

Chapter 18.50 NONCONFORMING CIRCUMSTANCES

18.50.010 Purpose

The purpose of this chapter is to allow certain nonconforming lots, structures, uses, and development to continue but to prohibit their enlargement, expansion, or extension.

18.50.020 General Provisions

A. Nonconforming circumstances are lots, structures, uses ~~of land~~, and site improvements that were lawful when established, but would not be allowed under current regulations as a result of a change to the applicable base zone, plan district, or development standards.

B. The status of a nonconforming circumstance is not affected by changes in ownership or tenancy.

C. A nonconforming circumstance may be changed to a conforming circumstance by right. Once a conforming circumstance occupies a site or the lot is brought into conformance, the nonconforming rights are lost and the nonconforming circumstance may not be re-established.

D. The regulations of this chapter apply to all nonconforming circumstances except the following:

1. Small form residential development in the MU-CBD zone.
- ~~2. Nonconforming uses and developments in the Washington Square Regional Center Plan District, which are subject to the standards of Section [18.670.050](#).~~
3. Nonconforming uses and developments in the TMU zone, which are subject to the standards of Chapter [18.660](#), Tigard Triangle Plan District.

18.50.030 Determination of Nonconforming Use Status

A determination regarding the legal status of a nonconforming circumstance is processed through a Director determination, as provided in Chapter [18.730](#), Director Determinations. A nonconforming use is determined to be legal when both of the following are met:

A. The applicant has provided proof that the use was lawful at the time it was established, by one or more of the following:

1. Copies of issued development permits or land use approvals granted at the time the use was established;

2. Copies of zoning ordinances or maps; or
3. Demonstration that the use was established before the first development code for the City of Tigard was adopted.

B. The applicant has provided proof that the use has been maintained over time. This proof must include copies of one or more of the following for every other year from the time the use was established until the current year:

1. Utility bills;
2. Income tax records;
3. Business licenses;
4. Listings in telephone, business, or other related directories;
5. Advertisements in dated publications, for example trade magazines; or
6. Land use approvals or development permits.

18.50.040 Criteria for Nonconforming Situations

A. Nonconforming lots.

1. Except as provided in Paragraph 18.50.040.A.2 and Subsections 18.50.040.B and C, development of nonconforming lots and enlargement, modification, or reconstruction of uses on nonconforming lots are prohibited.
2. If a lot does not meet the minimum lot size standard, the lot may:
 - a. Be occupied by one use allowed in a commercial zone, if the lot is located within a commercial zone; or
 - b. Be occupied by small form residential development and accessory structures if located in a residential zone.
3. Development allowed on a nonconforming lot under the provisions of Paragraph 18.50.040.A.2 is subject to the following:
 - a. The nonconforming lot must not be contiguous with other lots in the same ownership; and
 - b. All other applicable provisions of this title must be met.

4. If a nonconforming lot is contiguous with another lot in common ownership, the following provisions apply:

- a. The lots involved are considered to be an undivided unit of land for the purposes of this title;
- b. Conveyance, transfer, or use of the lots or any portion of the lots in any manner that violates this title is prohibited; and
- c. Division of the lots in a manner that results in a nonconforming lot is prohibited.

B. Nonconforming uses.

1. If a lawfully established use of land exists that would not be allowed by this title, the **A nonconforming** use may be continued **when all of the following are met. Any other subsequent use must meet all applicable standards of this title.** provided:

a. The nonconforming use is **and the building or buildings it occupies are** not enlarged, increased, or extended to occupy a greater area of land or space, except that a nonconforming use may be enlarged, increased, or extended into any existing parts of the building it occupies, provided that the building was specifically designed and constructed to lawfully accommodate that use at the time of original construction;

b. If the nonconforming use occupies a building that is accidentally damaged or destroyed by fire, flood, earthquake, or other natural disaster so that the building or tenant space cannot be occupied, it is discontinued for no longer than six months following the date the new building receives final certificate of occupancy; and

b. The nonconforming use is not moved in whole or in part to any portion of the lot;

c. The nonconforming use of land is not discontinued for any reason, **other than accidental damage or destruction of the building it occupies,** for a period of more than six **18** months. **The 18-month period begins when the last of the following occurs:**

i. On the date when the use is vacated,

ii. On the date the use ceases to be actively involved in the sale of merchandise or the provision of services, or

New nonconforming use regulations are more generous to nonconforming uses by allowing longer vacancy terms, especially in the case of accidental damage to the building the use occupies.

iii. On the date of termination of any lease or contract under which the nonconforming use has occupied the building or land.

~~d. If the use is discontinued or abandoned for any reason for a period of six months, any subsequent use of land must conform to the regulations specified by this title; and~~

~~e. For purposes of calculating the six-month period, a use is discontinued or abandoned upon the occurrence of the first of any of the following events:~~

~~i. On the date when the use of land is vacated;~~

~~ii. On the date the use ceases to be actively involved in the sale of merchandise or the provision of services;~~

~~iii. On the date of termination of any lease or contract under which the nonconforming use has occupied the land, or~~

~~iv. On the date a request for final reading of water and power meters is made to the applicable utility provider.~~

~~f. Additional structures, buildings, or signs are prohibited on a lot with a nonconforming use.~~

~~2. A nonconforming use may be changed to a conditional use allowed in the applicable base zone if approved through a conditional use review. Once **an allowed or** conditional use occupies the site, the nonconforming rights are lost and a nonconforming use may not be re-established.~~

~~3. The provisions of Section 18.50.040 do not grant an owner of a nonconforming use a vested right. The provisions of the section may be revised in a manner that does not change the rights granted by this section under this chapter.~~

C. Nonconforming development.

1. Where a lawful structure or development exists that could not be built under the terms of this title by reason of restrictions on lot area, lot coverage, height, required parking, landscaping, or other requirements, such structure or development may remain and its use continued provided it remains otherwise lawful and complies with the following:

a. The nonconforming structure or development may not be enlarged or altered in a way that increases its nonconformity;

b. If a nonconforming structure, development, or nonconforming portion of a structure or development is destroyed by any means to an extent of more than 60% of its current value as assessed by the Washington County assessor, reconstruction is prohibited except in conformity with this title. This prohibition does not apply to small form residential development or regulated affordable housing that is destroyed by accident, such as by fire, flood, or earthquake; and

c. If a structure or development is moved any distance for any reason, it must thereafter comply with all applicable development standards.

18.50.050 Repairs and Maintenance

A. Routine repairs and maintenance. On any nonconforming structure or portion of a structure containing a nonconforming circumstance, normal repairs, or replacement of roofs, non-bearing walls, fixtures, wiring, or plumbing may be performed in a manner not in conflict with the provisions of this chapter.

B. Restoration to safe condition. Nothing in this chapter prevents the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

Chapter 18.60 USE CATEGORIES

18.60.010 Purpose

This chapter classifies land uses and activities into use categories on the basis of common functional, product, or physical characteristics. Characteristics include the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and certain site factors. 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 base zones is based on the goals and policies of the comprehensive plan. (Ord. 10-15 §1)

18.60.020 Classification of Uses

A. Considerations.

1. The “Characteristics” subsection of each use category describes the characteristics of each use category. Uses are assigned to the category whose description most closely describes the nature of the primary use.
2. The following items are considered to determine what use category the use is in, and whether the activities constitute primary uses or accessory uses:
 - a. Description of the activities in relationship to the characteristics of each use category;
 - b. Relative amount of site or floor area and equipment devoted to the activities;
 - c. Relative amounts of sales from each activity;
 - d. Customer type for each activity;
 - e. Relative number of employees in each activity;
 - f. Hours of operation;
 - g. Site arrangement, including buildings and structures;
 - h. Vehicles used with the activities;
 - i. The relative number of vehicle trips generated by the activities;
 - 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. The “Accessory Uses” subsection of each use category provides a list of common accessory uses associated with that use category. Accessory uses are allowed 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.

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~~ **Indoor Sales and Services** use category rather than the Wholesale and Equipment Rental use category. This is because the actual activity on the site matches the description of ~~Sales-Oriented Retail~~ **Indoor Sales and Services** use category. (Ord. 20-01 §1; Ord. 18-28 §1; Ord. 18-23 §2; Ord. 10-15 §1)

18.60.030 Unlisted Uses

A. Purpose. The purpose of these provisions is to establish a procedure for determining whether certain specific unlisted uses are allowed in a base zone and to which use category the unlisted use is most similar.

B. Approval process. The Director will make a determination, using the process provided in Chapter [18.730](#), Director Determinations.

C. Approval standards. The Director will make a determination of the most appropriate use category based on the following:

1. Whether the use is consistent with the intent and purpose of the applicable base zone;
2. Whether the use is similar to and of the same general type as the use categories listed in the base zone;

3. Whether the use has similar intensity, density, and off-site impacts as the use categories listed in the base zone, to be evaluated using the criteria provided in Paragraph 18.60.020.A.2; and

4. Whether 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. The Director will not authorize an omitted or unanticipated use in a base zone if the use category is specifically listed in another base zone as either an allowed use, restricted use, or a conditional use. (Ord. 18-23 §2; Ord. 10-15 §1)

18.60.040 Residential Use Category

A. Characteristics:

1. Residential use is the residential occupancy of a dwelling unit by related or unrelated individuals. The maximum number of residents who may occupy any given dwelling unit is determined by the state building code.

2. Residential use also includes the occupancy of an institution or facility where the components of a dwelling unit are shared by residents.

3. Residential occupancy is arranged on a month-to-month basis, at a minimum, or for longer periods of time.

4. Residential use may include any combination of care, training, or treatment.

B. Accessory uses: Accessory uses may include parking, recreational and social facilities, dining halls, and home occupations.

C. Examples: Examples include household living, group living, foster homes, dormitories, fraternities and sororities, monasteries and convents, nursing and convalescent homes, memory care facilities, group homes for disabled individuals, residential treatment programs, assisted living facilities, and progressive or continuing care facilities.

D. Exceptions:

1. Does not include uses meeting the definition of Temporary Shelter, Commercial Lodging, or Detention Facility, ~~or Medical Center~~.

2. Does not include dormitories, fraternities, or sororities where accessory to College Indoor Sales and Services uses.

18.60.050 Civic Use Categories

A. Basic Utilities.

1. Characteristics: A Basic Utility is an infrastructure services that need to **must** be located in or near where the service is provided. **Basic Utility uses generally do not have employees at the site other than for construction or maintenance.** Service may be public or privately provided.

2. Accessory Uses: Accessory uses commonly found are **may include** parking; control, monitoring, data, or transmission equipment; and shelters.

3. Examples: Examples include water and sewer systems, **water towers or reservoirs, data centers, energy production including solar production as a standalone use, water quality or flow control facilities, water conveyance systems, water harvesting or re-use conveyance systems or pump stations, stormwater facilities or conveyance systems,** telephone exchanges, power substations, and transit stations.

4. **Clarifications** Exceptions:

a. Utility offices where employees or customers are generally present are **categorized** classified as Office.

b. Fleet vehicle storage as a primary use is categorized as Off-Site Services.

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 **categorized** classified as Transportation/**and** Utility Corridors.

d. Does not include utilities proposed with or for a specific development, including solar arrays, which are considered accessory to the primary use.

B. Cemetery.

1. Characteristics: A Cemetery is a facility for the permanent storage of human remains.

2. Accessory uses: Accessory uses may include chapels, mortuaries, offices, maintenance facilities, or parking.

**All use categories changed to be singular for uniformity.
Clarification added to distinguish from employment sites.**

Examples modernized.

Cemetery and Detention Facility moved from "other uses" section, which is being consolidated into other sections (civic, commercial, or industrial uses).

C. Detention Facility.

1. Characteristics: A Detention Facility is devoted to the judicially required detention, incarceration, or supervision of people.

2. Accessory uses: Accessory uses may include offices, recreational or health facilities, therapy facilities, maintenance facilities, or hobby or manufacturing facilities.

3. Examples: Examples include prisons, jails, probation centers, juvenile detention homes, or related post-incarceration.

4. Clarifications:

a. Programs that provide care or training or treatment for psychiatric, alcohol, or drug problems, where patients are residents of the program, but where patients are not supervised by public safety personnel, are categorized as Residential Use.

b. Temporary holding cells within a police station are considered accessory to a Government Services use.

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 classified as 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.~~

Removed use categories that have been absorbed into other new use categories. Colleges—Day Care are now Indoor Sales and Services. Emergency Services is either Indoor Sales and Services or Government Services.

C. Community Services.

1. ~~Characteristics: Community Services uses are public or non-profit recreational, social and multi-purpose facilities of an indoor 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 and 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 multi-use trails, which are classified as Transportation/Utility Corridors.~~

D. Cultural Institutions.

1. ~~Characteristics: Cultural Institutions are uses of a public or non-profit nature that 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 Services.~~

E. Day Care.

1. ~~Characteristics: Day Care is the provision of regular child care, with or without compensation, to 4 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 family day care, nursery schools, before and after school care facilities, and child development centers.~~

~~4.— Exceptions: 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.~~

D. Government Services.

1. Characteristics: A Government Services use is a government-operated indoor or outdoor facility that is intended at least in part for use or access by the public.

2. Accessory uses: Accessory uses may include office, parking, cafés, or storage.

3. Examples: Examples include parks, libraries, city hall, police or fire stations, public plazas, or administrative offices for school or fire districts when designed as a campus.

4. Clarifications:

a. Does not include fleet vehicle parking as a standalone use or fleet vehicle parking with accessory office, which are categorized as Off-Site Services.

b. Does not include administrative offices for school or fire districts located in a single office building or existing buildings, which are categorized as Office.

New use categories provide additional clarity around government uses that provide a public service.

E. Railroad Yard.

1. Characteristics: A Railroad Yard contains multiple railroad tracks used for rail car switching, assembling of trains, or the transshipment of goods from other transportation modes to or from trains.

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

G. Medical Centers.

~~1. Characteristics: Medical Centers are facilities providing inpatient, outpatient, emergency, or 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 and food service facilities, laundry facilities, housekeeping facilities, 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 or private-practice physicians and other allied health care professionals; these medical office buildings are classified as Office.~~

~~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.~~

Railroad Yard moved from “other uses” section, which is being consolidated into other sections (civic, commercial, or industrial uses).

Removed use categories that have been absorbed into other use categories. Medical Centers, Postal Service, and Social/Fraternal Clubs/Lodges are part of Indoor Sales and Services. Schools and Religious Institutions are now grouped together as a single use category called Schools and Religious Facilities, since they are regulated similarly by the code.

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, recreational activities, and Temporary Shelter allowed as a temporary use under the provisions of Chapter [18.440](#), Temporary Uses.~~

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 or after school daycare.~~

3. ~~Examples: Examples include public and private daytime schools.~~

4. ~~Exceptions:~~

a. ~~Does not include preschools, which are classified as Day Care.~~

b. ~~Does not include private, profit-making trade and vocational schools, which are classified as 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, or recreational functions and activities.~~

2. ~~Accessory uses: Accessory uses commonly found are offices, auditoriums, parking, limited food and beverage service, and Temporary Shelter allowed as a temporary use under the provisions of Chapter [18.440](#), Temporary Uses.~~

3. ~~Examples: Examples include Veterans of Foreign Wars posts, Elks Lodges, and Masonic Temples.~~

F. School or Religious Facility.

1. Characteristics: A School or Religious Facility is an institution intended for preschool, K-12 education, or religious purposes.

2. Accessory uses: Accessory uses may include play areas, cafeterias, recreational or sports facilities, athletic fields, auditoriums, or before- or after-school daycare.

3. Examples: Examples include public or private daytime schools at the primary, elementary, middle, junior high, or high-school level that provide state-mandated basic education; or places of worship.

4. Clarifications: Does not include day cares, trade schools, colleges, or vocational schools, which are categorized as Indoor Sales and Services.

LG. Temporary Shelter.

1. Characteristics: **A Temporary Shelter is operated by a public or non-profit agency and** uses are operated by a public or non-profit agency and provides mass shelter or short-term housing where tenancy may be arranged for periods of less than one month. The use may also provide special counseling, education, or training of a public, nonprofit, or charitable nature.

2. Accessory uses: Accessory uses may include offices, meeting areas, food preparation areas, parking, health and therapy areas, day care uses, and athletic facilities.

3. Examples: Examples include homeless shelters and shelters for women and children.

4. **Clarifications** 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 **categorized** classified as Commercial Lodging.

b. Does not include uses meeting the definition of Residential Use.

c. Does not include residential uses meeting the definition of Detention Facilities.

H. Transportation and Utility Corridor.

1. Characteristics: A Transportation and Utility Corridor is a regional corridor in public or private ownership, including easements, dedicated for the express use of rail lines; multi-use trails; above-grade or underground

Transportation and Utility Corridor and Wireless Communications Facility moved from “other uses” section, which is being consolidated into other sections (civic, commercial, or industrial uses).

power or communication lines; water, sewer, or storm sewer lines; or similar services.

2. Accessory uses: Accessory uses may include trailhead improvements such as public restrooms or parking lots.

3. Examples: Examples include rail trunk or feeder lines; multi-use trails; regional electrical transmission lines; or regional gas stormwater or sewage main petroleum pipelines.

4. Clarifications:

a. Railroad lead or spur lines for delivery of rail cars to sites or for unloading of rail cars on specific sites are considered accessory to the primary use of the site.

b. Does not include railroad switch yards as a primary use, which are categorized as Railroad Yard.

c. Transportation and Utility Corridors contained within motor vehicle rights-of-way are not included.

d. Utility offices where employees or customers are generally present are categorized as Office.

I. Wireless Communications Facility.

1. Characteristics: A Wireless Communication Facility includes all devices, equipment, machinery, structures, or 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 may include related ancillary equipment structures.

3. Examples: Examples include television or AM/FM radio transmission towers, microwave relay stations, or cellular communications equipment.

4. Clarifications:

a. Does not include transmission facilities that are part of the public safety network, which are categorized as Basic Utility.

b. Does not include amateur (ham) radio antennas or towers.

c. Does not include radio or television studios, which are categorized as Office.

18.60.060 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 **may** 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 Commercial uses are those engaged in breeding 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, rescues, and overnight boarding facilities.~~
- ~~4. Exceptions:~~
 - ~~a. Facilities where the primary activity is animal sales are classified as Sales-Oriented Retail.~~
 - ~~b. Does not include animal grooming, which is classified as Personal Services or Repair-Oriented Retail.~~
 - ~~c. Does not include veterinary clinics, which are classified as Office.~~
 - ~~d. Overnight boarding facilities for household pets when these facilities and all their activities, with the exception of parking, are completely enclosed within a building, are classified as Personal Services.~~

~~C. Bulk Sales.~~

- ~~1. Characteristics: Establishments engaging in the sales, leasing, and rental of bulky items requiring extensive interior space for display.~~

Removed use categories that have been absorbed into new use categories. Animal-Related Commercial and Bulk Sales are now Indoor Sales and Services.

~~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.~~

DB. Commercial Lodging.

1. Characteristics: Commercial Lodging includes **provides** for-profit **shelter** residential facilities where tenancy is typically less than one month.

2. Accessory uses: Accessory uses **may include** 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, **short-term rentals**, rooming houses, and bed-and-breakfast establishments.

4.— Exceptions: Does not include uses meeting the definition of Residential Use or Temporary Shelter.

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, and storage space.~~

~~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: Does not include uses where customers come to paint or assemble their own craft or artwork. Such uses are classified as Sales-Oriented Retail.~~

F. Eating and Drinking Establishments.

Removed use categories that have been absorbed into new use categories. Custom Arts and Crafts and Indoor Entertainment are now Indoor Sales and Services.

- ~~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: Does not include grocery stores and convenience stores, which are classified as Sales-Oriented 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: Does not include uses meeting the definition of Community Services or Cultural Institutions.~~

C. Indoor Sales and Services.

1. Characteristics: An Indoor Sales and Services use operates primarily indoors and provides the sale, lease, rental, or repair of products for the general public; or provides personal services or entertainment.

a. Sales-oriented: Sale, lease, or rental of consumer, home, or business goods.

b. Repair-oriented: On-site repair of consumer or home goods.

c. Personal service-oriented: Services to the general public.

d. Entertainment-oriented: Leisure activities or cultural activities.

2. Accessory uses: Accessory uses may include offices, storage of goods, parking, some limited accessory outdoor sales or activity area, or temporary outdoor activities subject to regulation in Chapter 18.440, Temporary Uses.

New use category allows a wide range of existing commercial activity to be regulated under one umbrella use category. This simplifies the application of the code and reduces the number of times a new business location is considered a “change in use” that necessitate land use review.

3. Examples:

a. Sales-oriented: Examples include retail stores selling, leasing, or renting goods such as bicycles, clothing, electronic equipment, furniture, groceries, hardware, home improvements, plants, household products, pets, or pharmaceuticals.

b. Repair-oriented: Examples include on-site repair of goods such as TVs, bicycles, clocks, shoes, guns, appliances, or office equipment; photo or laundry drop off; indoor consumer-oriented recycling drop-off; tailor; locksmith; or upholsterer.

c. Personal service-oriented: Examples include banks, day cares, hospitals, postal service, tutoring or vocational school, or pet boarding.

d. Entertainment-oriented: Examples include restaurants or bars; food cart pods; bowling alleys, ice rinks, indoor community centers, senior centers, or game arcades; dance, martial arts, or music classes; museums or galleries; lodges or fraternal/social clubs; indoor firing ranges; or theaters, health clubs, or gyms.

4. Clarifications:

a. Sales, rental, and repair activity associated with motor vehicles is categorized as Mobility Hub, Motor Vehicle Fuel Sales, Motor Vehicle Sales and Rental, or Motor Vehicle Servicing.

b. Sale and rental activity intended primarily for commercial, institutional, or industrial users, rather than for the general public, is categorized as Wholesale and Equipment Rental.

c. Uses that primarily provide space to store products, with limited if any commercial activity on site, are categorized as Warehouse and Distribution.

d. The repair of large-scale machinery for businesses is categorized as Industrial and Manufacturing.

e. Entertainment uses with primarily outdoor activity are categorized as Outdoor Sales and Services.

f. Veterinary or medical offices outside of a campus setting, such as hospitals, are categorized as Office.

HD. Major Event Entertainment.

1. Characteristics: Major Event Entertainment ~~is~~ 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~~ **may** include parking, maintenance facilities, and concessions.
3. Examples: Examples include auditoriums, stadiums, convention centers, and race tracks.
4. ~~Exceptions~~ **Clarifications: Does not include smaller-scale, primarily indoor uses, which are categorized as Indoor Sales and Services.**
 - a. ~~Does not include uses meeting the definition of Cultural Institutions.~~
 - b. ~~Does not include movie theaters or playhouses, which are classified as Indoor Entertainment.~~

E. Mobility Hub.

1. **Characteristics: A Mobility Hub provides charging stations for electric transportation as a primary use and may include other on-site services including, but not limited to, last-mile drop-off for e-commerce delivery and transit stops.**
2. **Accessory uses: Accessory uses may include parking, offices, storage space, convenience stores, e-commerce package drop-off, and transit stops.**
3. **Examples: Examples include e-bike or e-scooter rental; or electric charging stations for cars, trucks, scooters, or bikes.**
4. **Clarifications:**
 - a. **Does not include electric vehicle charging stations that are accessory to an allowed use in an off-street parking area.**
 - b. **Locations involved in the sale of petroleum or diesel fuels are categorized as Motor Vehicle Fuel Sales.**

F. Motor Vehicle Fuel Sales.

1. **Characteristics: Motor Vehicle Fuel Sales include establishments that provide the sale of petroleum-based, natural gas, or hydrogen fuels for cars, motorcycles, trucks, recreational vehicles, or boats as a standalone primary use.**

New use category anticipates new facilities similar to gas stations but focused on electric vehicle charging and active transportation and with some accessory uses that promote climate resilience.

Motor Vehicle Fuel Sales renamed from Vehicle Fuel Sales so that it is grouped alphabetically with other motor vehicle uses.

2. Accessory uses: Accessory uses may include parking, office space, and storage space.

3. Examples: Examples include gas stations, hydrogen fueling stations, and natural gas fueling stations.

4. Clarifications: Does not include electric vehicle charging stations, which are either an accessory use or are categorized as a Mobility Hub use.

I.G. Motor Vehicle Sales/ *and* Rental.

1. Characteristics: Motor Vehicle Sales/ ***and*** Rental includes land uses involved ***s*** in the sale, lease, or rental of cars, motorcycles, light and heavy trucks, mobile homes, boats, and recreational vehicles.

2. Accessory uses: Accessory uses commonly found ***may*** 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.

4. Clarifications:

a. Does not include the sale or rental of small rafts, kayaks, canoes, or similar scale boats sold in a retail environment, which are categorized as Indoor Sales and Services.

b. Does not include the rental of boats or vehicles for on-site entertainment such as whitewater centers or go-kart racetracks, which is categorized as Indoor or Outdoor Sales and Services.

I.H. Motor Vehicle *Servicing* Servicing/Repair.

1. Characteristics: Motor Vehicle ***Servicing***/Repair includes ***is a*** freestanding vehicle servicing and repair establishments not accessory to new vehicle sales.

2. Accessory uses: Accessory uses commonly found ***may*** include parking, office space, and storage space.

3. Examples: Examples include general service stations, quick oil-change facilities, car washes, and body shops.

I.I. Non-Accessory Parking.

1. Characteristics: Non-Accessory Parking is any public or private parking that 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 **categorized** classified as Non-Accessory Parking.

2. Accessory uses: Accessory uses commonly found **may** include 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. **Clarifications** Exceptions:

a. Parking facilities accessory to a use but that charge **or allow** the public to park for occasional events nearby, are not **categorized** classified as Non-Accessory Parking.

b. Does not include overnight parking of fleet vehicles, which is categorized as Off-Site Services.

LJ. **Office.**

1. Characteristics: **An Office is characterized by activities that generally focus on business, professional, medical, or financial services. Offices are typically characterized by a professional or group of professionals assisted by support staff.** 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 that provide healthcare to humans or animals, characterized by a professional or group of professionals assisted by support staff.

2. Accessory uses: Accessory uses **may include** commonly found are **employee amenity spaces such as fitness facilities or cafeterias,** parking, and storage facilities.

3. Examples: Examples include **medical, dental, veterinarian, laboratories or research and development facilities; financial services; branch or training offices; government offices not providing in-person service to the public; blood collection centers; professional offices for attorneys, architects, engineers, stockbrokers, insurance brokers, or other consultants; headquarters offices; or radio or television studios.** government offices;

Office characteristics simplified and accessory uses updated to include employee amenities.

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. **Clarifications** Exceptions:

a. Offices that are part of and are located within a firm **an establishment** in another use category are considered accessory to the firm's **the establishment's** primary activity.

b. **Hospitals are categorized as Indoor Sales and Services.** Contractors and others who perform services off-site are included in the Office use category if equipment and materials are incidental to the office use and their storage does not constitute 50 percent or more of occupied space; otherwise, they are classified as Industrial Services.

c. Government offices intended to provide in-person services to the public are categorized as Government 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: Does not include uses meeting the definition of Community Services.

N.—Outdoor Sales:

1.—Characteristics: Outdoor Sales are sales-oriented establishments requiring extensive outdoor or only partially enclosed display 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:

Removed use categories that have been absorbed into new use categories. Outdoor Entertainment and Outdoor Sales are now Outdoor Sales and Services.

- a. ~~Does not include Motor Vehicle Sales/Rental and Vehicle Fuel Sales.~~
- 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 regulation in Chapter 18.440, Temporary Uses.~~
- d. ~~Does not include limited outdoor or partially enclosed display or storage areas that are clearly incidental and accessory to retail uses selling hardware and home improvement supplies.~~

K. Outdoor Sales and Services.

1. Characteristics: An Outdoor Sales and Services use operates primarily outdoors and provides the sale, lease, or rental of products for the general public; or provides personal services or entertainment.

a. Sales-oriented: Sale, lease, or rental of consumer, home, or business goods.

b. Repair-oriented: On-site repair of consumer or home goods.

c. Personal service-oriented: Services to the general public.

d. Entertainment-oriented: Leisure activities or cultural activities.

2. Accessory uses: Accessory uses may include offices, storage of goods, parking, or some limited indoor sales or activity area.

3. Examples:

a. Sales-oriented: Examples include lumber yards and plant nurseries.

b. Repair-oriented: Examples include outdoor consumer-oriented recycling drop-off.

c. Personal service-oriented: Examples include outdoor kennels for animal boarding.

d. Entertainment-oriented: Examples include outdoor firing ranges, golf courses, go-kart facilities, theme parks, or community centers with significant outdoor activity such as swimming pools or mini golf.

4. Clarifications:

a. Does not include the sale, lease, or rental of products to industrial or commercial users, which is categorized as Wholesale and Equipment Rental.

b. Does not include limited outdoor or partially-enclosed display or storage areas that are clearly incidental and accessory to retail uses selling hardware and home improvement supplies, which are considered an accessory use to Indoor Sales and Services.

c. Indoor entertainment providers with some limited outdoor activities are categorized as Indoor Sales and Services.

~~O. Personal Services.~~

~~1. Characteristics: Personal Services are establishments that 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.~~

~~b. Does not include Repair-Oriented Retail.~~

~~c. Does not include Motor Vehicle Servicing/Repair and Vehicle Fuel Sales.~~

~~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.~~

Removed use categories that have been absorbed into new use categories. Personal Services, Repair-Oriented Retail, and Sales-Oriented Retail are now Indoor Sales and Services.

~~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: 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 18.440, Temporary Uses.~~

~~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 Sales.~~

RL. Self-Service Storage.

1. Characteristics: **Self-Service Storage provides** Commercial operations that provide rental of storage space to individuals or business uses. The storage areas **Storage spaces** are designed to allow private access by the tenant for storing or removing personal property.

2. Accessory uses: Accessory uses commonly found **may** include parking and office space.

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. **Clarifications** Exceptions:

a. **Does not include uses that primarily provide space to store products for future sales or distribution, which are categorized as Warehouse and Distribution** 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 classified as Warehouse/Freight Movement.

b. **Does not include fleet storage, which is categorized as Off-Site Services**. Does not include the storage of fleet vehicles, which is classified as Non-Accessory Parking, or the storage of sales or rental inventory, which is classified as Motor Vehicle Sales/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.~~

4. ~~Exceptions: Does not include electric vehicle charging stations that are accessory to an allowed use in an off-street parking area.~~

18.60.070 Industrial Use Categories

A. Industrial and Manufacturing.

1. Characteristics: Industrial and Manufacturing engages in the mechanical, physical, or chemical transformation of materials, substances, or components into new products, usually requiring the use of machinery. This includes assembling component parts of manufactured products. The new product of a manufacturing establishment may be finished in the sense that it is for utilization or consumption, or it may be semi-finished to become an input for further manufacturing. Industrial and Manufacturing uses involve some amount of physical or characteristic change to materials necessary to make them suitable for sale.

2. Accessory uses: Accessory uses may include parking, office, storage, or maintenance facilities.

Industrial use categories have been greatly simplified as existing number of use categories has generated a great deal of confusion. Industrial and Manufacturing, Off-Site Services, Warehouse and Distribution, Waste-Related Facility, and Wholesale and Equipment Rental are the essential industrial use categories. Clarification has been added to each use category to aid in applying more strict industrial use standards going forward.

3. Examples: Examples include additive, advanced, or contract manufacturing; make to stock, make to order, or make to assemble manufacturing; discrete, process, mixed mode, job shop, or repetitive manufacturing; production of metals or metal products including enameling or galvanizing; production of cars, trucks, recreational vehicles; indoor agriculture; food processing; breweries, distilleries, or wineries; production of apparel or textiles; woodworking including cabinet makers; production or manipulation of chemical, rubber, leather, clay, bone, plastic, stone, or glass materials; manufacturing or production of machinery; large-scale recycling centers; the manufacturing or assembly of small-scale machinery, appliances, computers, or other electronic equipment; manufacturing, assembly, bottling of pharmaceuticals; manufacturing of scientific or musical instruments; production of toys or precision goods; sign-making; or commercial kitchens.

4. Clarifications:

a. Does not include energy production from the biological decomposition of organic materials, which is categorized as Waste-Related Facility.

b. Does not include storage or distribution of products involving no physical change to materials, packaging of previously prepared commercial products, or storage or distribution for e-commerce, which are categorized as Warehouse and Distribution.

c. Does not include breaking bulk for commercial, institutional, or industrial users, which is categorized as Wholesale and Equipment Rental.

d. Does not include uses meeting the definition of Basic Utility.

e. Does not include the use of a kiln or other machinery that is accessory to a public-facing arts use, which is categorized as Indoor Sales and Services.

B. Off-Site Services.

1. Characteristics: An Off-Site Services use primarily provides services at a client's location or a third-party site. The site is primarily used for parking of company or employee vehicles, equipment, or some accessory office. Few customers, especially the general public, come to the site.

2. Accessory uses: Accessory uses may include office, parking, or warehouse or storage space.

3. Examples: Examples include exterminators; freestanding fleet vehicle parking or fleet parking as a primary use; janitorial services; trade contractors; mobile pet grooming; mobile auto services; or off-site windshield repair.

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 classified as 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: Does not include energy production from the biological decomposition of organic materials, such uses are classified as 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: Contractors and others who perform services off-site are included in the Office use category if equipment and materials storage does not constitute 50 percent 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, or treatment of finished products from previously prepared materials or components. All activities and storage are 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: 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: If manufacturing is not present, it is classified as Office.~~

G.C. Warehouse *and Distribution*/Freight Movement.

1. Characteristics: Warehouse ***and Distribution uses*** /Freight Movement includes uses involved in the storage and movement of ***store and move*** large quantities of materials or products for themselves or other ***establishments*** firms ***with limited to no other activity on site except for accessory office.*** Goods are generally delivered to other firms for the final consumer, except for some will-call pickups. May occur indoors or outdoors, and ***The use is*** usually associated with significant truck and rail traffic. ***There may be some repackaging of products but no physical change to materials occurs on site.*** There is little on-site sales activity with the customer present.

2. Accessory uses: Accessory uses may include offices, parking, ***staging areas,*** 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 ***e-commerce,*** 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; ***and*** truck, marine and air freight terminals; bus barns; grain terminals; and stockpiling of sand, gravel, bark dust, or other aggregate and landscaping materials.

4. Clarifications:

a. Uses that involve the transfer or storage of solid or liquid wastes are categorized as Waste-Related Facility.

b. Does not include storage or transport of materials that are accessory to a primary use.

c. Does not include uses where some physical change to materials occurs on site to create a saleable unit. Such uses, regardless of the amount of warehouse or storage space associated with the use, are categorized as Industrial and Manufacturing.

H.D. Waste-Related Facility.

1. Characteristics: ~~A Waste-Related Facility uses are characterized as uses that receives~~ 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 **and** produces goods from the biological decomposition of organic material; ~~Waste-Related uses also include uses that~~ **and** receives hazardous wastes from others and ~~are~~ **is** 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. **Clarifications** Exceptions:

a. Infrastructure services that must be located in or near the area where the service is provided in order to function are **categorized** classified as Basic Utilities **uses**. 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 **categorized** classified as Waste-Related **Facility**.

c. Does not include consumer recycling or bottle drop centers, which are considered as accessory to a primary use, categorized as Indoor Sales and Services when standalone and indoors, or Outdoor Sales and Services when standalone and outdoors.

I.E. Wholesale and Equipment Rental.

1. Characteristics: Wholesale and Equipment Rental 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 includes 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; **stockpiling of sand, gravel, drywall, construction materials, bark dust, lumber, or other aggregate or landscaping materials**; parking; and the repackaging of goods **primarily for commercial, institutional, or industrial users**.

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. **Clarifications** Exceptions:

a. Firms **Establishments** that engage primarily in sales to the general public are **categorized** classified as Sales-Oriented Retail or Bulk Sales **Indoor Sales and Service**.

b. Firms **Establishments** that are primarily storing goods with little on-site ~~sales~~ business activity are **categorized** classified as Warehouse **and Distribution**/Freight Movement.

c. Establishments that engage primarily in storage and sale of products for e-commerce are categorized as Warehouse and Distribution.

~~18.60.080 Other Use Categories~~

~~A. 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.~~

~~B. Detention Facilities.~~

~~1. Characteristics: Detention Facilities are uses devoted to the judicially required detention, incarceration, or supervision of people.~~

“Other Use Categories” section has been eliminated so that all use categories fit within Civic, Commercial, or Industrial uses.

2.— ~~Accessory uses: Accessory uses include offices, recreational and health facilities, therapy facilities, maintenance facilities, and hobby and manufacturing facilities.~~

3.— ~~Examples: Examples include prisons, jails, probation centers, juvenile detention homes, and related post-incarceration and half-way houses.~~

4.— ~~Exceptions: 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 public safety personnel, are classified as Residential Use or Medical Center.~~

C.— 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.~~

D.— 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.~~

E.— 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.~~

F. ~~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 structures.~~

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 that 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.~~

Chapter 18.120 COMMERCIAL ZONES

18.120.010 Purpose

The purpose of this chapter is to implement the goals and policies of the comprehensive plan related to land use planning and economic development by:

- A. Ensuring that a full range of goods, and services, **and employment opportunities** are available throughout the city so that residents can fulfill all or most of their needs within ~~easy driving distance and, ideally, within easy walking and~~ **or** biking distance of their homes;
- B. Ensuring that a full range of economic activities and job opportunities are available throughout the city; and
- C. **Prioritizing sustainability and resilience by reducing distance between services, employment, and residences and by incentivizing sustainable development.** Minimizing the potential adverse impacts of commercial uses on residential uses by carefully locating and selecting the types of uses allowed in each commercial zone.

