outpatient	N	N	[CU/ P]	[CU/ P]	P	[CU/ P]	N	[CU/ P]	[N]		
Offices	N	N	[CU/ P]	P	P	P	[CU/ P]	[CU/ P]	[N/ CU]		
<i>[Recreational Vehicle Park]</i>	N	N	[N/ CU]	N	[N/ CU]	N	N	[N/ CU]	[N/ CU]		
Self-Service Storage, Commercial	N	N	[N/ CU]	[N/ CU]	[CU/ P]	P	P	[N]	[N]		
Veterinary Clinic	N	N	[N/ CU]	[CU]	P	P	[CU]	[N/ CU]	[N]		

5 KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

2.2 – Zoning District Regulations | Allowed Uses

Table 2.2.030 – Uses Allowed by Zoning District

Uses	Residential Zones			Commercial Zones and Employment Zones					[Public Use]		[Other Zones]		Special Use Standards
	RL	[RM or RH]	[RC]	[D or MS]	GC	[LI or ME]	GI	[PF]	[P-OS]	[X]	[M]		
<i>[Airport]</i>													
Artisanal and Light Manufacture Uses in Industrial and Public Facility zones	-	-	-	-	-	P	P	[S/N]	[N]				Sec 2.3.040
Auction Yard	N	N	N	N	CU	CU	P	[CU/N]	[CU/N]				
Beverage and Bottling Facility, except as allowed for Commercial Uses	N	N	N	N	CU	CU	P	[N]	[N]				
Bulk Storage of Flammable Liquids or Gases; Petroleum Products Storage and Distribution; Wood or Biomass Fuel Dealers	N	N	N	N	N	N	CU	[N]	[N]				
Cement, Glass, Clay, and Stone Products Manufacture; except as allowed for Artisanal and Light Manufacture Uses	N	N	N	N	N	N	CU	[N]	[N]				
Chemical, Fertilizer, Insecticide, Paint Product Manufacture, or Similar Uses	N	N	N	N	N	N	CU	[N]	[N]				
Concrete or Asphalt Batch Plants	N	N	N	N	N	N	CU	[N]	[N]				
Dairy Products Manufacture, e.g., Butter, Milk, Cheese, Ice Cream; except as allowed for Artisanal and Light Manufacture Uses	N	N	N	N	N	N	CU	[N]	[N]				
<i>[Data Center or Server Farm]</i>	N	N	[N/CU]	[CU/P]	P	P	[CU/P]	[N]	[N]				
Dwelling for a caretaker or watchman	N	N	N	N	N	[CU/P]	CU	[N]	[N]				
User's Guides: Industrial and employment uses vary in scale and intensity from city to city. Therefore concerns about land use impacts are not the same in all communities. The above list of uses should be tailored to fit your community based on local planning priorities and economic factors. Zoning for airports and for uses within airport approaches must conform to the state Airport Planning Rule (OAR 660-013). See Oregon Aviation Department Land Use Compatibility Guidelines and Model Ordinance.													

[This use is subject to the Airport Overlay Zone, where applicable.]

⁶ **KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.**

2.2 – Zoning District Regulations | Allowed Uses

Table 2.2.030 – Uses Allowed by Zoning District

Uses	Residential Zones				Commercial Zones and Employment Zones					[Public Use]		[Other Zones]		Special Use Standards
	RL	[RM or RH]	[RC]	[D or MS]	GC	[LI or ME]	GI	[PF]	[P-OS]	[X]	[Y]			
D. Indus. and Mixed Employment Uses⁷ (cont')														
Finished Textile and Leather Products Manufacture; except as allowed for Artisanal and Light Manufacture Uses]	N	N	N	N	N	CU	[CUIP]	[N]	[N]					
Food Processing, including Canning, Freezing, Drying and Similar Food Processing and Preserving; except as allowed for Artisanal and Light Manufacture Uses.] Rendering Plants are prohibited.	N	N	N	N	N	CU	[CUIP]	[N]	[N]					
Freight Terminals, including Loading Docks, Storage, Warehousing, Wholesale Distribution, Cold Storage; except Self-service Storage or Mini-storage Warehouses	N	N	N	N	N	CU	[CUIP]	[N]	[N]					
Machine Shop, and Sales, Service and Repair of Machinery; except as allowed for Artisanal and Light Manufacture Uses]	N	N	N	N	N	CU	[CUIP]	[N]	[N]					
Metal Plating	N	N	N	N	N	CU	[CUIP]	[N]	[N]					
Metal Manufacture, Welding [; except as allowed for Artisanal and Light Manufacture Uses]	N	N	N	N	N	CU	[CUIP]	[N]	[N]					
Newspaper, Periodical, Publishing and Printing; except Artisanal and Light Manufacture Uses	N	N	[CUI/N]	[P/CU]	P	P	[CUIP]	[N]	[N]					
Special Trade Contracting Facilities, such as Floor Laying, Masonry, Stone, Plumbing, Electrical, Metal Work, Roofing, Heating and Air Conditioning, Cabinet making, and Carpentry	N	N	N	N	N	CU	[CUIP]	[N]	[N]					
Wood Products Manufacture, such as Sawmills, Paper and Allied Products, and Secondary Wood Products; except Artisanal and Light Manufacture Uses	N	N	N	N	N	CU	[CUIP]	[N]	[N]					
Wrecking, Demolition, Junk Yards, Recycling Centers	N	N	N	N	N	N	CU	[N]	[N]					

User's Guide: Industrial and employment uses vary in scale and intensity from city to city. Therefore concerns about land use impacts are not the same in all communities. The above list of uses should be tailored to fit your community based on local planning priorities and economic factors.

7 KEY: P = Permitted Use; S = Permitted with Special Use Standards; CU = Conditional Use Permit Required; N = Not Allowed.

Published on *The City of Tualatin Oregon Official Website* (<http://www.tualatinoregon.gov>)

[Home](#) > Printer-friendly

Sections:

60.010 Purpose.

60.020 Permitted Uses.

60.021 Restrictions on Permitted Uses in ML.

60.025 Additional Permitted CO Uses in ML.

60.030 Central Urban Renewal Plan - Additional Permitted Uses.

**60.035 Special Setbacks for Commercial Uses from Arterial Streets;
Additional Permitted Uses in the Commercial Services Overlay.**

60.037 Additional Permitted Mixed Uses in ML>

60.038 Restrictions on Additional Permitted Mixed Uses in ML.

60.040 Conditional Uses.

60.041 Restrictions on Conditional Uses.

60.050 Prohibited Uses.

60.060 Lot Size.

60.065 Central Urban Renewal Area - Lot Sizes.

60.070 Setback Requirements.

60.085 Sound Barrier Construction.

60.090 Structure Height.

60.100 Access.

60.110 Off-Street Parking and Loading.

60.120 Environmental Standards.

60.130 Flood Plain District.

60.140 Wetlands Protection District.

60.150 Community Design Standards.

60.160 Landscape Standards.

Section 60.010 Purpose.