18.120.020 List of Base Zones

~~A. **C-N: Neighborhood Commercial zone.** The C-N zone is designed to provide convenience goods and services within a small cluster of stores adjacent to residential neighborhoods. Convenience goods and services are those that are purchased frequently, meaning at least weekly; for which comparison buying is not required; and that can be sustained in a limited trade area. Such uses include convenience markets, personal services, and repair shops. A limited number of other uses, including but not limited to gas stations, medical centers, religious institutions, park and ride lots, and uses with drive-through services, are allowed conditionally.~~

~~B. **C-C: Community Commercial zone.** The C-C zone is designed to provide convenience shopping facilities that meet the regular needs of nearby residential neighborhoods. With a service area of about 1.5 miles, such commercial centers typically range in size from 30,000—100,000 square feet on sites ranging from 2 to 8 acres. Separated from other commercially zoned areas by at least 0.5 miles, community commercial centers are intended to serve several residential neighborhoods, ideally at the intersection of two or more collector streets or at the intersection of an arterial and collector street. A limited number of other uses, including but not limited to gas stations, medical centers, religious institutions, park and ride lots, and uses with drive-through services, are allowed conditionally.~~

Purpose statements updated to reflect updated policies set through the Tigard MADE project.

Commercial zones consolidated for simplicity.

~~CA. C-G: General Commercial **COM: Commercial** zone. The C-G **COM** zone is designed to accommodate a full range of retail, office, and civic uses with a citywide and even regional trade area. Except where nonconforming, residential uses are limited to mixed-use developments. A wide range of uses, including but not limited to adult entertainment, automotive equipment repair and storage, mini-warehouses, utilities, heliports, medical centers, major event entertainment, and gasoline stations, are allowed conditionally.~~

~~D. C-P: Professional/Administrative Commercial zone. The C-P zone is designed to accommodate civic and professional services and compatible support services, for example convenience retail, personal services, and restaurants, in close proximity to residential areas and major transportation facilities. Heliports, medical centers, religious institutions, and utilities are allowed conditionally. Developments in the C-P zone are intended to serve as a buffer between residential areas and more intensive commercial and industrial areas.~~

~~EB. MU-CBD: Mixed-Use Central Business District zone. The MU-CBD zone is designed to provide a pedestrian-friendly urban village in downtown Tigard. A wide variety of commercial, civic, employment, mixed-use, apartments, and rowhouses are allowed.~~

~~FC. MUE: Mixed-Use Employment zone. The MUE zone is designed to accommodate a wide range of ***small- to medium-format employment uses, including commercial and low-impact industrial uses. Residential uses are allowed only where employment activity is a primary use.*** uses including major retail goods and services, business and professional offices, civic uses, and apartments.~~

~~G. MUE-1 and MUE-2: Mixed-Use Employment 1 and 2 zone. The MUE-1 and 2 zones are designed to apply to areas where employment uses such as office, research and development, and light manufacturing are concentrated. Commercial and retail support uses are allowed but are limited, and residential uses are allowed that are compatible with the employment character of the area. Lincoln Center is an example of an area designated MUE-1, a high density mixed-use employment zone. The Nimbus area is an example of an area designated MUE-2, requiring more moderate densities.~~

~~HD. MUC: Mixed-Use Commercial zone. The MUC zone is ***designed to allow a range of commercial activity, mixed-use development, and standalone residential uses. It is intended to encourage pedestrian activity, attractive transit options, and urban gathering spaces.*** includes land around the Washington Square Mall and land immediately west of Highway 217. Primary uses allowed include office buildings, retail, and service uses. Also allowed are mixed-use developments and housing at densities of 50 units per acre. Larger buildings are encouraged in this area with parking under, behind, or to the sides of buildings.~~

~~I. MUC-1: Mixed-Use Commercial 1 zone. The MUC-1 zone, which is designed to apply to that portion of Bridgeport Village (formerly known as the Durham Quarry site) within the City of Tigard, is a mixed-use commercial zone bounded by 72nd Avenue, Findlay Street, and the Tigard, Tualatin and Durham city limits. This site is the subject of an intergovernmental agreement between the cities of Tigard and Tualatin. Pursuant to that agreement the City of Tualatin will furnish all planning, building, and associated development review and permit services for the site. This zone is intended to mirror the City of Tualatin's Mixed-Use Commercial Overlay District in Tualatin Development Code, Chapter 57. It permits a wide range of uses including commercial lodging, general retail, offices, and housing. Additional uses, including but not limited to major event entertainment and motor vehicle retail fuel sales, are allowed conditionally.~~

~~**JE.** MUR-1 and MUR-2: Mixed-Use Residential 1 and 2 zone. The MUR-1 and MUR-2 zones ~~are~~ **is** designed **for** to apply to predominantly residential areas where mixed-uses are allowed when compatible with **supportive of** the residential use. A high-density (MUR-1) and moderate-density (MUR-2) designation is available within the MUR zone.~~

~~**KF.** TMU: Triangle Mixed-Use zone. The TMU zone applies to most land within the Tigard Triangle, a regional Town Center bounded by Pacific Highway, Highway 217, and Interstate 5. The TMU zone is intended to be an active, urban, multimodal, and mixed-use district that accommodates a variety of housing options and uses, promotes pedestrian-oriented development, and limits new auto-oriented development.~~

18.120.030 Land Use Standards

A. General provisions. A list of allowed, restricted, conditional, and prohibited uses in commercial zones is provided in Table 18.120.1, except for uses in the **MU-CBD zone, which are provided in Chapter 18.650, Tigard Downtown Plan District; in the** TMU zone, which are provided in Chapter **18.660, Tigard Triangle Plan District; and in the** **Washington Square Regional Center Plan District, which are provided in Chapter 18.670, Washington Square Regional Center Plan District.** If a use category is not listed, see Section **18.60.030.**

1. Allowed (A). Uses that are allowed, subject to all of the applicable provisions of this title.
2. Restricted (R). Uses that are **subject to** allowed provided they are in compliance with special requirements, exceptions, or restrictions **provided in Subsections 18.120.030.D-G. Use restrictions may be modified through an adjustment application as provided in Chapter 18.715, Adjustments or Chapter 18.770, Planned Developments.**
3. Conditional (C). Uses that require the approval of the Hearings Officer using discretionary criteria. The approval process and criteria are provided in Chapter **18.740, Conditional Uses.**

4. Prohibited (P). Uses that are not allowed under any circumstance.

B. Additional standards or restrictions may apply in plan districts.

~~B. Use restrictions. All allowed, restricted, and conditional uses in the C-N and C-C zones are subject to additional land use restrictions in Section [18.120.040](#).~~

C. Development standards. The standards for residential development in commercial zones are located in the applicable housing type chapter in 18.200 Residential Development Standards. The standards for nonresidential development in commercial zones—including mixed-use development with or without a residential component—are located in Chapter [18.320](#), Commercial Zone Development Standards, and the applicable plan district chapter, if any.

<u>Table 18.120.1</u>				
<u>Commercial Zone Use Standards</u>				
<u>Use Categories</u>	<u>COM</u>	<u>MUC</u>	<u>MUE</u>	<u>MUR</u>
<u>Residential Use Category</u>				
<u>Residential Use</u>	<u>R</u>	<u>A</u>	<u>R</u>	<u>A</u>
<u>Civic Use Categories</u>				
<u>Basic Utility</u>	<u>R/C</u>	<u>R/C</u>	<u>R/C</u>	<u>R/C</u>
<u>Cemetery</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Detention Facility</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Government Services</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>Railroad Yard</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>School or Religious Facility</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Temporary Shelter</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Transportation and Utility Corridor</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>Wireless Communications Facility</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>
<u>Commercial Use Categories</u>				
<u>Adult Entertainment</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Commercial Lodging</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>
<u>Indoor Sales and Services</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>R</u>
<u>Major Event Entertainment</u>	<u>A</u>	<u>C</u>	<u>P</u>	<u>P</u>
<u>Mobility Hub</u>	<u>A</u>	<u>R</u>	<u>R</u>	<u>C</u>
<u>Motor Vehicle Fuel Sales</u>	<u>A</u>	<u>P</u>	<u>P</u>	<u>P</u>

All uses listed as “R” in the table include descriptions of their restrictions after the table.

Residential allowed as mixed-use development or standalone residential development in the MUC and MUR zones; allowed as mixed-use development in the COM zone; allowed as mixed-use development with at least 30 percent employment uses in the MUE zone.

Schools and religious facilities continue to be conditionally allowed in commercial zones.

Indoor Sales and Services allowed in all commercial zones with the following restrictions: Outdoor animal kennels prohibited in all zones, commercial limited to 30,000 square feet in the MUC and MUE zones, and commercial allowed only as part of mixed-use development in the MUR zone.

Table 18.120.1

Commercial Zone Use Standards

<u>Use Categories</u>	<u>COM</u>	<u>MUC</u>	<u>MUE</u>	<u>MUR</u>
<u>Motor Vehicle Sales and Rental</u>	<u>A</u>	<u>R</u>	<u>R</u>	<u>P</u>
<u>Motor Vehicle Servicing</u>	<u>A</u>	<u>R</u>	<u>R</u>	<u>P</u>
<u>Non-Accessory Parking</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>P</u>
<u>Office</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>R</u>
<u>Outdoor Sales and Services</u>	<u>A</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Self-Service Storage</u>	<u>R</u>	<u>P</u>	<u>P</u>	<u>P</u>
Industrial Use Categories				
<u>Industrial and Manufacturing</u>	<u>R</u>	<u>R</u>	<u>R</u>	<u>P</u>
<u>Off-Site Services</u>	<u>R</u>	<u>P</u>	<u>R</u>	<u>P</u>
<u>Warehouse and Distribution</u>	<u>P</u>	<u>P</u>	<u>A/R</u>	<u>P</u>
<u>Waste-Related Facility</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>Wholesale and Equipment Rental</u>	<u>R</u>	<u>P</u>	<u>A/R</u>	<u>P</u>

Table 18.120.1

Commercial Zone Use Standards

<u>Use Categories</u>	<u>C-N</u> [1]	<u>C-G</u> [1]	<u>C-G</u>	<u>C-P</u>	<u>MU-CBD</u> [2]	<u>MUE</u>	<u>MUC-1</u>	<u>MUC</u>	<u>MUE</u> 1 and 2	<u>MUR</u> 1 and 2
Residential Use Category	-	-	-	-	-	-	-	-	-	-
Residential Use	R [3]	R [3]	R [3,4]	P	A	A	A	A	A	A
Civic / Institutional Use Categories										
Basic Utilities [5]	A/G	A/G	A/G	A/G	A/G	A/G	A/G	A/G	A/G	A/G
Colleges	P	P	P	P	A	G	G	G	G	G
Community Services	A	A	P	P	A	G	P	A	G	G
Cultural Institutions	A	A	A	A	A	A	A	A	A	P
Day Care	A	A	A	A	A	A	A	A	A	A/G [6]

Mobility hub allowed, conditionally allowed, or allowed up to ten charging stations in all commercial zones.

Motor vehicle sales allowed in the COM zone, limited to 25,000 square feet with all inventory inside a building in the MUC and MUE zones.

Motor vehicle servicing allowed in the COM zone, limited to 25,000 square feet and required to be within a building in the MUC zone, required to be within a building in the MUE zone.

Office allowed in all commercial zones.

Outdoor sales and services allowed only in the COM zone.

Self-service storage only allowed in a mixed-use development with other active uses.

Industrial and Manufacturing newly allowed in all commercial zones except MUR with all activity required to be in a building.

Off-Site Services newly allowed up to 20,000 square feet with 20 vehicles parked overnight in the COM and MUE zones. Prohibited in the MUR zone.

Warehouse and Distribution prohibited in the COM, MUC, and MUR zones. In the MUE zone, it has different restrictions depending on its location according to Map 18.120.A.

Wholesale and Equipment Rental restricted to 20,000 square feet in the COM zone. In the MUE zone, it has different restrictions depending on its location according to Map 18.120.A.

Table 18.120.1

Commercial Zone Use Standards

Use Categories	C-N [1]	C-G [1]	C-G	C-P	MU-CBD [2]	MUE	MUC-1	MUC	MUE 1 and 2	MUR 1 and 2
Emergency Services	A	A	A	A	A	A	A	A	A	P
Medical Centers	C	C	C	C	C	C	C	C	C	C
Postal Service	A	A	A	A	A	A	A	A	A	P
Religious Institutions	A	A	A	A	A	A	A	A	A	C
Schools	P	P	P	P	A	C	C	C	C	C
Social/Fraternal Clubs/Lodges	A	A	A	A	A	A	A	A	A	C
Temporary Shelter	P	P	C	P	C	P	C	C	C	C
Commercial Use Categories										
Adult Entertainment	P	P	C	P	P	P	P	C	P	P
Animal-Related Commercial	P	P	P	P	P	A	A	P	P	P
Bulk Sales	P	P	A	P	A/P [7]	A	R [8]	R [9]	R [9]	P
	P	P	A	A	A	A	A	A	A	P
Custom Arts and Crafts	R [10]	R [10]	P	P	R [10]	P	P	P	P	P
Eating and Drinking Establishments	A	A	A	R [11]	A	A	A	A	A	R [12]
Indoor Entertainment	A	A	A	A	A	A	A	A	A	P
Major Event Entertainment	P	P	C	P	C	P	C	C	P	P
Motor Vehicle Sales/Rental	P	P	A/C [13]	P	A/P [7]	P	P	R [14]	R [14]	P
Motor Vehicle Servicing/Repair [15]	C [16]	C [16]	A	P	C	R [8]	R [8]	P	P	P
Non-Accessory Parking	C	C	A	A	A	A	A	A	A	P
Office	A	A	A	A	A	A	A	A	A	R [12]
Outdoor Entertainment	P	P	A	A	C	P	P	C	P	P
Outdoor Sales	P	P	A	P	P	P	P	P	P	P
Personal Services	A	A	A	A	A	A	R [8]	A	R [9]	R [12]

Table 18.120.1

Commercial Zone Use Standards

Use Categories	C-N [1]	C-G [1]	C-G	C-P	MU-CBD [2]	MUE	MUC-4	MUC	MUE 1 and 2	MUR 1 and 2
Repair-Oriented Retail	A	A	A	A	A	A	R [8]	R [9]	R [9]	P
Sales-Oriented Retail	A	A	A	R [11]	A/R [17]	A/R [18]	R [8]	A	R [9]	R [12]
Self-Service Storage	P	P	C	P	A/P [7]	P	P	P	P	P
Vehicle Fuel Sales	C	C	C	P	A/P [7]	P	C	C	C	P
Industrial Use Categories										
General Industrial	P	P	P	P	P	P	P	P	P	P
Heavy Industrial	P	P	P	P	P	P	P	P	P	P
Industrial Services	P	P	P	P	P	P	P	P	P	P
Light Industrial	P	P	P	P	P	R [15]	P	P	R [15]	P
Railroad Yards	P	P	P	P	P	P	P	P	P	P
Research and Development	P	P	P	P	C	R [14]	R [14]	P	R [15]	P
Warehouse/Freight Movement	P	P	P	P	P	R [14]	P	P	R [14, 15]	P
Waste-Related	P	P	P	P	P	P	P	P	P	P
Wholesale and Equipment Rental	P	P	P	P	P	P	P	P	R [14, 15]	P
Other Use Categories										
Cemeteries	P	P	P	P	P	P	P	P	P	P
Detention Facilities	P	P	C	P	C	P	P	P	P	P
Heliports	P	P	C	C	P	P	P	P	P	P
Mining	P	P	P	P	P	P	P	P	P	P
Transportation/Utility Corridors	A	A	A	A	A	A	A	A	A	A
Wireless Communication Facilities [19]	A/R	A/R	A/R	A/R	A/R	A/R	A/R	A/R	A/R	A/R

A=Allowed R=Restricted C=Conditional Use P=Prohibited

~~[1]— See Section 18.120.040 for additional land use restrictions.~~

~~[2]— Uses with drive-through services that were lawfully in existence prior to the adoption of the MU-CBD zone are allowed. All new uses with drive-through services are prohibited.~~

~~[3]— Residential uses are allowed on or above the second story of a mixed-use development where the first story contains an allowed commercial use.~~

~~[4]— Small form residential development is allowed where it is located on the same site with an allowed or conditional use and is occupied exclusively by a caretaker or superintendent of the allowed or conditional use.~~

~~[5]— Above-ground public and private utility facilities proposed with development and underground public and private utility facilities are allowed. Standalone above-ground public and private utility facilities not proposed with development are allowed conditionally.~~

~~[6]— Family day care is allowed. Other day care uses are allowed conditionally.~~

~~[7]— Uses that were lawfully in existence prior to the adoption of the MU-CBD zone are allowed. All new uses are prohibited.~~

~~[8]— The maximum allowed gross floor area is 60,000 square feet per building or tenant.~~

~~[9]— The maximum allowed gross floor area is 60,000 square feet per use for uses proposed after the adoption of the MUC, MUE-1, and MUE-2 zones.~~

~~[10]— The maximum area allowed for production is 500 square feet per building or tenant.~~

~~[11]— The maximum allowed combined area of sales-oriented retail and eating and drinking establishments is 20% of the gross floor area of the other uses allowed by right on the premises.~~

~~[12]— Uses must be within a mixed-use development. Uses may occupy a maximum of 50% of the total gross floor area within the mixed-use development only when minimum residential densities are met. Properties that were zoned commercial prior to March 28, 2002 are exempt from this requirement. These properties, or lots created from these properties, may develop as a single-use commercial development. The tax assessor map numbers for exempt properties are as follows: 1S135AA-00400, 1S135AA-01400, 1S135AA-01900, 1S135AA-01901, 1S135DA-02000, 1S135AA-02500, 1S135AA-02600, 1S135AA-02700, 1S135DA-01900, and 1S1DA-02000.~~

~~[13] Sales or rental of heavy vehicles or farm equipment is allowed conditionally.~~

~~[14] Uses allowed only as accessory uses to allowed uses where contained in the same structure and less than the gross floor area of the allowed use, except for motor vehicle sales/ rental which is allowed as a primary use in specific locations as provided in Subsection 18.670.020.C.~~

~~[15] All use activities must be contained inside a structure except for employee and customer parking.~~

~~[16] Only motor vehicle cleaning is allowed.~~

~~[17] The maximum allowed gross floor area is 60,000 square feet per building or tenant in all MU CBD subareas except the 99W Hall subarea as shown on Map 18.650.A.~~

~~[18] The maximum allowed gross floor area is 30,000 square feet per building or tenant where the site is more than three acres in size. One additional square foot of floor area is allowed for each four square feet of floor area occupied or designed for an allowed use other than a sales-oriented retail use.~~

~~[19] See Chapter 18.450, Wireless Communication Facilities, for a description of allowed and restricted facilities.~~

D. COM zone use restrictions.

1. Residential Use. Any combination of residential and nonresidential uses proposed for the same site and not contained in a mixed-use development requires planned development review.

2. Basic Utility.

a. This use is conditionally allowed.

b. Data centers are conditionally allowed only on or above the second story of a mixed-use development.

3. Wireless Communications Facility. See Chapter 18.450, Wireless Communication Facilities, for allowed and restricted facilities.

4. Indoor Sales and Services. Outdoor animal kennels are prohibited. All animal kennels associated with breeding, boarding, or sales must be contained completely within a building.

5. Non-Accessory Parking. This use is allowed only as structured parking with at least two floors of parking.

6. Self-Service Storage. This use is allowed only on or above the second story of a mixed-use development.

7. Industrial and Manufacturing. All inventory and materials, except parking, must be contained completely within a building.

8. Off-Site Services.

a. The maximum gross floor area is 20,000 square feet per tenant.

b. A maximum of 20 vehicles may be parked overnight on-site.

c. All inventory and materials, except parking, must be contained completely within a building.

9. Wholesale and Equipment Rental.

a. The maximum gross floor area is 20,000 square feet per tenant.

b. All inventory and materials, except parking, must be contained completely within a building.

E. MUC zone use restrictions.

1. Basic Utility.

a. This use is conditionally allowed.

b. Data centers are conditionally allowed only on or above the second story of a mixed-use development.

2. Wireless Communications Facility. See Chapter 18.450, Wireless Communication Facilities, for allowed and restricted facilities.

3. Indoor Sales and Services.

a. The maximum gross floor area is 30,000 square feet per tenant.

b. All inventory and materials, except parking, must be contained completely within a building.

c. Outdoor animal kennels are prohibited. All animal kennels associated with breeding, boarding, or sales must be contained completely within a building.

d. Uses with drive-through services is prohibited.

e. Uses in a campus are conditionally allowed.

4. Mobility Hub. A maximum of ten car charging stations is allowed per hub.

5. Motor Vehicle Sales and Rental.

a. The maximum gross floor area is 25,000 square feet per tenant.

b. All activities and storage, including any vehicle inventory, must be contained completely within a building.

6. Motor Vehicle Servicing.

- a. The maximum gross floor area is 25,000 square feet per tenant.**
- b. All inventory and materials, except parking, must be contained completely within a building.**
- c. Drive-through services are prohibited.**

7. Non-Accessory Parking. This use is allowed only as structured parking with at least two floors of parking.

8. Industrial and Manufacturing. All inventory and materials, except parking, must be contained completely within a building.

F. MUE zone use restrictions.

1. Residential Use.

- a. Any combination of residential and nonresidential use proposed for the same site and not contained in a mixed-use development requires planned development review.**
- b. Allowed civic, allowed commercial, or restricted industrial uses must make up at least 30 percent of the gross floor area.**

2. Basic Utility.

- a. This use is conditionally allowed.**
- b. Data centers are conditionally allowed only on or above the second story of a mixed-use development.**

3. Wireless Communications Facility. See Chapter 18.450, Wireless Communication Facilities, for allowed and restricted facilities.

4. Indoor Sales and Services.

- a. The maximum gross floor area is 30,000 square feet per tenant.**
- b. All inventory and materials, except parking, must be contained completely within a building.**
- c. Outdoor animal kennels are prohibited. All animal kennels associated with breeding, boarding, or sales must be contained completely within a building.**
- d. Uses with drive-through services are prohibited.**
- e. Uses in a campus are conditionally allowed.**

5. Mobility Hub. A maximum of ten car charging stations is allowed per hub.

6. Motor Vehicle Sales and Rental.

- a. The maximum gross floor area is 25,000 square feet per tenant.**
- b. All activities and storage, including any vehicle inventory, must be contained completely within a building.**

7. Motor Vehicle Servicing. All activities and storage, including any vehicle inventory, must be contained completely within a building.

8. Non-Accessory Parking. This use is allowed only as structured parking with at least two floors of parking.

9. Industrial and Manufacturing. All inventory and materials, except parking, must be contained completely within a building.

10. Off-Site Services.

a. The maximum gross floor area is 20,000 square feet per tenant.

b. A maximum of 20 vehicles may be parked overnight on-site.

c. All inventory and materials, except parking, must be contained completely within a building.

11. Warehouse and Distribution.

a. This use is allowed when providing off-site storage and distribution support to an existing manufacturing use located in Tigard.

b. Activities that are accessory to an allowed primary use are allowed.

c. Properties shown in the Warehouse and Wholesale Area of Additional Flexibility on Map 18.120.A are also allowed a maximum of 30,000 gross square feet per tenant space. The following buildings are exempt from this limit:

i. Oregon Business Park 1 Buildings 10 (16600-40 SW 72nd Ave) and 12 (16650-98 SW 72nd Ave).

ii. Oregon Business Park 3 Buildings D (7342-7380 SW Kable Lane), I (15605-705 SW 72nd Ave), and G (7319 SW Kable Lane).

12. Wholesale and Equipment Rental.

a. All inventory and materials, except parking, must be contained completely within a building.

b. The maximum gross floor area is 20,000 square feet per tenant for properties located outside the Warehouse and Wholesale Area of Additional Flexibility as shown on Map 18.120.A.

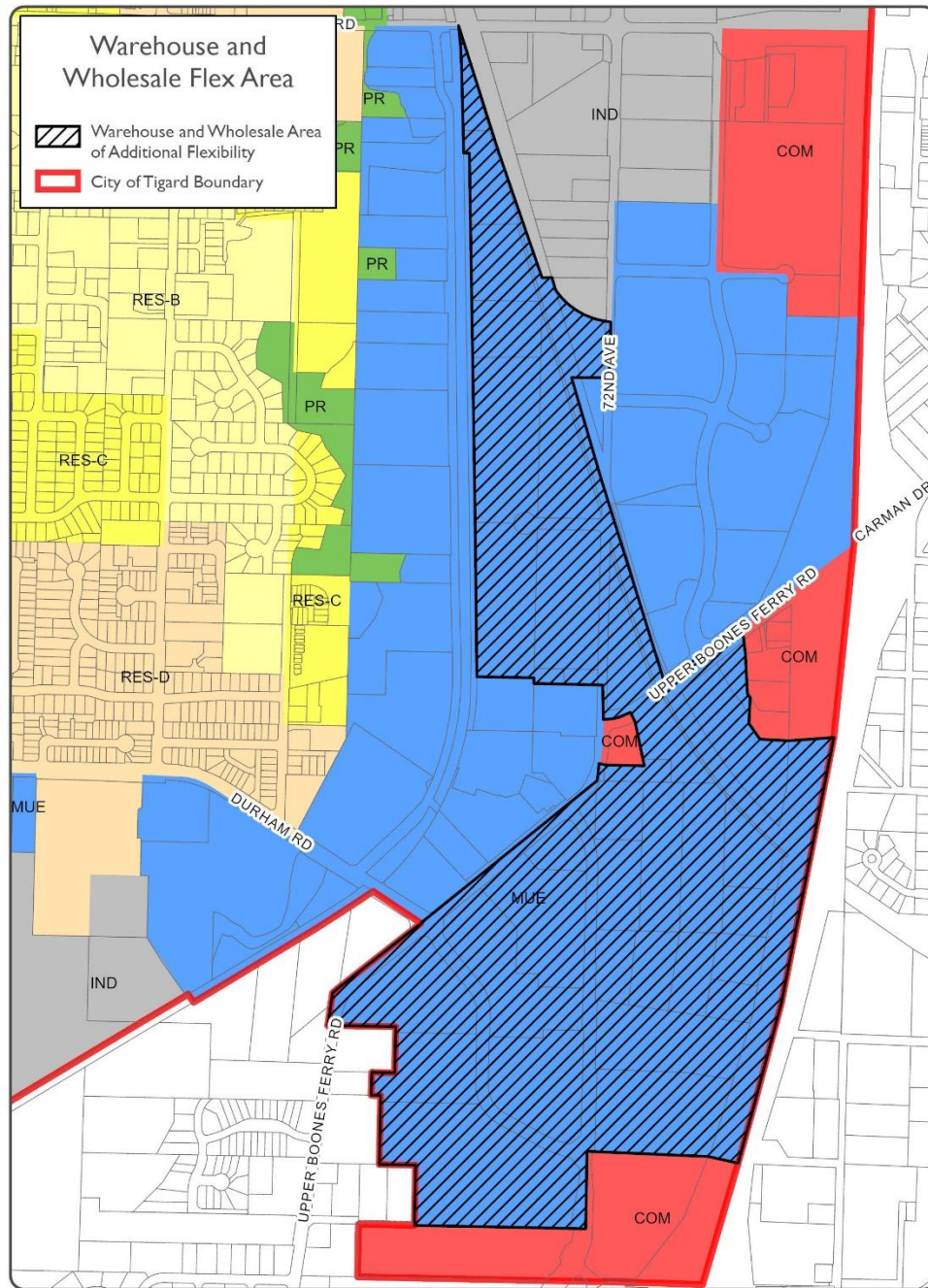
c. The maximum gross floor area is 35,000 square feet per tenant space for properties located within the Warehouse and Wholesale Area of Additional Flexibility as shown on Map 18.120.A. The following buildings are exempt from this limit:

i. Oregon Business Park 1 Buildings 10 (16600-40 SW 72nd Ave) and 12 (16650-98 SW 72nd Ave).

ii. Oregon Business Park 3 Buildings D (7342-7380 SW Kable Lane), I (15605-705 SW 72nd Ave), and G (7319 SW Kable Lane).

Map 18.120.A

Additional flexibility for Warehouse and Distribution and Wholesale and Equipment Rental Uses in the area identified on Map 18.120.A, due to location near regional transportation networks. Five purpose-built buildings are exempt from restrictions.



H. MUR zone use restrictions.

1. Basic Utility.

- a. This use is conditionally allowed.**
- b. Data centers are conditionally allowed only on or above the second story of a mixed-use development.**

2. Wireless Communications Facility. See Chapter 18.450, Wireless Communication Facilities, for allowed and restricted facilities.

3. Indoor Sales and Services. This use is allowed only as part of a mixed-use development.

4. Office. This use is allowed only as part of a mixed-use development.

18.120.040 Housing Types

A. A housing type is not a use category. It describes a type of development that contains a Residential Use.

B. A list of allowed, limited, and prohibited housing types in commercial zones is provided in Table 18.120.2. The terms and abbreviations in Table 18.120.2 are as follows:

1. Yes, allowed (Y). Housing types that are allowed.

2. No, prohibited (N). Housing types that are not allowed under any circumstance.

C. All housing types are subject to the standards and provisions of the applicable development standards chapter or applicable plan district chapter, if any. The applicable chapter for each housing type is provided in Table 18.120.2.

D. All allowed housing types may be built on site or manufactured off site.

Table 18.120.2

Commercial Zone Housing Types

<u>Housing Types</u>	<u>Applicable Chapter</u>	<u>COM</u>	<u>MUC</u>	<u>MUE</u>	<u>MUR</u>
<u>Accessory Dwelling Units</u>	<u>18.220</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>
<u>Apartments</u>	<u>18.230</u>	<u>N</u>	<u>Y</u>	<u>N</u>	<u>Y</u>
<u>Cottage Clusters</u>	<u>18.240</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>
<u>Courtyard Units</u>	<u>18.250</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>
<u>Mobile Home Parks</u>	<u>18.260</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
<u>Quads</u>	<u>18.270</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>
<u>Rowhouses</u>	<u>18.280</u>	<u>N</u>	<u>Y</u>	<u>N</u>	<u>Y</u>
<u>Small Form Residential</u>	<u>18.290</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>Y</u>

Table 18.120.2

Commercial Zone Housing Types

<u>Housing Types</u>	<u>Applicable Chapter</u>	<u>COM</u>	<u>MUC</u>	<u>MUE</u>	<u>MUR</u>
<u>Mixed-Use Development</u>	<u>18.320</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>	<u>Y</u>

Y=Yes, Allowed L=Limited N=No, Prohibited

18.120.040 Land Use Restrictions

The following restrictions apply to all uses in the C-N and C-C zones:

A. ~~Uses must be contained inside a structure except for the following accessory uses:~~

- ~~1. Parking and loading areas;~~
- ~~2. Day care outdoor play areas;~~
- ~~3. Dining or drinking areas where associated with an allowed Eating and Drinking Establishment or Sales-Oriented Retail use; or~~
- ~~4. Sale, display, or storage of horticultural and food merchandise where limited to a maximum area of 5 percent of the gross floor area of the primary use.~~

B. ~~Uses with drive-through services or operating before 6 a.m. or after 11 p.m. are allowed conditionally.~~

C. ~~Each use is allowed a maximum gross floor area of 5,000 square feet per building or tenant except for the following uses:~~

- ~~1. Sales-Oriented Retail uses primarily involved in the sale of food and beverages are allowed a maximum gross floor area of 40,000 square feet per building or tenant; and~~
- ~~2. All other Sales-Oriented Retail uses are allowed a maximum gross floor area of 10,000 square feet per building or tenant. (Ord. 18-28 §1)~~

18.120.050 Housing Types

A. ~~A housing type is not a use category. It describes a type of development that can contain a Residential Use.~~

Residential allowed as mixed-use development in all commercial zones.

B.— A list of allowed, limited, and prohibited housing types in commercial zones is provided in Table 18.120.2. Commercial zones that do not allow any residential uses or allow them only in a mixed-use development are not included in the table. Terms and abbreviations used are defined as follows:

- 1.— Yes, allowed (Y). Housing types that are allowed.
- 2.— Limited (L). Housing types that require a conditional use approval or are allowed subject to specific limitations.
- 3.— No, prohibited (N). Housing types that are not allowed under any circumstance.

C.— Housing types that are allowed or allowed on a limited basis are subject to the standards and provisions of the applicable development standards chapter or applicable plan district chapter, if any. The applicable development standards chapter for each housing type is indicated in parentheses in the first column of Table 18.120.2.

D.— All allowed housing types may be built on site or brought to the site as a manufactured home.

Housing Types	C-G	MU-CBD	MUE	MUC-1	MUC	MUE 1 and 2	MUR 1 and 2
Accessory Dwelling Units (18.220)	N	N	N	N	L[1]	L[1]	L[1]
Apartments (18.230)	N	Y	Y	Y	Y	Y	Y
Cottage Clusters (18.240)	N	N	N	N	N	N	Y
Courtyard Units (18.250)	N	N	N	N	N	N	Y
Mobile Home Parks (18.260)	N	L[2]	N	Y	L[3]	L[3]	L[3]
Quads (18.270)	N	N	N	N	N	N	Y
Rowhouses (18.280)	N	Y	L[5]	Y	L[3]	L[3]	Y
Small Form Residential (18.290)	L[4]	N	L[5]	N	L[3]	L[3]	L[3]

— Y=Yes, Allowed — L=Limited, See Footnotes — N=No, Prohibited

[1] — Accessory dwelling units are only allowed on sites with pre-existing small form residential development.

~~[2]— Mobile home parks that were lawfully in existence prior to the adoption of the MU-CBD zone are allowed. All new mobile home parks are prohibited.~~

~~[3]— Mobile home parks, small form residential, and rowhouses that were lawfully in existence prior to the adoption of the Washington Square Regional Center Plan District are allowed. Conversion of pre-existing mobile home parks, small form residential, or rowhouses to other housing types or uses is subject to the requirements of Chapter 18.670, Washington Square Regional Center Plan District.~~

~~[4]— Small form residential development is allowed where it is located on the same site with an allowed or conditional use and is occupied exclusively by a caretaker or superintendent of the allowed or conditional use.~~

~~[5]— Pre-existing small form residential and rowhouses are allowed. All new small form residential and rowhouses are prohibited.~~

DRAFT

Chapter 18.130 INDUSTRIAL ZONES

18.130.010 Purpose

The purpose of this chapter is to implement the goals and policies of the comprehensive plan related to land use planning and economic development by:

A. Ensuring that a full range of economic activities and job opportunities are available throughout the city; and

B. Promoting the efficient use of the city's limited industrial land supply by preserving industrial land for job-dense industries; and

C. Promoting more carbon responsible development by reducing the distance between services, employment, and residences.

~~B. Minimizing the potential adverse impacts of industrial uses on nonindustrial uses by carefully locating and selecting the types of uses allowed in the industrial zone.~~

18.130.020 Base Zone

~~A. I-P: Industrial Park zone. The I-P zone provides appropriate locations for combining light manufacturing, office, and small-scale commercial uses, such as restaurants, personal services, and fitness centers, in a campus-like setting with no nuisance characteristics such as noise, glare, odor, or vibration.~~

~~B. I-L: Light Industrial zone. The I-L zone provides appropriate locations for general industrial uses including, but not limited to: industrial services, 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, or vibration.~~

~~C. I-H: Heavy Industrial zone. The I-H zone provides appropriate locations for intensive industrial uses including industrial service, manufacturing and production, research and development, warehousing and freight movement, railroad yards, waste-related businesses, and wholesale sales activities. Activities in the I-H zone include those that involve the use of raw materials, require significant outdoor storage, or generate heavy truck or rail traffic. (Ord. 18-28 §1; Ord. 18-23 §2; Ord. 17-22 §2)~~

The IND zone prioritizes manufacturing uses, with limited motor vehicle servicing, off-site services, warehouse and distribution, and wholesale and equipment rental uses. Some civic uses are also allowed. Uses in this zone are intended to foster job density, accessible career pathways, and living wage jobs. Industrial uses may have some off-site impacts including noise and odor.

Purpose statements updated to reflect updated policies set through the Tigard MADE project.

Industrial zones consolidated for simplicity.

18.130.030 Land Use Standards

A. General Provisions. A list of allowed, restricted, conditional, and prohibited uses in the IND zone is provided in Table 18.130.1. If a use category is not listed, see Section [18.60.030](#).

1. Allowed (A). Uses that are allowed, subject to all of the applicable provisions of this title.
2. Restricted (R). ~~Uses that are allowed provided they are in compliance with special requirements, exceptions, or restrictions.~~ **Uses that are subject to special requirements, exceptions, or restrictions as provided in Subsection 18.130.030.C.**
3. Conditional (C). Uses that require the approval of the Hearings Officer using discretionary criteria. The approval process and criteria are provided in Chapter [18.740](#), Conditional Uses.
4. Prohibited (P). Uses that are not allowed under any circumstance.

~~B. Use restrictions. Day care and commercial lodging uses are subject to additional land use restrictions in Section [18.130.040](#).~~

~~**C.B.** Development standards. The standards for nonresidential development in industrial zones are located in Chapter [18.330](#), Industrial Zone Development Standards, and the applicable plan district chapter, if any.~~

Table 18.130.1			
Industrial Zone Use Standards			
Use Categories	I-P	I-L	I-H-IND
Residential Use Category			
Residential Use [1]	R	R	RP
Civic / Institutional Use Categories			
Basic Utility Utilities	C[2]	C[2]	AR/C
Colleges	P	P	P
Community Services [3]	C	C	C
Cultural Institutions	P	P	P
Day Care [4]	R	R	R
Cemetery			P
Detention Facility			P
Emergency Services	A	A	A
Government Services			C
Railroad Yard			P
School or Religious Facility			P

Residential uses prohibited in the industrial zone. Existing regulations allow a caretaker unit to be located on site but this provision is rarely used, particularly in industrial zones.

Uses other than Motor Vehicle Servicing, Industrial and Manufacturing, Off-Site Services, and Wholesale and Equipment Rental are not allowed or are conditionally allowed. Restrictions in the industrial zone protect industrial land for high-job-density uses. Warehouse and Distribution is not allowed except through an adjustment application, which may demonstrate that a proposed business provides more on-site jobs than is typical for the industry.

Table 18.130.1

Industrial Zone Use Standards

Use Categories	I-P	I-L	I-H <u>IND</u>
Medical Centers	P	P	P
Postal Service	A	A	A
Religious Institutions	P	P	P
Schools	P	P	P
Social/Fraternal Clubs/Lodges	P	P	P
Temporary Shelter	P	P	P
<i>Transportation and Utility Corridor</i>			<i>A</i>
<i>Wireless Communications Facility</i>			<i>R</i>
Commercial Use Categories			
Adult Entertainment	P	P	P
Animal-Related Commercial	A	A	A
Bulk Sales	R [5][6]	P	P
Commercial Lodging	R [7]	P	P
Custom Arts and Crafts	P	P	P
Eating and Drinking Establishments	R [8]	P	P
Indoor Entertainment	A	P	P
<i>Indoor Sales and Services</i>			<i>R</i>
Major Event Entertainment	P	P	P
<i>Mobility Hub</i>			<i>P</i>
<i>Motor Vehicle Fuel Sales</i>			<i>P</i>
Motor Vehicle Sales <u>and</u> Rental	R [5][9][10]	A	<i>AP</i>
Motor Vehicle <i>Servicing</i> Servicing/Repair	C	A	A
Non-Accessory Parking	A	A	<i>AP</i>
Office	A	P	P
<i>Outdoor Sales and Services</i>			<i>P</i>
Outdoor Entertainment	A	P	P
Outdoor Sales	P	A	A
Personal Services	R [8]	P	P
Repair-Oriented Retail	A	P	P
Sales-Oriented Retail	R [8]	P	P
Self-Service Storage	A	A	<i>AP</i>
Vehicle Fuel Sales	A	A/C [11]	A
Industrial Use Categories			
General Industrial	P	A	A
Heavy Industrial	P	P	A
Industrial Services	R [5]	A	A
Light Industrial	A	A	A
Railroad Yards	P	P	A
Research and Development	A	A	A

Table 18.130.1

Industrial Zone Use Standards

Use Categories	I-P	I-L	I-H/IND
<i>Industrial and Manufacturing</i>			<i>A</i>
<i>Off-Site Services</i>			<i>R</i>
Warehouse <i>and Distribution</i> /Freight Movement	P	A	<i>AR</i>
Waste-Related <i>Facility</i>	P	P	<i>AR</i>
Wholesale and Equipment Rental	R [5]	A	<i>AR</i>
Other Use Categories			
Cemeteries	P	C	P
Detention Facilities	C	P	C
Heliports	C	C	C
Mining	P	P	A
Wireless Communication Facilities	A/R [12]	A	A
Transportation/Utility Corridors	A	A	A

A=Allowed R=Restricted C=Conditional Use P=Prohibited

[1]— A single detached house is allowed where it is located on the same site as the allowed use and is occupied exclusively by the caretaker, or kennel owner or operator, and family.

[2]— Above-ground public and private utility facilities proposed with development and underground public and private utility facilities are allowed. Standalone above-ground public and private utility facilities not proposed with development are allowed conditionally.

[3]— Limited to outdoor recreation on: (1) land classified as special flood hazard area, when the recreational use does not otherwise preclude future cut and fill as needed to support industrial zone development outside the special flood hazard area; and (2) land located outside the special flood hazard area, when the recreational use is temporary and does not otherwise preclude allowed or conditional uses.

[4]— Family day care is allowed. Other day care uses are subject to additional land use restrictions in Subsection 18.130.040.A.

[5]— All use activities must be contained inside a structure except for employee and customer parking.

[6]— Bulk Sales are only allowed in the I-P zone east of SW 72nd Avenue. The maximum allowed gross floor area is 60,000 square feet per building.

[7]— See Subsection 18.130.040.B for additional land use restrictions.

~~[8]—The maximum allowed gross floor area of these uses, either separately or in combination, is 20% of the entire development complex. The maximum allowed gross floor area for retail uses is 60,000 square feet per building or tenant.~~

~~[9]—The maximum allowed gross floor area of these uses, either separately or in combination, is 10,000 square feet per lot.~~

~~[10]—Only boat sales or rental is allowed.~~

~~[11]—Vehicle Fuel Sales allowed unless in combination with convenience sales, in which case it is allowed conditionally.~~

~~[12]—See Chapter [18.450](#), Wireless Communication Facilities, for a description of allowed and restricted facilities in the I-P zone.~~

~~(Ord. 22-09 §2; Ord. 20-01 §1; Ord. 18-28 §1; Ord. 18-23 §2; Ord. 17-22 §2)~~

C. IND zone use restrictions.

1. Basic Utility.

a. This use is conditionally allowed.

b. Data centers are conditionally allowed only on or above the second story of a vertical mixed-use building.

2. Wireless Communications Facility. See Chapter 18.450, Wireless Communication Facilities, for allowed and restricted facilities.

3. Indoor Sales and Services.

a. A maximum of one establishment with a maximum gross floor area of 5,000 square feet is allowed per lot.

b. Uses with drive-through services are prohibited.

c. All animal kennels associated with breeding, boarding, or sales must be contained completely within a building.

4. Off-Site Services.

a. The maximum allowed gross floor area is 20,000 square feet per tenant.

b. A maximum of 20 vehicles may be parked overnight on-site.

c. All inventory and materials, except parking, must be contained completely within a building.

5. Waste-Related Facility. This use is allowed only as an accessory use to allowed or restricted industrial uses.

6. Warehouse and Distribution. This use is only allowed through the adjustment process as provided in Section 18.715.050.B.

7. Wholesale and Equipment Rental.

a. The maximum allowed gross floor area is 20,000 square feet per tenant.

b. All inventory and materials, except parking, must be contained completely within a building.

18.130.040 Land Use Restrictions

~~A. Day care uses. The following standards apply to all day care facilities in industrial zones, except family day care:~~

~~1. The applicant must prepare an environmental impact assessment that documents noise, visible emissions, vibration, odor, glare, and heat from uses within 0.25 miles. 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 must be notified of the proposed site plans prior to submitting an application to ensure 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 must be provided to the city.~~

~~B. Commercial lodging uses. The following standards apply to all commercial lodging uses in the I-P zone:~~

~~1. The site must be a minimum of two acres and a maximum of five acres.~~

~~2. The site must have access to an arterial or collector street approved by the City Engineer with sufficient capacity to maintain adequate access to local businesses.~~

~~3. Uses that are allowed in the I-P zone are allowed as accessory uses to a commercial lodging development, provided they comprise no more than 20% of total gross floor area of the development. (Ord. 18-28 §1) n~~

Chapter 18.230 APARTMENTS

18.230.010 Purpose

Apartments are a type of attached housing within single-story or multi-story buildings. Apartment dwelling units may share common side walls, ceilings, or floors. The purpose of this chapter is to provide standards that promote quality development and enhance the livability, walkability, and safety of the community. Apartment development is intended to achieve the following:

- A. Increase the number of affordable dwelling units;
- B. Provide for a variety of housing types that meet the needs of Tigard's diverse population at all stages of life;
- C. Facilitate the efficient use of land through higher-density attached housing; and
- D. Support and complement transit services by providing ridership density and proximity.

18.230.020 Applicability

- A. The standards of this chapter apply to apartment development in the RES-D, RES-E, MUC, MUE, MUE-1, MUE-2, MUR-1, and MUR-2 zones. Additional standards apply in the River Terrace Plan District as provided in Chapter [18.640](#), River Terrace Plan District. An applicant may elect to apply the approval process and standards of this chapter or of Chapter [18.280](#), Rowhouses, when proposing rowhouse development.
- B. The standards of this chapter also apply to nonconforming apartment development in the RES-A through RES-C zones. In lieu of specific base zone standards, apartment development in these zones is subject to the RES-D zone standards.
- ~~C. Apartment development in the MUC-1 zone is subject to the standards of Chapter [18.620](#), Bridgeport Village Plan District.~~

C. This chapter does not apply to the following:

- 1. Apartment development in the Bridgeport Village Plan District is subject to the standards of Chapter [18.620](#), Bridgeport Village Plan District.**
- 2. Apartment development in the MU-CBD zone is subject to the approval processes and standards of Chapter [18.650](#), Tigard Downtown Plan District.**
- 3. Apartment development in the TMU zone is subject to the approval processes and standards of Chapter [18.660](#), Tigard Triangle Plan District.**

D.—This chapter does not apply to apartment development in the MU-CBD and TMU zones. Apartment development in these zones is subject to the approval processes and standards of Chapter [18.650](#), Tigard Downtown Plan District, and Chapter [18.660](#), Tigard Triangle Plan District, respectively.

18.230.030 Application Type

Apartment development requires a site development review application.

18.230.040 Development Standards

A. Base zone development standards are provided in Table 18.230.1.

Table 18.230.1						
Apartment Development Standards						
Standard	RES-D	RES-E	MUE	MUE-2 and MUR-2	MUR-1	MUC and MUE-1
Minimum Setbacks (ft)						
-Front	20	20	20	10	None	None
-Street side	20	20	20	10	5	None
-Side	10	10 [1]	10 [1]	0 or 20 [2]	0 or 20 [2]	0 or 20 [2]
-Rear	20	20 [1]	20 [1]	0 or 20 [2]	0 or 20 [2]	0 or 20 [2]
Maximum Setbacks (ft)						
-Front	None	None	None	20	20	20
-Street side	None	None	None	20	20	20
Minimum Height	None	None	None	None	2 stories	2 stories
Maximum Height (ft)	35	45	45	60	75	200
Maximum Lot Coverage	80%	80%	80%	80%	80%	85%
Minimum Landscape Area	20%	20%	20%	20%	20%	15%
Minimum Density	11 units per acre	23 units per acre	None	25 units per acre	50 units per acre	50 units per acre
Maximum Density	14 units per acre	30 units per acre	25 units per acre	50 units per acre	None	None

Table 18.230.1

Apartment Development Standards

<u>Standard</u>	<u>RES-D</u>	<u>RES-E</u>	<u>MUC</u>	<u>MUR</u>
<u>Minimum Setbacks (ft)</u>				
<u>- Front or street-facing</u>	<u>20</u>	<u>20</u>	<u>1</u>	<u>1</u>
<u>- Side or rear adjacent to nonresidential or RES-E zone</u>	<u>10</u>	<u>10</u>	<u>0</u>	<u>0</u>
<u>- Side or rear adjacent to a RES-A—RES-D zone</u>	<u>10</u>	<u>10[1]</u>	<u>0</u>	<u>20</u>
<u>Maximum Setbacks (ft)</u>				
<u>- Front or street-facing</u>	<u>None</u>	<u>None</u>	<u>12</u>	<u>12</u>
<u>Minimum Height (ft)</u>	<u>None</u>	<u>None</u>	<u>12</u>	<u>12</u>
<u>Maximum Height (ft)</u>	<u>35</u>	<u>45</u>	<u>185</u>	<u>60</u>
<u>Maximum Lot Coverage</u>	<u>80%</u>	<u>80%</u>	<u>None</u>	<u>None</u>
<u>Minimum Landscape Area</u>	<u>20%</u>	<u>20%</u>	<u>None</u>	<u>None</u>
<u>Minimum Density</u>	<u>11 units per acre</u>	<u>23 units per acre</u>	<u>None</u>	<u>None</u>
<u>Maximum Density</u>	<u>14 units per acre</u>	<u>30 units per acre</u>	<u>None</u>	<u>None</u>

[1] An additional one foot of setback is required for each foot of building height above the maximum building height of the adjacent residential zone.

[2] ~~Minimum side and rear setbacks are 0 feet, except the minimum side and rear setbacks are 20 feet where the site abuts a RES-A through RES-D zone.~~

B. Landscaping and screening. All required landscaping, including landscaping used to meet screening or tree canopy standards, is subject to the general provisions of Chapter [18.420](#), Landscaping and Screening.

1. The minimum landscape area standard is provided in Table 18.230.1. Landscaping standards are provided in Section [18.420.040](#). Any landscape area that meets the L-2 standard and any required common open space area may count toward meeting the minimum landscape area standard.

New standards for the MUC and MUR zones; RES-D and RES-E remain the same.

Reduced setbacks, greater maximum height, and removal of lot coverage and density requirements allow for more dense development.

2. Screening standards are provided in Section [18.420.050](#). Screening is required as follows:

- a. Service areas and wall- and roof-mounted utilities must be screened to the S-1 standard. Service areas and utilities are also subject to the standards in Subsection 18.230.040.G.
- b. Apartments that abut a RES-A through RES-D zone must be screened to the S-3 standard along all property lines, except street property lines.
- c. Surface vehicle parking areas, loading areas, and drive aisles within 20 feet of a street property line must be screened to the S-4 standard. Screening must be provided directly adjacent to the street property line, except where access is taken.

3. The minimum tree canopy standards for the site and any off-street vehicle parking areas are provided in Section [18.420.060](#).

C. Common open space.

1. ~~Common open space is required. The minimum total area of required common open space is 10% of the gross site area or 750 square feet, whichever is greater. More than one common open space area may be provided to meet this standard, but any area used to meet this standard must be a minimum of 20 feet in width and depth.~~

- a. **In the RES-D and RES-E zones, the minimum total area of required common space is 10% of the gross site area or 48 square feet per dwelling unit, whichever is greater.**
- b. **In the MUC and MUR zones, the minimum total area of required common space is 36 square feet per unit.**
- c. **Multiple common spaces may be provided to meet this standard, but any area used to meet this standard must be a minimum of 20 feet in width and depth.**

2. Apartment developments with less than 20 dwelling units **and apartment developments or mixed-use developments in the MUC or MUR zones** must provide at least two different items from the list below within areas identified as common open space. Apartment developments with 20 or more dwelling units must provide at least four different items from the list below within areas identified as common open space.

- a. ~~Playground equipment or play area for children,~~
- b. ~~Sport court,~~

Common space requirements reduced for mixed-use zones.

Common space newly required for mixed-use development in the MUC and MUR zones. Not required for mixed-use development in the COM or MUE zones.

- c. ~~Playing field,~~
- d. ~~Lawn or garden,~~
- e. ~~Covered seating,~~
- f. ~~Swimming pool or water feature,~~
- g. ~~Plaza or courtyard with permanent seating,~~
- h. ~~Gazebo,~~
- i. ~~Club house,~~
- j. ~~Workout room, or~~
- k. ~~Other similar item as determined by the director.~~

a. *Playground equipment or nature play area for children,*

b. *Lawn or garden area, which may include an above-ground vegetated stormwater facility,*

c. *Roof-top or upper-story deck with a covered area that is a minimum of 15 feet in width and depth,*

d. *Courtyard or covered patio,*

e. *Swimming pool or water feature,*

f. *Sport court or workout room,*

g. *Library or office space, or*

h. *Other similar item as determined by the Director.*

3. At least 50% of the dwelling units in a development must face outdoor common open space or a public street. This standard is met when the front door or a window from the kitchen, living room, or dining room of a dwelling unit faces the outdoor common open space or a public street.

4. Building facades, including accessory structure facades, that face outdoor common open space must meet the 15% window area requirement in Subsection 18.230.050.B or be screened to the S-4 standard as provided in Table 18.420.2.

A simplified and modernized list of example amenities.

5. Common open space may not be located in the front setback or include sensitive lands, **except common space in a public access easement may be located within the front setback.**

6. Outdoor common space that explicitly allows dogs must include an approved dog waste bag dispenser and trash receptacle.

D. Private open outdoor space.

1. Private open **outdoor** space is required for each dwelling unit. Each private open **outdoor** space must be a minimum of 48 square feet in area and a minimum of five feet in width and depth.

2. Private open **outdoor** space must be directly accessible from the interior of the dwelling unit that it serves.

3. Additional common open space above the required minimum may substitute for some or all of the required private open **outdoor** space at a 1:1 ratio.

E. Pedestrian access.

1. Paths must provide pedestrian access from public sidewalks abutting the site to all required building entrances on the site.

2. Paths must provide pedestrian access between all common open space areas, vehicle and bicycle parking areas, building entrances, and service areas designed for use by residents. Paths within parking areas or along drive aisles are subject to additional standards in Chapter [18.410](#), Off-Street Parking and Loading.

3. Paths must extend to the perimeter property line to provide pedestrian access to existing or planned pedestrian facilities on adjacent properties, such as trails or public access easements.

4. Paths must be constructed with a hard surface material and have a minimum unobstructed width of five feet.

F. Vehicle and bicycle parking.

1. The applicable provisions and standards of Chapter [18.410](#), Off-Street Parking and Loading, apply to apartment developments.

2. Off-street surface vehicle parking areas, detached garages, and attached or detached carports may not be located closer to a street property line than the building closest to that street property line.

3. Off-street vehicle parking areas may not occupy more than 50% of the total length of each street frontage as measured 20 feet from the street property line. Drive aisles without adjacent parking spaces do not count as parking areas for the purposes of this standard.

4. Attached garages may be attached to any side of an apartment building. If attached to the street-facing facade, they may not be located closer to the street property line than the apartment building facade and the facade must include at least one entrance for each proposed garage that meets the standards of Subsection 18.230.050.A. Driveways associated with attached garages that take direct individual access from a public or private street must meet the rowhouse location and access standards in Paragraph 18.280.050.E.3 and Subparagraph 18.280.050.E.2.a.

5. A minimum of one bicycle parking space must be provided for every two dwelling units. Fractional parking space minima are rounded up to the nearest whole number. Apartment developments with 20 or more dwelling units must meet the following additional standards:

a. All bicycle parking required by Paragraph 18.230.040.F.5 above must be provided inside a structure or under a roof. This bicycle parking is exempt from the location standards of Chapter [18.410](#), Off Street Parking and Loading, but may not be located inside individual dwelling units.

b. Additional bicycle parking must be provided that is equal to or greater than 15% of the minimum parking requirement as provided in Paragraph 18.230.040.F.5 above. This additional bicycle parking must be provided within 20 feet of the street property line and be visible to pedestrians from the public sidewalk in front of the site. Bicycle parking may be located in the public right-of-way with approval of the City Engineer.

G. Utilities and service areas.

1. Private utility facilities, such as transformers or control valves, that serve a single development must be located below ground **or a minimum of 20 feet from any street property line or any property line adjacent to a residential zone if located above ground.** ~~unless the functional properties of the facility require above-ground placement. If located above ground, all facilities one cubic foot or greater in volume or with any one dimension greater than two feet must meet the following standards where not wall or roof mounted or located inside a building:~~

~~a.—The facility may not be located within 20 feet of any street property line; and~~

~~b.—The facility must be dark in color and painted or wrapped with a non-reflective material.~~

Simplified utility screening requirements.

2. Service areas, such as waste and recycling containers, outdoor storage, and mechanical equipment, may not be located within 20 feet of any street property line **or any property line adjacent to a residential zone**, except where located inside a building.

H. Lighting.

1. Minimum illumination levels are measured horizontally at ground level.

a. The minimum average illumination is 1.5 footcandles for paths, except those within parking areas, which are subject to the lighting standards in Chapter [18.410](#), Off-Street Parking and Loading. All points of measurement must be a minimum of 0.5 footcandles.

b. The minimum average illumination is 3.5 footcandles for required building entrances and 2.0 footcandles for any non-required building entrances. All points of measurement must be a minimum of 1.0 footcandle.

2. Maximum illumination levels are measured vertically at the property line or sensitive lands boundary line. The maximum illumination is 0.5 footcandles at side and rear property lines, except that the maximum illumination may be increased to 1.0 footcandle where the development abuts a commercial or industrial zone. The maximum illumination is zero footcandles at any sensitive lands boundary line.

3. Lighting must be shielded, with a cutoff angle of 90 degrees or greater to ensure that it does not shine upwards. Lighting sources, such as lamps and bulbs, may not be directly visible from adjacent properties or sensitive lands.

I. Apartments are subject to all other applicable requirements of this title, including, but not limited to, standards related to streets, utilities, sensitive lands, and signs.

18.230.050 Design Standards

A. Entrances.

1. For dwelling units with internal building access, a minimum of one entrance per building must be visible and accessible from a public or private street or outdoor common ~~open~~ space. Additional entrances may face drive aisles, parking areas, or service areas.

2. For dwelling units without internal building access, a minimum of one entrance per dwelling unit must be visible and accessible from a public or private street, outdoor common ~~open~~ space, or drive aisle that has a curb and path adjacent to the dwelling unit.

3. A required building entrance must be at an angle that is no more than 45 degrees from the street, common open space, or drive aisle that it faces. A required building entrance to an individual dwelling unit may exceed this standard where it opens onto a porch or stoop provided the angle is no more than 90 degrees from the street, common open space, or drive aisle that it faces.

4. A required building entrance must be covered, recessed, or treated with a permanent architectural feature that provides weather protection for pedestrians. The required weather protection must be at least as wide as the entrance, a maximum of six feet above the top of the entrance, and a minimum of three feet in depth. The required weather protection may project into the minimum front setback.

B. Windows.

1. All building facades that face a public or private street must include a minimum of 15% window area.

2. The minimum window area standard does not apply to stories with sloped roofs or dormers.

C. Facade design.

1. All building facades that face a public or private street or outdoor common open space must include at least two different architectural features from the list provided below. An additional two different architectural features per facade are required on all buildings with 20 or more dwelling units. This standard may be met by including different architectural features on different facades of the same building. Buildings that do not include dwelling units are exempt from providing architectural features on facades that face outdoor common open space areas, but must provide at least two different architectural features on all street-facing facades.

a. Facade articulation. A wall projection or recession that is a minimum of six feet in width and two feet in depth for a minimum of half the height of the facade and with a maximum distance of 40 feet between projections or recessions.

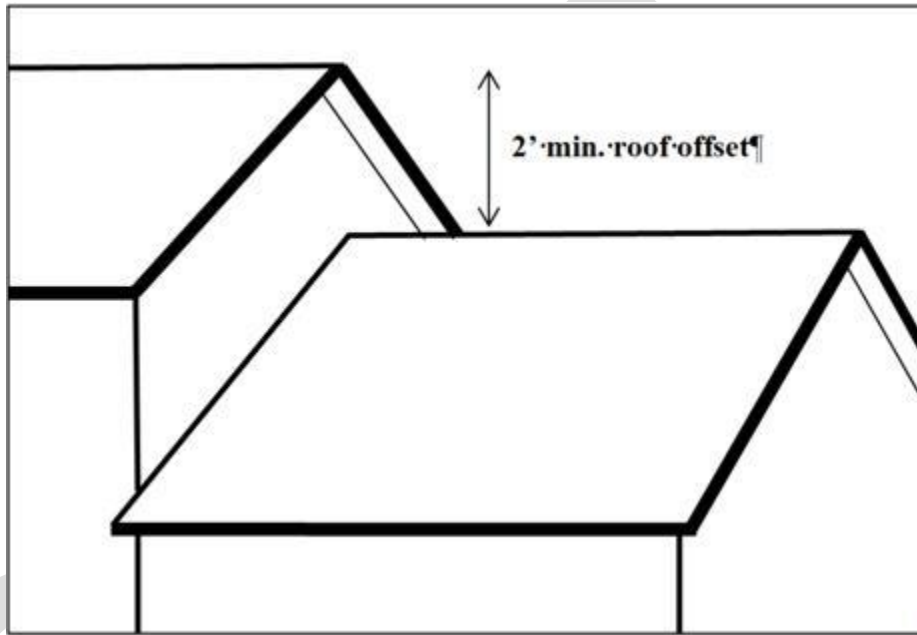
b. Roof eave or projecting cornice.

i. An eave that projects a minimum of 12 inches from the building facade; or

ii. A cornice that projects a minimum of six inches from the building facade and is a minimum of 12 inches in height.

- c. Roof offsets or dormers.
 - i. A roof offset that is a minimum of two feet from the top surface of one roof to the top surface of another roof as measured horizontally or vertically with a maximum distance of 40 feet between offsets. See Figure 18.230.1; or
 - ii. One dormer for each top-story dwelling unit that is a minimum of four feet in width and integrated into the roof form.

Figure 18.230.1 Roof Offset



- d. Accent siding. A minimum of two different siding materials are used, and one siding material covers a minimum of 40% of the building facade.
- e. Distinct base and top. The first story is visually distinguished from the upper stories by including a belt course and at least one of the following:
 - i. a change in surface or siding pattern;
 - ii. a change in surface or siding material; or
 - iii. a change in the size or orientation of windows.
- f. Window area. A minimum of 50% window area is included.
- g. Window shadowing. All windows include at least one of the following:

- i. Window trim that is a minimum of 2.5 inches in width and 0.625 inches in depth; or
 - ii. Windows that are recessed a minimum of three inches from the building facade.
- h. Balconies. Balconies are included on all upper stories that meet the dimensional requirement for private ~~open~~ outdoor space provided in Subsection 18.230.040.D.
- i. Covered porches or recessed entrances. All first-story dwelling units with individual entrances include at least one of the following:
- i. A covered porch that is a minimum of five feet in width and depth; or
 - ii. An entrance area that is a minimum of five feet in width and recessed a minimum of two feet from the building facade.
- j. Enhanced entrances or awnings. A building that provides internal access to dwelling units includes at least one of the following:
- i. A building entrance area that is a minimum of eight feet in width and is either:
 - (A) recessed a minimum of five feet from the building facade, or
 - (B) covered with a permanent architectural feature that provides weather protection. The architectural feature must be at least as wide as the entry, a maximum of six feet above the top of the entry, and a minimum of five feet in depth. The architectural feature may project into the minimum front setback; or
 - ii. A permanent architectural feature above all first-story windows, such as an awning or series of awnings, that are at least as wide as each window, a maximum of six feet above the top of each window, and a minimum of three feet in depth. The architectural feature may project into the minimum front setback.
2. The following building materials are prohibited on all building facades, including accessory structure facades, that face a public or private street or outdoor common ~~open~~ space. They may not be used collectively on more than 35% of any other building facade.
- a. Vinyl PVC siding,
 - b. T-111 plywood,

- c. Exterior insulation finishing (EIFS),
- d. Corrugated metal,
- e. Plain concrete or plain concrete block,
- f. Spandrel glass, or
- g. Sheet pressboard.

18.230.060 Accessory Structures

Accessory structures are allowed subject to the following standards:

- A. Accessory structures are prohibited in the required front or street side setback;
- B. Accessory structures may be located in the required side or rear setback provided they are a minimum of five feet from the side and rear property lines and a maximum of 15 feet in height; and
- C. All accessory structures, including structures required to screen utilities and service areas, and all site improvements, such as fences, walls, signs, and light fixtures, must use materials, colors, and architectural design features that are similar in scale and appearance to those on primary buildings. Chain link fencing and unfinished concrete blocks are prohibited within 20 feet of any street property line or public access easement.

Chapter 18.320
COMMERCIAL ZONE DEVELOPMENT STANDARDS

18.320.010 Purpose and Definition

A. The purpose of this chapter is to provide standards for nonresidential development **and mixed-use development** in commercial zones that promote quality development and enhance the livability, walkability, and safety of the community. **Standards prioritize more dense and walkable development, in order to enhance climate resilience and economic activity with the limited developable land available in the city.**

B. ~~Definition. Nonresidential development includes mixed-use developments with or without a residential component and single-use developments that contain a civic, institutional, commercial, industrial, or other nonresidential use.~~

18.320.020 Applicability

A. The standards of this chapter apply to nonresidential **and mixed-use** development in the C-N, C-C, C-G, C-P, MUC, **COM, MUC,** MUE, **and MUR** MUE-1, MUE-2, MUR-1, and MUR-2 zones. Additional standards apply to nonresidential **and mixed-use** development in the River Terrace Plan District and Washington Square Regional Center Plan District as provided in Chapter [18.640](#), River Terrace Plan District, and Chapter [18.670](#), Washington Square Regional Center Plan District.

B. Residential development, except for mixed-use development, in commercial zones is subject to the approval processes and standards of the applicable housing type in Chapter [18.200](#), Residential Development Standards.

C. This chapter does not apply to the following:

1. Nonresidential and mixed-use development in the Bridgeport Village Plan District is subject to the standards of Chapter [18.620](#), Bridgeport Village Plan District.

2. Nonresidential and mixed-use development in the MU-CBD zone is subject to the approval processes and standards of Chapter [18.650](#), Tigard Downtown Plan District.

3. Nonresidential and mixed-use development in the TMU zone is subject to the approval processes and standards of Chapter [18.660](#), Tigard Triangle Plan District.

4. Nonresidential and mixed-use development in the Washington Square Regional Center Plan District is subject to the standards of Chapter [18.670](#), Washington Square Regional Center Plan District.

B. Nonresidential development in the MUC-1 zone is subject to the standards of Chapter [18.620](#), Bridgeport Village Plan District.

C. This chapter does not apply to nonresidential development in the MU-CBD and TMU zones. Nonresidential development in these zones is subject to the approval processes and standards of Chapter [18.650](#), Tigard Downtown Plan District, and Chapter [18.660](#), Tigard Triangle Plan District, respectively.

D. Residential development in commercial zones is subject to the approval processes and standards of the applicable housing type in Chapter [18.200](#), Residential Development Standards.

18.320.030 Application Type

Nonresidential development in commercial zones requires a site development review application, except where a conditional use or planned development application is required or proposed.

18.320.040 Development Site Design Standards

A. Base zone standards. Base zone development standards are provided in Table 18.320.1.

1. Base zone site design standards are provided in Table 18.320.1. and Subsections 18.320.040.B - J.

2. Existing development or proposed additions are exempt from maximum building setback standards.

<u>Table 18.320.1</u>				
<u>Commercial Zone Site Design Standards for Nonresidential Development</u>				
<u>Standard</u>	<u>COM</u>	<u>MUC</u>	<u>MUE</u>	<u>MUR</u>
<u>Minimum Setback (ft)</u>				
<u>- Front or street-facing</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>
<u>- Side or rear adjacent to nonresidential or RES-E zone</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>

Reduced setbacks and removal of lot coverage requirements allow for more dense development while tree canopy standards continue to apply.

<u>- Side or rear adjacent to a RES-A—RES-D zone</u>	<u>15</u>	<u>0</u>	<u>15</u>	<u>20</u>
<u>Maximum front or street-facing Setback (ft)</u>	<u>None</u>	<u>12</u>	<u>12</u>	<u>20</u>
<u>Maximum Lot Coverage</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>	<u>100%</u>
<u>Minimum Landscape Area</u>	<u>0%</u>	<u>0%</u>	<u>0%</u>	<u>0%</u>
<u>Minimum Site Tree Canopy Coverage</u>	<u>The minimum site tree canopy standards are provided in Section 18.420.060.</u>			
<u>Minimum Parking Lot Tree Canopy Coverage</u>	<u>The minimum parking lot tree canopy standards are provided in Subsection 18.410.030.M.</u>			

Table 18.320.4

Commercial Zone Development Standards for Nonresidential Development

Standard	C-N and C-C	C-G	C-P	MUE	MUE-2 and MUR-2 [1]	MUR-1 [1]	MUC and MUE-1 [1]
Minimum Setback (ft)							
- Front	None	None	None	None	10	None	None
- Street side	None	None	None	None	10	5	None
- Side	0 or 20 [2]	0 or 20 [3]	0 or 20 [3]	0 or 20 [3]	0 or 20 [3]	0 or 20 [3]	0 or 20 [3]
- Rear	0 or 20 [2]	0 or 20 [3]	0 or 20 [3]	0 or 20 [3]	0 or 20 [3]	0 or 20 [3]	0 or 20 [3]
Maximum Setback (ft)							
- Front	20	None or 10 [4]	None	None	20	20	20
- Street side	20	None or 10 [4]	None	None	20	20	20
Minimum Height (ft)	None	None	None	None	None	2 stories	2 stories

Maximum Height (ft)	35	45	45	45	60	75	200
Maximum Lot Coverage	85%	85%	85%	80%	80%	80%	85%
Minimum Landscape Area	15%	15%	15%	20%	20%	20%	15%
Minimum FAR [5]	None	None	None	None	0.3	0.6	1.25
Maximum FAR [5]	None	None	None	0.4 [6]	None	None	None

[1]— See Chapter [18.670](#), Washington Square Regional Center Plan District, for additional development standards.

[2]— ~~Minimum side and rear setbacks are zero feet, except the minimum side and rear setbacks are 20 feet where the site abuts a residential zone.~~

[3]— ~~Minimum side and rear setbacks are zero feet, except the minimum side and rear setbacks are 20 feet where the site abuts an RES-A through RES-D zone.~~

[4]— ~~There are no maximum front and street side setbacks, except maximum front and street side setbacks are 10 feet where the site is located within the Tigard Triangle Plan District. See Map 18.660.A.~~

[5]— ~~The net development area, as defined in Section 18.40.020.A, is used to establish the lot area for purposes of calculating the floor area ratio (FAR). Residential floor area in mixed-use developments is included in the floor area calculation to determine conformance with FAR.~~

[6]— ~~Commercial lodging uses are not subject to this requirement.~~

B. Setbacks. Minimum and maximum building setbacks are met when at least 70 percent of the building facade facing a public or private street is located within the setback.

C. Common space. Mixed-use development in the MUR and MUC zones is required to provide common space as provided in Subsection 18.230.040.C.

BD. Landscaping and screening. All required landscaping, including landscaping used to meet screening or tree canopy standards, is subject to the general provisions of Chapter [18.420](#), Landscaping and Screening. Landscaping and screening standards are provided in Chapter 18.420, Landscaping and Screening. Landscaping and screening are required as follows:

1. ~~The minimum landscape area standard is provided in Table 18.320.1. Landscaping standards are provided in Section [18.420.040](#). Any landscape area that meets the L-2 standard may count toward meeting the minimum area standard.~~

Clarification regarding how setbacks are met.

Mixed-use development in the MUR and MUC zones required to provide common space.

Clarification to landscaping standards.

~~2. Screening standards are provided in Section [18.420.050](#). Screening is required as follows:~~

~~a1.~~ Service areas and wall- and roof-mounted utilities must be screened to the S-1 standard. Service areas and utilities are also subject to the standards in Subsection 18.320.040.D.

~~b2.~~ Nonresidential development that abuts a residential zone must be screened to the S-3 standard along all property lines, except street property lines.

~~c3.~~ Surface vehicle parking areas, loading areas, drive aisles, and stacking lanes for drive-through services within 20 feet of a street property line must be screened to the S-4 standard. Screening must be provided directly adjacent to the street property line, except where access is taken.

~~3. The minimum tree canopy standards for the site and any off-street vehicle parking areas are provided in Section [18.420.060](#).~~

GE. Pedestrian access.

1. Paths ***are required and*** must provide safe and convenient pedestrian access from public sidewalks abutting the site to all required building entrances on the site. A minimum of one path is required for every 200 linear feet of street frontage.

2. For every 200 linear feet of street frontage, a minimum of one path must be provided that connects an adjacent planned or existing sidewalk to a building entrance or structure intended for public access.

~~23.~~ Paths must provide safe and convenient pedestrian access within the site between all buildings, uses, and areas designed for use by pedestrians. Paths within parking areas or along drive aisles are subject to additional standards in Chapter [18.410](#), Off-Street Parking and Loading.

~~34.~~ Paths must extend to the perimeter property line to provide access to existing or planned pedestrian facilities on adjacent properties, such as trails or public access easements, where practicable.

~~45.~~ Paths must be constructed with a hard surface material and have a minimum unobstructed width of five feet.

DE. Utilities and service areas.

1. Private utility facilities, such as transformers or control valves, that serve a single development must be located below ground ***or a minimum of 20 feet from any street property line or any property line adjacent to a residential zone if***

Tree canopy standards moved to table for higher visibility.

~~**located above ground.** unless the functional properties of the facility require above-ground placement. If located above ground, all facilities one cubic foot or greater in volume or with any one dimension greater than two feet must meet the following standards where not wall- or roof-mounted or located inside a building:~~

- ~~a.—The facility may not be located within 20 feet of any street property line; and~~
- ~~b.—The facility must be dark in color and painted or wrapped with a non-reflective material.~~

2. Service areas, such as waste and recycling containers, outdoor storage, and mechanical equipment, may not be located within 20 feet of any street property line **or any property line adjacent to a residential zone**, except where located inside a building.

EG. Lighting.

1. Minimum illumination levels are measured horizontally at ground level.
 - a. The minimum average illumination is 1.5 footcandles for paths, except those within parking areas, which are subject to the lighting standards in Chapter [18.410](#), Off-Street Parking and Loading. All points of measurement must be a minimum of 0.5 footcandles.
 - b. The minimum average illumination is 3.5 footcandles for required building entrances and 2.0 footcandles for any non-required building entrances. All points of measurement must be a minimum of 1.0 footcandle.
2. Maximum illumination levels are measured vertically at the property line. The maximum illumination is 0.5 footcandles at side and rear property lines, except that the maximum illumination may be increased to 1.0 footcandle where the development abuts a commercial or industrial zone.
3. Lighting must be shielded, angled, or located such that it does not shine upwards or directly onto adjacent properties or sensitive lands.