The purpose of this district is to provide areas of the City that are suitable for industrial uses and compatible with adjacent commercial and residential uses. The district serves to buffer heavy manufacturing uses from commercial and residential areas. The district is suitable for warehousing, wholesaling, and light manufacturing processes that are not hazardous and do not create undue amounts of noise, dust, odor, vibration, or smoke. The district is also suitable for retail sale of products manufactured, assembled, packaged or wholesaled on the site provided the retail sale area, including the showroom area, is no more than 5% of the gross floor area of the building not to exceed 1,500 square feet and, with appropriate restrictions, for retail sale of products not allowed for sale in General Commercial Planning Districts, and office commercial uses where any portion of a legally

created lot is within 60 feet of a CO Planning District boundary. Railroad access and screened outdoor storage will be allowed in this district, conforming to defined architectural, landscape, and environmental design standards. In accordance with the Industrial Business Park Overlay District, TDC Chapter 69, and TDC 60.037-60.038 selected small-scale mixed uses that are supportive of and secondary to industrial uses are allowed to provide services to businesses and employees. The purpose is also to allow certain commercial service uses in the Commercial Services Overlay shown in the specific areas illustrated on Map 9-5 and selected commercial uses subject to distance restrictions from residential areas and subject to the Special Commercial Setback from arterial streets as generally illustrated in Map 9-5 and specifically set forth in TDC 60.035. [Ord. 621-84 §5, 2/13/84; Ord. 942-95 §3, 3/27/95; Ord. 1003-98 §2, 4/27/98; Ord. 1046-00 §7, 2/14/00; Ord. 1133-03, 3/24/03; Ord. 1370-14 §2, 03/24/14]

Section 60.020 Permitted Uses.

No building, structure or land shall be used in this district, except for the following uses as restricted in TDC 60.021:

- (1) Assembly, packaging, processing and other treatment of products, such as dairy products, and soft drinks. (2) Assembly and packaging of small electrical and electronic appliances, such as radios, televisions, phonographs, audio, video and computer equipment, and office machines.
- (2) Assembly and packaging of small electrical and electronic appliances, such as radios, televisions, phonographs, audio, video and computer equipment, and office machines
- (3) Assembly of the following types of products:
 - (a) Bicycles.
 - (b) Small electric generators.
 - (c) Small electric motors.
 - (d) Marine pleasure craft.
 - (e) Sashes and doors.
 - (f) Vending machines.
- (4) Child day care center, provided it is in a building with manufacturing, processing, assembling, warehousing or wholesaling uses and provided all exterior walls and outdoor play areas shall be at least 400 feet from the exterior walls and pump islands of any automobile service station, irrespective of any structures in between.
- (5) Contractor's office.
- (6) Electrical substation.
- (7) Electroplating.

- (8) Greenways and Natural Areas, including but not limited to bike and pedestrian paths and interpretive stations.
- (9) Laboratories: testing, medical, dental, photo, or motion picture, except structural-mechanical testing laboratories.
- (10) Laundry, dry cleaning, dyeing or rug cleaning plant (non-retail).
- (11) Machine shop, including automotive machine shop, of less than 7,500 gross square feet.
- (12) Manufacture of musical instruments, toys and novelties.
- (13) Manufacture of pottery and ceramics, using only previously pulverized clay.
- (14) Manufacture of the following types of products:
 - (a) Cabinets.
 - (b) Furniture.
 - (c) Mattresses.
 - (d) Scientific, medical or dental laboratory measuring, analyzing and controlling equipment, and related tools and supplies.
- (15) Marijuana facility, subject to the provisions in TDC Chapter 80.
- (16) Molding of small products from plastic.
- (17) Natural gas pumping station.
- (18) Offices for executive, administrative, and professional uses related to the sale or service of industrial products.
- (19) Other uses of similar character found by the Planning Director to meet the purpose of this district, as provided in TDC 31.070.
- (20) Processing, assembly, packaging, and other treatment of small products manufactured from the following previously prepared or semi-finished materials: bone, hair, fur, leather, feathers, textiles, plastics, glass, wood, paper, cork, wire up to 1/4 inch (0.25") in diameter, rubber, and rubber compounds, precious or semi-precious stones, and similar small products composed of previously prepared or semi-finished materials.
- (21) Processing, assembly, packaging, and other treatment of such products as small hand tools, optical goods, hearing aids, and scientific instruments or equipment.
- (22) Processing, assembly, packaging, or other treatment of such products as bakery goods, candy, cosmetics, pharmaceuticals, toiletries.

- (23) Production of agricultural crops.
- (24) Public works shop and storage yard.
- (25) Publishing and printing (non-retail).
- (26) Sales of industrial hand tools, industrial supplies such as safety equipment and welding equipment, that are products primarily sold wholesale to other industrial firms or industrial workers.
- (27) Sewer and water pump stations, pressure reading stations, water reservoir.
- (28) Shared service facilities.
- (29) Spinning or knitting of fibers.
- (30) Storage of automobiles, boats, buses, trailers, and recreational vehicles, except not allowed in the Special Commercial Setback, TDC 60.035(1-3).
- (31) Telephone exchange or switching facility.
- (32) Trade or industrial schools.
- (33) Transportation facilities and improvements.
- (34) Warehousing related to the above uses; and warehousing for merchandise or goods normally sold or owned in commercial or residential planning districts, but excluding direct retail sales to customers from such warehouse structure, and excluding the storage of hazardous materials.
- (35) Wireless communication facility.
- (36) Wireless communication facility attached.

[Ord. 812-90 §3, 9/24/90; renumbered by Ord. 824-91 §11, 2/11/91; renumbered by Ord. 831-91 §1, 5/13/91; Ord. 849-91 §32, 11/25/91; Ord. 911-94 §2, 2/14/94; Ord. 913-94 §5, 2/28/94; Ord. 965-96 §68, 12/9/96; Ord. 979-97 §24, 7/14/97; Ord. 1003-98 §3, 4/27/98; Ord. 1026-99 §74, 8/9/99; Ord. 1046-00 §8, 2/14/00; Ord. 1050-00 §1, 3/13/00; Ord. 1122-02, 11/25/02; Ord. 1103-02, 3/25/02; Ord. 1133-03, 3/24/03; Ord. 1164-04 §2, 6/28/04; Ord. 1379-15, § 2 03/23/2015]

Section 60.021 Restrictions on Permitted Uses in ML.

The following restrictions shall apply to those uses listed as permitted uses in TDC 60.020:

- (1) The use must be conducted wholly within a completely enclosed building, except off-street parking and loading, utility facilities, wireless communication facilities, outdoor storage of materials and products directly related to the permitted use and outdoor play areas of child day care centers as required by state day care certification standards.

(2) The retail sale of products manufactured, assembled, packaged or wholesaled on the site is allowed provided that the retail sale area, including the showroom area, shall be no greater than 5% of the gross floor area of the building not to exceed 1,500 square feet.