H. Driveways. The following standards apply to new driveways or substantial redevelopment.

- 1. For each street frontage less than or equal to 300 feet in length, a maximum of one driveway per street frontage is allowed.**
- 2. For each street frontage more than 300 feet in length, a maximum of one driveway for every 200 feet of street frontage is allowed.**

New driveway and parking area standards provide more clear and objective criteria that promote pedestrian friendliness.

I. Parking and loading areas.

1. Vehicle parking and loading areas must be designed and located to minimize conflicts between vehicular and non-vehicular traffic.

2. Loading areas must be designed and located to minimize adverse impacts on adjacent properties when adjacent to a residential zone.

3. A minimum of 50 percent of required bicycle parking spaces must be located within 20 feet of the street property line and be visible to pedestrians from the public sidewalk in front of the site.

4. Bicycle parking may be located in the public right-of-way with approval of the City Engineer.

F.J. Other standards. Development in commercial zones is subject to all other applicable standards of this title, including, but not limited to, standards related to parking and loading, streets and utilities, sensitive lands, and signs.

18.320.050 Building Design Standards

A. Floor Area Ratio (FAR). There are no minimum or maximum FAR requirements for development in commercial zones.

AB. Entrances.

1. A minimum of one entrance per building, or tenant space within a building without internal building access, must be visible and accessible from a public street. ~~Additional entrances may face drive aisles, parking areas, or service areas.~~

2. A required entrance must be within 1 foot above or below the grade of the adjacent sidewalk.

32. A required building entrance must be at an angle that is no more than 45 degrees from the street that it faces.

43. A required building entrance must be covered, recessed, or treated with a permanent architectural feature that provides weather protection for pedestrians. The required weather protection must be at least as wide as the entrance, a maximum of six feet above the top of the entrance, and a minimum of three feet in depth. The required weather protection may project into the minimum front setback.

~~B. Windows. Buildings or tenant spaces designed for first-story use by Eating and Drinking Establishments, Sales-Oriented Retail, Repair-Oriented Retail, Personal~~

Removal of FAR requirements simplifies development review process.

Services, and Office uses must include a minimum of 50% window area on all first-story street-facing facades. (Ord. 20-01 §1; Ord. 18-28 §1)

C. Windows. Building facades facing public or private streets when located within 35 feet of the street-facing property line must include a minimum window area as provided in Table 18.320.3.

<u>Table 18.320.3</u>		
<u>Minimum Window Area</u>		
<u>Story</u>	<u>Use</u>	<u>Minimum Window Area</u>
<u>First Story</u>	<u>Nonresidential</u>	<u>50% of facade</u>
	<u>Residential</u>	<u>30% of facade</u>
<u>Upper Stories</u>	<u>Nonresidential</u>	<u>30% of facade</u>
	<u>Residential</u>	<u>20% of facade (not applicable to stories with sloped roofs or dormers)</u>

D. Building Height.

1. The minimum and maximum building height for each zone is provided in Table 18.320.4.

2. In all zones, the facade facing a public or private street must include a first story with a minimum height of 12 feet and maximum height of 25 feet. Where the minimum height is 25 feet in Table 18.320.4, the building must provide a minimum of two stories.

<u>Table 18.320.4</u>				
<u>Height by Zone</u>				
<u>Zone</u>	<u>Development or Use</u>	<u>Minimum Building Height (in feet)</u>	<u>Minimum Stories Required</u>	<u>Maximum Building Height (in feet)</u>
<u>COM</u>	<u>Nonresidential</u>	<u>12</u>	<u>1</u>	<u>45</u>
	<u>Mixed-use</u>	<u>25</u>	<u>2</u>	<u>100</u>
<u>MUE</u>	<u>Nonresidential</u>	<u>12</u>	<u>1</u>	<u>75</u>
	<u>Mixed-use</u>	<u>25</u>	<u>2</u>	<u>100</u>
<u>MUC</u>	<u>Any</u>	<u>12</u>	<u>1</u>	<u>185</u>
<u>MUR</u>	<u>Residential</u>	<u>12</u>	<u>1</u>	<u>60</u>
	<u>Mixed-use</u>	<u>25</u>	<u>2</u>	<u>60</u>

New window requirements apply to all development and support an enjoyable pedestrian environment.

New building heights allow more density while first story height minimums promote more enjoyable pedestrian environment.

E. Roofs. Roofs must have a minimum solar reflectance index of at least 64. Any roof area not meeting this standard must be constructed as an ecoroof, except where being used for mechanical equipment, stairwells, solar arrays, maintenance access, rooftop parking, rooftop decks, skylights, or mechanical equipment.

F. Building Projections. Building projections are allowed as follows:

1. Architectural elements such as eaves, cornices, and bay windows may project a maximum one foot into the minimum building setback as shown in Figure 18.320.1.

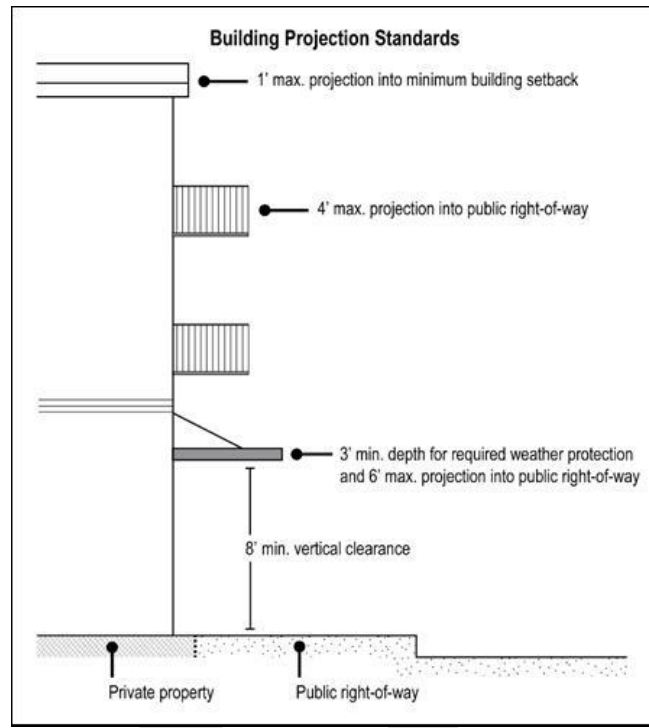
2. Balconies may project into the minimum building setback and public right-of-way as shown in Figure 18.320.1. Balconies may project a maximum of 4 feet into the right-of-way. Balconies that project into the right-of-way must have a minimum vertical clearance of 10 feet from sidewalk grade and are subject to approval by the City Engineer.

3. Weather protection elements, such as canopies or awnings, may project into the right-of-way a maximum of 6 feet or the minimum sidewalk width along the building frontage, whichever is less. Elements that project into the right-of-way must have a minimum vertical clearance of 8 feet from sidewalk grade and are subject to approval by the City Engineer.

Figure 18.320.1 Building Projection Standards

New roof requirements promote carbon responsibility.

Clarifications to allowed projections.



G. Facade Variation. All street-facing facades more than 50 feet in length that are located within 35 feet of a street property line must provide at least one element from the following list. Elements must be repeated or distributed along the length of the facade so that there is no more than 40 feet between elements.

- 1. A change in surface or siding material, color, or pattern; or**
- 2. A wall projection or recession that is a minimum of six feet in width and two feet in depth for a minimum of half the height of the facade.**

18.320.060 Additional Standards for C-N, C-C, and C-G Zones

~~A. C-N and C-C zones. The following standards apply to development in the C-C and C-N zones in addition to all other applicable standards of this title.~~

- ~~1. Pedestrian access.

 - ~~a. Paths that provide access from public sidewalks to required building entrances must have a minimum unobstructed width of 8 feet.~~
 - ~~b. Path surfaces must be visually distinguished from drive aisle surfaces where paths cross drive aisles through the use of durable and low-maintenance materials such as pavers, bricks, or scored concrete.~~~~
- ~~2. Site design.~~

Clear and objective facade variation requirements to promote an enjoyable pedestrian environment.

~~a. Minimum and maximum building setbacks are met when at least 70 percent of the street-facing building facade is located within the setback area.~~

~~b. Vehicle parking and loading areas must be located to the side or rear of primary buildings and not between primary buildings and the street property line.~~

~~c. Vehicle parking and loading areas must be designed and located to minimize conflicts between vehicular and non-vehicular traffic.~~

~~d. Loading areas must be designed and located to minimize adverse impacts on adjacent properties, particularly those in residential zones or with residential uses.~~

~~e. Landscaping must be designed and located to emphasize the major points of access into the site and to help define and separate vehicular and non-vehicular circulation within parking areas.~~

~~f. The following bicycle parking standards apply to the nonresidential component of a mixed-use or single-use development. Where a mixed-use development includes a residential component, the bicycle parking standards in Subsection 18.230.040.F apply to the residential component of the development.~~

~~i. A minimum of 50 percent of required bicycle parking spaces must be located within 20 feet of the street property line and be visible to pedestrians from the public sidewalk in front of the site;~~

~~ii. A minimum of 50 percent of required bicycle parking spaces must be covered where the site is located within 500 feet of an existing or planned trail; and~~

~~iii. Bicycle parking may be located in the public right-of-way with approval of the City Engineer.~~

~~g. Where the site is located on a street corner, the corner area must include a unique site or building design feature such as an angled or rounded building corner, prominent building entrance, permanent seating area, water feature, sculpture, or distinctive paving or landscaping.~~

~~3. Building design.~~

~~a. All street-facing facades must provide a minimum of 50 percent of window area on all first-story facades and a minimum of 30 percent of window area on all upper-story facades, except that residential uses on upper stories must provide a minimum of 15 percent of window area.~~

b. ~~All street-facing facades must include pedestrian-scale architectural design features such as awnings, window shadowing, accent siding, roof eaves, projecting cornices, horizontal belt courses, or enhanced entries that are appropriately scaled for the building size and location. Awnings may project into the public right-of-way with City Engineer approval provided they have a minimum vertical clearance of 8 feet from sidewalk grade and a minimum horizontal projection of 5 feet from building facade.~~

c. ~~All building facades, other than street-facing facades, that are visible from public parking areas and adjacent properties must provide visual interest and avoid large blank walls through the use of windows, doors, color, landscaping, or wall treatments.~~

d. ~~All accessory buildings, including structures required to screen utilities and service areas, and all site improvements, such as fences, walls, signs, and light fixtures, must use materials, colors, and architectural design features that are similar in scale and appearance to those on primary buildings. Chain link fencing and unfinished concrete blocks are prohibited.~~

B. ~~C-G zone within the Tigard Triangle. The following standards apply to development in the C-G zone within the Tigard Triangle. These standards apply in addition to all other applicable standards of this title and govern in the event of a conflict. See Chapter 18.660, Tigard Triangle Plan District, for additional transportation facility standards and Map 18.660.A for the location of the C-G zone within the Tigard Triangle.~~

1. ~~Buildings must occupy a minimum of 50 percent of all street frontages along Highway 99W, Dartmouth Street, 72nd Avenue, 74th Avenue, and 68th Parkway. Buildings must be located at the corners of public street intersections where practicable.~~

2. ~~All street-facing facades within the required setbacks must include windows on a minimum of 50 percent of the first-story facade area. First-story facade area is measured from 3 feet above grade to 9 feet above grade the entire length of each street-facing facade.~~

3. ~~All street-facing facades that extend more than 50 feet must provide at least one of the following features:~~

a. ~~A change in surface or siding material, color, or pattern;~~

b. ~~A wall recession or projection that is a minimum of 6 feet in width and 2 feet in depth for the entire height of the facade;~~

c. ~~A projecting cornice or eave; or~~

d. ~~Other design features that reflect the building's structural system.~~

4. ~~All street-facing facades that extend more than 300 feet must provide a pedestrian entry into the building or a breezeway between buildings.~~

5. ~~The area between the building facade and the street property line must be landscaped or include hardscape materials that increase the width of the adjacent public sidewalk through the use of pavers, bricks, or scored concrete. This area may count toward meeting the base zone landscape area standard.~~

6. ~~Surface vehicle parking and loading areas must be located to the side or rear of primary buildings and not between primary buildings and the street property line.~~

18.320.070 Additional Standards for Adult Entertainment Uses

A. Adult Entertainment uses are prohibited within 500 feet of any:

1. Residential zone,
2. Public or private primary, elementary, junior, middle, or high school,
3. Day care or hospital,
4. Public library,
5. Public park, or
6. Religious institution **facility**.

B. Hours of operation are limited to between 10 a.m. and 1 a.m.

C. Windows less than 7 feet from the ground must be covered or screened such that sales areas and merchandise are not visible from public sidewalks.

D. Doors and windows must be closed at all times except for normal ingress and egress.

E. Any sound transmitted by any means that is audible outside the structure containing the use is prohibited.

Chapter 18.330
INDUSTRIAL ZONE DEVELOPMENT STANDARDS
Chapter 18.330 INDUSTRIAL ZONE DEVELOPMENT STANDARDS

18.330.010 Purpose and Definition

A. The purpose of this chapter is to provide standards for nonresidential development in industrial zones that **serve industrial and manufacturing users while allowing for safer, more comfortable, and more attractive streetscapes for pedestrians.** promote quality development and enhance the livability, walkability, and safety of the community.

B. ~~Definition.~~ Nonresidential development includes mixed use and single-use developments that contain a civic, institutional, commercial, industrial, or other nonresidential use. (Ord. 18-28 §1)

18.330.020 Applicability

A. The standards of this chapter apply to nonresidential development in the **IND zone.** I-P, I-L, and I-H zones.

B. Nonresidential development in the **IND** I-P-zone within the Durham Advanced Wastewater Treatment Facility Plan District is subject to the standards of Chapter 18.630, Durham Advanced Wastewater Treatment Facility Plan District.

18.330.030 Application Type

Nonresidential development in **the IND** zones requires a site development review application, except where a conditional use or planned development application is required or proposed.

18.330.040 Development Site Design Standards

A. Base zone development **site design** standards are provided in Table 18.330.1.

<u>Table 18.330.1</u>	
<u>Industrial Zone Site Design Standards for Nonresidential Development</u>	
<u>Standard</u>	<u>IND</u>
<u>Minimum Setbacks</u>	
<u>- Front and street-facing</u>	<u>1 ft</u>

New setback standards consistent with the existing I-H (Heavy Industrial) zone standards, which are the most generous of the existing industrial zone setback standards.

Table 18.330.1

Industrial Zone Site Design Standards for Nonresidential Development

<u>Standard</u>	<u>IND</u>
<u>- Side or rear adjacent to residential zone</u>	<u>50 ft</u>
<u>- Side or rear adjacent to nonresidential zone</u>	<u>1 ft</u>
<u>Maximum Lot Coverage</u>	<u>85%</u>
<u>Minimum Landscape Area</u>	<u>15%</u>
<u>Minimum Site Tree Canopy Coverage</u>	<u>The minimum site tree canopy standards are provided in Section 18.420.060.</u>
<u>Minimum Parking Lot Tree Canopy Coverage</u>	<u>The minimum parking lot tree canopy standards are provided in Subsection 18.410.030.M.</u>

Table 18.330.1

Industrial Zone Development Standards for Nonresidential Development

<u>Standard</u>	<u>I-P</u>	<u>I-L</u>	<u>I-H</u>
<u>Minimum Setbacks (ft)</u>			
<u>--Front</u>	<u>35</u>	<u>30</u>	<u>30</u>
<u>--Street side</u>	<u>20</u>	<u>20</u>	<u>20</u>
<u>--Side [1]</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>--Rear [1]</u>	<u>None</u>	<u>None</u>	<u>None</u>
<u>Maximum Height (ft)</u>	<u>45</u>	<u>45</u>	<u>45</u>
<u>Maximum Lot Coverage</u>	<u>75% [2]</u>	<u>85%</u>	<u>85%</u>
<u>Minimum Landscape Area</u>	<u>25% [2]</u>	<u>15%</u>	<u>15%</u>

[1] ~~Minimum side and rear setbacks are 0 feet, except the minimum side and rear setbacks are 50 feet where the site abuts a residential zone.~~

[2] ~~Maximum lot coverage may be increased to 80% and minimum landscape area may be reduced to 20% through a site development review or modification approval where the standards in Subsection 18.330.040.D are met.~~

B. Landscaping and screening. All required landscaping, including landscaping used to meet screening or tree canopy standards, is subject to the general provisions of Chapter 18.420, Landscaping and Screening.

1. The minimum landscape area standard is provided in Table 18.330.1. Landscaping standards are provided in Section 18.420.040. Any landscape area **used to meet minimum landscaping requirements must meet the L-2 standard.** ~~that meets the L-2 standard may count toward meeting the minimum area standard.~~

2. Screening standards are provided in Section 18.420.050. Screening is required as follows:

a. Service areas and wall- and roof-mounted utilities must be screened to the S-1 standard. Service areas and utilities are also subject to the standards in Subsection 18.330.040.C.

b. Nonresidential development that abuts a nonindustrial zone must be screened to the S-3 standard along all property lines **abutting the nonindustrial zone**, except street property lines.

c. Surface vehicle parking areas, loading areas, **and** drive aisles, ~~and stacking lanes for drive-through services~~ within 20 feet of a street property line must be screened to the S-4 standard. Screening must be provided directly adjacent to the street property line, except where access is taken.

~~3. The minimum tree canopy standards for the site and any off-street vehicle parking areas are provided in Section 18.420.060.~~

C. Utilities and service areas.

1. Private utility facilities, such as transformers or control valves, that serve a single development must be located below ground **or a minimum of 20 feet from any street property line or any property line adjacent to a residential zone if located above ground.** ~~unless the functional properties of the facility require above-ground placement. If located above ground, all facilities one cubic foot or greater in volume, or with any one dimension greater than two feet, must meet the following standards where not wall- or roof-mounted or located inside a building:~~

~~a. The facility may not be located within 20 feet of any street property line; and~~

~~b. The facility must be dark in color and painted or wrapped with a non-reflective material.~~

Clarified landscaping requirements.

Canopy standards moved to table above for greater visibility.

Clarified utility screening requirements.

2. Service areas, such as waste and recycling containers, outdoor storage, and mechanical equipment, may not be located within 20 feet of any street property line **or any property line adjacent to a residential zone**, except where located inside a building.

D. **Lighting. Lighting must be shielded, angled, or located such that it does not shine upwards or onto adjacent residentially-zoned properties or sensitive lands. The maximum illumination is 0.5 footcandles measured vertically at the property line where abutting a residential zone or sensitive lands.** ~~Lot coverage increase.~~ The following standards apply to all nonresidential development in the I-P zone that propose to increase maximum lot coverage to 80% and reduce minimum landscape area to 20%:

1. ~~Street trees must be a minimum caliper of three inches at planting;~~
2. ~~Landscape area between a parking lot and street property line must be a minimum depth of 10 feet; and~~
3. ~~The applicant must provide documentation of an adequate on-going maintenance program to ensure appropriate irrigation and maintenance of the landscape area.~~

E. **Pedestrian access.**

1. ~~Paths must provide safe and convenient pedestrian access from public sidewalks abutting the site to all required building entrances on the site. A minimum of one path is required for every 200 linear feet of street frontage.~~

~~21. Paths must provide safe and convenient pedestrian access within the site between all buildings, entrances, uses, and areas designed for use by pedestrians. Paths within parking areas or along drive aisles are subject to additional standards in Subsection 18.410.040.B.~~

21. Paths are required and must provide safe and convenient pedestrian access within the site between all buildings, uses, and areas designed for use by pedestrians. Paths within parking areas or along drive aisles are subject to additional standards in Chapter 18.410, Off-Street Parking and Loading.

~~32. Paths must extend to the perimeter property line to provide access to existing or planned pedestrian facilities on adjacent properties, such as trails or public access easements, where practicable.~~

~~43. Paths must be constructed with a hard surface material and have a minimum unobstructed width of five feet.~~

New lighting requirements clarify nuisance code standards and respond to existing resident concerns regarding light pollution from nearby industrial uses.

Simplified pedestrian access requirements for industrial users.

~~F. Other standards. Development in commercial zones is subject to all other applicable standards of this title, including, but not limited to, standards related to parking and loading, streets and utilities, sensitive lands, and signs.~~

18.330.050 Building Design Standards

A. Height. There is no minimum or maximum height.

B. Roofs. Roofs must have a minimum solar reflectance index of at least 64. Any roof area not meeting this standard must be constructed as an ecoroof, except for areas used for stairwells, solar arrays, rooftop parking, rooftop decks, sunroofs, or mechanical equipment.

C. Loading docks and bays. New buildings or additions may include a maximum of one elevated loading dock per tenant or per 100 lineal feet of building façade, whichever is greater. There is no maximum number of at-grade loading docks or roll-up garage doors.

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Removal of height requirements allow for more dense and innovative industrial development as the market evolves.

New roof requirements encourage carbon responsibility.

Limit on loading docks and bays disincentivizes new buildings designed for warehouse users, which are not allowed in the IND zones.

Chapter 18.670
WASHINGTON SQUARE REGIONAL CENTER PLAN DISTRICT

Sections:

- 18.670.010 Purpose**
- 18.670.020 Applicability**
- 18.670.030 General Provisions**
- 18.670.040 Review Process**
- 18.670.050 Land Use Standards**
- 18.670.060 Housing Types**
- 18.670.070 Site Design Standards**
- 18.670.080 Building Design Standards**
- 18.670.090 Additional Standards for Residential or Mixed-Use Development**
- 18.670.100 Transportation Standards**

18.670.010 Purpose

The purpose of this chapter is to implement the land use and transportation policy framework for the portion of the Washington Square Regional Center within Tigard's urban planning area. This chapter implements the goals and policies of the Tigard Comprehensive Plan and Metro's long-range growth management plan for the Portland metropolitan area, particularly those related to regional centers. It also advances the goals of the Department of Land Conservation and Development's Climate-Friendly and Equitable Communities program.

The standards and procedures in this chapter are designed to:

- A. Facilitate a complementary mix of residential and nonresidential land uses that support a wide range of working, living, shopping, and travel options.
- B. Foster urban-scale development at transit-supportive levels throughout the entire plan district, but particularly in the Design Review Subdistrict, to meet the needs of Tigard and the region in a carbon-responsible and climate-resilient manner.
- C. Promote the development of safe, comfortable, and interesting public gathering spaces and active transportation facilities that support a walkable and vibrant urban environment.
- D. Respect the needs of the community and the area's unique and diverse development patterns through the creation of three subdistricts.
 - 1. Design Review Subdistrict. The purpose of this subdistrict is to facilitate the development of a highly urbanized mixed-use neighborhood that prioritizes the comfort and needs of people by utilizing pedestrian-scale design principles and

New Washington Square Regional Center (WSRC) Plan District code chapter repeals and replaces the existing plan district chapter. New code reflects the policies adopted through the WSRC Update Project.

Three subdistricts allow for more nuanced application of use and development standards in the plan district.

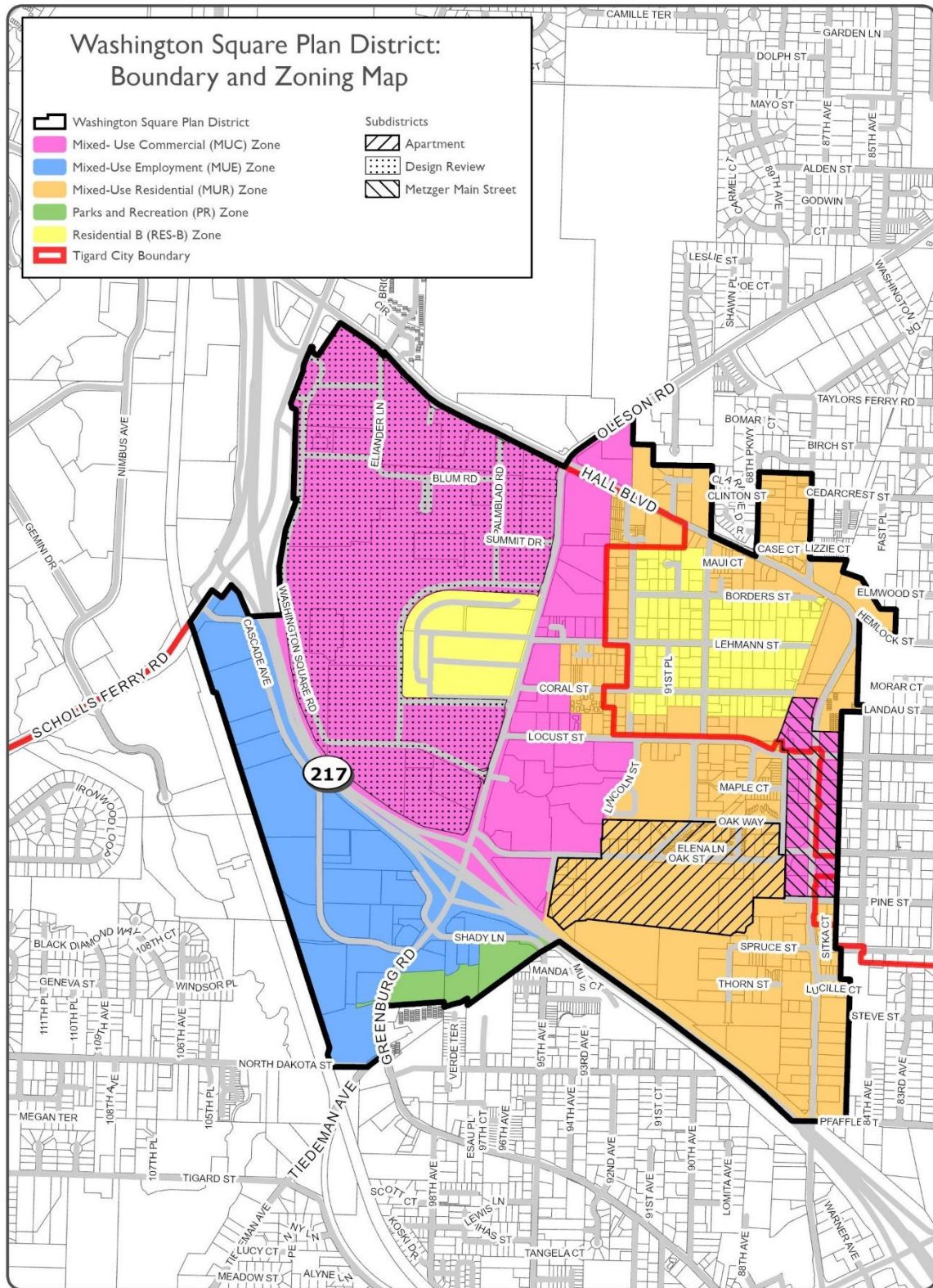
providing a variety of inviting public spaces and high-quality active transportation facilities.

2. Apartment Subdistrict. The purpose of this subdistrict is to facilitate the development of apartments at a variety of scales to the exclusion of all other housing types.
3. Metzger Business Subdistrict. The purpose of this subdistrict is to foster neighborhood-scale mixed-use development that reinforces the identity of this area as a local commercial hub.

18.670.020 Applicability

- A. Applicability. The standards and procedures in this chapter apply to all property within the Washington Square Regional Center Plan District, with the following clarifications:
 1. Property within the Residential-B (RES-B) zone or the Parks and Recreation (PR) zone is exempt from the provisions of this chapter, but not from the provisions of this title.
 2. Property within the subdistricts shown on Map 18.670.A are subject to different or additional development standards, use restrictions, or review processes as provided in this chapter.
- B. Boundary map. The plan district, base zones, subdistricts, and jurisdictional boundaries are shown on Map 18.670.A. These boundaries, except for the subdistricts, are also included on the Tigard Zoning Map.
- C. Unincorporated Washington County. This chapter includes future zoning designations for unincorporated Washington County property within the plan district. The standards and procedures in this chapter, including the zoning designations shown on Map 18.670.A, will apply to these properties upon annexation to the City of Tigard.

Map 18.670.A



18.670.030 General Provisions

- A. The standards and procedures in this chapter apply in addition to all other applicable provisions of this title, except that this chapter supersedes the standards in the following chapters:
 - 1. Chapter 18.100, Base Zones; and
 - 2. Chapter 18.300, Nonresidential Development Standards.
- B. The standards and procedures in this chapter govern in the event of a conflict.
- C. The standards and procedures in Tigard Municipal Code Chapter 15.16, Encroachment Permits, apply where any privately-owned structures or furnishings allowed by this chapter are proposed to encroach into the public right-of-way.

18.670.040 Review Process

- A. Plan District Review Process. The following review processes apply to development in the plan district, except for development in the Design Review Subdistrict, which is subject to the approval processes provided in Section 18.670.040.B.
 - 1. New nonresidential development or mixed-use development requires a site development review application as provided in Chapter 18.780, Site Development Reviews, except when a conditional use or planned development is required or proposed.
 - 2. Residential development, except for mixed-use development, is subject to the review processes associated with the proposed housing type, as provided in Chapter 18.200, Residential Development Standards.
- B. Design Review Subdistrict Review Process. The following review processes apply in the Design Review Subdistrict.
 - 1. Residential development, except for mixed-use development, that complies with the additional standards provided in Subsection 18.670.090.B is subject to the review processes associated with the proposed housing type, as provided in Chapter 18.200, Residential Development Standards.
 - 2. Mixed-use development that complies with all applicable standards provided in this chapter requires a site development review application as provided in Chapter 18.780, Site Development Reviews.
 - 3. The following types of development require a development design review as

Within the Design Review Subdistrict (see Map 18.670.A above), nonresidential development requires a Development Design Review application. Residential and mixed-use development can follow a clear and objective pathway or elect to be reviewed through a development design review application.

provided in Chapter 18.725, Development Design Reviews:

- a. Mixed-use development that does not comply with all the standards provided in this chapter;
- b. Residential development that does not comply with the additional standards provided in Subsection 18.670.090.B; or
- c. New nonresidential development or a major modification to nonresidential development.

C. Boundary amendments. Plan district or subdistrict boundary amendments are subject to the legislative process in Chapter 18.790, Text and Map Amendments.

18.670.050 Land Use Standards

A. General provisions. A list of allowed, restricted, conditional, and prohibited uses is provided in Table 18.670.1.

1. Allowed (A). Uses that are allowed, subject to all of the applicable provisions of this title.
2. Restricted (R). Uses that are subject to special requirements, exceptions, or restrictions provided in Subsections 18.670.050.B-D. Use restrictions may be adjusted through an adjustment application as provided in Chapter 18.715, Adjustments, a development design review application as provided in Chapter 18.725, Development Design Reviews, or a planned development review application as provided in Chapter 18.770, Planned Developments.
3. Conditional (C). Uses that require the approval of the Hearings Officer using discretionary criteria. The approval process and criteria are provided in Chapter 18.740, Conditional Uses.
4. Prohibited (P). Uses that are not allowed under any circumstance and are not adjustable through an adjustment nor a development design review.

**Table 18.670.1
Land Uses by Zone**

Land Use Categories	MUC Zone	MUE Zone	MUR Zone
Residential Use Category			
Residential Use	A	R	A
Civic Use Categories			

Residential allowed as standalone residential or mixed-use development in the MUC and MUR zones. Allowed as mixed-use development with at least 30 percent employment uses in the MUE zone.

**Table 18.670.1
Land Uses by Zone**

Land Use Categories	MUC Zone	MUE Zone	MUR Zone
Basic Utility	R/C	R/C	R/C
Cemetery	P	P	P
Detention Facility	P	P	P
Government Services	A	A	A
Railroad Yard	P	P	P
School or Religious Facility	C	C	C
Temporary Shelter	A	A	A
Transportation and Utility Corridor	A	A	A
Wireless Communications Facility	R	R	R
Commercial Use Categories			
Adult Entertainment	P	P	P
Commercial Lodging	A	A	A
Indoor Sales and Services	R	R	R
Major Event Entertainment	C	P	P
Mobility Hub	R	R	R
Motor Vehicle Fuel Sales	P	A	P
Motor Vehicle Sales and Rental	R	R	P
Motor Vehicle Servicing	P	R	P
Non-Accessory Parking	R	R	P
Office	A	A	R
Outdoor Sales and Services	P	P	P
Self-Service Storage	P	P	P
Industrial Use Categories			
Industrial and Manufacturing	R	R	P
Off-Site Services	P	R	P
Warehouse and Distribution	P	P	P
Waste-Related Facility	P	P	P
Wholesale and Equipment Rental	P	R	P

Existing allowances for Motor Vehicle Sales and Rental and Motor Vehicle Servicing remain in place.

Industrial and Manufacturing uses allowed in the MUC and MUE zones when located completely within a building.

B. MUC zone use restrictions.

1. Basic Utility.

- a. This use is conditionally allowed.
- b. Data centers are conditionally allowed only on or above the second story of a mixed-use development.

2. Wireless Communications Facility. See Chapter 18.450, Wireless Communication Facilities, for allowed and restricted facilities.

3. Indoor Sales and Services.

- a. The maximum gross floor area is 30,000 square feet per tenant for new buildings and additions. New tenants in the existing footprint of existing buildings are exempt from this restriction.
- b. All inventory and materials, except parking, must be contained completely within a building.
- c. Outdoor animal kennels are prohibited. All animal kennels associated with breeding, boarding, or sales must be contained completely within a building.
- d. Uses with drive-through services are prohibited.

4. Mobility Hub. A maximum of ten car charging stations is allowed per hub.

5. Motor Vehicle Sales and Rental.

- a. This use is prohibited outside the Design Review Subdistrict.
- b. All sales and rental inventory, materials and equipment, and vehicle service areas must be contained completely inside a building, except for the existing Motor Vehicle Sales and Rental development located at the northwest corner of Highway 217 and Greenburg Road.
- c. If the use includes accessory motor vehicle servicing activities,
 - i. Any adverse impacts from the proposed servicing activities are mitigated to the extent practicable, including, but not limited to, noise, odors, and vibrations;

- ii. All customer vehicle drop-off areas associated with the proposed servicing activities are clearly identified and designed to prevent vehicle idling and queuing outside of a building; and
 - iii. The proposed servicing activities and associated driveways, accessways, drive aisles, and parking areas are located and designed to support pedestrian access, safety, and comfort.
 - 6. Non-Accessory Parking. This use is allowed only as structured parking with at least two floors of parking.
 - 7. Industrial and Manufacturing. All inventory and materials, except parking, must be contained completely within a building.
- C. MUE zone use restrictions.
- 1. Residential Use.
 - a. Any combination of residential and nonresidential use proposed for the same site and not contained in a mixed-use development requires planned development review.
 - b. Allowed civic, allowed commercial, or restricted industrial uses must make up at least 30 percent of the gross floor area.
 - 2. Basic Utility.
 - a. This use is conditionally allowed.
 - b. Data centers are conditionally allowed only on or above the second story of a mixed-use development.
 - 3. Wireless Communications Facility. See Chapter 18.450, Wireless Communication Facilities, for allowed and restricted facilities.
 - 4. Indoor Sales and Services.
 - a. The maximum gross floor area is 30,000 square feet per tenant.
 - b. All inventory and materials, except parking, must be contained completely within a building.
 - c. Outdoor animal kennels are prohibited. All animal kennels associated with breeding, boarding, or sales must be contained completely within a building.

- d. Uses with drive-through services are prohibited.
 - 5. Mobility Hub. A maximum of ten car charging stations is allowed per hub.
 - 6. Motor Vehicle Sales and Rental. All sales and rental inventory, materials and equipment, and vehicle service areas must be contained completely within a building or located behind a building such that inventory and service areas are not visible from Cascade Avenue.
 - 7. Motor Vehicle Servicing. All activities and storage, including any vehicle inventory, must be contained completely within a building.
 - 8. Non-Accessory Parking. This use is allowed only as structured parking with at least two floors of parking.
 - 9. Industrial and Manufacturing. All inventory and materials, except parking, must be contained completely within a building.
 - 10. Off-Site Services.
 - a. The maximum gross floor area is 20,000 square feet per tenant.
 - b. A maximum of 20 vehicles may be parked overnight on-site.
 - c. All inventory and materials, except parking, must be contained completely within a building.
 - 11. Wholesale and Equipment Rental.
 - a. The maximum gross floor area is 20,000 square feet per tenant.
 - b. All inventory and materials, except parking, must be contained completely within a building.
- D. MUR zone use restrictions.
- 1. Basic Utility.
 - a. This use is conditionally allowed.
 - b. Data centers are conditionally allowed only on or above the second story of a mixed-use development.
 - 2. Wireless Communications Facility. See Chapter 18.450, Wireless Communication Facilities, for allowed and restricted facilities.

3. Indoor Sales and Services. This use is allowed only as part of a mixed-use development.
4. Office. This use is allowed only as part of a mixed-use development.

18.670.060 Housing Types

- A. A housing type is not a use category. It describes a type of development that can contain a Residential use.
- B. A list of allowed, limited, and prohibited housing types is provided in Table 18.670.2. Terms and abbreviations used are defined as follows:
 1. Yes, allowed (Y). Housing types that are allowed.
 2. Limited (L). Housing types that are allowed subject to specific limitations.
 3. No, prohibited (N). Housing types that are not allowed under any circumstance.
- C. All housing types are subject to the standards and provisions of the applicable development standards chapter. The applicable chapter for each housing type is provided in Table 18.670.2.
- D. All allowed housing types may be built on site or manufactured off site.

Table 18.670.2				
Washington Square Regional Center Housing Types				
Housing Types	Applicable Chapter	MUC	MUE	MUR
Accessory Dwelling Units	18.220	N	N	L
Apartments	18.230	L	N	Y
Cottage Clusters	18.240	N	N	L
Courtyard Units	18.250	N	N	L
Mobile Home Parks	18.260	N	N	N
Quads	18.270	N	N	L
Rowhouses	18.280	L	N	L
Small Form Residential	18.290	N	N	L
Mixed-Use Development	18.670	Y	Y	Y

Y=Yes, Allowed L=Limited N=No, Prohibited

E. Limited housing types in subdistricts.

1. Limited housing types in the MUC zone.

- a. Rowhouses are allowed only in the Design Review Subdistrict.
- b. Only mixed-use development is allowed in the Metzger Business Subdistrict. All other housing types are prohibited.

2. Limited housing types in the MUR zone. Only apartments and mixed-use development are allowed in the Apartment Subdistrict. All other housing types are prohibited.

18.670.070 Site Design Standards

A. General provisions.

- 1. Site design standards for nonresidential and mixed-use development are provided in Table 18.670.3 and Subsections 18.670.070.B - G.
- 2. Residential development, except for mixed-use development, is subject to standards of the applicable housing type in Chapter [18.200](#), Residential Development Standards.
- 3. Development reviewed through a development design review application is not subject to these standards and is evaluated through the development design review process.

Table 18.670.3 Site Design Standards by Zone			
Setback Standards	MUC Zone	MUE Zone	MUR Zone
Minimum Setback in Feet			
- Front or street property line	1	1	1
- Side or rear adjacent to nonresidential or mixed-use zone	0	0	0
- Side or rear adjacent to a residential zone	0	15	20
Maximum Setback in Feet			

Apartments, rowhouses, and mixed-use development allowed in the Design Review Subdistrict. Only Mixed-use development is allowed in the Metzger Business Subdistrict, which prioritizes neighborhood-scales business activity.

Clarifications regarding when standards in this section apply.

- Front or street property line	12	12	20
Lot Coverage	No minimum or maximum lot coverage.		
Landscape Area	No minimum or maximum landscape area.		
Minimum Site Tree Canopy Coverage	The minimum site tree canopy standards are provided in Section 18.420.060.		
Minimum Parking Lot Tree Canopy Coverage	The minimum parking lot tree canopy standards are provided in Subsection 18.410.030.M.		

B. Setbacks.

1. Minimum and maximum building setbacks are met when at least 70 percent of the building facade is located within the required setbacks.
2. Existing development and proposals for attached additions are exempt from maximum building setback standards.

C. Landscaping and Screening. Landscaping and screening standards are provided in Chapter 18.420, Landscaping and Screening. Landscaping and screening are required as follows:

1. The area between the building facade and the street property line must be landscaped to the L-2 standard.
2. Service areas and wall- and roof-mounted utilities must be screened to the S-1 standard. Service areas and utilities are also subject to the standards in Subsection 18.320.040.D.
3. Nonresidential development that abuts a residential zone must be screened to the S-3 standard along all property lines, except street property lines.
4. Surface vehicle parking areas, loading areas, drive aisles, and stacking lanes for drive-through services within 20 feet of a street property line must be screened to the S-4 standard. Screening must be provided directly adjacent to the street property line, except where access is taken.

D. Pedestrian access.

1. Paths are required and must provide safe and convenient pedestrian access from public sidewalks abutting the site to all required building entrances on the site.
2. A minimum of one path to a building or structure intended for public access is required for every 200 linear feet of street frontage.

Setback and lot coverage requirements allow for more dense development while tree canopy requirements continue to apply.

3. Paths must provide safe and convenient pedestrian access within the site between all buildings, uses, and areas designed for use by pedestrians. Paths within parking areas or along drive aisles are subject to additional standards in Chapter 18.410, Off-Street Parking and Loading.
 4. Paths must extend to the perimeter property line to provide access to existing or planned pedestrian facilities on adjacent properties, such as trails or public access easements.
 5. Paths must be paved with a hard surface material and have a minimum unobstructed width of five feet.
- E. Driveways. Driveway standards apply when introducing a new driveway to a development or when substantially redeveloping a site.
1. For each street frontage less than or equal to 300 feet in length, a maximum of one driveway per street frontage is allowed.
 2. For each street frontage more than 300 feet in length, a maximum of one driveway per 200 feet of street frontage is allowed.
- F. Utilities and service areas.
1. Private utility facilities, such as transformers or control valves, that serve a single development must be located below ground or a minimum of 20 feet from any street property line or any property line adjacent to a residential zone.
 2. Service areas, such as waste and recycling containers, outdoor storage, and mechanical equipment, may not be located within 20 feet of any street property line or any property line adjacent to a residential zone, except where located inside a building.
- G. Lighting.
1. Minimum illumination levels are measured horizontally at ground level.
 - a. The minimum average illumination is 1.5 footcandles for paths, except those within parking areas, which are subject to the lighting standards in Chapter 18.410, Off-Street Parking and Loading. All points of measurement must be a minimum of 0.5 footcandles.
 - b. The minimum average illumination is 3.5 footcandles for required building entrances and 2.0 footcandles for any non-required building entrances. All points of measurement must be a minimum of 1.0 footcandle.

2. Maximum illumination levels are measured vertically at the property line. The maximum illumination is 0.5 footcandles at side and rear property lines, except that the maximum illumination may be increased to 1.0 footcandle where the development abuts a commercial or industrial zone.
3. Lighting must be shielded, angled, or located such that it does not shine upwards or directly onto adjacent properties or sensitive lands.

18.670.080 Building Design Standards

A. General provisions.

1. Building design standards for nonresidential and mixed-use development are provided in Subsections 18.670.080.B - H.
2. Residential development, except for mixed-use development, is subject to standards of the applicable housing type in Chapter [18.200](#), Residential Development Standards.
3. Development reviewed through a development design review application is not subject to these standards and is evaluated through the development design review process.

B. Building height.

1. The minimum and maximum height for each zone and subdistrict is provided in Table 18.670.4.
2. The facade facing a public or private street must include a first story with a minimum height of 12 feet and maximum height of 25 feet. Where the minimum height is 25 feet in Table 18.670.5, the building must provide a minimum of two stories.

**Table 18.670.4
Height by Zone and Subdistrict**

Zone or Location	Development or Use	Minimum Height (in feet)	Minimum Stories Required	Maximum Height (in feet)
MUE	Nonresidential	12	1	75
	Mixed-Use	25	2	100
MUC Outside of a Subdistrict	Any	12	1	185

Clarifications regarding when standards in this section apply.

Building height standards allow tallest buildings only where the market reasonably expects to see this height. Standards also allow taller buildings when providing mixed-use development.

MUC in the Design Review Subdistrict	Any	12	1	185
MUC in the Metzger Business Subdistrict	Nonresidential	12	1	60
	Mixed-Use	25	2	75
MUR Outside of a Subdistrict	Residential	12	1	60
	Mixed-Use	25	2	60
MUR in the Apartment Subdistrict	Any	36	3	115

D. Entrances.

1. A minimum of one entrance per building, or tenant space within a building without internal building access, must be visible and accessible from a public street.
2. For every 200 linear feet of street frontage, a minimum of one path must be provided that connects an adjacent planned or existing sidewalk to a building entrance or structure intended for public access.
3. A required entrance must be within 1 foot above or below the grade of the adjacent sidewalk.
4. A required building entrance must be at an angle that is no more than 45 degrees from the street that it faces.
5. A required building entrance must be covered, recessed, or treated with a permanent architectural feature that provides weather protection for pedestrians. The required weather protection must be at least as wide as the entrance, a maximum of six feet above the top of the entrance, and a minimum of three feet in depth. The required weather protection may project into the minimum front setback.

E. Facade design. All facades that extend more than 50 feet fronting a public or private street and are located within 35 feet of the street-facing property line must provide at least one of the following features:

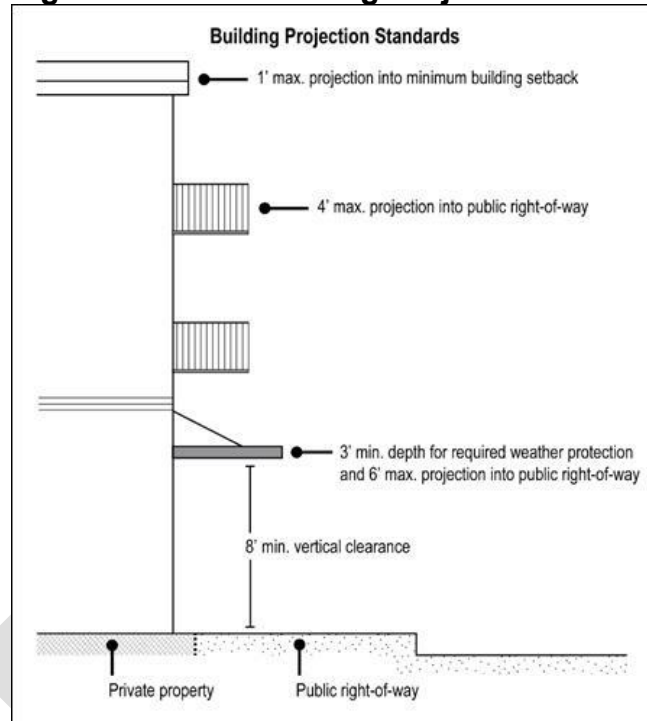
1. A change in surface or siding material, color, or pattern; or
2. A wall recession or projection that is a minimum of 6 feet in width and 2 feet in depth for the entire height of the facade.

F. Building projections.

Building design standards promote enjoyable pedestrian environment.

1. Architectural elements such as eaves, cornices, and bay windows may project a maximum one foot into the minimum building setback as shown in Figure 18.670.1.

Figure 18.670.1 Building Projection Standards



2. Balconies may project into the minimum building setback and public right-of-way as shown in Figure 18.320.1. Balconies may project a maximum of 4 feet into the right-of-way. Balconies that project into the right-of-way must have a minimum vertical clearance of 10 feet from sidewalk grade and are subject to approval by the City Engineer.

3. Weather protection elements, such as canopies or awnings, may project into the right-of-way a maximum of 6 feet or the minimum sidewalk width along the building frontage, whichever is less. Elements that project into the right-of-way must have a minimum vertical clearance of 8 feet from sidewalk grade and are subject to approval by the City Engineer.

G. Windows.

1. Windows are required on all street-facing facades located within 35 feet of the street property line and are subject to the window area standards in Table 18.670.5. Any portion of a street-facing facade that contains vehicle parking, such as a parking structure, does not have to provide windows but must provide facade openings that meet the minimum required window area in Table

18.670.5. If required facade openings contain glass, they must meet the standards in Paragraph 18.670.080.G.3 If required facade openings do not contain glass, they may contain architectural elements that are no more than 30 percent sight-obscuring.

2. Window area is the aggregate area of the glass within each window, including any interior grids, mullions, or transoms. Facade area is the aggregate area of each street-facing vertical wall plane.
3. Required windows must be clear glass and not mirrored, frosted, or reflective. Clear glass within doors may be counted toward meeting the window coverage standard.

Table 18.670.5 Minimum Window Area		
Story	Use	Minimum Window Area
First Story	Nonresidential or Mixed-Use Building	50% of facade
	Residential Building	30% of facade
Upper Stories	Nonresidential or Mixed-Use Building	30% of facade
	Residential Building	20% of facade (not applicable to stories with sloped roofs or dormers)

H. Roofs. Roofs must have a minimum solar reflectance index of at least 64. Any roof area not meeting this standard must be constructed as an ecoroof, except where being used for mechanical equipment, stairwells, solar arrays, maintenance access, rooftop parking, rooftop decks, skylights, or mechanical equipment.

18.670.090 Additional Standards for Residential or Mixed-Use Development

- A. Common space is required for all apartment or mixed-use developments as provided in Subsection 18.230.040.C.
- B. Residential development or mixed-use development in the Design Review Subdistrict must meet the following standards. Development reviewed through a development design review application is not subject to these standards and is evaluated through the development design review process.
 1. Common space must be provided and meet the standards Subsection 18.230.040.C.
 2. Each dwelling unit must include private outdoor space that is directly accessible from the interior of the dwelling unit it serves. Each private outdoor space must

Roof standards promote climate resilience.

Common space required for all apartment or mixed-use developments in the MUC and MUR zones (code reference to the Apartments chapter).

Subparagraph B applies only to residential development in the Design Review Subdistrict that is not reviewed through a development design review application.

be a minimum of 48 square feet in area and a minimum of five feet in width and depth.

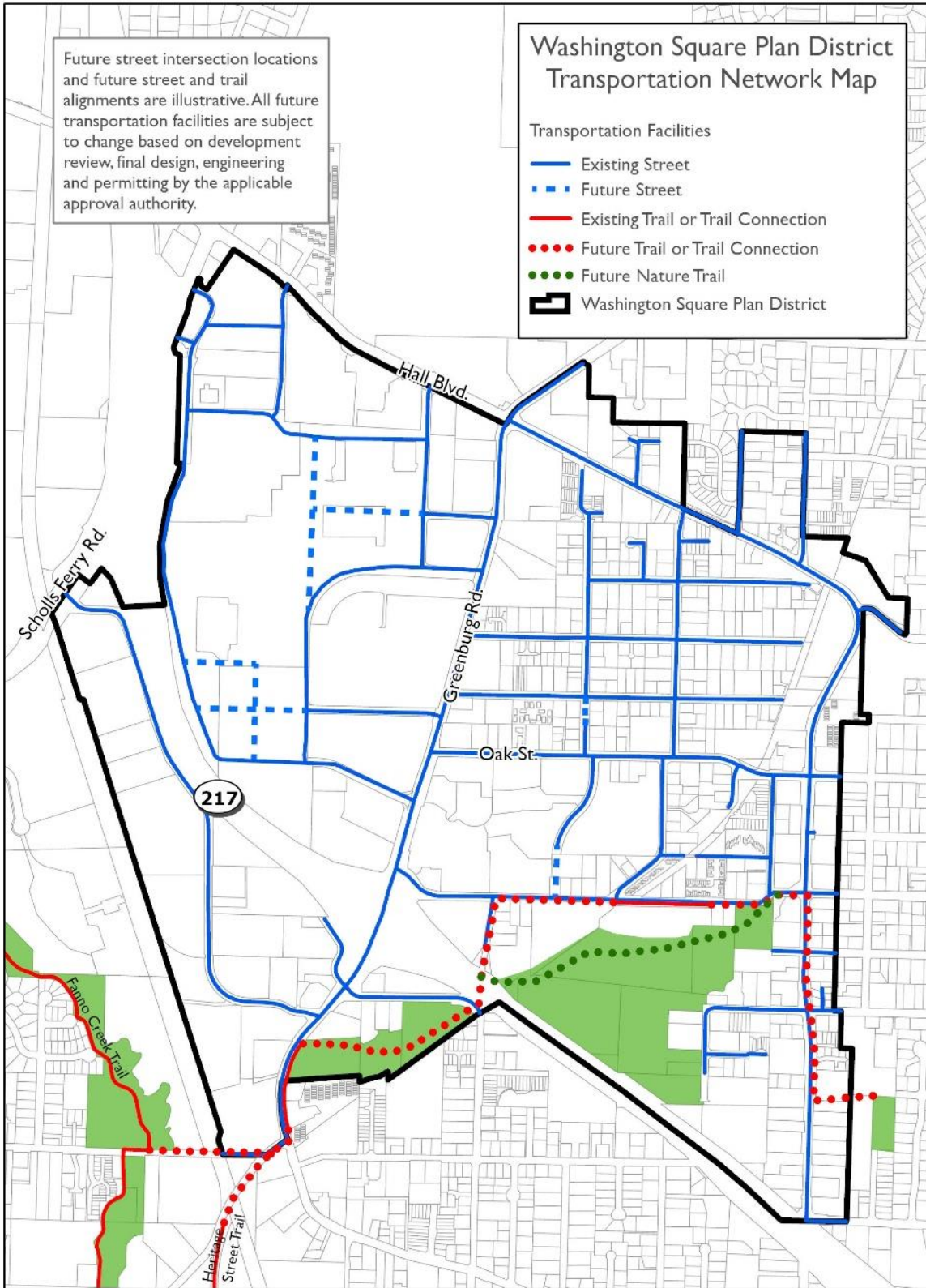
3. A minimum of 20% of dwelling units must be regulated as affordable housing for households at 60 percent Area Median Income (AMI).
4. Mixed-use and residential buildings must be a minimum four stories.

18.670.100 Transportation Standards

- A. Minimum required transportation improvements are shown on Map 18.670.B Transportation Network Map.

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Map 18.670.B



Updated transportation map and regulations reflect updated TSP and transportation framework established through the WSRC Update Project.

B. Greenburg Road. The following street design standards apply to Greenburg Road between Tiedeman Avenue and Hall Boulevard.

Table 18.670.6			
Street Elements and Widths			
Segment	Location	Maximum ROW (ft)	Required Elements
Segment A	Highway 217 to Washington Square Road (south)	109	Sidewalks, planting strips, separated bike lanes, and two travel lanes on both sides of the street; center turn lane; northbound left turn lane
Segment B	Washington Square Road (south) to Locust Street	103	Sidewalks, planting strips, separated bike lanes, and two travel lanes on both sides of the street; southbound left turn lane
Segment C	Locust Street to Washington Square Road (north)	74.5	Sidewalks, separated bike lanes, and one travel lane on both sides of the street; two-way center turn lane
Segment D	Washington Square Road (north) to Summit Drive	79	Sidewalks, planting strips, separated bike lanes, and one travel lane on both sides of the street; two-way center turn lane
Segment E	Summit Drive to Hall Boulevard	81.5	Sidewalks, separated bike lanes, and one travel lane on both sides of the street; two-way center turn lane; northbound right turn lane

C. Hall Boulevard. The following street design standards apply to Hall Boulevard between Highway 217 and Locust Street.

1. The maximum right-of-way width for this street is 75 feet. Additional right-of-way may be required at intersections as identified by the City Engineer.
2. The cross section must include two travel lanes; a center turn lane; and bike facilities, pedestrian facilities, and planting strips on both sides of the street.

D. Oak Street. The following street design standards apply to Oak Street between Greenburg Road and Hall Boulevard.

1. The cross section for the north side of the street must be consistent with Table 18.910.1 for collector streets, except that on-street parking is allowed and no bike lane is required; and

2. The cross section for the south side of the street must be consistent with Table 18.910.1 for collector streets, except that on-street parking is allowed and a 12-foot-wide, grade-separated, multi-use path is required in lieu of a bike lane and sidewalk.
- E. Fee in lieu of construction (FILOC). If improvements to public transportation facilities are required for development along Greenburg Road or Hall Boulevard, the applicant may request to pay a fee in lieu of constructing the required improvements. The provisions of this Subsection do not allow the applicant to pay a fee in lieu of dedicating any needed public right-of-way.
1. FILOC findings. If the City Engineer determines that a fee in lieu of construction satisfies one of the criteria in Paragraph 18.670.100.D.1, the city will accept a fee upon the City Engineer finding that deferring construction of required improvements will not result in any of the following.
 - a. Safety hazards as determined by the City Engineer.
 - b. New and significant street drainage issues as determined by the City Engineer.

If the City Engineer cannot make such findings, then the city will not accept a fee and will require construction of the required improvements.
 2. FILOC fees. If the City Engineer determines that required improvements are eligible for FILOC, the applicant must pay the fee in lieu of constructing the required improvements unless the city determines that the fee is not roughly proportional to the number of new trips estimated to be generated by the proposed development. The City Engineer will determine the fee based upon an estimate to construct the required improvements using the average cost of the most recent capital improvement project itemized bid prices. The applicant must pay the fee to the city prior to the issuance of any development permits.
 - a. If full transportation facility improvements have been assessed with previous development on the site and the proposed development has additional impacts, the city may only assess additional FILOC fees when there has been a change to the city's street design standards.
 - b. If partial transportation facility improvements have been assessed with previous development on the site and the proposed development has additional impacts, the city may assess additional FILOC fees for the balance of the improvements.
 - c. If the applicant pays a fee in lieu of constructing the required

improvements and is issued a development permit by the city but does not develop as planned, the applicant may request a refund of the FILOC fee within 3 years of payment. Any refunds are subject to the approval of the City Engineer.

2. FILOC program administration. Fees collected by the city will be used to construct public transportation facilities or to leverage additional grant money for larger transportation projects. An accounting of fees collected and expended will be made available by the city to the public on an annual basis at the end of the fiscal year. Expenditure of fees is subject to the following: Fees will be used for construction of public transportation facilities that benefit the development sites that paid the fees.

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Chapter 18.440 TEMPORARY USES

18.440.010 Purpose

The purpose of this chapter is to establish standards for the approval of temporary uses.

18.440.020 Applicability

A. Applicability. This chapter applies to all types of temporary uses listed in Section [18.440.030](#), unless they are exempt in Subsection 18.440.020.C or D.

~~B. Disclaimer. This chapter is not intended to be a way to circumvent the strict application of the base zones. Therefore, time limits are to be strictly enforced.~~

~~B~~. Temporary uses allowed. The following temporary uses are allowed without a temporary use permit:

1. Seasonal and special events conducted exclusively by and for the benefit of a Tigard-based nonprofit organization;
2. Temporary Shelter, as an accessory use to a Religious Institution use or a Social/Fraternal Clubs/Lodges use, where the following are met:
 - a. No more than 20 people are provided shelter at a time,
 - b. Each stay does not exceed 30 days, and
 - c. Temporary shelter is not provided on the property more than 90 total days in a year.
3. Garage sales;
4. Temporary construction offices in conjunction with the initial development of residential, commercial or industrial property (three or more dwelling units or lots);
or
5. Seasonal and special events located entirely within the PR zone, public right-of-way, or city-owned property provided the use has received a special event permit pursuant to Tigard Municipal Code Chapter [7.48](#).

~~D~~C. Emergency situations. The Director may waive any of the requirements in this chapter or request additional information in compliance with Chapter [18.710](#), Land Use Review Procedures, for cases that involve destruction of an existing structure due to fire, natural causes, or other circumstances that are beyond the control of the applicant. An emergency as allowed by this subsection does not include failure by the applicant to submit a temporary use request as provided in this chapter.

18.440.030 Types of Temporary Uses

A. Seasonal or special event. This type of temporary use is a use that by its nature will last less than one year. Examples of this type of use are those associated with the sale of goods for a specific holiday, activity, or celebration, uses associated with construction, or seasonal use. This type of use does not apply to businesses seeking a temporary or interim location. These types of temporary uses include:

1. Use associated with the celebration of a specific holiday such as the sale of Christmas trees and fireworks;
2. Use associated with the sale of fresh fruits, produce, and flowers, including seasonal markets by a chartered public service or non-profit organization that may offer additional products and services as provided in the organization's "market rules and policies" such as landscaping plants, prepared food, animal products, and art or handcrafts assembled by the vendor;
3. Use associated with festivals or celebrations or special events;
4. Seasonal activities such as the sale of food at sports events or activities;
5. Use associated with construction such as the storage of equipment during the construction of roads or development, but not a temporary sales office or model home as provided by this chapter; and
6. Temporary fund raising and other civic activities in commercial zones.

B. Unforeseen or emergency situations. This type of temporary use is a use that is needed because of an unforeseen event such as fire, windstorm, flood, unexpected health or economic hardship, or due to an eviction resulting from condemnation or other proceedings. Examples of this type of temporary use include:

1. A mobile home or other temporary structure for a residential purpose in a residential zone;
2. A mobile home or other temporary structure for a business purpose in a commercial or industrial zone; and
3. Use of an existing dwelling or mobile or manufactured home during the construction period of a new dwelling unit on the same lot.

C. Temporary sales office or model home. This type of use includes a temporary sales office or offices either in a dwelling unit or in another temporary building for the purpose of facilitating the sale of real property in any subdivision or property within this city. This includes the use of one dwelling unit in a subdivision as a "model home" for purposes of showing prospective buyers.

D. Temporary use in commercial and industrial zones. This type of temporary use includes a temporary trailer or prefabricated building for use on any commercially or industrially zoned property within the city as a temporary commercial or industrial office or space associated with the primary use on the property.

E. Food carts. This type of temporary use includes up to three food carts.

18.440.040 Approval Process

A. Approval process. Temporary use applications are processed through a Type I procedure, as provided in Section [18.710.050](#).

B. Approval period. An approval for a temporary use is valid for a period of 1 year unless otherwise stipulated by the approval. **Approvals for food carts as a temporary use are valid indefinitely.**

C. Expiration. An approval for the temporary use will expire if:

1. Substantial construction of the approved plan or onset of the approved activity has not begun within the approval period; and
2. Construction or activity on the site is a departure from the approved plan.

18.440.050 Approval Criteria

A. Seasonal and special events. The approval authority will approve or approve with conditions seasonal and special events when all of the following are met:

1. The use occurs only once in a calendar year and for no longer a period than 30 consecutive days, except as provided in Paragraph 18.440.050.A.6;
2. The use is allowed in the applicable base zone;
3. The applicant has proof of the property owner's permission to place the use on the property;
4. There will be no parking utilized by the customers and employees of the temporary use that is required to meet the minimum parking requirements for the other uses on the property, as required by Chapter [18.410](#), Off-Street Parking and Loading;
5. The use will provide adequate vision clearance, as required by Chapter [18.930](#), Vision Clearance Areas, and not obstruct pedestrian access on public rights-of-way; and

New temporary use process allows up to three food carts as a temporary use.

6. Seasonal markets are allowed in the C-G and MU-CBD zones and may operate from April through October. The applicant must provide “market rules and policies” for city approval, which are consistent with the seasonal market use description in Paragraph 18.440.030.A.2 and will be observed for the duration of the permit. Market rules and policies must include hours of operation, location, product guidelines, vendor obligations, vehicle loading or unloading, and any other applicable policies guiding the operation of the market. The city may also consider the following criteria:

- a. Provide documentation demonstrating adequate and safe ingress and egress exist when combined with the other uses of the property, in compliance with Chapter [18.920](#), Access, Egress, and Circulation;
- b. Provide documentation demonstrating the use will not create a traffic hazard, including coordination with ODOT if applicable;
- c. Provide documentation that the use will not create adverse off-site impacts related to noise, odors, vibrations, glare, or lights that would be greater than otherwise allowed by uses allowed in the base zone; and
- d. Signs are allowed as provided in Chapter [18.435](#), Signs; however, temporary signs may be approved for a period of time to correspond with the duration of the seasonal market use.

B. Unforeseen or emergency situations. The approval authority will approve or approve with conditions unforeseen or emergency situations when all of the following are met:

1. The need for the use is the direct result of a casualty loss such as fire, wind storm, flood, or other severe damage by the elements to a pre-existing structure or facility previously occupied by the applicant on the premises for which the permit is sought; or
2. The use of a mobile or manufactured home on a lot with an existing dwelling unit is necessary to provide adequate and immediate health care for a relative who needs close attention who would otherwise be required to receive needed attention from a hospital or care facility; or
3. The applicant has been evicted within 60 days of the date of the application from a pre-existing occupancy of the premises for which the permit is sought as a result of condemnation proceedings by a public authority, or eviction by abatement of nuisance proceedings, or by determination of a public body or court having jurisdiction that the continued occupancy of the facilities previously occupied constitutes a nuisance or is unsafe for continued use; or

4. There has been a loss of leasehold occupancy rights by the applicant due to unforeseeable circumstances or other hardship beyond the foresight and control of the applicant; and
5. There exists adequate and safe ingress and egress when combined with the other uses of the property, as required by Chapter [18.920](#), Access, Egress and Circulation, and Chapter [18.930](#), Vision Clearance Areas; and
6. There exists adequate parking for the customers of the temporary use as required by Chapter [18.410](#), Off-Street Parking and Loading; and
7. The use will not result in congestion on adjacent streets; and
8. The use will pose no hazard to pedestrians in the area of the use; and
9. The use will not create adverse off-site impacts including noise, odors, vibrations, glare, or lights that will affect adjoining uses in a manner that other uses allowed in the base zone would not affect adjoining uses; and
10. The use can be adequately served by sewer or septic system and water, if applicable.

C. Temporary sales office or model home. The approval authority will approve or approve with conditions a temporary sales office or model home when all of the following are met:

1. Temporary sales office.
 - a. The temporary sales office must be located within the boundaries of the subdivision or property in which the real property is to be sold; and
 - b. Sales offices approved through the provision of this chapter may not be permanent.
2. Model home.
 - a. The model home must be located within the boundaries of the subdivision or property where the real property to be sold is situated; and
 - b. The property to be used for a model house must be a permanently designed dwelling unit.

D. Temporary use in commercial and industrial zones. The approval authority will approve or approve with conditions a temporary trailer or prefabricated building when all of the following are met:

1. The temporary trailer must be located within the boundaries of the property on which it is located;
2. The property to be used for a temporary trailer must already be developed;
3. There exists adequate and safe ingress and egress when combined with the other uses of the property; as required by Chapter [18.920](#), Access, Egress, and Circulation, and Chapter [18.930](#), Vision Clearance Areas;
4. There exists adequate parking for the customers or users of the temporary use as required by Chapter [18.410](#), Off-Street Parking and Loading;
5. The use will not result in congestion on adjacent streets;
6. The use will pose no hazard to pedestrians in the area of the use;
7. The use will not create adverse off-site impacts including noise, odors, vibrations, glare, or lights that will affect the adjoining uses in a manner that other uses allowed in the base zone would not affect the adjoining uses;
8. The use can be adequately served by sewer or septic system and water, if applicable; and
9. The length of time that the temporary building will be used is the maximum needed to address the hardship.

E. Food carts. The approval authority will approve or approve with conditions a temporary use application for a food cart use when all of the following are met:

- 1. The cart is located on a property with an existing nonresidential use.**
- 2. The cart meets the minimum setback standards for a building in the base zone in which it is located.**
- 3. The cart does not obstruct or otherwise make unsafe any areas designed for pedestrian or vehicle movement to, from, or through the property on which the cart is located.**
- 4. Any associated signs meet the regulations for the base zone provided in Chapter 18.435, Signs.**
- 5. The addition of the proposed cart to the proposed location will not result in more than three food carts being present on that property.**
- 6. The following design requirements are met:**

Food cart regulations reflect existing Tigard food cart policy.

a. The cart has wheels and the wheels remain permanently attached and functional.

b. If there are permanent utilities located on site, the cart has only temporary connections to such utilities and the connections may be easily removed at any time.

c. Any canopies, awnings, or other attachments on the cart are entirely supported by the cart, and are fully collapsed outside of business hours.

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Chapter 18.715 ADJUSTMENTS

18.715.010 Purpose

The purpose of this chapter is to provide an appropriate and efficient review process for granting relief from the specific requirements of this title to allow reasonable development or restricted uses or prevent undue hardship. Adjustments are intended to provide limited flexibility for development to address the requirements of this title through alternative or innovative means.

18.715.020 Applicability

A. Applicability. This chapter applies to all proposals to adjust an existing requirement of this title. All requirements, such as development or design standards, may be adjusted except as provided in Subsection 18.715.020.B or where specifically provided for elsewhere in this title, such as in Chapter [18.660](#), Tigard Triangle Plan District.

B. Prohibited adjustments. Adjustments are prohibited in the following situations:

1. To allow a primary or accessory use that is prohibited;
2. To change or eliminate a regulation that contains an express prohibition;
3. To change or eliminate a threshold for a review;
4. To change or eliminate any part of an approval process, including approval periods;
5. To change a definition, a method of measurement, or the description of a use category;
6. To change or eliminate any regulations in Chapter [18.510](#), Sensitive Lands; or
7. To change the required density for a housing type in a residential zone.

18.715.030 General Provisions

A. An applicant may seek relief from the specific requirements of this title through one of ~~two~~ **three** types of adjustments. An applicant may either demonstrate that a proposed adjustment will result in development that is in substantial compliance with this title **meets the criteria for adjustments to development standards or use restrictions;**

New adjustments process allows for new use restrictions to be adjusted.

or that a hardship exists and a proposed adjustment is necessary to **not** preclude all reasonable economic use of the property.

B. Some Plan Districts contain specific adjustment processes and approval criteria, which are evaluated separately from this chapter, as provided in Chapter 18.650, Tigard Downtown Plan District, and Chapter 18.660, Tigard Triangle Plan District.

BC. Multiple adjustment proposals will be processed concurrently. (Ord. 18-28 §1)

18.715.040 Approval Process

An adjustment application is processed through a Type II procedure as provided in Section [18.710.060](#).

18.715.050 Approval Criteria

The approval authority will approve or approve with conditions an adjustment application when all of the criteria in either Subsection 18.715.050.A, ~~or B,~~ **or C** are met.

A. Criteria for demonstrating substantial compliance *adjustments to development standards*.

1. The proposed adjustment results in development that is generally consistent with the purpose of the development standard to be adjusted **and meets one of the following**; ~~and~~
 - a. Has only minor impacts on surrounding properties or public facilities, ~~or~~
 - b. Addresses a site constraint or unusual situation, ~~or~~
 - c. Utilizes innovative design or results in sustainable development;
2. The proposed adjustment does not have a greater impact on city-designated sensitive lands than would otherwise occur if the adjustment was not approved; ~~and~~
3. If the proposed adjustment addresses a site constraint or unusual situation, utilizes innovative design, or results in sustainable development, any impacts from the proposed adjustment are mitigated to the extent practicable; ~~and~~
4. If more than one adjustment is proposed, the cumulative effect of **all** the adjustments results in development that **has only minor impacts on surrounding properties or public facilities.** ~~is generally consistent with the existing~~

New language clarifies when this process should be used.

development pattern of the surrounding area and the overall purpose of the base zone.

B. Criteria for adjustments to use restrictions.

1. The proposed adjustment is generally consistent with the purpose of the base zone where the restricted use is located;

2. The proposal includes public benefits. Public benefits may include, but are not limited to, the following:

a. Energy Trust Path to Net Zero certification, as demonstrated by an approved EUI number,

b. On-site generation and storage of renewable power,

c. Off-site improvements to active transportation facilities,

d. Other similar item as determined by the Director;

3. Any impacts resulting from the adjustment are mitigated to the maximum extent practicable;

4. The proposed adjustment does not have a greater impact on city-designated sensitive lands than would otherwise occur if the adjustment was not approved; and

5. If more than one adjustment is proposed, the cumulative effect of all the adjustments and associated mitigations results in development and activity that has only minor impacts on surrounding properties or public facilities.

BC. Criteria for demonstrating hardship.

1. Application of the development standard proposed for adjustment would preclude all reasonable economic use of the property;

2. The need for the proposed adjustment is the result of conditions or circumstances outside the control of the applicant or property owner;

3. The proposed adjustment results in development that equally or better meets the purpose of the development standard to be modified; and

4. Any impacts from the proposed adjustment are mitigated to the extent practicable.

New process allows new use restrictions to be adjusted. Approval criteria require the proposed use to demonstrate it satisfies one or more of the policies established through the Tigard MADE project.

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Chapter 18.725 DEVELOPMENT DESIGN REVIEWS

Sections:

- 18.725.010 Purpose**
- 18.725.020 Applicability**
- 18.725.030 General Provisions**
- 18.725.040 Review Process**
- 18.725.050 Approval Criteria**
- 18.725.060 Conditions of Approval**

18.725.010 Purpose

The purpose of this chapter is to ensure specific areas of the city utilize site and building design techniques that prioritize the well-being of people and promote carbon responsible transportation options, including transit. Design review facilitates creative site and building designs that result in high quality buildings, public spaces, and active transportation facilities.

18.725.020 Applicability

This chapter applies to all new development, substantial redevelopment, or modifications to development or land use approvals where development design review is either proposed or required as provided in Subsection 18.670.040.B.

18.725.030 General Provisions

- A. If a proposal includes a change to a use restriction provided in Subsection 18.670.050.B, the proposed change is reviewed through the development design review process.
- B. Where development design review is proposed or required:
 - 1. Site development review is not required.
 - 2. Planned development review may not be requested.
 - 3. Conditional use applications must be processed concurrently with the design development review.

18.725.040 Review Process

A development design review application is processed through a Type II procedure as provided in Section 18.710.060, using the approval criteria in Section 18.725.050.

New land use application type (DDR) follows discretionary process that promotes innovative development that meets policies established through the WSRC Update Project. Approval criteria promote active transportation, dense development, and urban gathering spaces. Parking lot tree canopy, maximum parking standards, land use standards, and building height standards continue to apply but may be adjusted through this review. Development reviewed through a DDR is exempt from other site design standards and building design standards in the WSRC plan district chapter.

Changes to use restrictions do not require a separate adjustments application.