(3) For other retail uses, excluding retail sales of products manufactured, assembled, packaged or wholesaled on the site, the following restrictions shall apply:

(a) Retail uses on land designated Employment Area or Corridor on Map 9-4 shall not be greater than 60,000 square feet of gross floor area per building or business.

(b) Retail commercial, retail service and professional service uses on land designated Industrial Area on Map 9-4 shall not be greater than 5,000 square feet of sales or service area in a single outlet, or not greater than 20,000 square feet of sales or service area for multiple outlets in a single building or in multiple buildings that are part of the same development project, with the following two exceptions, which shall not be subject to the size limitations stated in this subsection:

(i) Commercial uses within the Special Setbacks for Commercial Uses Area, shown on Map 9-5, and as specified in TDC 60.035.

(ii) Development approved through the application of the Industrial Business Park Overlay District to certain properties, as specified in TDC Chapter 69.

(iii) Development approved through the application of standards for additional small-scale mixed uses in ML as specified in TDC 60.037-60.038.

(4) Marijuana facilities are subject to the provisions in TDC Chapter 80. To the extent there is a conflict between the provisions in this Chapter and the provisions in TDC Chapter 80, the provisions in TDC Chapter 80 apply.

[Ord. 1212-06, 06/26/06; Ord. 1370-14 §3, 03/24/14; Ord. 1379-15 § 3, 03/23/2015]

Section 60.025 Additional Permitted CO Uses in ML.

In a ML District where any portion of a legally created lot is within 60 feet of a CO Planning District boundary, uses listed in the CO District, TDC 50.020, are permitted subject to the following provisions:

(1) Uses shall comply with the CO Planning District development standards.

(2) Allowable square feet of gross floor area shall be limited based on vehicle trip generation. The limitation shall be determined through the Architectural Review process using the following formula:

A x 24	=	MTGSF
ITE		

where:

A = Developable Area (in acres)

24 = Vehicle Trip Generation Cap for P.M. Peak Hour Trips Per Acre of Land (constant determined by City)

ITE = Average Vehicle Trips per 1000 Square Feet Gross Floor Area on a Weekday P.M. Peak Hour of the Adjacent Street as Determined Using the Latest Edition of the ITE Trip Generation Manual, or Actual Trip Rate Figures Based on a Traffic Analysis Approved by the City Engineer

MTGSF = Maximum Thousand Gross Square Feet of Floor Area Allowed on the Developable Area

(3) No ML use shall be allowed between a CO use in the ML District and a CO district boundary. [Ord. 942-95, §4, 3/27/95]

Section 60.030 Central Urban Renewal Plan - Additional Permitted Uses.

(1) The following uses are permitted in Blocks 28 and 29 of the Central Urban Renewal Plan, as shown on Map 9-3:

(a) Office Uses:

- (i) Business or professional office.
- (ii) Medical-dental clinic.
- (iii) Real estate office.
- (iv) Veterinarian's office or animal hospital.

(b) Retail Uses:

- (i) Antique shop or secondhand store.
- (ii) Appliance store (incidental repairs only).
- (iii) Automobile accessory sales and auto parts retailing and wholesaling.
- (iv) Bicycle sales, service or repair.
- (v) Boat, boat motor and boat trailer sales (does not include maintenance, service or repair), provided the boats do not exceed 18 feet in length, the boat motors do not exceed 40 horsepower, and the boat trailers are single axle.
- (vi) Book store.

- (vii) Building and home improvement materials and supplies retail sales, including garden tractors not exceeding 25 horsepower.
- (viii) Business machines sales, service or repair.
- (ix) Clothing store.
- (x) Feed and seed store.
- (xi) Florist.
- (xii) Furniture store (non-warehouse type).
- (xiii) Hardware store.
- (xiv) Jewelry store.
- (xv) Motorcycle sales and service.
- (xvi) Pet shop.
- (xvii) Plant shop.
- (xviii) Record or music shop.
- (xix) Recreational water, snow, and land vehicles sales and service.
- (xx) Scientific or professional instrument sales or repair.
- (xxi) Sporting goods store.
- (xxii) Stationery store.

(c) Service Uses:

- (i) Automobile glass shop; auto leasing office with no more than five autos stored on site; auto service shop, including but not limited to, service for air conditioners, electrical, brakes, washing, mufflers, oil or lubrication, sound, transmissions, tune-up, and upholstery; and auto tire shop.
- (ii) Automobile towing company office and dispatch office (no outdoor storage of towed vehicles).
- (iii) Barber or beauty shop.
- (iv) Blueprinting, photostating, printing, lithographing, or other reproduction process.
- (v) Business college.

(vi) Dental laboratory.

(vii) Eating and Drinking Establishment, including drive-in restaurants, take-out restaurants, catering establishments, taverns, and cocktail lounges, subject to the following provisions:

(1) Drive-throughs are prohibited; and

(2) Take-out restaurants must be smaller than 1,500 square feet, seat no more than 50 people, and be located at least 200 feet away from a public street right-of-way, unless the right-of-way is separated from the restaurant by railroad right-of-way, in which case the restaurant must be at least 100 feet away from a public street right-of-way.

(viii) Frozen food locker.

(xi) Health or fitness facility.

(x) Laundry or drycleaning establishment.

(xi) Locksmith or gunsmith.

(xii) Magazine or newspaper distribution agency.

(xiii) Memorial planning and products center.

(xiv) Nursery or greenhouse (allowed outdoors).

(xv) Optical lens grinder.

(xvi) Photo processing.

(xvii) Publishing house.

(xviii) Radio or television service.

(xix) Rental of various small equipment, tools, and devices.

(xx) Shoe repair shop.

(xxi) Studio, including music, art, dancing, photography or health.

(xxii) Taxidermy shop.

(xxiii) Telephone or telegraph exchange.

(xxiv) Testing laboratory.

(xxv) Watch and clock repair.

(d) Other Uses:

(i) Assembly, packaging, and treatment of beer and other alcohol products, with or without a tasting or tap room.

(i) Other uses of similar character, when found by the Planning Director to meet the purpose of this district, as provided by TDC 31.070.

(2) All uses permitted in subsection (1) must be conducted wholly within an enclosed building, except the following:

(a) Building and home improvement materials and supplies retail sales store's that have a gross floor exceeding 50,000 square feet may have an outdoor storage, display, and sales area subject to the following provisions:

(i) The outdoor area must abut a wall of the store;

(ii) The outdoor area must not exceed 15,000 square feet;

(iii) No less than 50 percent of the outdoor area must be covered by a permanent roof;

(iv) All sides of the outdoor area not abutting a wall of the store must be screened with a sight obscuring fence, wall, berm, or dense evergreen landscaping not less than 6 feet in height as approved through the Architectural Review process; and

(v) Stored materials must not exceed the height of the sight obscuring barrier when viewed from street level.

(b) Eating and Drinking Establishment, including drive-in restaurants, take-out restaurants, catering establishments, taverns, and cocktail lounges may have outdoor seating.