18.725.050 Approval Criteria

The approval authority will approve or approve with conditions a development design review application when all of following criteria are met:

- A. Scale. The proposed development is thoughtfully integrated with its surroundings, at an urban scale that addresses pedestrian needs and comfort within the context of the area to be developed. Single story buildings are limited to buildings with a maximum 5,000 square-foot footprint and where promoting incremental development. The proposed development provides pedestrian-scaled places with strong relationships among buildings, open spaces, and pedestrian pathways;
- B. Pedestrian comfort. The proposed development is designed to support pedestrian access, safety, and comfort on and adjacent to the site. The proposed development bridges or removes any pedestrian barriers and implements pedestrian-friendly designs and block lengths;
- C. Building design. All building facades or fences that face active transportation facilities and are intended for regular public access are visually appealing and provide design elements including facade variation and windows. Buildings incorporate exterior design and building materials that exhibit permanence and quality;
- D. Parking. Pedestrian paths providing access to parking areas are designed so that a visitor only needs to park once to easily and comfortably access multiple destinations on site. Development also complies with the maximum parking standards provided in Chapter 18.410, Off-Street Parking and Loading;
- E. Common space. The proposed development includes publicly accessible common space that is designed to encourage public gathering through the integration of features such as broad steps or benches that serve as permanent seating, stoops, fountains, or plazas. Common space is located to easily serve the site and public, and is designed to provide safety and comfort for users while promoting vibrancy and livability.
- F. Active transportation facilities. Active transportation facilities are designed to be comfortable and desirable facilities to use and are visually prioritized over facilities intended for use by motor vehicles.
- G. Transit. The proposed development appropriately accommodates transit to or through the site in ways that best serve the public and proposed users of the development. The applicant provides documentation that TriMet has reviewed and approved any changes or impacts to transit routes or facilities.

- H. Stormwater facilities. Stormwater facilities provide community benefits in addition to stormwater management. Stormwater facilities are vegetated and thoughtfully integrated into the development site through the inclusion of features such as seating, sculptural elements, and pedestrian paths. Stormwater facilities may be used to meet minimum common open space requirements when designed to facilitate public access.
- I. Sustainability and resiliency. The development incorporates sustainable and resilient site and building designs that reduce GHG emissions and operating costs, improve livability, and reduce impacts from natural hazards and disasters.
- J. Streets and access. The city engineer has determined that any changes to streets or access points do not result in unsafe conditions. All private streets are located within tracts and public access easements. All transportation improvements are consistent with Map 18.670.B.
- K. Trees. The proposed development uses trees and landscaping to create a sense of place, provide protection from the elements, and mitigate the heat island effect of urban development. Development also complies with parking lot canopy requirements as provided in Subsection 18.410.030.M.
- L. Flexibility Request. If the proposal includes a change to a use restriction, the change results in development that is appropriately located, designed, and scaled to preserve and promote pedestrian-scaled urban development.

18.725.060 Conditions of Approval

The approval authority may impose conditions of approval that are suitable and necessary to ensure that the proposal is consistent with the purpose of this chapter as embodied by the approval criteria. Conditions may include but are not limited to the following:

- A. Requiring more or higher quality pedestrian-oriented architectural elements;
- B. Requiring more or higher quality public spaces or community amenities;
- C. Requiring higher quality active transportation facilities or a more robust active transportation network;
- D. Requiring modifications to building height, size, location, or materials;
- E. Requiring modifications to parking lot size or location;
- F. Requiring separation or screening of uses, buildings, parking lots, or service areas from public spaces or adjacent uses;

- G. Requiring separation or screening of private residential spaces, such as balconies, from public spaces or adjacent uses;
- H. Limiting or otherwise designating the size, number, or location of vehicle access points; or
- I. Limiting or otherwise designating the location, intensity, and shielding of outdoor lighting.

DRAFT

OMNIBUS AMENDMENTS
Chapter 18.10
LEGAL FRAMEWORK

18.10.050 Zoning

A. Base zones. All land within the City of Tigard is divided into zones. The use and development of land is limited by the base zone in which the land is located. The following base zones are established in the city:

Table 18.10.1	
Base Zones	
Zone Name	Zone Abbreviation
Parks and Recreation	PR
<i>Residential Zones</i>	
Residential-A	RES-A
Residential-B	RES-B
Residential-C	RES-C
Residential-D	RES-D
Residential-E	RES-E
<i>Commercial Zones</i>	
Neighborhood Commercial	C-N
Community Commercial	C-C
General Commercial	C-G
<u>Commercial</u>	<u>COM</u>
Professional/Administrative Commercial	C-P
<i>Mixed-Use Commercial</i>	
Mixed-Use Central Business District	MU-CBD
Mixed-Use Employment	MUE
Mixed-Use Employment	MUE-1
Mixed-Use Employment	MUE-2
Mixed-Use Commercial	MUG
Mixed-Use Commercial	MUC-1
Mixed-Use Residential	<u>MUR</u> MUR-1
Mixed-Use Residential	MUR-2
Triangle Mixed Use	TMU
<i>Industrial Zones</i>	
<u>Industrial</u>	<u>IND</u>
Industrial Park	I-P
Light Industrial	I-L
Heavy Industrial	I-H

Consolidated zones so that there is only one commercial zone, one industrial zone, and three mixed-use zones. This change reduces unnecessary complexity within the code.

Chapter 18.30
DEFINITIONS

18.30.010 List of Terms

E-

—

Ecoroof

-F-

FAA - See Wireless Communication Facility-Related Definitions

—

Food cart

Food cart pod

-I-

—

Intensification

-N-

—

Nonresidential development

Nonresidential use

Added new term: ecoroof. This term corresponds with a new development standard that requires all development to provide a solar reflectant roof or an ecoroof in order to promote climate resilience.

Added new terms: food cart and food cart pod. These terms correspond with new food cart regulations based on existing policy. See also Chapter 18.440, Temporary Uses.

Added new term: intensification. This term corresponds with new nonconforming use standards.

Added new terms: nonresidential development and nonresidential use. These terms correspond with the way development standards are applied.

-M-

Mixed-use building

Mixed-use development

-T-

Transportation-related definitions:

Active transportation facility

Active transportation network

18.30.020 Definitions

A. "A" definitions.

—

8. Adult entertainment-related definitions:

a. "Adult bookstore" - An establishment having at least 50 percent of its **characterized by** merchandise, items, books, magazines, other publications, films, or videotapes that are for sale, rent, or viewing on the premises and are distinguished or characterized by their emphasis on matters depicting the specified sexual activities or specified anatomical areas defined in this section.

E. "E" definitions.

—

3. "Ecoroof" – A thin vegetated roof system, sometimes designed to manage stormwater, built with the following layers starting at the bottom: waterproof membrane, drainage material, a lightweight layer of soil, and a cover of plants.

34. "Egress" - An exit.

45. "Enlargement" - An increase in size or scale of an existing structure or use, affecting the physical size of the property, structure, building, parking, or other improvements. **Any physical expansion of an existing structure, construction**

Added new terms: mixed-use building and mixed-use development. These allow for greater clarity regarding standards for new types of development.

Added new terms: Active transportation facility and active transportation network.

Removed reference to ratio of a business that caters to adult entertainment uses, for clarity in applying use standards.

Ecoroof definition provides clarity in new standards requiring development to provide solar reflectant roofs or ecoroofs.

Edited enlargement definition to more clearly describe a physical expansion of a site or structure associated with a use. Contrasted with the

of a new structure, or purchase or lease of an existing structure on the same site or an adjacent lot. Enlargement also includes any increase to the size of the site through processes such as the purchase or lease of adjacent lots, lot line adjustments, or lot consolidations. Enlargement may or may not result in intensification of the use. Also see “intensification.”

56. “Entrance” - The space comprising a door and any flanking or transom windows associated with a building or structure.

67. “Exception” - Permission to depart from a specific design or development standard in the Community Development Code of the City of Tigard.

F. “F” definitions.

—

11. “Food cart” - A mobile food cart that is designed and licensed to be driven under its own power or pulled by another vehicle. A food cart is not a building as long as its wheels remain attached and operational.

12. “Food cart pod” - Four or more mobile food carts on the same site.

~~40~~13. “Frontage” - That portion of a development site that abuts a public or private street.

H. “H” definitions.

1. “Home occupation” - A for-profit business operating **located** in or on the same lot as a dwelling unit **and operated by a resident of that dwelling unit** in a residential, commercial, or industrial zone.

I. “I” definitions.

—

5. “Intensification” – Any operational expansion of an existing use that has more than minimal impacts on surrounding properties, sensitive lands, or public facilities. Intensification may or may not include physical enlargement. Also see “enlargement.”

M. “M” definitions.

—

~~5.~~ “Mixed-use development” - The development of a lot, building, or structure with a variety of complementary and integrated uses, such as, but not limited to,

new definition for intensification, which describes the expansion of the use itself.

New food cart definitions distinguish between single food carts and a grouping of four or more food carts. This allows smaller number of food carts to operate more widely throughout the city by obtaining a temporary use permit, while food cart pods are allowed only where eating and drinking establishments are allowed.

Edited home occupation definition for greater clarity (existing definition does not account for mixed-use development).

Intensification definition added to distinguish between the physical expansion of a site (enlargement) and the expansion of the use itself (intensification).

Edited language around mixed-use development so that the term always refers to a building that includes both residential and nonresidential uses.

residential, office, manufacturing, retail, public, or entertainment, in a compact urban form.

5. “Mixed-use building” – See “mixed-use development.”

6. “Mixed-use development” - A multi-story building with a residential use on the upper stories and civic, commercial, or industrial uses on at least the first story.

N. “N” definitions.

3. “Nonresidential development” - A development that contains a civic, commercial, or industrial use and no residential uses. Also see “mixed-use development.”

4. “Nonresidential use” - A civic, commercial, or industrial use as provided in Chapter 18.60.

P. “P” definitions.

—

6. “Partition” - Division of a unit of land into two or three lots or tracts within a calendar year when such area of land exists as a unit or contiguous units of land under common ownership. Partitioning land does not include:

T. “T” definitions.

***5. Transportation-related definitions:

a. “Active transportation facility” - A transportation facility that is designed to accommodate pedestrians, bicyclists, or transit users and not located within or across a typical street cross section, such as a sidewalk, bicycle lane, or crosswalk. Typical active transportation facilities include public sidewalks, trails, paths, and other related improvements such as transit stations, mid-block street crossings, enhanced street crossings, and end-of-trip accessory facilities such as bicycle parking.

b. “Active transportation network” – A series of connected active transportation facilities for travel to, from, and within the city and large development sites. The active transportation network is inclusive of established transit routes since most transit users start and end their trips as pedestrians.

Using the term this way makes for much simpler and clearer use and development standards.

The new nonresidential development definition allows for better distinguishing between nonresidential, mixed-use, and residential development.

Edited partition definition for clearer application of the code.

New definitions for active transportation facility and active transportation network allow for simpler references to facilities and systems focused on non-auto-oriented travel modes.

ac. “Alley” - A minor way that is used primarily for vehicular service access to the back or side of properties otherwise abutting on a street.

bd. “Bike lane” - Lanes on an improved street that are designated for use by bicyclists and separated from vehicular traffic either by striping or small concrete barrier.

ee. “Bikeway” - A path, paved and separated from streets and sidewalks, designed to be used by cyclists.

ef. “Path” - A paved off-street transportation facility for pedestrians and bicyclists that provides connections within, through, or between developments within a single block or for short distances.

eg. “Right-of-way” - A strip of land occupied or intended to be occupied by a street, crosswalk, pedestrian and bike paths, railroad, road, electric transmission line, oil or gas pipeline, water main, sanitary or storm sewer main, street trees or other special use. The usage of the term right-of-way for land division purposes means that every right-of-way hereafter established and shown on a plat or map is to be separate and distinct from the lots adjoining such right-of-way and not included within the dimensions or areas of such lots.

fh. “Road” - See “Street.”

gi. “Sidewalk” - A paved on-street transportation facility for pedestrians.

hj. “Street” - A public or private accessway that is created to provide ingress or egress for vehicles to three or more lots, excluding a private way that is created to provide ingress or egress to such land in conjunction with the use of such land for forestry, mining, or agricultural purposes. **Interstate 5 and Highway 217 are not considered streets.** Also see “right-of-way.”

ik. “Trail” - A paved off-street transportation facility for pedestrians and bicyclists that spans multiple developments, lots, or blocks. They are often located next to other linear corridors such as streams, highways, or rail lines and allow users to travel greater distances than paths.

Chapter 18.110 RESIDENTIAL ZONES

18.110.030 Land Use Standards

A. General provisions. A list of allowed, restricted, conditional, and prohibited uses in residential zones is provided in Table 18.110.2. If a use category is not listed, see Section [18.60.030](#).

Clarification in street definition allows for easier application of the code.

1. Allowed (A). Uses that are allowed, subject to all of the applicable provisions of this title.
2. Restricted (R). Uses that are **subject to the special requirements, exceptions, or restrictions provided in Subsection 18.110.030.B.** allowed provided they are in compliance with special requirements, exceptions, or restrictions.
3. Conditional (C). Uses that require the approval of the Hearings Officer using discretionary criteria. The approval process and criteria are provided in Chapter [18.740](#), Conditional Use.
4. Prohibited (P). Uses that are not allowed under any circumstance.

Table 18.110.2 Use Table					
Use Categories	RES-A	RES-B	RES-C	RES-D	RES-E
Residential Use Category					
Residential Use	A	A	A	A	A
Civic Use Categories					
Basic <u>Utility</u> Utilities [1]	<u>R/C</u>	<u>R/C</u>	<u>R/C</u>	<u>R/C</u>	<u>R/C</u>
<u>Cemetery</u>	<u>P</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>
<u>Detention Facility</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Colleges	C	C	C	C	C
Community Services	C	C	C	C	C
Cultural Institutions	P	C	C	C	P
Day Care [2]	<u>A/G</u>	<u>A/G</u>	<u>A/G</u>	<u>A/G</u>	<u>A/G</u>
Emergency Services	C	C	C	P	P
<u>Government Services</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Railroad Yard</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
<u>School or Religious Facility</u>	<u>R/C</u>	<u>R/C</u>	<u>R/C</u>	<u>R/C</u>	<u>R/C</u>
Medical Centers	P	C	C	C	C
Postal Service	P	P	P	P	P
Religious Institutions	C	C	C	C	C
Schools [3]	C	C	C	C	C
Social/Fraternal Clubs/Lodges	P	P	P	C	C
Temporary Shelter	P	P	P	C	C
<u>Transportation and Utility Corridor</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>
<u>Wireless Communications Facility</u>	<u>A/R</u>	<u>A/R</u>	<u>A/R</u>	<u>A/R</u>	<u>A/R</u>
Commercial Use Categories					
Adult Entertainment	P	P	P	P	P
Animal Related Commercial	P	P	P	P	P

Changed the way use restrictions are referred to so that footnotes are no longer needed.

Made changes to the table to reflect the change in use category names. No actual changes to use standards has been made.

**Table 18.110.2
Use Table**

Use Categories	RES-A	RES-B	RES-C	RES-D	RES-E
Bulk Sales	P	P	P	P	P
Commercial Lodging	P	P	P	P	P
Custom Arts and Crafts	P	P	P	P	P
Eating and Drinking Establishments	P	P	P	P	P
Indoor Entertainment	P	P	P	P	P
<i>Indoor Sales and Services</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>	<i>R</i>
Major Event Entertainment [4]	<i>R/C</i>	<i>R/C</i>	<i>R/C</i>	<i>R/C</i>	<i>R/C</i>
<i>Mobility Hub</i>	<i>C</i>	<i>C</i>	<i>C</i>	<i>C</i>	<i>C</i>
<i>Motor Vehicle Fuel Sales</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>
Motor Vehicle Sales <u>and</u> /Rental	P	P	P	P	P
Motor Vehicle <i>Servicing</i> Servicing /Repair	P	P	P	P	P
Non-Accessory Parking	P	P	P	<i>R</i>	<i>R</i>
Office	P	P	P	P	P
<i>Outdoor Sales and Services</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>
Outdoor Entertainment	P	P	P	P	P
Outdoor Sales	P	P	P	P	P
Personal Services	P	P	P	P	R[6]
Repair-Oriented Retail	P	P	P	P	R[6]
Sales-Oriented Retail	P	P	P	P	R[6]
Self-Service Storage	P	P	P	P	P
Vehicle Fuel Sales	P	P	P	P	P
Industrial Use Categories					
General Industrial	P	P	P	P	P
Heavy Industrial	P	P	P	P	P
Industrial Services	P	P	P	P	P
Light Industrial	P	P	P	P	P
Railroad Yards	P	P	P	P	P
Research and Development	P	P	P	P	P
<i>Industrial and Manufacturing</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>
<i>Off-Site Services</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>P</i>
Warehouse <u>and</u> <i>Distribution</i> /Freight Movement	P	P	P	P	P
Waste-Related <i>Facility</i>	P	P	P	P	P
Wholesale and Equipment Rental	P	P	P	P	P
Other Use Categories					
Cemeteries	P	C	C	P	P
Detention Facilities	P	P	P	P	P

**Table 18.110.2
Use Table**

Use Categories	RES-A	RES-B	RES-C	RES-D	RES-E
Heliports	P	P	P	P	P
Mining	P	P	P	P	P
Transportation/Utility Corridors	C	C	C	C	C
Wireless Communication Facilities [7]	A/R	A/R	A/R	A/R	A/R

A=Allowed R=Restricted C=Conditional Use P=Prohibited

B. RES zone use restrictions.

1. Basic Utility.

a. Above-ground public and private utility facilities proposed with development and underground public and private utility facilities are allowed.

b. Standalone above-ground public and private utility facilities not proposed with development, including standalone solar arrays, are conditionally allowed.

2. School or Religious Facility.

a. This use is conditionally allowed.

b. School bus parking on public high school sites is allowed as an accessory use if located a minimum of 200 feet from the nearest property line abutting a residential use.

3. Wireless Communications Facility. See Chapter 18.450, Wireless Communication Facilities, for allowed and restricted facilities.

4. Indoor Sales and Services.

a. Family day care is allowed. Other day care uses are conditionally allowed.

b. All other Indoor Sales and Services uses are prohibited, except in the RES-E zone where they are limited to the first story of apartment developments and maximum gross square footage of 10% of the building. Developments utilizing this provision are considered residential development, not mixed-use development, for the purposes of this title.

5. Major Event Entertainment. This use is conditionally allowed on public school sites. All other major event entertainment uses are prohibited.

6. Non-Accessory Parking. Park-and-ride and other transit-related facilities are conditionally allowed. All other Non-Accessory Parking uses are prohibited.

Removed footnotes and changed to new structure that reflects the structure throughout the rest of the updated code. This change makes the code easier to read and implement but does not change the actual use standards or restrictions currently in place for residential zones.

~~[1]— Above-ground public and private utility facilities proposed with development and underground public and private utility facilities are allowed. Standalone above-ground public and private utility facilities not proposed with development are allowed conditionally.~~

~~[2]— Family day care is allowed. Other day care uses are allowed conditionally.~~

~~[3]— School bus parking on public high school sites is allowed as an accessory use if located a minimum of 200 feet from the nearest property line of a residential use.~~

~~[4]— Allowed conditionally on public school sites.~~

~~[5]— Only park and ride and other transit-related facilities are allowed conditionally.~~

~~[6]— Limited to first story of apartment developments and maximum square footage of 10% of the building. Developments utilizing this provision are considered residential development, not mixed-use development, for the purposes of this title.~~

~~[7]— See Chapter [18.450](#), Wireless Communication Facilities, for requirements.~~

BC. Development standards. The standards for residential development in residential zones are located in the applicable housing type chapter in 18.200 Residential Development Standards. The standards for nonresidential development in residential zones are located in Chapter [18.350](#), Residential Zone Development Standards, and the applicable plan district chapter, if any.

18.110.040 Housing Types

A. A housing type is not a use category. It describes a type of development that can contain a Residential Use.

B. A list of allowed, limited, and prohibited housing types in residential zones is provided in Table 18.110.3. Terms and abbreviations used are defined as follows:

1. Yes, allowed (Y). Housing types that are allowed.
2. Limited (L). Housing types that require a conditional use approval or are allowed subject to specific limitations.
3. No, prohibited (N). Housing types that are not allowed under any circumstance.

C. Housing types that are allowed or allowed on a limited basis are subject to the standards and provisions of the applicable development standards chapter, which is indicated in parentheses in the first column of Table 18.110.3

D. All allowed housing types may be built on site or brought to the site as a manufactured home.

C. All housing types are subject to the standards and provisions of the applicable development standards chapter or applicable plan district chapter, if any. The applicable chapter for each housing type is provided in Table 18.110.3.

D. All allowed housing types may be built on site or manufactured off site.

Table 18.110.3						
Housing Types						
Housing Types	Applicable Chapter	RES-A	RES-B	RES-C	RES-D	RES-E
Accessory Dwelling Units (18.220)	<u>18.220</u>	Y	Y	Y	Y	N
Apartments (18.230)	<u>18.230</u>	N	N	N	Y	Y
Cottage Clusters (18.240)	<u>18.240</u>	Y	Y	Y	Y	N
Courtyard Units (18.250)	<u>18.250</u>	Y	Y	Y	Y	N
Mobile Home Parks (18.260)	<u>18.260</u>	N	L[1]	Y	Y	Y
Quads (18.270)	<u>18.270</u>	Y	Y	Y	Y	N
Rowhouses (18.280)	<u>18.280</u>	L[2]	L[2]	L[2]	Y	Y
Small Form Residential (18.290)	<u>18.290</u>	Y	Y	Y	Y	N
Mixed-Use Development	<u>NA</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>

Y=Yes, Allowed L=Limited, see footnotes N=No, Prohibited

**Chapter 18.140
PARKS AND RECREATION ZONE**

18.140.040 Land Use Standards

A. General provisions. A list of allowed, restricted, conditional, and prohibited uses in the PR zone is provided in Table 18.140.1. If a use category is not listed, see Section [18.60.030](#).

1. Allowed (A). Uses that are allowed, subject to all of the applicable provisions of this title.

Wording associated with housing types has been edited for clarity.

Added new mixed-use development housing type as reflected elsewhere in the code.

2. Restricted (R). **Uses that are subject to special requirements, exceptions, or restrictions as provided in Subsection 18.140.030.B.**

2. Conditional (C). Uses that require the approval of the Hearings Officer using discretionary criteria. The approval process and criteria are provided in Chapter [18.740](#), Conditional Uses.

3. Prohibited (P). Uses that are not allowed under any circumstance.

Table 18.140.1	
Parks and Recreation Zone Use Standards	
Use Categories	Use Type <u>PR</u>
Residential Use Category	
Residential Use	P
Civic /Institutional Use Categories	
Basic <u>Utility</u> Utilities	<u>R/C</u> [1]
<u>Cemetery</u>	<u>P</u>
<u>Detention Facility</u>	<u>P</u>
Colleges	P
Community Service	A/C [2]
Cultural Institutions	C
Day Care	P
Emergency Services	P
<u>Government Services</u>	<u>C</u>
<u>Railroad Yard</u>	<u>P</u>
<u>School or Religious Facility</u>	<u>P</u>
Medical Centers	P
Postal Service	P
Religious Institutions	P
Schools	C [3][4]
Social/Fraternal Clubs/Lodges	P
Temporary Shelter	P
<u>Transportation and Utility Corridor</u>	<u>R</u>
<u>Wireless Communications Facility</u>	<u>R</u>
Commercial Use Categories	
Adult Entertainment	P
Animal-Related Commercial	P

Table 18.140.1

Parks and Recreation Zone Use Standards

Use Categories	Use Type <i>PR</i>
Bulk Sales	P
Commercial Lodging	P
Custom Arts and Crafts	P
Eating and Drinking Establishments	C [4]
Indoor Entertainment	P
<u>Indoor Sales and Services</u>	<u>R</u>
Major Event Entertainment	C
<u>Mobility Hub</u>	<u>C</u>
<u>Motor Vehicle Fuel Sales</u>	<u>P</u>
Motor Vehicle Sales <u>and</u> #Rental	P
Motor Vehicle Servicing <u>and</u> #Repair	P
Non-Accessory Parking	P
Office	<u>R-C</u> [4]
<u>Outdoor Sales and Services</u>	<u>R</u>
Outdoor Entertainment	C
Outdoor Sales	C [4]
Personal Services	P
Repair-Oriented Retail	P
Sales-Oriented Retail	C [4]
Self-Service Storage	P
Vehicle Fuel Sales	P
Industrial Use Categories	
General Industrial	P
Heavy Industrial	P
Industrial Services	P
Light Industrial	P
Railroad Yards	P
Research and Development	P
<u>Industrial and Manufacturing</u>	<u>P</u>
<u>Off-Site Services</u>	<u>P</u>
Warehouse <u>and Distribution</u> #Freight Movement	P
Waste-Related <u>Facility</u>	P
Wholesale and Equipment Rental	P
Other Use Categories	

Table 18.140.1

Parks and Recreation Zone Use Standards

Use Categories	Use Type <i>PR</i>
Gcemeteries	P
Detention Facilities	P
Heliports	P
Mining	P
Transportation/Utility Corridors	C [5]
Wireless Communication Facilities	A/C [6]

A=Allowed C=Conditional Use P=Prohibited

[1]— ~~Above-ground public and private utility facilities proposed with development and underground public and private utility facilities are allowed. Standalone above-ground public and private utility facilities not proposed with development are allowed conditionally.~~

[2]— ~~See Subsections 18.140.040.B and C for use type determination.~~

[3]— ~~Restricted to activities and facilities focused on environmental education.~~

[4]— ~~Allowed only when accessory to a Community Service use.~~

[5]— ~~Multi-use trails are allowed, all other uses are conditional.~~

[6]— ~~See Chapter [18.450](#), Wireless Communication Facilities, for requirements.~~

B. *PR zone use restrictions:*

1. *Basic Utility.*

a. *Above-ground public and private utility facilities proposed with development and underground public and private utility facilities are allowed.*

b. *Standalone above-ground public and private utility facilities not proposed with development, including standalone solar arrays, are conditionally allowed.*

2. *Transportation and Utility Corridor. Active transportation facilities are allowed, all other uses are conditionally allowed.*

3. Wireless Communications Facility. See Chapter 18.450, Wireless Communication Facilities, for allowed and restricted facilities.

4. Indoor Sales and Services. This use is allowed only when accessory to a Government Services use.

5. Office. This use is allowed only when accessory to a Government Services use.

6. Outdoor Sales and Services. This use is allowed only when accessory to a Government Services use.

CB. Allowed development. When associated with a **Government Services** Community Service use, the following types of development are allowed provided it complies with the development standards and other regulations of this title. Site development review is not required for the types of development listed below. All other applicable land use reviews apply.

DC. Development subject to conditional use review. The following types of development are allowed subject to conditional use permit approval, as provided in Chapter 18.740, Conditional Uses.

Chapter 18.210

RESIDENTIAL GENERAL PROVISIONS

18.210.040 Solar Installations

A. Accessory solar equipment.

1. Solar panels and energy storage systems that are accessory to a primary use, such as solar roofs, solar carports, ground-mounted solar installations smaller than 528 square feet, or solar batteries are allowed.

2. Accessory solar equipment as described in Paragraph 18.210.040.A.1 is exempt from maximum height, maximum lot coverage, and minimum or maximum setback requirements as provided elsewhere in this title.

B. Basic Utility. Standalone solar panel arrays on a site without other development are considered a Basic Utility as defined in Chapter 18.60.050.

Chapter 18.270

QUADS

18.270.040 Clear and Objective Standards

Added new clarifications regarding solar installations. Part of the city's effort to achieve Solsmart gold designation.

Table 18.270.1 Development Standards for Quads			
Standard	RES-A and RES-B	RES-C and RES-D	MUR-MUR-1 and MUR-2
Minimum Setbacks (ft)			
- Front	15	10	None
- Street side	15	10	None
- Side	5	5	5
- Rear	15	15	15
Maximum Setbacks (ft)			
- Front	20	15	10
- Street side	20	15	10
Maximum Height (ft)	30	35	35
Maximum Lot Coverage	80%	80%	80%
Minimum Landscape Area	20%	20%	20%

E. Parking. The provisions and standards of Chapter [18.410](#), Off-Street Parking and Loading, apply. The following additional standards also apply:

1. Number of spaces. The maximum number of allowed off-street vehicle parking spaces is provided in Table 18.270.2.

Table 18.270.2 Quad Vehicle Parking Maximums by Zone				
	RES-A and RES-B	RES-C	RES-D	MUR MUR-1 and MUR-2
Maximum off-street vehicle parking spaces	5	4	4	4

Chapter 18.280 ROWHOUSES

18.280.020 Applicability

A. The standards of this chapter apply to rowhouse development in the RES-A, RES-B, RES-C, RES-D, RES-E, MUC, and MUR ~~MUR-1, and MUR-2~~ zones. Additional standards apply in the River Terrace Plan District, as provided in Chapter [18.640](#), River Terrace Plan District. An applicant may elect to apply the standards of Chapter [18.230](#),

Apartments, when proposing rowhouse development in base zones where apartment development is allowed.

B. Rowhouse development in the MUC-1 zone **Bridgeport Village Plan District** is subject to the standards of Chapter [18.620](#), Bridgeport Village Plan District.

C. This chapter does not apply to rowhouse development in the MU-CBD and TMU zones. Rowhouse development in these zones is subject to the approval processes and standards of Chapter [18.650](#), Tigard Downtown Plan District, and Chapter [18.660](#), Tigard Triangle Plan District, respectively.

Chapter 18.310

NONRESIDENTIAL GENERAL PROVISIONS

18.310.040 Solar Installations

A. Accessory solar equipment.

1. Solar panels and energy storage systems that are accessory to a primary use, such as solar roofs, solar carports, ground-mounted solar installations smaller than 528 square feet, or solar batteries are allowed.

2. Accessory solar equipment as described in Paragraph 18.310.040.A.1 is exempt from maximum height, maximum lot coverage, and minimum or maximum setback requirements as provided elsewhere in this title.

B. Basic Utility. Standalone solar panel arrays on a site without other development are considered a Basic Utility as defined in Chapter 18.60.050.

Chapter 18.350

RESIDENTIAL ZONE DEVELOPMENT STANDARDS

18.350.050 Design Standards

D. Materials.

1. The following materials are prohibited as exterior finish materials:
 - a. Vinyl PVC siding,
 - b. T-111 plywood,
 - c. Exterior insulation finishing (EIFS),
 - d. Corrugated metal,

- e. Plain concrete or concrete block,
- f. Spandrel glass, or
- g. Sheet pressboard.

**Chapter 18.410
OFF-STREET PARKING AND LOADING**

18.410.060 Vehicle and Bicycle Parking Quantity Standards

Table 18.410.3 Vehicle and Bicycle Parking Quantity Standards		
Use Category	Vehicle Maximum	Bicycle Minimum
Residential Use Category		
Residential Use	See applicable housing type development standards chapter in 18.200. The residential component of a mixed use development must use the parking requirements for apartments.	
Civic/Institutional Use Categories		
Basic Utilities	None	None
Colleges	1.0/3.3 students/staff	1.0/3.0 students/staff
Community Services	2.5/1,000	0.3/1,000
Cultural Institutions	3.5/1,000	1.0/1,000
Day Care	Home: None Commercial: 2.7/1,000	Home: None Commercial: 1.5/classroom
Emergency Services	3.5/1,000	0.5/1,000
Medical Centers	2.7/1,000	0.2/1,000
Postal Services	3.0/1,000	0.3/1,000
Religious Institutions	1.0/1.7 seats in main assembly area	1.0/20 seats in main assembly area
Schools	Preschool: 7.0 +1.0/classroom Elementary/JR:	Preschool: 1.0/classroom Elementary/JR:

Edited parking table to reflect new use category names. No other changes to parking maximums have been made.

**Table 18.410.3
Vehicle and Bicycle Parking Quantity Standards**

Use Category	Vehicle Maximum	Bicycle Minimum
	2.5/classroom SR: 1.0/3.3 students/staff	6.0/classroom SR: 6.0/classroom
Social/Fraternal Clubs/Lodges	12.0/1,000 main assembly area	2.0/1,000 main assembly area
Temporary Shelter	None	1.0/5 beds
Commercial Use Categories		
Adult Entertainment	3.5/1,000 1.0/1.25 seats	0.5/1,000 1.0/20 seats
Animal-Related Commercial	4.0/1,000	0.3/1,000
Bulk Sales	1.3/1,000	0.3/1,000
Commercial Lodging	1.2/room	1.0/10 rooms
Custom Arts and Crafts	5.0/1,000	0.3/1,000
Eating and Drinking Establishments [1]	Fast food: 12.4/1,000 Other: 19.1/1,000	All: 1.0/1,000
Indoor Entertainment	5.4/1,000 Theater: 1.0/2.5 seats	0.5/1,000 Theater: 1.0/10 seats
Major Event Entertainment	1.0/2.5 seats or 1.0/5 ft of bench	1.0/10 seats or 40 ft of bench
Motor Vehicle Sales/Rental	1.3/1,000 but no less than 4	0.2/1,000 sales area
Motor Vehicle Servicing/Repair	2.3/1,000 but no less than 4	0.2/1,000
Non-Accessory Parking	None	None
Office	Non-medical: 3.4/1,000 Medical: 4.9/1,000	Non-medical: 0.5/1,000 Medical: 0.4/1,000
Outdoor Entertainment	4.5/1,000	0.4/1,000
Outdoor Sales	1.3/1,000 sales area	0.1/1,000 sales area
Personal Services	3.0/1,000	All: 1.0/1,000

**Table 18.410.3
Vehicle and Bicycle Parking Quantity Standards**

Use Category	Vehicle Maximum	Bicycle Minimum
	Bank with drive-through: 5.0/1,000	
Repair-Oriented Retail	4.0/1,000	0.3/1,000
Sales-Oriented Retail	5.0/1,000	0.3/1,000
Self-Service Storage	1.0/4 storage units	1.0/40 storage units
Vehicle Fuel Sales	4.0 + 2.0/service bay	0.2/1,000
Industrial Use Categories		
General Industrial	None	0.1/1,000
Heavy Industrial	None	0.1/1,000
Industrial Services	1.2/1,000	0.1/1,000
Light Industrial	None	0.1/1,000
Railroad Yards	None	None
Research and Development	3.0/1,000	0.5/1,000
Warehouse/Freight Movement	<150,000 sq ft: 0.8/1,000 >150,000 sq ft: 0.4/1,000	All: 0.1/1,000
Waste-Related	7.0	None
Wholesale Sales	1.2/1,000	0.1/1,000
Other Use Categories		
Agriculture/Horticulture	None	None
Cemeteries	None	None
Detention Facilities	None	1.0/2.5 beds
Heliports	None	None
Mining	None	None
Transportation/Utility Corridors	None	None
Wireless Communication Facilities	None	None

**Table 18.410.3
Vehicle and Bicycle Parking Quantity Standards**

Parking space standards are calculated using the floor area for each use in a development unless otherwise stated.

<u>Use Category</u>	<u>Vehicle Maximum</u>	<u>Bicycle Minimum</u>
<u>Residential Use</u>	<u>See applicable housing type development standards chapter in 18.200. The residential</u>	

	<u>component of a mixed-use development must use the parking requirements for apartments.</u>	
<u>Basic Utility</u>	<u>None</u>	<u>None</u>
<u>Cemeteries</u>	<u>None</u>	<u>None</u>
<u>Detention Facilities</u>	<u>None</u>	<u>1.0/2.5 beds</u>
<u>Government Services</u>	<u>3.4/1,000</u>	<u>0.5/1,000</u>
<u>Railroad Yard</u>	<u>None</u>	<u>None</u>
<u>School or Religious Facility</u>		
<u>- Schools</u>	<u>Preschool:</u> <u>7.0 +1.0/classroom</u> <u>Elementary/JR:</u> <u>2.5/classroom</u> <u>SR:</u> <u>1.0/3.3 students/staff</u>	<u>Preschool:</u> <u>1.0/classroom</u> <u>Elementary/JR:</u> <u>6.0/classroom</u> <u>SR:</u> <u>6.0/classroom</u>
<u>- Religious Institutions Facility</u>	<u>1.0/1.7 seats in main assembly area</u>	<u>1.0/20 seats in main assembly area</u>
<u>Temporary Shelter</u>	<u>None</u>	<u>1.0/5 beds</u>
<u>Transportation and Utility Corridor</u>	<u>None</u>	<u>None</u>
<u>Wireless Communications Facility</u>	<u>None</u>	<u>None</u>
<u>Adult Entertainment</u>	<u>3.5/1,000</u> <u>1.0/1.25 seats</u>	<u>0.5/1,000</u> <u>1.0/20 seats</u>
<u>Commercial Lodging</u>	<u>1.2/room</u>	<u>1.0/10 rooms</u>
<u>Indoor Sales and Services</u>		
<u>- Sales and Repair-Oriented</u>	<u>5.0/1,000</u>	<u>0.3/1,000</u>

<u>- Personal Services-Oriented</u>	<u>3.0/1,000</u>	<u>1.0/1,000</u>
<u>-- Bank with Drive Through</u>	<u>5.0/1,000</u>	<u>1.0/1,000</u>
<u>--Colleges</u>	<u>1.0/3.3 students/staff</u>	<u>1.0/3.3 students/staff</u>
<u>-- Daycare</u>	<u>Home: None</u> <u>Commercial: 2.7/1,000</u>	<u>Home: None</u> <u>Commercial: 1.5/classroom</u>
<u>- Entertainment-Oriented</u>	<u>5.4/1,000</u>	<u>0.5/1,000</u>
<u>-- Eating and Drinking</u>	<u>Fast food: 12.4/1,000</u> <u>Other: 19.1/1,000</u>	<u>All: 1.0/1,000</u>
<u>-- Movie Theater</u>	<u>1.0/2.5 seats</u>	<u>1.0/10 seats</u>
<u>Major Event Entertainment</u>	<u>1.0/2.5 seats or 1.0/5 ft of bench</u>	<u>1.0/10 seats or 40 ft of bench</u>
<u>Mobility Hub</u>	<u>4.0 + 2.0/service bay</u>	<u>0.2/1,000</u>
<u>Motor Vehicle Fuel Sales</u>	<u>4.0 + 2.0/service bay</u>	<u>0.2/1,000</u>
<u>Motor Vehicle Sales and Rental</u>	<u>1.3/1,000 but no less than 4</u>	<u>0.2/1,000 sales area</u>
<u>Motor Vehicle Servicing</u>	<u>2.3/1,000 but no less than 4</u>	<u>0.2/1,000</u>
<u>Non-Accessory Parking</u>	<u>None</u>	<u>None</u>
<u>Office</u>	<u>Non-medical: 3.4/1,000</u> <u>Medical: 4.9/1,000</u>	<u>Non-medical: 0.5/1,000</u> <u>Medical: 0.4/1,000</u>
<u>Outdoor Sales and Services</u>		
<u>- Outdoor Sales, Personal Services, and Repair-Oriented</u>	<u>1.3/1,000 sales area</u>	<u>0.1/1,000 sales area</u>

<u>- Outdoor Entertainment-Oriented</u>	<u>4.5/1,000</u>	<u>0.4/1,000</u>
<u>Self-Service Storage</u>	<u>1.0/4 storage units</u>	<u>1.0/40 storage units</u>
<u>Industrial and Manufacturing</u>	<u>None</u>	<u>0.1/1,000</u>
<u>Off-Site Services</u>	<u>1.2/1,000</u>	<u>0.1/1,000</u>
<u>Warehouse and Distribution</u>	<u><150,000 sq ft: 0.8/1,000</u> <u>>150,000 sq ft: 0.4/1,000</u>	<u>All: 0.1/1,000</u>
<u>Waste-Related Facility</u>	<u>7.0</u>	<u>None</u>
<u>Wholesale and Equipment Rental</u>	<u>1.2/1,000</u>	<u>0.1/1,000</u>

**Chapter 18.435
SIGNS**

18.435.090 Special Condition Signs

C. Electronic information signs.

1. Electronic information signs are allowed only in the C-GCOM, MUC, TMU, and MU-CBD zones, and at schools that front an arterial street provided the sign is a minimum of 200 feet from an abutting residential use and is oriented to the arterial street.

D. Freestanding freeway-oriented signs.

1. For signs requiring a permit under the Oregon Motorist Information Act, the city will provide the applicant the affidavits required under the provisions of ORS 377.723 only after a local sign permit has been approved.

2. Freeway-oriented signs are allowed only in the C-GCOM, MUE, TMU, and IND IP, IL and IH zones.

18.435.130 Base Zone Regulations

Changes to the sign code have been made in order to reflect changes to zones. Sign code should continue to apply generally the same as it does today.

B. ~~C-G and MUE zones.~~ **COM zone.** Signs other than the following are prohibited in the ~~C-G and MUE zones~~ **COM zone**:

C. ~~C-P~~ **MUE zone.** Signs other than the following are prohibited in the ~~C-P~~ **MUE** zone:

D. ~~C-N and C-C zones.~~ Signs other than the following are prohibited in the ~~C-N and C-C~~ zones:

1. ~~Freestanding signs are allowed, subject to the following limitations and conditions:~~

a. ~~One multi-faced freestanding sign is allowed per premises;~~

b. ~~A reader board assembly may be an integral part of the freestanding sign;~~

c. ~~The maximum square footage of freestanding signs is 32 square feet per face or a total of 64 square feet for all sign faces. Freestanding signs may not extend over a property line into the public right-of-way;~~

d. ~~The sign area may be increased one square foot for each lineal foot the sign is moved back from the front property line to which the sign is adjacent. If the street is curbed and paved the measurement is taken from a point that is 15 feet from the pavement. This increase in sign area is limited to a maximum of 52 square feet per face or a total of 104 square feet for all faces, and~~

e. ~~The maximum height of freestanding signs located next to the public right-of-way is 20 feet. Height may be increased 1 foot for each 10 feet of setback from the property line or a point 15 feet from the edge of pavement, whichever is less, to a maximum of 22 feet in height;~~

2. ~~Wall signs are allowed, subject to the following limitations and conditions:~~

a. ~~Wall signs, including illuminated reader board signs, may be erected or maintained up to a maximum gross area of 10 percent of any building face on which the sign is to be mounted;~~

b. ~~Wall signs must be parallel to the face of the building upon which the sign is located, and~~

c. ~~If it is determined through the site development review process that the wall sign's visual appeal and overall design quality would be served, an additional 50 percent of the sign area may be allowed. No copy is allowed in~~

the additional area. For purposes of this subsection, “copy” includes symbols, logos, and letters;

3. Directional signs on private property designed solely to identify driveway entrances and exits for motorists on adjoining public streets are allowed. One sign with an area of 4 square feet per face is allowed per driveway. Each sign must comply with Chapter [18.930](#), Vision Clearance Areas;

4. Temporary signs in compliance with Sections [18.435.090](#) and [18.435.100](#) are allowed;

5. Lawn signs in compliance with Paragraphs 18.435.060.A.6 and B.2 are allowed;

6. Special condition signs in compliance with Section [18.435.090](#) are allowed; and

7. Awning signs, flush pitched “roof” signs, and painted wall signs are allowed.

ED. Industrial zones. Signs other than the following are prohibited in the **IND zone**: I-P, I-L, or I-H zones:

FE. Additional requirements in **the COM, MUE, and IND** commercial and industrial zones other than the MU-CBD and TMU zones. If it is determined through the site development review process that a sign’s visual appeal and overall design quality would be served while maintaining the intent and purpose of this chapter, an additional 50 percent of the allowable sign area and 25 percent of sign height may be allowed. No copy is allowed in the additional area or height. For purposes of this subsection the word “copy” includes symbols, logos and figures, as well as letters.

6. Shopping centers in the **C-G COM** zone are entitled to freestanding signage according to the following optional standards:

GF. MU-CBD, and TMU, **MUC, and MUR** zones. The following signs are allowed in the TMU, **MUC, MUR,** zones and the MU-CBD zone, except that MU-CBD zoned properties located west of Fanno Creek within the Fanno-Burnham Subarea of the Tigard Downtown Plan District are subject to the residential zone sign standards in Subsection 18.435.130.A and MU-CBD zoned properties north of Pacific Highway or with frontage on Pacific Highway or Hall Boulevard are subject to the **C-G COM** zone sign standards in Subsection 18.435.130.B.

HG. Mixed-use zones except MU-CBD and TMU zones **Bridgeport Village Plan District Standards**. Sign standards for the **Bridgeport Village Plan District are located** MUE 1, MUE 2, MUC, MUC 1, and MUR zones are located in their respective plan districts in Chapter [18.620](#), Bridgeport Village Plan District, and Chapter [18.670](#), Washington Square Regional Center Plan District.

Chapter 18.450
WIRELESS COMMUNICATION FACILITIES

18.450.030 Uses Allowed

D. Towers in the **IND zone** ~~I-L and I-H zones~~. Locating a tower of any height, including antennas, other supporting equipment, and accessory equipment shelters, is allowed in the **IND zone** ~~I-L and I-H zones~~, provided that such a tower is set back from any existing off-site residence by a distance equal to the height of the tower. Any accessory equipment shelter must comply with the development standards of the applicable development standards in Chapter [18.200](#) Residential Development Standards or 18.300 Nonresidential Development Standards. Towers in the right-of-way are subject to either the small cell standards of Subsection 18.450.030.E or the site development review process of Section [18.450.040](#).

18.450.040 Uses Allowed Subject to Site Development Review

A. Uses allowed. The following uses are subject to approval through a site development review as provided in Chapter [18.780](#), Site Development Review, using the standards of Subsection 18.450.040.B as approval criteria:

1. Towers in commercial zones ~~and the I-P zone~~. A tower, including antennas, other support equipment, or accessory equipment shelters, in any commercial ~~or I-P zone~~, provided that such a tower is set back from any existing off-site residence by a distance equal to the height of the tower.

18.450.050 Uses Allowed Subject to Conditional Use Review

A. Uses allowed. The following uses are subject to approval through a conditional use review, as provided in Chapter [18.740](#), Conditional Uses, using the standards in Subsection 18.450.050.B as approval criteria:

3. Towers in excess of 100 feet for a single user and 125 feet for multiple users except those located in the **IND zone** ~~I-L and I-H zones~~, which are allowed as provided in Subsection 18.450.030.D.

18.450.060 Collocation Protocol

C. Pre-application requirement. A pre-application conference is required for all proposed freestanding towers except those in the **IND zone** ~~I-L and I-H zones~~, which are allowed.

Chapter 18.520
SIGNIFICANT TREE GROVES

18.520.060 Flexible Standards

Changes to the wireless code have been made to reflect changes to zones.

Changes reflect changes to zones.

C. Commercial development. Adjustments to commercial development standards in Table 18.320.1 of up to 50% reduction in minimum setbacks and up to 20 feet additional building height are allowed provided that:

1. At least 50% of a significant tree grove's canopy within a development site is preserved;
2. The project arborist or landscape architect certifies the preservation is such that the connectivity and viability of the remaining significant tree grove is maximized while balancing the significant tree grove preservation considerations in the Urban Forestry Manual;
3. Applicable screening standards in Section [18.420.050](#) are met; **and**
4. ~~Maximum floor area ratio is not exceeded in the MUE zone as provided in Table 18.320.1; and~~
- 54.** Any setback reduction is not adjacent to a residential zone.

E. Residential development. The requirement for 15% effective tree canopy cover per lot or tract in the R-1, R-2, R-3.5, R-4.5, and R-7 **RES-A, RES-B, and RES-C** zones is not required provided that:

Chapter 18.620

BRIDGEPORT VILLAGE PLAN DISTRICT

18.620.010 Purpose

The purpose of this chapter is to recognize and accommodate the changing commercial and residential marketplace by allowing commercial and residential mixed uses in the approximately 7-acre portion of the Bridgeport Village site that is within the City of Tigard **as shown on Map 18.620.A.** ~~in the Mixed-Use Commercial (MUC-1) zone.~~ Retail, office, business services, and personal services are emphasized, but residential uses are also allowed. ~~A second purpose is to recognize that when developed under certain regulations, commercial and residential uses may be compatible in the MUC-1 zone.~~

18.620.020 Applicability

B. Conflicting standards. **The Bridgeport Village Plan District is zoned Mixed-Use Commercial (MUC).** In addition to other applicable standards of this title, the following standards apply to all development located within the Bridgeport Village Plan District ~~within the MUC-1 zone.~~ The standards and requirements in this chapter govern in the event of a conflict.

Changes reflect elimination of the MUC-1 zone. No impact to regulations.

18.620.030 Uses

Allowed, restricted, conditional, and prohibited uses within the MUC MUC-4 zone are provided in Table 18.120.1.

18.620.040 Development Standards

A. Compliance. Development must comply with the following applicable development standards, except where adjustments are granted in compliance with the intergovernmental agreement between Tigard and Tualatin.

B. Development standards.

18.620.050 Signs

Signs. In addition to the requirements of Chapter [18.435](#), Signs, the following standards must be met:

A. Residential-only developments ~~within the MUC-1 zone~~ must meet the sign requirements for the residential zones, Subsection 18.435.130.A; nonresidential development ~~within the MUC-1 zone~~ must meet the requirements of the ~~C-P~~ MUC zone, Subsection 18.435.130.C. Sign area increases are prohibited.

B. The maximum height limit for all signs except wall signs is 10 feet. Wall signs are not allowed to extend above the roof line of the wall on which the signs are located. Height increases are not allowed.

C. Freestanding signs are prohibited within the required S-4 screening.

Chapter 18.630

DURHAM ADVANCED WASTEWATER TREATMENT FACILITY PLAN DISTRICT

18.630.030 Uses

General Provisions. A list of allowed, restricted, conditional, and prohibited uses in each subdistrict is provided in Table 18.630.1. The use categories in Chapter [18.60](#), Use Categories, that are not listed in Table 18.630.1, are not allowed within the plan district. Unanticipated or omitted uses are subject to the provisions of Section [18.60.030](#).

A. Allowed (A). Uses that are allowed subject to all of the applicable provisions of this title.

B. Restricted (R). Uses that are subject to allowed provided they are in compliance with special requirements, exceptions, or restrictions provided in Subsection 18.630.030.E.

Changes reflect changes to zone names, use category names, and structural changes throughout. No impact to regulations.

C. Conditional (C). Uses that require the approval of Hearings Officer using discretionary criteria. The approval process and criteria are as provided in Chapter [18.740](#), Conditional Uses.

D. Prohibited (P). Uses that are not allowed under any circumstance.

Table 18.630.1			
Use Table			
Use Category	Subdistricts		
	Administrative Subdistrict	Operations Subdistrict	Floodplain Subdistrict
Waste-Related <u>Facility</u>	P	A	P
Office	A	A	P
Basic Utilities <u>y</u>	A	A	A
Transportation <u>and</u> Utility Corridors	A	A	A
Industrial <u>Off-Site</u> Services	R/C ^[1]	A	P
General Industrial <u>Industrial and Manufacturing</u>	P	R ^[2]	P
Community Services	A	A	A
Wireless Communication Facilities	A	A	A

A=Allowed R=Restricted C=Conditional Use P=Prohibited

[1] ~~Restricted to support facilities that are clearly accessory to and support the wastewater treatment facility and conducted entirely indoors with the exception of parking. Support facilities are allowed conditionally within the administrative subdistrict.~~

[2] ~~Restricted to industrial uses that are clearly accessory to the wastewater treatment facility and utilizing raw materials recovered, diverted, or produced by the collection and treatment of wastewater.~~

E. Plan district use restrictions.

1. Off-Site Services. This use is restricted to support facilities that are clearly accessory to and support the wastewater treatment facility and are conducted entirely indoors with the exception of parking. Support facilities are conditionally allowed within the administrative subdistrict.

2. Industrial and Manufacturing. This use is restricted to industrial uses that are clearly accessory to the wastewater treatment facility and utilizing

raw materials recovered, diverted, or produced by the collection and treatment of wastewater.

**Chapter 18.640
RIVER TERRACE PLAN DISTRICT**

18.640.050 Commercial Development Standards

Development in the C-C **MUC** zone is subject to the land use and development standards in Chapter [18.120](#), Commercial Zones, and Chapter [18.320](#), Commercial Zone Development Standards, except where an adjustment has been approved as provided by Chapter [18.715](#), Adjustments, or Subsection 18.640.660.D.

18.640.070 Planned Developments B. Housing types. In addition to Paragraph 18.770.030.I.2, all housing types may be allowed in the C-C **MUC** zone where appropriately located, designed, and scaled. Any proposed housing must meet the applicable standards of this chapter and the applicable housing type chapter in 18.200 Residential Development Standards, except as adjusted through the planned development approval process.

18.640.080 Street Design

B. Commercial collector. The following street design standards apply to the commercial collector as shown in Figure 18.640.8. These standards apply to the collector street located in the C-C **MUC** zone. The general location of the commercial collector is shown on Map 18.640.B, which is located at the end of this chapter.

**Chapter 18.650
TIGARD DOWNTOWN PLAN DISTRICT**

18.650.030 Approval Process

A. Procedures.

1. Type I site ~~downtown~~ development review. ~~Downtown development review~~ **a**Applications for development or modifications that meet the thresholds of Paragraph 18.650.030.B.1 ~~are processed through a Type I procedure~~, as provided in Section 18.710.050, using the approval criteria in Subsection 18.650.040.A.
2. Type II site ~~downtown~~ development review. ~~Downtown development review~~ **a**Applications for development or modifications that meet the thresholds of Paragraph 18.650.030.B.2 are processed through a Type II procedure, as provided in Section 18.710.060, using the approval criteria in Subsection 18.650.040.B.
3. Downtown adjustment. Downtown adjustment applications are processed concurrently with a site ~~downtown~~ development review, through a Type II

Changes reflect the elimination of the downtown development review application, which currently works more like a site development review, and opens up the DDR acronym for use by the new development design review application intended for use by WSRC.

procedure, as provided in Section [18.710.060](#), using the approval criteria in Subsection 18.650.040.C. There are two types of downtown adjustments:

- a. Adjustments to the design standards of Section [18.650.060](#), and
- b. Specific adjustments allowed by Section [18.650.080](#).

B. **Review thresholds.** If a proposed development or modification is unlisted, the Director will determine the most appropriate review type. This determination is the final local decision and will favor the review type that provides the most appropriate public notice and opportunity for public comment.

1. Type I ~~site~~downtown development review. A Type I ~~site~~downtown development review is required for the following:
2. Type II ~~site~~downtown development review. A Type II ~~site~~downtown development review is required for the following:

18.650.040 Approval Criteria

A. **Type I ~~site~~downtown development review.** The approval authority will approve or approve with conditions an application for Type I ~~site~~downtown development review when the following are met:

B. **Type II ~~site~~downtown development review.** The approval authority will approve or approve with conditions an application for Type II ~~site~~downtown development review when the following are met:

C. **Downtown adjustment.** The approval authority will approve or approve with conditions an application for a downtown adjustment when either:

1. The design adjustment will result in development that equally or better meets the purpose of the standard in Section [18.650.060](#) that is being modified, or
2. The specific adjustment is allowed by Section [18.650.080](#) and complies with the approval criteria provided for that adjustment.

18.650.050 Land Use Standards

A. General provisions. A list of allowed, restricted, conditional, and prohibited uses in the MU-CBD zone is provided in Table 18.650.1. If a use category is not listed, see Section [18.60.030](#).

1. Allowed (A). Uses that are allowed, subject to all of the applicable provisions of this title.

Changes reflect structural and naming changes throughout the code. No impact to regulations.

2. Restricted (R). Uses that are subject to special requirements, exceptions, or restrictions provided in Subsection 18.650.050.B.

2. Conditional (C). Uses that require the approval of the Hearings Officer using discretionary criteria. The approval process and criteria are provided in Chapter 18.740, Conditional Uses.

3. Prohibited (P). Uses that are not allowed under any circumstance.

Table 18.650.1

Tigard Downtown Land Use Standards

<u>Use Categories</u>	<u>MU-CBD</u>
<u>Residential Use Category</u>	
<u>Residential Use</u>	<u>A/R</u>
<u>Civic Use Categories</u>	
<u>Basic Utility</u>	<u>R/C</u>
<u>Cemetery</u>	<u>P</u>
<u>Detention Facility</u>	<u>C</u>
<u>Government Services</u>	<u>A</u>
<u>Railroad Yard</u>	<u>P</u>
<u>School or Religious Facility</u>	<u>A</u>
<u>Temporary Shelter</u>	<u>C</u>
<u>Transportation and Utility Corridor</u>	<u>A</u>
<u>Wireless Communications Facility</u>	<u>R</u>
<u>Commercial Use Categories</u>	
<u>Adult Entertainment</u>	<u>P</u>
<u>Commercial Lodging</u>	<u>A</u>
<u>Indoor Sales and Services</u>	<u>R</u>
<u>Major Event Entertainment</u>	<u>C</u>
<u>Mobility Hub</u>	<u>C</u>
<u>Motor Vehicle Fuel Sales</u>	<u>R</u>
<u>Motor Vehicle Sales and Rental</u>	<u>R</u>
<u>Motor Vehicle Servicing</u>	<u>R</u>
<u>Non-Accessory Parking</u>	<u>A</u>
<u>Office</u>	<u>A</u>
<u>Outdoor Sales and Services</u>	<u>R</u>
<u>Self-Service Storage</u>	<u>R</u>
<u>Industrial Use Categories</u>	
<u>Industrial and Manufacturing</u>	<u>P</u>
<u>Off-Site Services</u>	<u>P</u>
<u>Warehouse and Distribution and Freight Movement</u>	<u>P</u>
<u>Waste-Related</u>	<u>P</u>

B. MU-CBD zone use restrictions.

1. Residential Use. Any combination of residential and nonresidential use proposed for the same site and not contained in a mixed-use development require planned development review.

2. Basic Utility.

a. This use is conditionally allowed.

b. Data centers are conditionally allowed only on or above the second story of a vertical mixed-use building.

3. Wireless Communications Facility. See Chapter 18.450, Wireless Communication Facilities, for allowed and restricted facilities.

4. Indoor Sales and Services.

a. Uses with drive-through services that were lawfully in existence prior to the adoption of the MU-CBD zone are allowed. All new uses with drive-through services are prohibited.

b. The maximum allowed gross floor area is 60,000 square feet per building or tenant in all MU-CBD subareas except the 99W-Hall subarea as shown on Map 18.650.A.

5. Motor Vehicle Fuel Sales. Uses that were lawfully in existence prior to the adoption of the MU-CBD zone are allowed. All new uses are prohibited.

6. Motor Vehicle Sales and Rental. Uses that were lawfully in existence prior to the adoption of the MU-CBD zone are allowed. All new uses are prohibited.

7. Motor Vehicle Servicing. All use activities must be contained inside a structure except for employee and customer parking.

8. Outdoor Sales and Services. All inventory and materials must be contained completely within a building.

9. Self-Service Storage. Uses that were lawfully in existence prior to the adoption of the MU-CBD zone are allowed. All new uses are prohibited.

10. Motor Vehicle Fuel Sales. Uses that were lawfully in existence prior to the adoption of the MU-CBD zone are allowed. All new uses are prohibited.

18.650.060 Housing Types

A. A housing type is not a use category. It describes a type of development that contains a Residential Use.

B. A list of allowed, limited, and prohibited housing types in the MU-CBD zone is provided in Table 18.650.2. The terms and abbreviations in Table 18.650.2 are as follows:

- 1. Yes, allowed (Y). Housing types that are allowed.**
- 2. Limited (L). Housing types that are allowed subject to specific limitations.**
- 3. No, prohibited (N). Housing types that are not allowed under any circumstance.**

C. All housing types are subject to the standards and provisions of the applicable development standards chapter. The applicable chapter for each housing type is provided in Table 18.650.2.

D. All allowed housing types may be built on site or manufactured off site.

<u>Table 18.650.2</u>		
<u>MU-CBD Zone Housing Types</u>		
<u>Housing Types</u>	<u>Applicable Chapter</u>	<u>MU-CBD</u>
<u>Accessory Dwelling Units</u>	<u>18.220</u>	<u>N</u>
<u>Apartments</u>	<u>18.230</u>	<u>Y</u>
<u>Cottage Clusters</u>	<u>18.240</u>	<u>N</u>
<u>Courtyard Units</u>	<u>18.250</u>	<u>N</u>
<u>Mobile Home Parks</u>	<u>18.260</u>	<u>L</u>
<u>Quads</u>	<u>18.270</u>	<u>N</u>
<u>Rowhouses</u>	<u>18.280</u>	<u>Y</u>
<u>Small Form Residential</u>	<u>18.290</u>	<u>N</u>
<u>Mixed-Use Development</u>	<u>18.650</u>	<u>Y</u>

E. Limited housing types. Mobile home parks that were lawfully in existence prior to the adoption of the MU-CBD zone are allowed. All new mobile home parks are prohibited.

18.650.050070 Development Standards

Table 18.650.4				
Table 18.650.3				
Development Standards				
Standard	Sub-Areas			
	Main Street (MS)	99W/Hall Corridor (99H)	Scoffins/Commercial (SC)	Fanno/Burnham (FB)
Minimum Lot Size	None	None	None	None
Minimum Lot Width	None	None	None	None
Minimum Setbacks				
- Front	0 ft.	0/5 ft. (5 ft. for frontage on 99W)	0 ft.	0 ft.
- Street side	0 ft.	0 ft.	0 ft.	0 ft.
- Side	0 ft.	0 ft.	0 ft.	0 ft.
- Rear	0 ft.	5 ft.	5 ft.	5 ft.
Maximum Setbacks				
- Front	10 ft.	25 ft.	20 ft.	20 ft.
- Street side	10 ft.	None	None	None
Building Height				
- Minimum	20 ft.	20 ft.	20 ft.	20 ft.
- Maximum [1]	80 ft.	45 ft.	80 ft.	80 ft. [2]
- First story minimum	15 ft.	15 ft.	None	None
Maximum Lot Coverage	100%	90%	90%	80%
Minimum Landscape Area [3]	0%	10%	10%	20%
Minimum Building Frontage	50%	50%	50%	50%
Residential Density (units per acre)				

- Minimum [4]	25	25	25	15
- Maximum [1]	50	50	50 [5]	50 [5]

18.650.060080 Design Standards

18.650.070090 Transportation Connectivity

18.650.080100 Specific Adjustments

~~Table 18.650.2~~

Table 18.650.4

Density Bonuses

Affordable Dwelling Units Based on Maximum Density	Density Bonus
5%	5%
10%	10%
20%	20%
30%	30%
40%	40%
50%	50%

**Chapter 18.660
TIGARD TRIANGLE PLAN DISTRICT**

18.660.020 Applicability

A. Applicability.

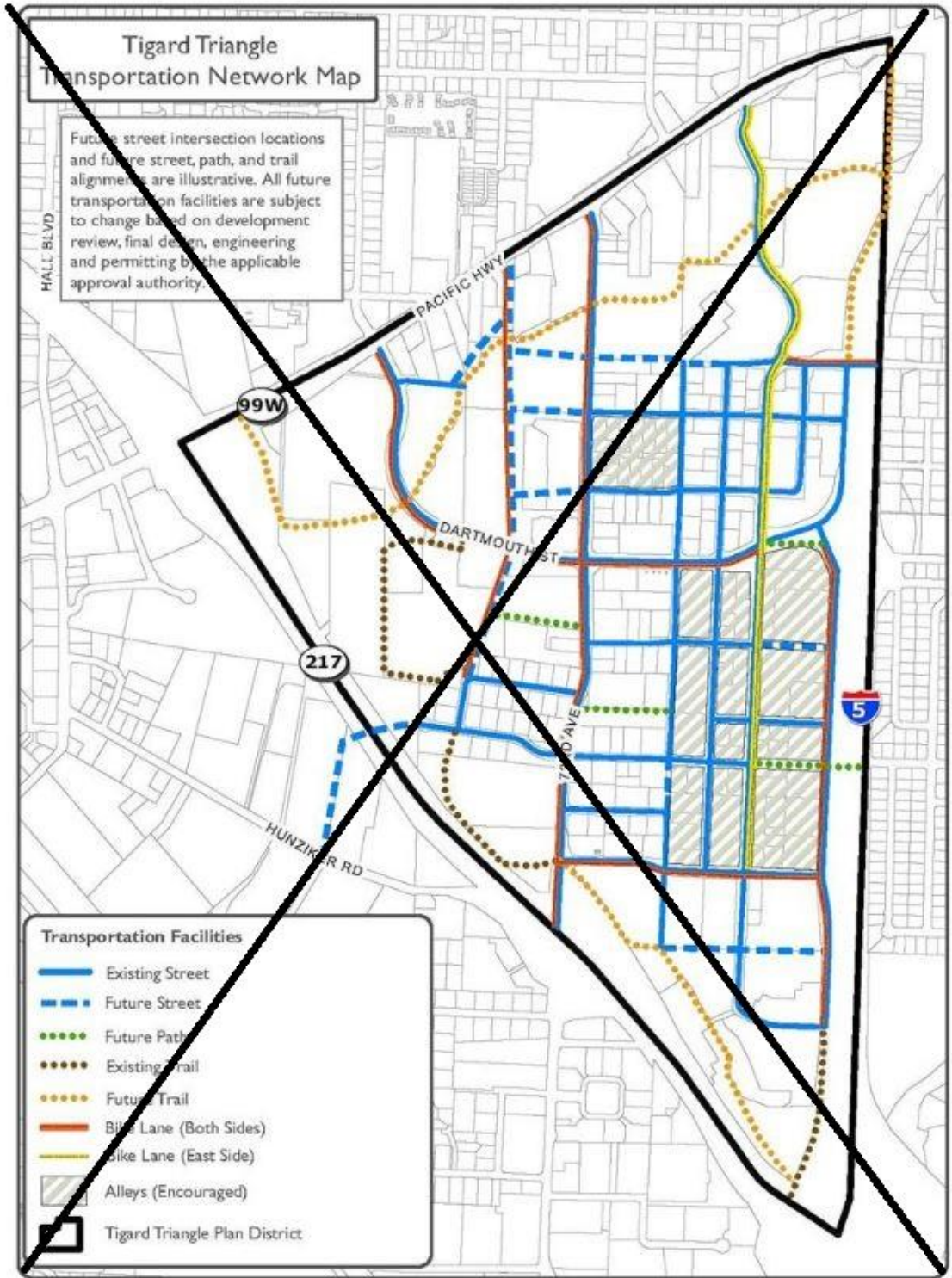
2. ~~General Commercial (G-GCOM) and Mixed-Use Commercial (MUC) zones.~~ The standards and procedures in this chapter do not apply to property that is located in the ~~G-GCOM or MUC zones~~ within the Tigard Triangle Plan District, except for the transportation facility standards in Section [18.660.090](#). Property in the ~~G-GCOM or MUC zones~~ is regulated by other chapters in this title, including, but not limited to, Chapter [18.120](#), Commercial Zones, and Chapter [18.320](#), Commercial Zone Development Standards.

4. The boundary of the Tigard Triangle Plan District is shown on Map 18.660.A. The TMU zone and ~~G-GCOM~~ zone are also shown on this map and the official zoning map. Transportation facilities are shown on Map 18.660.B.

Changes reflect structural and naming changes throughout the code. No impact to regulations.

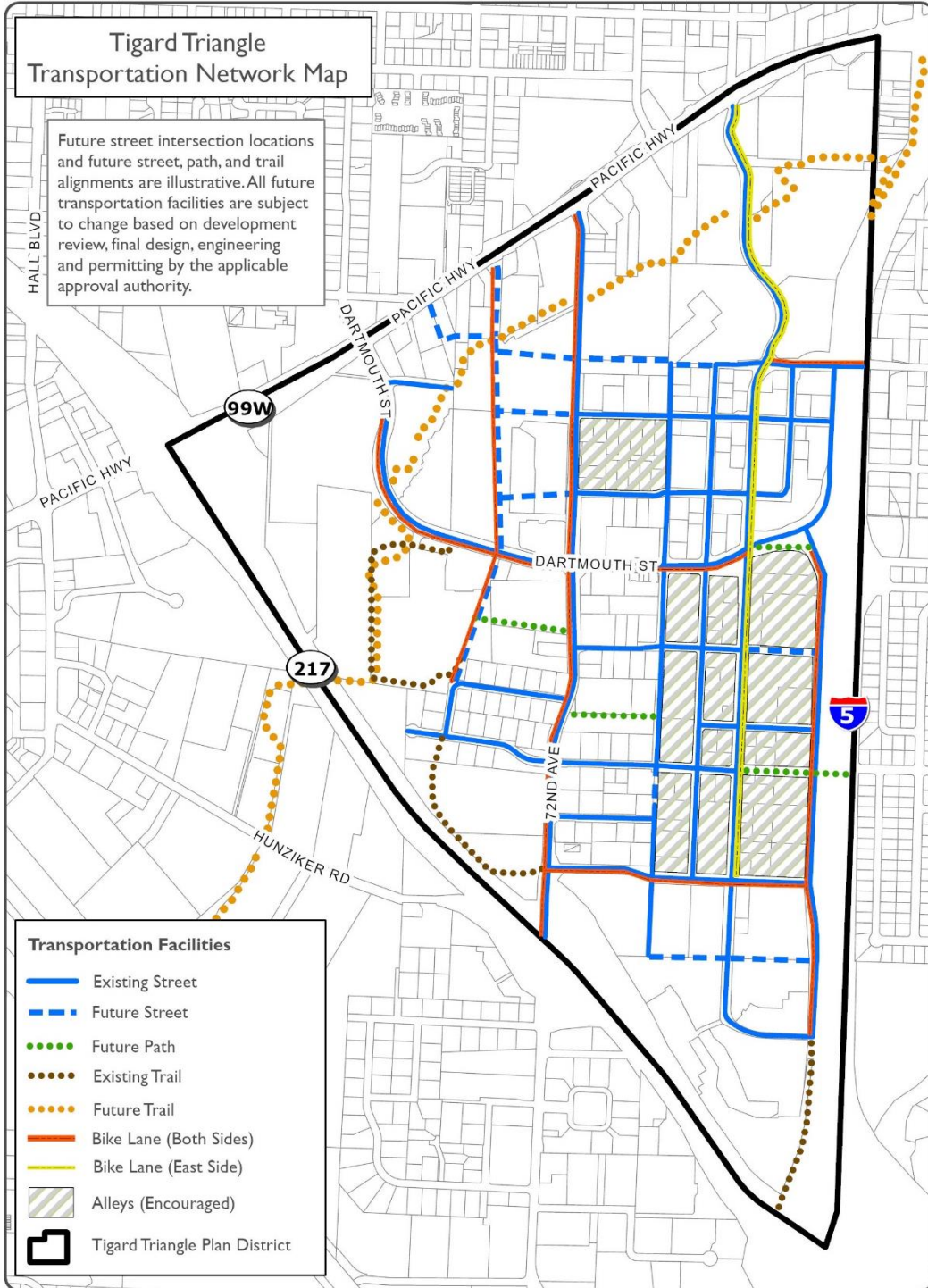
Some zoning in the existing C-G zone in the Triangle has been changed to better accommodate redevelopment on redevelopable parcels.

Map 18.660.B Tigard Triangle Transportation Network



An updated transportation map reflects the work currently being done on the Red Rock Creek Trail alignment.

Map 18.660.B Tigard Triangle Transportation Network



18.660.060 Land Use Standards

B. General provisions.

2. Mobile food carts are allowed subject to **Chapter 18.440, Temporary Uses.** the city's food cart policy.

C. Land use standards.

1. Allowed (A) land uses are listed in Table 18.660.4.

2. Restricted (R) land uses are listed in Table 18.660.4 and are subject to **special requirements, exceptions, or restrictions provided in Paragraph 18.660.060.C.5.** the following restrictions:

a.— ~~Non-accessory parking must be located within parking structures except where existing surface parking is proposed to be used for non-accessory parking. Covered parking is not considered a parking structure.~~

i.— ~~Non-accessory parking structures must meet all applicable design standards in this chapter. Additionally, ground stories must be designed as flexible structures with flat floor decks that can transition to accommodate allowed uses in the future.~~

ii.— ~~New non-accessory surface parking is allowed if approved through the adjustment process as provided in Paragraph 18.660.040.C.4.~~

b.— ~~The maximum floor area for Bulk Sales and Sales-Oriented Retail uses is 30,000 square feet per tenant space.~~

c.— ~~The maximum floor area for General Industrial and Light Industrial uses is 2,000 square feet per tenant space. These uses must also:~~

i.— ~~Not utilize, store, or create highly combustible, explosive, or hazardous materials, and~~

ii.— ~~Not be located outside of a building except for utilities, service areas, and off-street parking and loading areas. These types of activities must be located and screened as required by the site design standards in Section [18.660.070](#).~~

d.— ~~Wireless communication facilities are subject to the land use review process and associated standards in Chapter [18.450](#), Wireless Communication Facilities, unless different standards are approved through the~~

Changes reflect structural and naming changes throughout the code. No impact to regulations.

adjustment process as provided in Paragraph 18.660.040.C.4 or required by federal law.

3. Conditional (C) land uses are listed in Table 18.660.4 and are subject to the land use review process and associated development standards provided in Chapter [18.740](#), Conditional Uses.
4. Prohibited (P) land uses.
 - a. Prohibited uses are listed in Table 18.660.4 and are not eligible for adjustment through the land use review process provided in Paragraph 18.660.040.C.4.
 - b. All marijuana facilities are prohibited.

Table 18.660.4	
Use Table	
Use Category	<u>TMU</u>
<i>Residential Use Category</i>	
Residential Use	A
<i>Civic/Institutional Use Categories</i>	
Basic <u>Utility</u> Utilities	C
<u>Cemetery</u>	<u>P</u>
<u>Detention Facility</u>	<u>P</u>
Colleges	A
Community Services	A
Cultural Institutions	A
Day Care	A
Emergency Services	A
<u>Government Services</u>	<u>A</u>
<u>Railroad Yard</u>	<u>A</u>
<u>School or Religious Facility</u>	<u>C</u>
Medical Centers	A
Postal Service	A
Religious Institutions	A
Schools	A
Social/Fraternal Clubs/Lodges	A
Temporary Shelter	A
<u>Transportation and Utility Corridor</u>	<u>A</u>
<u>Wireless Communications Facility</u>	<u>R</u>

Table 18.660.4

Use Table

Use Category	<u>TMU</u>
<i>Commercial Use Categories</i>	
Adult Entertainment	P
Animal Related Commercial	P
Bulk Sales	R
Commercial Lodging	A
Custom Arts and Crafts	A
Eating and Drinking Establishments	A
Indoor Entertainment	A
<u>Indoor Sales and Services</u>	<u>R</u>
Major Event Entertainment	P
<u>Mobility Hub</u>	<u>C</u>
<u>Motor Vehicle Fuel Sales</u>	<u>P</u>
Motor Vehicle Sales <u>and</u> /Rental	P
Motor Vehicle Servicing-/Repair	P
Non-Accessory Parking	R
Office	A
<u>Outdoor Sales and Services</u>	<u>P</u>
Outdoor Entertainment	P
Outdoor Sales	P
Personal Services	A
Repair Oriented Retail	A
Sales Oriented Retail	R
Self-Service Storage	P
Vehicle Fuel Sales	P
<i>Industrial Use Categories</i>	
General Industrial	R
Heavy Industrial	P
Industrial Services	P
Light Industrial	R
Railroad Yards	A
Research and Development	A
<u>Industrial and Manufacturing</u>	<u>R</u>
<u>Off-Site Services</u>	<u>P</u>
Warehouse <u>and Distribution</u> /Freight Movement	P

Table 18.660.4

Use Table

Use Category	<u>TMU</u>
Waste-Related <u>Facility</u>	P
Wholesale and Equipment Rental	P
<i>Other Use Categories</i>	
Cemeteries	P
Detention Facilities	P
Heliports	P
Mining	P
Transportation/Utility Corridors	A
Wireless Communication Facilities	R

A=Allowed R=Restricted C=Conditional Use P=Prohibited

5. TMU zone use restrictions.

a. Wireless Communication Facility. Wireless Communication Facilities are subject to the land use review process and associated standards in Chapter 18.450, Wireless Communication Facilities, unless different standards are approved through the adjustment process as provided in Paragraph 18.660.040.C.4 or required by federal law.

b. Indoor Sales and Services. The maximum gross floor area is 30,000 square feet per tenant.

c. Non-Accessory Parking.

i. Non-Accessory Parking must be located within parking structures except where existing surface parking is proposed to be used for non-accessory parking. Covered parking is not considered a parking structure.

ii. Non-accessory parking structures must meet all applicable design standards in this chapter. Additionally, ground stories must be designed as flexible structures with flat floor decks that can transition to accommodate other allowed uses in the future.

iii. New non-accessory surface parking is allowed if approved through the adjustment process as provided in Paragraph 18.660.040.C.4.

d. Industrial and Manufacturing.

i. The maximum gross floor area is 2,000 square feet per tenant space.

ii. The use must not utilize, store, or create highly combustible, explosive, or hazardous materials.

iii. All activities must be located inside a building, except for utilities, service areas, and off-street parking and loading areas. These activities must be located and screened as required by the site design standards in Section [18.660.070](#).