(c) Retail sales of boats, motors, and trailers may have an outdoor storage, display, and sales area subject to the following provisions:

(i) The sales of boats, motors, and trailers must not be the primary products sold by the store;

(ii) The outdoor area must abut a wall of the store;

(iii) The outdoor area must not exceed 5,000 square feet;

(iv) No less than 25 percent of the outdoor area must be covered by a permanent roof;

(v) All sides of the outdoor area not abutting a wall of the store must be screened with a sight obscuring fence, wall, berm, or dense evergreen landscaping not less than six feet in height as approved through the Architectural Review process;

(vi) Stored materials must not exceed the height of the sight obscuring barrier when viewed from street level;

(vii) The boats do not exceed 18 feet in length;

(viii) The boat motors do not exceed 40 horsepower; and

(ix) The boat trailers are single axle.

(3) All uses, or combination of uses, permitted in subsection (1) cannot exceed 60,000 square foot per parcel.

(4) Retail automobile service stations (gas stations) and nonretail cardlock stations (cardlock gas stations) are prohibited in Blocks 28 and 29 of the Central Urban Renewal Plan, notwithstanding the provisions in TDC 60.040(1)(n) allowing retail automobile service stations (gas stations) and nonretail cardlock stations (cardlock gas stations) as a conditional use,

(5) To the extent any provision of the Tualatin Development Code conflicts with this Section, this Section controls. [Ord. 621-84 §6, 2/13/84; Ord. 694-86 §5, 5/27/86; Ord. 740-88 §1, 1/11/88; Ord. 1026-99 §75, 8/9/99; Ord. 1046-00 §9, 2/14/00; Ord 1380-15 §1, 06/22/2015]

Section 60.035 Special Setbacks for Commercial Uses from Arterial Streets; Additional Permitted Uses in the Commercial Services Overlay.

(1) Commercial uses listed in TDC 60.020 and 60.040 as subject to the Special Setback for Commercial Uses shall be set back at least 300 feet from the centerline of SW Tualatin Sherwood Road and SW 124th Avenue.

(2) No part of the use, including required parking and outdoor storage or display, is allowed in the Special Setback.

(3) The Special Setback applies in the following specific areas. The areas are generally illustrated on Map 9-5.

(a) On the east side of SW 124th Avenue from SW Tualatin Road to SW Tualatin Sherwood Road and on the west side from SW Pacific Highway to SW Tualatin Sherwood Road.

(b) On the south side of SW Tualatin Sherwood Road from the east property line of Lot 8, ITEL Industrial Park to SW 120th Avenue and on the north side of SW Tualatin Sherwood Road from SW 95th Avenue to SW Cipole Road.

(4) Additional uses listed below are permitted in the Commercial Services Overlay on properties shown in the specific areas illustrated on Map 9-5 and only when conducted within an enclosed building.

(a) Automobile glass shop; Automobile accessory sales and auto parts retailing and wholesaling; auto and light truck service shop, including but not limited to,

service for air conditioners, electrical, brakes, washing, detailing, mufflers, oil, or lubrication, sound, tune-up, and upholstery; auto tire shop and ancillary truck tire sales; canopy sales and repair; automobile body and/or auto paint shop; auto radiator repair shop; general auto and light truck repair, including but not limited to, repairing and rebuilding engines and repair of transmissions, drivelines, and rearends.

(b) Tool and equipment rental. (Ord. 1133-03, 3/24/03]

Section 60.037 Additional Permitted Uses in ML.

(1) In addition to any other uses permitted in the ML Planning district, the uses set forth in subsection (2) are permitted uses provided:

- (a) the site is used substantially for industrial purposes; and
- (b) the non-industrial use complies with TDC 60.038.

(2) Permitted uses:

(a) Office Uses:

- (i) Business and commercial offices.
- (ii) General offices, but not governmental offices.
- (iii) Real estate offices.

(b) Retail Uses:

- (i) Food or convenience store.
- (ii) Restaurant or deli, with or without drive-up or drive-through facilities.

(c) Service Uses:

- (i) Correspondence, trade and vocational schools, except vocational high schools;
- (ii) Health or fitness facility.
- (iii) Job training and related services.
- (iv) Mailing operations.
- (v) Reproduction, photocopying.
- (vi) Branch banks and banking kiosks, with or without drive-up or drive-through facilities.
- (vii) Dry cleaning.

(viii) Medical and healing arts.

(d) Other uses of a similar character found by the Community Development Director to meet the purpose of this section as provided in TDC 31.070.

(3) The office, retail, and service uses may be located in a stand-alone building or combined in a building with other permitted uses. [Ord. 1370-14 §4, 3/24/14]

Section 60.038 Restrictions on Additional Permitted Mixed Uses in ML.

(1) **Mixed Use Percentage.** The uses allowed in TDC 60.037 must comply with the following:

(a) Office uses listed in TDC 60.037 must not exceed 25 percent of the total gross floor area of all buildings on the development site.

(b) Individual Retail and Service. Retail and service uses listed in TDC 60.037 must not exceed 5,000 square feet for any individual retail or service use.

(c) Combined Retail and Service Uses. The total of all retail and service uses on a development site must not exceed 20,000 square feet of the total gross floor area of all buildings on the developmental site.

(2) **Setback Requirements.**

(a) The uses allowed in TDC 60.037 must comply with setback requirements in TDC 60.070.

(b) In addition to the setback requirements in TDC 60.070, retail and service uses in TDC 60.037 must be set back not less than 80 feet from:

(i) any Residential Planning District; and

(ii) SW Tualatin-Sherwood Road right-of-way.

(3) **Access.** Uses provided in TDC 60.037 must comply with the Access Management Standards in TDC Chapter 75 and the underlying ML District, except that retail and services uses when located in a stand-alone building must not have direct access onto any arterial or collector street. [Ord. 1370-14 §5, 3/24/14]

Section 60.040 Conditional Uses.

(1) The following uses are permitted in accordance with TDC Chapter 32, as restricted in TDC 60.041:

(a) Automobile body and/or auto paint shop; auto radiator repair shop; general auto repair, including but not limited to, repairing and rebuilding engines and repair of transmissions, drivelines, and rearends, except not allowed in the

Special Commercial Setback, TDC 60.035(1-3).

(b) Building materials and supplies, wholesale sales, and warehousing.

(c) Cold storage plant.

(d) Contractor's shops and equipment storage.

(e) Dwelling unit for watchman and family.

(f) Fire station.

(g) Machine shop, including automobile machine shop, of 7,500 gross square feet or larger.

(h) Manufacture of the following types of products:

(i) Bicycles.

(ii) Small electric generators.

(iii) Small electric motors.

(iv) Marine pleasure craft.

(v) Sashes and doors.

(vi) Vending machines.

(i) Marine craft sales, service and rental except not allowed in the Special Commercial Setback, TDC 60.035(1-3).

(j) Light metal fabrication (of semi-finished or finished metals).

(k) Metal casting (small).

(l) Manufactured dwelling sales and services.

(m) Recycling collection center.

(n) Retail automobile service stations and non-retail cardlock stations, subject to the following provisions:

(i) Minimum street frontage on each street on a corner lot: 120 feet.

(ii) Minimum street frontage on an interior lot: 150 feet.

(iii) Minimum building setback from any street right-of-way: 40 feet.

(iv) Minimum pump island setback from any lot line: 15 feet.

(v) All access must be consistent with TDC Chapter 75. Only two access points shall be allowed for an interior lot. A corner lot and a through lot shall be allowed only one access per street frontage.

(vi) The storage and display of merchandise such as tires and batteries offered for sale shall be conducted in the station building. However, small items such as oil and windshield wiper blades may be displayed outside the building.

(vii) No outside storage or sale of any vehicles is permitted.

(viii) No service station nor non-retail cardlock station shall be constructed that is located closer than 3,000 feet to another operating service station or non-retail cardlock station. The distance shall be measured between the closest lot lines of the two lots. No service station nor non-retail cardlock station shall be constructed that is located closer than 300 feet from the centerline of SW 124th Avenue and 350 feet from the centerline of SW Pacific Highway (99W).

(ix) Those service stations or non-retail cardlock stations in operation or with a conditional use permit as of the date of this 2002 amendment which do not meet the spacing or setback standards shall not become non-conforming uses solely because of failure to meet spacing or setback standards.

(x) All exterior walls and pump islands shall be a minimum distance of 400 feet from the exterior walls and outdoor play areas of any child day care center or family day care provider, irrespective of any structures in between.

(xi) A minimart is allowed with a retail automobile service station and not allowed with a non-retail cardlock station. If a minimart is provided it shall not exceed 3,500 square feet of gross floor area and there shall be no seating.

(o) Schools for kindergarten through 12.

(p) Rental and leasing of autos and light trucks with incidental sale of vehicles, except not allowed in the Special Commercial Setback, TDC 60.035(1-3).

(q) Home Improvement materials and supplies retail sale, except not allowed in the Special Commercial Setback, TDC 60.035(1-3).

(2) Except for schools for kindergarten through 12, and transportation-related facilities and improvements, no conditional use allowed within an ML District, excepting building setbacks and areas for parking, circulation and landscaping, shall be located closer than 300 feet to any residential planning district boundary, provided however, permitted uses in existence as of September 24, 1990, which require conditional use approval after such date shall be eligible to apply for a Conditional Use Permit in accordance with TDC Chapter 32 and this section. When

Published on *The City of Tualatin Oregon Official Website* (<http://www.tualatinoregon.gov>)

[Home](#) > Printer-friendly

Sections:

61.010 Purpose.

61.020 Permitted Uses.

61.021 Restrictions on Permitted Uses.

61.030 Conditional Uses.

61.031 Restrictions on Conditional Uses.

61.035 Special Setbacks for Commercial Uses from Arterial Streets and Commercial Services Overlay.

61.040 Prohibited Uses.

61.050 Lot Size.

61.060 Setback Requirements.

61.065 Central Urban Renewal Area - Lot Sizes.

61.075 Sound Barrier Construction.

61.080 Structure Height.

61.090 Access.

61.100 Off-Street Parking and Loading.

61.110 Environmental Standards.

61.120 Flood Plain District.

61.130 Wetlands Protection District.

61.140 Community Design Standards.

61.150 Landscape Standards.

Section 61.010 Purpose.

The purpose of this district is to provide areas of the City that are suitable for light industrial uses and also for a wide range of heavier manufacturing and processing activities. These uses are expected to be more unsightly and have more adverse environmental effects than the uses allowed in the Light Manufacturing Planning District. Railroad access and screened outdoor storage will be allowed in this district, conforming to defined architectural, landscape, and environmental design standards. The heaviest industrial uses that are environmentally adverse or pose a hazard to life and safety shall be prohibited. The purpose is also to allow the retail sale of products manufactured, assembled, packaged or wholesaled on the site provided the retail sale area, including the showroom area, is no more than 5% of the gross floor area of the building not to exceed 1,500 square feet. Also suitable for the retail sale of building and home improvement materials and supplies provided it is not greater than 60,000 square feet of gross floor area per building or business and subject to the Special Commercial Setback from arterial streets as generally illustrated in [Map 9-5](#) and specifically set forth in [TDC 61.035](#). In

accordance with the Industrial Business Park Overlay District, TDC Chapter 69, and TDC 60.037-60.038 selected small-scale mixed uses that are supportive of and secondary to industrial uses are allowed to provide services to businesses and employees. The purpose is also to allow certain commercial service uses in the Commercial Services Overlay shown in the specific areas illustrated on Map 9-5 and allow selected commercial uses subject to distance restrictions from residential areas and subject to the Special Commercial Setback from arterial streets as generally illustrated in Map 9-5 and specifically set forth in TDC 61.035. [Ord. 1003-98, §5, 4/27/98; Ord. 1046-00 §15, 2/14/00; Ord. 1133-03, 3/24/03; Ord. 1370-14 §8, 3/24/14]

Section 61.020 Permitted Uses.

No building, structure or land shall be used, except for the following uses as restricted in TDC 61.021.

- (1) All uses permitted by TDC 60.020 and 60.037 in the Light Manufacturing Planning District.
- (2) Assembly, packaging, processing, and other treatment of beer, coffee, and canned goods.
- (3) Assembly of electrical appliances, such as refrigerators, freezers, washing machines, and dryers.
- (4) Auto body and/or paint shop; auto machine shop; auto radiator repair shop; general auto and light truck repair, including but not limited to, repairing and rebuilding engines and repair of transmissions, drivelines and rearends except not allowed in the Special Commercial Setback, TDC 61.035(1-3).
- (5) Chemical warehouse and distribution.
- (6) Cold storage plant.
- (7) Concrete batch plant, except not allowed in the Leveton Tax Increment District.
- (8) Manufacture of the following types of products:
 - (a) Batteries.
 - (b) Boilers.
 - (c) Bottles.
 - (d) Brick, tiles, or terra cotta.
 - (e) Cans.
 - (f) Chainsaws.
 - (g) Electric generators.

- (h) Electric motors.
 - (i) Electric transformers.
 - (j) Engines, larger gasoline or diesel.
 - (k) Heating and cooling equipment.
 - (l) Industrial gases, excluding chlorine.
 - (m) Ladders.
 - (n) Lawnmowers.
 - (o) Manufactured Dwellings.
 - (p) Motor vehicles.
 - (q) Paint.
 - (r) Pet food.
 - (s) Prefabricated building or structural members for buildings.
 - (t) Rototillers.
 - (u) Signs and display structures.
 - (v) Windows.
- (9) Marijuana facility, subject to the provisions in TDC Chapter 80.
- (10) Metal casting (small to large size).
- (11) Metal fabrication (light to medium) (of unfinished or semi-finished metals).
- (12) Petroleum product distribution and storage.
- (13) Planning mill.
- (14) Processing, assembly, packaging, and other treatment of small products manufactured from sheet metal, wire larger than 1/4 inch (0.25") in diameter, or tobacco.
- (15) Production of agricultural crops.
- (16) Sale, service and rental of industrial machinery including machine tools, processing, and packaging machinery, forklifts, hoists and conveyors.
- (17) Sandblasting.

(18) Storage and retail sale of rock, gravel, barkdust, sawdust, coal or topsoil except not allowed in the Special Commercial Setback, TDC 60.035(1-3).

(19) Structural-mechanical testing laboratories.

(20) Welding shop.

(21) Wireless communication facility attached.

(22) Wireless communication facility.

(23) Other uses of a similar character found by the Planning Director to meet the purpose of this district, as provided in TDC 31.070.

(24) Sale, service and rental of construction and industrial equipment to contractors and industrial firms only.

[Ord. 592-83, 6/13/83; Ord. 621-84, 2/13/84; Ord. 812-90, 9/24/90; Ord. 819-91, 1/14/91; Ord. 911-94, 2/14/94; Ord. 913-94, 2/28/94; Ord. 965-96, 12/9/96; and Ord. 988-97, 12/8/97; Ord. 1003-98, 4/27/98; Ord. 1026-99, 8/9/99; Ord. 2046-00, 2/14/00; Ord. 1133-03, 03/24/03; Ord. 1122-02, 11/25/02; Ord. 1212-06, 06/26/06; Ord. 1370-14 §9, 3/24/14; Ord. 1379-15, § 4 03/23/2015]

Section 61.021 Restrictions on Permitted Uses.

The following restrictions shall apply to those uses listed as permitted uses in TDC 61.020:

(1) The use must be conducted wholly within a completely enclosed building, except off-street parking and loading, utility facilities, wireless communication facilities, outdoor storage of materials and products directly related to the permitted use and outdoor play areas of child day care centers as required by state day care certification standards.

(2) The retail sale of products manufactured, assembled, packaged or wholesaled on the site is allowed provided that the retail sale area, including the showroom area, shall be no greater than 5% of the gross floor area of the building not to exceed 1,500 square feet.

(3) For other retail uses, excluding retail sales of products manufactured, assembled, packaged or wholesaled on the site, the following restrictions shall apply:

(a) Retail uses on land designated Employment Area or Corridor on Map 9-4 shall not be greater than 60,000 square feet of gross floor area per building or business.

(b) Retail commercial, retail service and professional service uses on land designated Industrial Area on Map 9-4 shall not be greater than 5,000 square feet of sales or service area in a single outlet, or not greater than 20,000

square feet of sales or service area for multiple outlets in a single building or in multiple buildings that are part of the same development project, with the following two exceptions, which shall not be subject to the size limitations stated in this subsection:

(i) Commercial uses within the Special Setbacks for Commercial Uses Area, shown on Map 9-5, and as specified in TDC 61.035, except 61.035 (4)(b).

(ii) Development approved through the application of the Industrial Business Park Overlay District to certain properties, as specified in TDC Chapter 69.

(iii) Development approved through the application of standards for additional small-scale mixed uses in ML as specified in TDC 60.037-60.038.

(4) Marijuana facilities are subject to the provisions in TDC Chapter 80. To the extent there is a conflict between the provisions in this Chapter and the provisions in TDC Chapter 80, the provisions in TDC Chapter 80 apply.

[Ord. 1212-06, 06/26/06; Ord. 1370-14 §10, 3/24/14; Ord. 1379-15, § 5 03/23/2015]

Section 61.030 Conditional Uses.

The following uses are permitted in accordance with TDC Chapter 32 and as restricted in TDC 61.031:

(1) All conditional uses listed in TDC 60.040, which are not otherwise permitted in TDC 61.020, except schools for kindergarten through 12, which are not permitted.

(2) Resource recovery facility except not allowed in the Special Commercial Setback, TDC 60.035(1-3).

(3) Refuse transfer station except not allowed in the Special Commercial Setback, TDC 60.035(1-3).

(4) Bus maintenance and storage facility. [Ord. 592-83 §97, 6/13/83; Ord. 621-84 §11, 2/13/84; Ord. 913-94 §8, 2/28/94; Ord. 1003-98 §7, 4/27/98; Ord. 1026-99 §83, 8/9/99; Ord. 1046-00 §17, 2/14/00; Ord. 1050-00 §6, 3/13/00; Ord. 1133-03, 03/24/03; Ord. 1122-02, 11/25/02; Ord. 1103-02, 03/25/02; Ord. 1212-06, 06/26/06]

Section 61.031 Restrictions on Conditional Uses.

The following restrictions shall apply to those uses listed as conditional uses in TDC 61.030:

(1) The retail sale of products manufactured, assembled, packaged or wholesaled on the site is allowed provided the retail sale area, including the showroom area, is

no more than 5% of the gross floor area of the building not to exceed 1,500 square feet.

(2) For other retail uses, excluding retail sales of products manufactured, assembled, packaged or wholesaled on the site, the following restrictions shall apply:

(a) Retail uses on land designated Employment Area or Corridor on Map 9-4 shall not be greater than 60,000 square feet of gross floor area per building or business.

(b) Retail commercial, retail service and professional service uses on land designated Industrial Area on Map 9-4 shall not be greater than 5,000 square feet of sales or service area in a single outlet, or not greater than 20,000 square feet of sales or service area for multiple outlets in a single building or in multiple buildings that are part of the same development project, with the following two exceptions, which shall not be subject to the size limitations stated in this sub-section:

(i) Commercial uses within the Special Setbacks for Commercial Uses Area, shown on Map 9-5, and as specified in TDC 61.035, except 61.035 (4)(b).

(ii) Development approved through the application of the Industrial Business Park Overlay District, as specified in TDC Chapter 69. [Ord. 1212-06, 06/26/06]

Section 61.035 Special Setbacks for Commercial Uses from Arterial Streets and Commercial Services Overlay

(1) Commercial uses listed in TDC 60.020 and 60.040 as subject to the Special Setback for Commercial Uses shall be set back at least 300 feet from the centerline of SW Tualatin Sherwood Road and SW 124th Avenue and 350 feet from the centerline of SW Pacific Highway 99W west of Cipole Road.

(2) No part of the use, including required parking and outdoor storage or display, is allowed in the Special Setback.

(3) The Special Setback applies in the following specific areas. The areas are generally illustrated on Map 9-5.

(a) On the east side of SW 124th Avenue from SW Tualatin Road to SW Tualatin Sherwood Road and on the west side from SW Pacific Highway to SW Tualatin Sherwood Road.

(b) On the south side of SW Tualatin Sherwood Road from the east property line of Lot 8, Itel Industrial Park to SW 120th Avenue and on the north side of SW Tualatin Sherwood Road from SW 95th Avenue to SW Cipole Road.

(c) On the south side of SW Pacific Highway 99W from Cipole Road west to the Urban Growth Boundary.

(4) Additional uses listed below are permitted in the Commercial Services Overlay on properties shown in the specific areas illustrated on Map 9-5 and only when conducted within an enclosed building.

(a) Automobile glass shop; Automobile accessory sales and auto parts retailing and wholesaling; auto and light truck service shop, including but not limited to, service for air conditioners, electrical, brakes, washing, detailing, mufflers, oil, or lubrication, sound, tune-up, and upholstery; auto tire shop and ancillary truck tire sales; canopy sales and repair; automobile body and/or auto paint shop; auto radiator repair shop; general auto and light truck repair, including but not limited to, repairing and rebuilding engines and repair of transmissions, drivelines, and rearends.

(b) Truck-mounted camper sales with all sales and storage conducted entirely within an enclosed building and not to exceed 10,000 square feet of building floor area.

(c) Tool and equipment rental. [Ord. 1133-03, 3/24/03; Ord. 1191-05, 6/27/05]

Section 61.040 Prohibited Uses.

The following uses are prohibited:

- (1) Residential dwellings, except as otherwise provided in TDC 61.030.
- (2) Commercial uses defined by TDC Chapters 50, 51, 52, 53 and 54, except as otherwise provided in TDC 61.020 and 61.030.
- (3) Others:
 - (a) Auto wrecking.
 - (b) Commercial radio or TV broadcasting antennas.
 - (c) Creosote treatment of products.
 - (d) Distillation of bones.
 - (e) Distillation of oil, coal, wood or tar compounds.
 - (f) Fat rendering.
 - (g) Forge plants.
 - (h) Junk or salvage yard.
 - (i) Manufacture of the following products:

- (i) Acid.
 - (ii) Ammonia.
 - (iii) Bleaching powder.
 - (iv) Celluloid pyroxylin.
 - (v) Cement, lime, gypsum and plaster of paris.
 - (vi) Chlorine gas.
 - (vii) Creosote.
 - (viii) Disinfectant.
 - (ix) Dye stuffs.
 - (x) Explosives.
 - (xi) Fertilizer.
 - (xii) Herbicides.
 - (xiii) Insect poison.
 - (xiv) Radioactive materials.
 - (xv) Soap.
 - (xvi) Sodium compounds.
 - (xvii) Tar roofing, water-proofing and other tar products.
- (j) Rock crushing.
 - (k) Rolling mills.
 - (l) Saw mill.
 - (m) Slaughter of livestock or poultry.

(4) Handling, storage, processing, or other activities dealing with hazardous, toxic, or radioactive waste. [Ord. 592-83 §98, 6/13/83; Ord. 621-84 §12, 2/13/84; Ord. 1026-99 §84, 8/9/99; Ord. 1046-00 §18, 2/14/00; Ord. 1050-00 §8, 3/13/00]

Section 61.050 Lot Size.

Except for lots for public utility facilities, natural gas pumping stations and wireless communication facility which shall be established through the Subdivision, Partition or Lot Line Adjustment process, the following requirements shall apply:

Tualatin

Published on *The City of Tualatin Oregon Official Website* (<http://www.tualatinoregon.gov>)

[Home](#) > Printer-friendly

Sections:

62.010 Purpose.

62.020 Permitted Uses.

62.021 Restrictions on Permitted Uses.

62.023 Additional Permitted Mixed Uses in MP.

62.024 Restrictions on Additional Permitted Mixed Uses in MP.

62.030 Conditional Uses.

62.031 Restrictions on Conditional Uses.

62.040 Prohibited Uses.

62.045 Industrial Master Plan.

62.050 Lot Size.

62.060 Setback Requirements.

62.080 Structure Height.

62.090 Access.

62.100 Off-Street Parking and Loading.

62.110 Environmental Standards.

62.120 Community Design Standards.

62.130 Landscape Standards.

Section 62.010 Purpose.

The purpose of this district is to provide an environment exclusively for and conducive to the development and protection of modern, large-scale specialized manufacturing and related uses and research facilities. Such permitted uses shall not cause objectionable noise, smoke, odor, dust, noxious gases, vibration, glare, heat, fire hazard or other wastes emanating from the property. The district is to provide for an aesthetically attractive working environment with park or campus like grounds, attractive buildings, ample employee parking and other amenities appropriate to an employee oriented activity. It also is to protect existing and future sites for such uses by maintaining large lot configurations or a cohesive planned development design and limiting uses to those that are of a nature so as to not conflict with other industrial uses or surrounding residential areas. It also is intended to allow the retail sale of products manufactured, assembled, packaged or wholesaled on the site provided the building area used for such retail selling is no more than 5% of the gross floor area of the building not to exceed 1,500 square feet. In accordance with the Industrial Business Park Overlay District, TDC Chapter 69, and TDC 62.023-62.024 selected small-scale mixes that are supportive of and secondary to industrial uses are allowed to provide services to businesses and employees. [Ord. 1003-

98 §8, 4/27/98; Ord. 1046-00 §22, 2/14/00; Ord. 1122-02, 11/25/02: Ord.1370-14 §11, 03/24/14]

Section 62.020 Permitted Uses.

No building, structure or land shall be used in this district except for the following uses as restricted in TDC 62.021.

- (1) Chemical and physical science offices and laboratories.
- (2) Engineering and cartographic offices and laboratories.
- (3) Manufacture, assembling and packaging of electronic equipment, instruments and devices.
- (4) Manufacture, assembling and packaging of optical equipment, instruments and devices.
- (5) Research offices and laboratories.
- (6) Testing offices and laboratories.
- (7) Manufacture, assembling and packaging of sporting goods providing however that primary processing of organic materials such as tanning of leather or rough milling of lumber is specifically prohibited.
- (8) Manufacture, assembling and packaging of textiles and clothing.
- (9) Manufacture, assembling and packaging of musical instruments and toys.
- (10) Printing and publishing.
- (11) Other uses of similar character found by the Planning Director to meet the purpose of this district, as provided by TDC 31.070.
- (12) Offices when part of a manufacturing use as listed in (1) through (11) above or when permitted under TDC 62.023.
- (13) Corporate, regional, or district office headquarters for any use permitted in this Code, provided that the offices occupy at least 20,000 square feet and that no manufacturing is conducted where not otherwise permitted in this chapter.
- (14) Private parking lot improved and landscaped in accordance with TDC Chapter 73.
- (15) Accessory facilities and activities customarily associated with or essential to permitted uses, and operated incidental to the principal use.
- (16) Sewer and water pump stations, pressure reading stations, water reservoir.

- (17) Child daycare center, provided that all exterior walls and outdoor play areas shall be a minimum distance of 400 feet from the exterior walls and pump islands of any automobile service station, irrespective of any structures in between.
- (18) Greenways and Natural Areas, including but not limited to bike and pedestrian paths and interpretive stations.
- (19) Electrical substation.
- (20) Natural gas pumping station.
- (21) Wireless communication facility attached.
- (22) Wireless communication facility.
- (23) Transportation facilities and improvements.
- (24) Shared service facilities. [Ord. 824-91, 2/11/91; Ord. 849-91, 11/25/91; Ord. 890-93, 4/12/93; Ord. 965-96, 12/9/96; Ord. 979-97, 7/14/97; Ord. 1003-98, 4/27/98; Ord. 1026-99, 8/9/99; Ord. 1046-00, 2/14/00; Ord. 1049-00, 3/13/00; Ord. 1103-02, 03/25/02; Ord. 1164-04, 6/28/04; Ord. 1212-06, 6/26/06; Ord. 1370-14 §12, 03/24/14]

Section 62.021 Restrictions on Permitted Uses.

The following restrictions shall apply to those uses listed as permitted uses in TDC 62.020:

- (1) The use must be conducted wholly within a completely enclosed building, except off-street parking and loading, utility facilities, wireless communication facilities, and outdoor storage occupying less than ten percent of the total site area.
- (2) The retail sale of products manufactured, assembled, packaged or wholesaled on the site is allowed provided that the retail sale area, including the showroom area, shall be no greater than 5% of the gross floor area of the building not to exceed 1,500 square feet.
- (3) For other retail uses, excluding retail sales of products manufactured, assembled, packaged or wholesaled on the site, the following restrictions shall apply:
 - (a) Retail uses on land designated Employment Area or Corridor on Map 9-4 shall not be greater than 60,000 square feet of gross floor area per building or business.
 - (b) Retail commercial, retail service and professional service uses on land designated Industrial Area on Map 9-4 shall not be greater than 5,000 square feet of sales or service area in a single outlet, or not greater than 20,000 square feet of sales or service area for multiple outlets in a single building or in multiple buildings that are part of the same development project, with the

following exception, which shall not be subject to the size limitations stated in this subsection:

- (i) Development approved through the application of standards for additional small-scale mixed uses in MP, as specified in TDC 62.023-62.024. [Ord. 1212-06; 6/26/06; Ord. 1370-14 §13, 03/24/14]

Section 62.023 Additional Permitted Mixed Uses in MP.

(1) In addition to any other uses permitted in the MP Planning District, the uses set forth in subsection (2) are permitted uses provided:

- (a) the site is used substantially for industrial purposes; and
- (b) the non-industrial use complies with TDC 62.024;

(2) Permitted Uses:

(a) Office Uses:

- (i) Business and commercial offices.
- (ii) General office, but not governmental offices.
- (iii) Real estate offices.

(b) Retail Uses:

- (i) Food or convenience store.
- (ii) Restaurant or deli, with or without drive-up or drive-through facilities.

(c) Service Uses:

- (i) Correspondence, trade and vocational schools, except vocational high schools.
- (ii) Health or fitness facility.
- (iii) Job training and related services.
- (iv) Mailing operations.
- (v) Reproduction, photocopying.
- (vi) Branch banks and banking kiosks, with or without drive-up or drive-through facilities.
- (vii) Dry cleaning.
- (viii) Medical and healing arts.

(d) Other uses of a similar character found by the Community Development Director to meet the purpose of this section as provided in TDC 31.070.

(3) The office, retail, and service uses may be located in a stand-alone building or combined in a building with other permitted uses. [Ord. 1370-14 §14, 03/24/14]

Section 62.024 Restrictions on Additional Permitted Mixed Uses in MP.

(1) **Mixed Use Percentage.** The uses allowed in TDC 62.023 must comply with the following:

(a) Office uses listed in TDC 60.037 must not exceed 25 percent of the total gross floor area of all buildings on the development site.

(b) Individual Retail and Service. Retail and service uses listed in TDC 62.023 must not exceed 5,000 square feet for any individual retail or service use.

(c) Combined Retail and Service Uses. The total of all retail and service uses on a development site must not exceed 20,000 square feet of the total gross floor area of all buildings on the development site.

(2) **Setback Requirements.**

(a) The uses allowed in TDC 62.023 must comply with setback requirements in TDC 62.060.

(b) In addition to the setback requirements in TDC 62.060, retail and service uses in TDC 62.023 must be set back not less than 80 feet from:

(i) any Residential Planning District; and

(ii) SW Tualatin-Sherwood Road right-of-way.

(3) **Access.** Uses provided in TDC 62.023 must comply with the Access Management Standards in TDC Chapter 75 and the underlying ML District, except that retail and service uses when located in a stand-alone building must not have direct access onto any arterial or collector street. [Ord. 1370-14 §14, 03/24/14]

Section 62.030 Conditional Uses.

The following uses are permitted in accordance with TDC Chapter 32 as restricted in TDC 62.031:

(1) Outdoor storage activity or mechanical equipment when proposed to occupy more than ten percent of the total lot area when part of and necessary for the operation of any permitted use.

(2) Residence for a caretaker when necessary for security purposes.

- (3) Fire station. [Ord. 890-93, 4/12/93; Ord. 913-94, 2/28/94; Ord. 1003-98, 4/27/98; Ord. 1026-99, 8/9/99; Ord. 1046-00, 2/14/00; Ord. 1049-00, 3/13/00; Ord. 1122-02, 11/25/02; Ord. 1212-06, 6/26/06]

Section 62.031 Restrictions on Conditional Uses.

The following restrictions shall apply to those uses listed as conditional uses in TDC 62.030:

- (1) The retail sale of products manufactured, assembled, packaged or wholesaled on the site is allowed provided the retail sale area, including the showroom area, is no more than 5% of the gross floor area of the building not to exceed 1,500 square feet.
- (2) For other retail uses, excluding retail sales of products manufactured, assembled, packaged or wholesaled on the site, the following restrictions shall apply:
- (a) Retail uses on land designated Employment Area or Corridor on Map 9-4 shall not be greater than 60,000 square feet of gross floor area per building or business.
- (b) Retail commercial, retail service and professional service uses on land designated Industrial Area on Map 9-4 shall not be greater than 5,000 square feet of sales or service area in a single outlet, or not greater than 20,000 square feet of sales or service area for multiple outlets in a single building or in multiple buildings that are part of the same development project. [Ord. 1212-06, 6/26/06]

Section 62.040 Prohibited Uses.

The following uses are prohibited:

- (1) Residential dwellings, except as provided in TDC 62.030.
- (2) Commercial uses defined by TDC Chapters 50, 51, 52, 53 and 54, except as otherwise provided in TDC 62.020 and 62.030.
- (3) Manufacturing uses defined by TDC Chapters 60 and 61, except as otherwise provided in TDC 62.020 and 62.030.
- (4) Hazardous waste storage facility. [Ord. 1003-98 §11, 4/27/98; Ord. 1026-99 §91, 8/9/99; Ord. 1046-00 §25, 2/14/00; Ord. 1049-00 §3, 3/13/00]

Section 62.045 Industrial Master Plan.

Industrial Master Plans may be approved subject to TDC Chapter 37. [Ord. 890-93 §5, 4/12/93. Ord. 1035-99 §7, 11/8/99; Ord. 1046-00 §26, 2/14/00; Ord. 1049-00 §4, 3/13/00]