18.660.070 Site Design Standards

A. Purpose. The purpose of these standards is to create safe, comfortable, and attractive streetscapes for pedestrians and preserve district trees, specifically the Oregon white oak (*Quercus garryana*). ~~In keeping with the stated purpose of this section, site design standards do not apply to street property lines along Interstate 5 and Highway 217.~~

...

H. District trees.

1. District trees are Oregon white oaks located throughout the TMU zone adjacent to existing and future public rights-of-way as shown on the Tigard Triangle District Tree Inventory and Map. ~~Oregon white oaks in public rights-of-way are regulated as street trees and are subject to the provisions in Subparagraph 18.660.090.C.4.c.~~

Chapter 18.720 ANNEXATIONS

B. Assignment of comprehensive plan and zoning designations. The comprehensive plan designation and the zoning designation placed on the property is the city's base zone that most closely implements the city's or county's comprehensive plan map designation. The assignment of these designations occurs automatically and concurrently with the annexation. In the case of land that carries county designations, the city will convert the county's comprehensive plan map and zoning designations to the city designations that are the most similar. A zone change is required if the applicant requests a comprehensive plan map or zoning map designation other than the existing designations. A request for a zone change may be processed concurrently with an annexation application or after the annexation has been approved. Within the Washington Square Regional Center, the assignment of city comprehensive plan and zoning designations will be as provided in **Chapter 18.670, Washington Square Regional Center Plan District** ~~the Washington Square Regional Center Phase II Implementation Plan, dated June 29, 2001, Figure 4 Adopted Zoning Designations.~~

Changes to district tree regulations in response confusion regarding how to apply the existing standard.

Changes reflect structural and naming changes throughout the code. No impact to regulations.

C. Conversion table. Table 18.720.1 summarizes the conversion of the county’s plan and zoning designations to city designations that are most similar.

Table 18.720.1 Conversion Table for County and City Comprehensive Plan and Zoning Designations		
Washington County Land Use Districts/Plan Designation	City of Tigard Zoning	City of Tigard Zone Name
R-5 Res. 5 units per acre	RES-B	Residential-B
R-6 Res. 6 units per acre	RES-C	Residential-C
R-9 Res. 9 units per acre	RES-D	Residential-D
R-15 Res. 15 units per acre	RES-E	Residential-E
R-24 Res. 24 units per acre	RES-E	Residential-E
Office Commercial (OC)	G-P <u>MUE</u>	Professional/Administrative Commercial <u>Mixed-Use Employment</u>
Neighborhood Commercial (NC)	G-N <u>MUR</u>	Neighborhood Commercial <u>Mixed-Use Residential</u>
General Commercial (GC)	G-G <u>COM</u>	General Commercial
Industrial (IND)	I-I <u>IND</u>	Light Industrial
Institutional (INST)	Equivalent to adjacent County base zone	Equivalent to adjacent County base zone

Chapter 18.740
CONDITIONAL USES

18.740.030 General Provisions

A. Conditional use approval is required to establish a new conditional use or to substantially redevelop an existing conditional use. ~~Substantial redevelopment is defined as a proposal that involves substantial changes to uses, structures, site improvements, operating characteristics, or original findings of fact.~~

18.740.050 Approval Criteria

The approval authority will approve or approve with conditions a conditional use application when all of the following criteria are met:

H. If the proposed development is located in an industrial zone, it provides public benefits consistent with the purpose of the base zone where the restricted use is located. Potential benefits include, but are not limited to, the following:

- 1. Energy Trust Path to Net Zero certification, as demonstrated by an approved EUI number,**
- 2. On-site generation and storage of renewable power,**
- 3. Off-site improvements to active transportation facilities,**
- 4. Documentation that the appropriate Jobs and Economic Development Fee has been paid, as determined by the Economic Development Manager or designee, or**
- 5. Other similar item as determined by the Director.**

Chapter 18.765 MODIFICATIONS

18.765.040 General Provisions

C. A proposed modification that constitutes substantial redevelopment, as determined by the Director, requires submittal of a new land use application rather than a modification application. Substantial redevelopment is defined as a modification that involves substantial changes to uses, structures, site improvements, operating characteristics, or original findings of fact.

18.765.060 Minor Modifications

A. Definition. A minor modification has the following characteristics:

1. It has minimal impacts on surrounding properties, sensitive lands, or public facilities; and
2. It does not cause the development to go out of conformance with any applicable standard or further out of conformance if already nonconforming, except where an adjustment has been approved; **and**
- 3. It does not require a technical study, such as a full transportation impact analysis, although it may require minor technical memos such as stormwater analysis.**

New conditional use criteria ensures that any conditional uses in industrial zones support the overall intent of industrial zones as established through this project.

Edits to the Modifications chapter provide additional clarity for staff and applicants regarding when a modification is allowed, minor, or major.

B. Examples. Examples of minor modifications may include, but are not limited to, the following:

- ~~1. Interior building modification or change of use that requires the application of a higher parking quantity requirement.~~
- 21.** Exterior building facade modification that requires the application of a design standard.
- ~~32.~~ Change of use to a restricted use.
- ~~4. Change to the site that requires review of parking lot design or maximum parking standards.~~
- 53.** Minor decrease in **A minor change to screening**, open space, or landscaping.

18.765.070 Major Modifications

A. Definition. A major modification has the following characteristics:

1. It has more than minimal impacts on surrounding properties, sensitive lands, or public facilities but does not qualify as substantial redevelopment as defined in Subsection 18.765.040.C; and
2. It does not cause the development to go out of conformance with any applicable standard or further out of conformance if already nonconforming, except where an adjustment has been approved; and
- 3. It may require a technical study, such as a full transportation impact analysis.**

B. Examples. Examples of major modifications include, but are not limited to, the following:

1. Addition of an accessory use **A change to activities** associated with a conditional use.
2. An increase in residential density other than the addition of an accessory dwelling unit. **A change in housing type.**
3. Major decrease in **A change to screening**, open space, or landscaping.

- A. Planned development review is a voluntary process.
- B. Planned development approval is required to establish a new planned development or to substantially redevelop an existing planned development. ~~Substantial redevelopment is defined as a proposal that involves substantial changes to uses, structures, site improvements, operating characteristics, or original findings of fact.~~
- C. An applicant may choose to submit a single consolidated planned development application or two consecutive planned development applications consisting of a concept plan application and a detailed plan application.
- D. The proposed development must comply with all applicable development standards and requirements of this title, except as specifically adjusted through the planned development approval process. Planned development review satisfies the requirements for site development or conditional use review and a separate site development, conditional use, or adjustment application is not required.

E. If the proposed development includes both residential and nonresidential buildings:

1. Residential buildings, except for mixed-use buildings, are subject to the applicable standards for the housing type as provided in Chapter 18.200, Residential Development Standards.

2. Nonresidential or mixed-use buildings are subject to the applicable standards as provided in Chapter 18.300, Nonresidential Development Standards.

~~E~~**F.** If sensitive lands review is required, a sensitive lands application must be submitted concurrently with a consolidated or detailed plan application. A sensitive lands application may not be submitted concurrently with a concept plan application.

~~F~~**G.** If land division is proposed, a subdivision or land partition application must be submitted concurrently with a consolidated or detailed plan application. A subdivision or land partition application may not be submitted concurrently with a concept plan application.

~~G~~**H.** If the proposed development has more than one base zone designation, density and floor area standards are calculated for each base zone as provided by this title.

~~H~~**I.** Density and floor area allocations and increases allowed with planned development approval are as follows:

1. Minimum density and floor area may be allocated anywhere on the site regardless of the underlying base zone designation.

New approval criterion provides a clearer path forward for development where residential and nonresidential uses are proposed on the same site outside of a mixed-use building.

2. Maximum density and floor area may be increased subject to the limitation of Subparagraph 18.770.060.B.10.b.

IJ. Uses and housing types allowed with planned development approval are based on the underlying zoning as follows:

1. Residential zones. All housing types and civic uses are allowed. Commercial uses not allowed by the underlying base zone may be allowed where appropriately located, designed, and scaled.
2. Commercial zones. Apartments and civic uses not allowed by the underlying base zone may be allowed where appropriately located, designed, and scaled.
3. Industrial zones. No additional uses are allowed beyond what is allowed in the applicable base zone.

JK. The following development standards may not be adjusted with planned development approval:

1. Minimum density or minimum floor area ratio.
2. Maximum parking ratio.
3. Any development standard that contains an express prohibition.

KL. Planned development approvals may not adjust the items listed in Paragraph 18.715.020.B.2 through 6.

LM. Planned development approvals may be modified as allowed by Chapter [18.765](#), Modifications.

Chapter 18.780 SITE DEVELOPMENT REVIEWS

18.780.030 General Provisions

A. Site development approval is required to develop a vacant site or to substantially redevelop an existing developed site. ~~Substantial redevelopment is defined as a proposal that involves substantial changes to uses, structures, site improvements, operating characteristics, or original findings of fact.~~

Chapter 18.805 LOT STANDARDS

18.805.030 Residential Lot Standards

A. Lot size. Dimensional standards for lots created or configured for residential development are provided in Table 18.805.1 for all zones where residential development is allowed.

Table 18.805.1 Dimensional Standards for Residential Lots by Housing Type												
Standard	RES-A	RES-B	RES-C	RES-D	RES-E	MU-CB-D	MU-C	MU-C-1	MU-E	MU-E-1 and MU-E-2	MU-R-1 <u>MUR</u>	MU-R-2
Minimum Lot Size (ft)												
Apartments				3,000	1,480	None	None	None	None	None	None	None
Cottage Cluster	20,000	7,500	7,000	7,000				-	-	-	10,000 <u>7,000</u>	10,000
Courtyard Unit	20,000	7,500	7,000	7,000				-	-	-	8,000 <u>7,000</u>	8,000
Quad	10,000	7,500	5,000	3,000				-	-	-	None	None
Rowhouse	1,500	1,500	1,250	750	None	None		None	-	-	None	None
Small Form Residential	20,000	7,500	5,000	3,000				-	-	-		-
Maximum Lot Size (ft)												
Apartments				None	None	None	None	None	None	None	None	None
Cottage Cluster	32,499	32,499	32,499	32,499				-	-	-	32,499	32,499
Courtyard Unit	25,999	25,999	25,999	25,999				-	-	-	25,999	25,999
Quad	11,500	9,000	6,250	6,250				-	-	-	5,000	5,000
Rowhouse	3,000	3,000	1,750	1,250	1,000	None		870	-	-	870	1,750
Small Form	25,000	9,375	6,250	3,750				-	-	-		-

Changes reflect changes to zones.

Residential													
Minimum Lot Width (ft)													
Apartments				None	None	None	None	None	None	None	None	None	None
Cottage Cluster	75	50	50	None				-	-	-	None	None	
Courtyard Unit	75	50	50	50				-	-	-	None	None	
Quad	75	50	50	None				-	-	-	None	None	
Rowhouse	25	25	20	None	20	None		16	-	-	16	16	
Small Form Residential	100	50	50	None				-	-	-		-	

18.805.040 Nonresidential Lot Standards

Dimensional standards for nonresidential or mixed-use lots created or reconfigured in commercial or industrial zones are provided in Table 18.805.2.

There are no minimum lot size or lot width standards for nonresidential or mixed-use development.

Table 18.805.2 Dimensional Standards for Nonresidential Lots Zones											
Standard	C-N	C-C	C-G	C-P	MUE	MUE-2 MUR-2	MUR-4	MUC MUE-4	I-P	I-L	I-H
Minimum Lot Size (sq. ft.)	5,000	None	6,000	None	None	None	None	None	None	None	None
Minimum Lot Width (ft.)	50	50	50	50	None	None	None	None	50	50	50

Removal of minimum lot dimensions for nonresidential development align with other nonresidential standards proposed with this code package, aimed at simplifying nonresidential development review.

Tigard MADE and WSRC Code Update
Clean Code Without Omnibus Changes
April 23, 2024

Chapter 18.60 USE CATEGORIES

18.60.010 Purpose

This chapter classifies land uses and activities into use categories on the basis of common functional, product, or physical characteristics. Characteristics include the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and certain site factors. 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 base zones is based on the goals and policies of the comprehensive plan. (Ord. 10-15 §1)

18.60.020 Classification of Uses

A. Considerations.

1. The “Characteristics” subsection of each use category describes the characteristics of each use category. Uses are assigned to the category whose description most closely describes the nature of the primary use.
2. The following items are considered to determine what use category the use is in, and whether the activities constitute primary uses or accessory uses:
 - a. Description of the activities in relationship to the characteristics of each use category;
 - b. Relative amount of site or floor area and equipment devoted to the activities;
 - c. Relative amounts of sales from each activity;
 - d. Customer type for each activity;
 - e. Relative number of employees in each activity;
 - f. Hours of operation;
 - g. Site arrangement, including buildings and structures;
 - h. Vehicles used with the activities;
 - i. The relative number of vehicle trips generated by the activities;
 - 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. The “Accessory Uses” subsection of each use category provides a list of common accessory uses associated with that use category. Accessory uses are allowed 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.

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 Indoor Sales and Services use category rather than the Wholesale and Equipment Rental use category. This is because the actual activity on the site matches the description of Indoor Sales and Services use category.

18.60.030 Unlisted Uses

A. Purpose. The purpose of these provisions is to establish a procedure for determining whether certain specific unlisted uses are allowed in a base zone and to which use category the unlisted use is most similar.

B. Approval process. The Director will make a determination, using the process provided in Chapter [18.730](#), Director Determinations.

C. Approval standards. The Director will make a determination of the most appropriate use category based on the following:

1. Whether the use is consistent with the intent and purpose of the applicable base zone;

2. Whether the use is similar to and of the same general type as the use categories listed in the base zone;

3. Whether the use has similar intensity, density, and off-site impacts as the use categories listed in the base zone, to be evaluated using the criteria provided in Paragraph 18.60.020.A.2; and

4. Whether 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. The Director will not authorize an omitted or unanticipated use in a base zone if the use category is specifically listed in another base zone as either an allowed use, restricted use, or a conditional use. (Ord. 18-23 §2; Ord. 10-15 §1)

18.60.040 Residential Use Category

A. Characteristics:

1. Residential use is the residential occupancy of a dwelling unit by related or unrelated individuals. The maximum number of residents who may occupy any given dwelling unit is determined by the state building code.

2. Residential use also includes the occupancy of an institution or facility where the components of a dwelling unit are shared by residents.

3. Residential occupancy is arranged on a month-to-month basis, at a minimum, or for longer periods of time.

4. Residential use may include any combination of care, training, or treatment.

B. Accessory uses: Accessory uses may include parking, recreational and social facilities, dining halls, and home occupations.

C. Examples: Examples include household living, group living, foster homes, dormitories, fraternities and sororities, monasteries and convents, nursing and convalescent homes, memory care facilities, group homes for disabled individuals, residential treatment programs, assisted living facilities, and progressive or continuing care facilities.

D. Exceptions:

1. Does not include uses meeting the definition of Temporary Shelter, Commercial Lodging, or Detention Facility.

2. Does not include dormitories, fraternities, or sororities where accessory to Indoor Sales and Services_uses.

18.60.050 Civic Use Categories

A. Basic Utility.

1. Characteristics: A Basic Utility is an infrastructure service that must be located in or near where the service is provided. Basic Utility uses generally do not have employees at the site other than for construction or maintenance. Service may be public or privately provided.

2. Accessory Uses: Accessory uses may include parking; control, monitoring, data, or transmission equipment; and shelters.

3. Examples: Examples include water towers or reservoirs, data centers, energy production including solar production as a standalone use, water quality or flow control facilities, water conveyance systems, water harvesting or re-use conveyance systems or pump stations, stormwater facilities or conveyance systems, power substations, and transit stations.

4. Clarifications:

a. Utility offices where employees or customers are generally present are categorized as Office.

b. Fleet vehicle storage as a primary use is categorized as Off-Site Services.

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 categorized as Transportation and Utility Corridors.

d. Does not include utilities proposed with or for a specific development, including solar arrays, which are considered accessory to the primary use.

B. Cemetery.

1. Characteristics: A Cemetery is a facility for the permanent storage of human remains.

2. Accessory uses: Accessory uses may include chapels, mortuaries, offices, maintenance facilities, or parking.

C. Detention Facility.

1. Characteristics: A Detention Facility is devoted to the judicially required detention, incarceration, or supervision of people.

2. Accessory uses: Accessory uses may include offices, recreational or health facilities, therapy facilities, maintenance facilities, or hobby or manufacturing facilities.

3. Examples: Examples include prisons, jails, probation centers, juvenile detention homes, or related post-incarceration.

4. Clarifications:

a. Programs that provide care or training or treatment for psychiatric, alcohol, or drug problems, where patients are residents of the program, but where patients are not supervised by public safety personnel, are categorized as Residential Use.

b. Temporary holding cells within a police station are considered accessory to a Government Services use.

D. Government Services.

1. Characteristics: A Government Services use is a government-operated indoor or outdoor facility that is intended at least in part for use or access by the public.

2. Accessory uses: Accessory uses may include office, parking, cafés, or storage.

3. Examples: Examples include parks, libraries, city hall, police or fire stations, public plazas, or administrative offices for school or fire districts when designed as a campus.

4. Clarifications:

a. Does not include fleet vehicle parking as a standalone use or fleet vehicle parking with accessory office, which are categorized as Off-Site Services.

b. Does not include administrative offices for school or fire districts located in a single office building or existing buildings, which are categorized as Office.

E. Railroad Yard.

1. Characteristics: A Railroad Yard contains multiple railroad tracks used for rail car switching, assembling of trains, or the transshipment of goods from other transportation modes to or from trains.

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

F. School or Religious Facility.

1. Characteristics: A School or Religious Facility is an institution intended for preschool, K-12 education, or religious purposes.
2. Accessory uses: Accessory uses may include play areas, cafeterias, recreational or sports facilities, athletic fields, auditoriums, or before- or after-school daycare.
3. Examples: Examples include public or private daytime schools at the primary, elementary, middle, junior high, or high-school level that provide state-mandated basic education; or places of worship.
4. Clarifications: Does not include day cares, trade schools, colleges, or vocational schools, which are categorized as Indoor Sales and Services.

G. Temporary Shelter.

1. Characteristics: A Temporary Shelter is operated by a public or non-profit agency and provides mass shelter or short-term housing where tenancy may be arranged for periods of less than one month. The use may also provide special counseling, education, or training of a public, nonprofit, or charitable nature.
2. Accessory uses: Accessory uses may include offices, meeting areas, food preparation areas, parking, health and therapy areas, day cares, and athletic facilities.
3. Examples: Examples include homeless shelters and shelters for women and children.
4. Clarifications:
 - a. Does not include for-profit lodging where tenancy may be arranged for periods less than one month, which is categorized as Commercial Lodging.

H. Transportation and Utility Corridor.

1. Characteristics: A Transportation and Utility Corridor is a regional corridor 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, or storm sewer lines; or similar services.
2. Accessory uses: Accessory uses may include trailhead improvements such as public restrooms or parking lots.

3. Examples: Examples include rail trunk or feeder lines; multi-use trails; regional electrical transmission lines; or regional gas stormwater or sewage main petroleum pipelines.

4. Clarifications:

a. Railroad lead or spur lines for delivery of rail cars to sites or for unloading of rail cars on specific sites are considered accessory to the primary use of the site.

b. Does not include railroad switch yards as a primary use, which are categorized as Railroad Yard.

c. Transportation and Utility Corridors contained within motor vehicle rights-of-way are not included.

d. Utility offices where employees or customers are generally present are categorized as Office.

I. Wireless Communications Facility.

1. Characteristics: A Wireless Communication Facility includes all devices, equipment, machinery, structures, or 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 may include related ancillary equipment structures.

3. Examples: Examples include television or AM/FM radio transmission towers, microwave relay stations, or cellular communications equipment.

4. Clarifications:

a. Does not include transmission facilities that are part of the public safety network, which are categorized as Basic Utility.

b. Does not include amateur (ham) radio antennas or towers.

c. Does not include radio or television studios, which are categorized as Office.

18.60.060 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 may include parking.
3. Examples: Examples include adult motion picture theaters, adult book stores, and topless, bottomless, and nude taverns and dance halls.

B. Commercial Lodging.

1. Characteristics: Commercial Lodging provides for-profit shelter where tenancy is typically less than one month.
2. Accessory uses: Accessory uses may include parking, restaurants and bars, meeting and convention facilities, and recreational facilities for guests such as pools and gym.
3. Examples: Examples include hotels, motels, short-term rentals, rooming houses, and bed-and-breakfast establishments.

C. Indoor Sales and Services.

1. Characteristics: An Indoor Sales and Services use operates primarily indoors and provides the sale, lease, rental, or repair of products for the general public; or provides personal services or entertainment.
 - a. Sales-oriented: Sale, lease, or rental of consumer, home, or business goods.
 - b. Repair-oriented: On-site repair of consumer or home goods.
 - c. Personal service-oriented: Services to the general public.
 - d. Entertainment-oriented: Leisure activities or cultural activities.
2. Accessory uses: Accessory uses may include offices, storage of goods, parking, some limited accessory outdoor sales or activity area, or temporary outdoor activities subject to regulation in Chapter 18.440, Temporary Uses.
3. Examples:
 - a. Sales-oriented: Examples include retail stores selling, leasing, or renting goods such as bicycles, clothing, electronic equipment, furniture, groceries, hardware, home improvements, plants, household products, pets, or pharmaceuticals.

b. Repair-oriented: Examples include on-site repair of goods such as TVs, bicycles, clocks, shoes, guns, appliances, or office equipment; photo or laundry drop off; indoor consumer-oriented recycling drop-off; tailor; locksmith; or upholsterer.

c. Personal service-oriented: Examples include banks, day cares, hospitals, postal service, tutoring or vocational school, or pet boarding.

d. Entertainment-oriented: Examples include restaurants or bars; food cart pods; bowling alleys, ice rinks, indoor community centers, senior centers, or game arcades; dance, martial arts, or music classes; museums or galleries; lodges or fraternal/social clubs; indoor firing ranges; or theaters, health clubs, or gyms.

4. Clarifications:

a. Sales, rental, and repair activity associated with motor vehicles is categorized as Mobility Hub, Motor Vehicle Fuel Sales, Motor Vehicle Sales and Rental, or Motor Vehicle Servicing.

b. Sale and rental activity intended primarily for commercial, institutional, or industrial users, rather than for the general public, is categorized as Wholesale and Equipment Rental.

c. Uses that primarily provide space to store products, with limited if any commercial activity on site, are categorized as Warehouse and Distribution.

d. The repair of large-scale machinery for businesses is categorized as Industrial and Manufacturing.

e. Entertainment uses with primarily outdoor activity are categorized as Outdoor Sales and Services.

f. Veterinary or medical offices outside of a campus setting, such as hospitals, are categorized as Office.

D. Major Event Entertainment.

1. Characteristics: Major Event Entertainment is 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 may include parking, maintenance facilities, and concessions.

3. Examples: Examples include auditoriums, stadiums, convention centers, and race tracks.

4. Clarifications: Does not include smaller-scale, primarily indoor uses, which are categorized as Indoor Sales and Services.

E. Mobility Hub.

1. Characteristics: A Mobility Hub provides charging stations for electric transportation as a primary use and may include other on-site services including, but not limited to, last-mile drop-off for e-commerce delivery and transit stops.

2. Accessory uses: Accessory uses may include parking, offices, storage space, convenience stores, e-commerce package drop-off, and transit stops.

3. Examples: Examples include e-bike or e-scooter rental; or electric charging stations for cars, trucks, scooters, or bikes.

4. Clarifications:

a. Does not include electric vehicle charging stations that are accessory to an allowed use in an off-street parking area.

b. Locations involved in the sale of petroleum or diesel fuels are categorized as Motor Vehicle Fuel Sales.

F. Motor Vehicle Fuel Sales.

1. Characteristics: Motor Vehicle Fuel Sales include establishments that provide the sale of petroleum-based, natural gas, or hydrogen fuels for cars, motorcycles, trucks, recreational vehicles, or boats as a standalone primary use.

2. Accessory uses: Accessory uses may include parking, office space, and storage space.

3. Examples: Examples include gas stations, hydrogen fueling stations, and natural gas fueling stations.

4. Clarifications: Does not include electric vehicle charging stations, which are either an accessory use or are categorized as a Mobility Hub use.

G. Motor Vehicle Sales and Rental.

1. Characteristics: Motor Vehicle Sales and Rental involves the sale, lease, or rental of cars, motorcycles, light and heavy trucks, mobile homes, boats, and recreational vehicles.

2. Accessory uses: Accessory uses may 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.

4. Clarifications:

a. Does not include the sale or rental of small rafts, kayaks, canoes, or similar scale boats sold in a retail environment, which are categorized as Indoor Sales and Services.

b. Does not include the rental of boats or vehicles for on-site entertainment such as whitewater centers or go-kart racetracks, which is categorized as Indoor or Outdoor Sales and Services.

H. Motor Vehicle Servicing.

1. Characteristics: Motor Vehicle Servicing is a freestanding vehicle servicing and repair establishments not accessory to new vehicle sales.

2. Accessory uses: Accessory uses may include parking, office space, and storage space.

3. Examples: Examples include general service stations, quick oil-change facilities, car washes, and body shops.

I. Non-Accessory Parking.

1. Characteristics: Non-Accessory Parking is any public or private parking that 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 categorized as Non-Accessory Parking.

2. Accessory uses: Accessory uses may include a ticket booth to collect fees and house security personnel.

3. Examples: Examples include public and private structures and surface parking lots, and transit park-and-ride lots.

4. Clarifications :

a. Parking facilities accessory to a use that charge or allow the public to park for occasional events nearby, are not categorized as Non-Accessory Parking.

- b. Does not include overnight parking of fleet vehicles, which is categorized as Off-Site Services.

J. Office.

1. Characteristics: An Office is characterized by activities that generally focus on business, professional, medical, or financial services. Offices are typically characterized by a professional or group of professionals assisted by support staff.
2. Accessory uses: Accessory uses may include employee amenity spaces such as fitness facilities or cafeterias, parking, and storage facilities.
3. Examples: Examples include medical, dental, veterinarian, laboratories or research and development facilities; financial services; branch or training offices; government offices not providing in-person service to the public; blood collection centers; professional offices for attorneys, architects, engineers, stockbrokers, insurance brokers, or other consultants; headquarters offices; or radio or television studios.
4. Clarifications :
 - a. Offices that are part of and are located within an establishment in another use category are considered accessory to the establishment's primary activity.
 - b. Hospitals are categorized as Indoor Sales and Services.
 - c. Government offices intended to provide in-person services to the public are categorized as Government Services.

K. Outdoor Sales and Services.

1. Characteristics: An Outdoor Sales and Services use operates primarily outdoors and provides the sale, lease, or rental of products for the general public; or provides personal services or entertainment.
 - a. Sales-oriented: Sale, lease, or rental of consumer, home, or business goods.
 - b. Repair-oriented: On-site repair of consumer or home goods.
 - c. Personal service-oriented: Services to the general public.
 - d. Entertainment-oriented: Leisure activities or cultural activities.

2. Accessory uses: Accessory uses may include offices, storage of goods, parking, or some limited indoor sales or activity area.
3. Examples:
 - a. Sales-oriented: Examples include lumber yards and plant nurseries.
 - b. Repair-oriented: Examples include outdoor consumer-oriented recycling drop-off.
 - c. Personal service-oriented: Examples include outdoor kennels for animal boarding.
 - d. Entertainment-oriented: Examples include outdoor firing ranges, golf courses, go-kart facilities, theme parks, or community centers with significant outdoor activity such as swimming pools or mini golf.
4. Clarifications:
 - a. Does not include the sale, lease, or rental of products to industrial or commercial users, which is categorized as Wholesale and Equipment Rental.
 - b. Does not include limited outdoor or partially-enclosed display or storage areas that are clearly incidental and accessory to retail uses selling hardware and home improvement supplies, which are considered an accessory use to Indoor Sales and Services.
 - c. Indoor entertainment providers with some limited outdoor activities are categorized as Indoor Sales and Services.

L. Self-Service Storage.

1. Characteristics: Self-Service Storage provides rental of storage space to individuals or business uses. ~~The storage areas~~ Storage spaces are designed to allow private access by the tenant for storing or removing personal property.
2. Accessory uses: Accessory uses may include parking and office space.
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. Clarifications :

- a. Does not include uses that primarily provide space to store products for future sales or distribution, which are categorized as Warehouse and Distribution
- b. Does not include fleet storage, which is categorized as Off-Site Services.

18.60.070 Industrial Use Categories

A. Industrial and Manufacturing.

1. Characteristics: Industrial and Manufacturing engages in the mechanical, physical, or chemical transformation of materials, substances, or components into new products, usually requiring the use of machinery. This includes assembling component parts of manufactured products. The new product of a manufacturing establishment may be finished in the sense that it is for utilization or consumption, or it may be semi-finished to become an input for further manufacturing. Industrial and Manufacturing uses involve some amount of physical or characteristic change to materials necessary to make them suitable for sale.
2. Accessory uses: Accessory uses may include parking, office, storage, or maintenance facilities.
3. Examples: Examples include additive, advanced, or contract manufacturing; make to stock, make to order, or make to assemble manufacturing; discrete, process, mixed mode, job shop, or repetitive manufacturing; production of metals or metal products including enameling or galvanizing; production of cars, trucks, recreational vehicles; indoor agriculture; food processing; breweries, distilleries, or wineries; production of apparel or textiles; woodworking including cabinet makers; production or manipulation of chemical, rubber, leather, clay, bone, plastic, stone, or glass materials; manufacturing or production of machinery; large-scale recycling centers; the manufacturing or assembly of small-scale machinery, appliances, computers, or other electronic equipment; manufacturing, assembly, bottling of pharmaceuticals; manufacturing of scientific or musical instruments; production of toys or precision goods; sign-making; or commercial kitchens.
4. Clarifications:
 - a. Does not include energy production from the biological decomposition of organic materials, which is categorized as Waste-Related Facility.
 - b. Does not include storage or distribution of products involving no physical change to materials, packaging of previously prepared commercial products, or storage or distribution for e-commerce, which are categorized as Warehouse and Distribution.

- c. Does not include breaking bulk for commercial, institutional, or industrial users, which is categorized as Wholesale and Equipment Rental.
- d. Does not include uses meeting the definition of Basic Utility.
- e. Does not include the use of a kiln or other machinery that is accessory to a public-facing arts use, which is categorized as Indoor Sales and Services.

B. Off-Site Services.

- 1. Characteristics: An Off-Site Services use primarily provides services at a client's location or a third-party site. The site is primarily used for parking of company or employee vehicles, equipment, or some accessory office. Few customers, especially the general public, come to the site.
- 2. Accessory uses: Accessory uses may include office, parking, or warehouse or storage space.
- 3. Examples: Examples include exterminators; freestanding fleet vehicle parking or fleet parking as a primary use; janitorial services; trade contractors; mobile pet grooming; mobile auto services; or off-site windshield repair.

C. Warehouse and Distribution.

- 1. Characteristics: Warehouse and Distribution uses store and move large quantities of materials or products for themselves or other establishments with limited to no other activity on site except for accessory office. The use is usually associated with significant truck and rail traffic. There may be some repackaging of products but no physical change to materials occurs on site.
- 2. Accessory uses: Accessory uses may include offices, parking, staging areas, storage, docks, rail spur or lead lines, and the repackaging of goods.
- 3. Examples: Examples include freestanding warehouses associated with e-commerce, retail furniture, or appliance outlets.
- 4. Clarifications:
 - a. Uses that involve the transfer or storage of solid or liquid wastes are categorized as Waste-Related Facility.
 - b. Does not include storage or transport of materials that are accessory to a primary use.
 - c. Does not include uses where some physical change to materials occurs on site to create a saleable unit. Such uses, regardless of the amount of

warehouse or storage space associated with the use, are categorized as Industrial and Manufacturing.

D. Waste-Related Facility.

1. Characteristics: A Waste-Related Facility receives solid or liquid wastes from others for disposal onsite or for transfer to another location; collects sanitary wastes; manufactures and produces goods from the biological decomposition of organic material; and receives hazardous wastes from others and is 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. Clarifications :

a. Infrastructure services that must be located in or near the area where the service is provided in order to function are categorized as Basic Utility uses. 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 categorized as Waste-Related Facility.

c. Does not include consumer recycling or bottle drop centers, which are considered as accessory to a primary use, categorized as Indoor Sales and Services when standalone and indoors, or Outdoor Sales and Services when standalone and outdoors.

E. Wholesale and Equipment Rental.

1. Characteristics: Wholesale and Equipment Rental 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 includes display areas. Products may be picked up on site or delivered to the customer.

2. Accessory uses: Accessory uses may include offices; product repair; warehouses; stockpiling of sand, gravel, drywall, construction materials, bark dust, lumber, or other aggregate or landscaping materials; parking; and the repackaging of goods primarily for commercial, institutional, or industrial users.

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. Clarifications :

a. Establishments that engage primarily in sales to the general public are categorized Indoor Sales and Service.

b. Establishments that are primarily storing goods with little on-site sales activity are categorized as Warehouse and Distribution.

c. Establishments that engage primarily in storage and sale of products for e-commerce are categorized as Warehouse and Distribution.

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Chapter 18.50 NONCONFORMING CIRCUMSTANCES

18.50.010 Purpose

The purpose of this chapter is to allow certain nonconforming lots, structures, uses, and development to continue but to prohibit their enlargement, expansion, or extension.

18.50.020 General Provisions

A. Nonconforming circumstances are lots, structures, uses, and site improvements that were lawful when established, but would not be allowed under current regulations as a result of a change to the applicable base zone, plan district, or development standards.

B. The status of a nonconforming circumstance is not affected by changes in ownership or tenancy.

C. A nonconforming circumstance may be changed to a conforming circumstance by right. Once a conforming circumstance occupies a site or the lot is brought into conformance, the nonconforming rights are lost and the nonconforming circumstance may not be re-established.

D. The regulations of this chapter apply to all nonconforming circumstances except the following:

1. Small form residential development in the MU-CBD zone.
2. Nonconforming uses and developments in the TMU zone, which are subject to the standards of Chapter [18.660](#), Tigard Triangle Plan District.

18.50.030 Determination of Nonconforming Use Status

A determination regarding the legal status of a nonconforming circumstance is processed through a Director determination, as provided in Chapter [18.730](#), Director Determinations. A nonconforming use is determined to be legal when both of the following are met:

A. The applicant has provided proof that the use was lawful at the time it was established, by one or more of the following:

1. Copies of issued development permits or land use approvals granted at the time the use was established;
2. Copies of zoning ordinances or maps; or

3. Demonstration that the use was established before the first development code for the City of Tigard was adopted.

B. The applicant has provided proof that the use has been maintained over time. This proof must include copies of one or more of the following for every other year from the time the use was established until the current year:

1. Utility bills;
2. Income tax records;
3. Business licenses;
4. Listings in telephone, business, or other related directories;
5. Advertisements in dated publications, for example trade magazines; or
6. Land use approvals or development permits.

18.50.040 Criteria for Nonconforming Situations

A. Nonconforming lots.

1. Except as provided in Paragraph 18.50.040.A.2 and Subsections 18.50.040.B and C, development of nonconforming lots and enlargement, modification, or reconstruction of uses on nonconforming lots are prohibited.
2. If a lot does not meet the minimum lot size standard, the lot may:
 - a. Be occupied by one use allowed in a commercial zone, if the lot is located within a commercial zone; or
 - b. Be occupied by small form residential development and accessory structures if located in a residential zone.
3. Development allowed on a nonconforming lot under the provisions of Paragraph 18.50.040.A.2 is subject to the following:
 - a. The nonconforming lot must not be contiguous with other lots in the same ownership; and
 - b. All other applicable provisions of this title must be met.
4. If a nonconforming lot is contiguous with another lot in common ownership, the following provisions apply:

- a. The lots involved are considered to be an undivided unit of land for the purposes of this title;
- b. Conveyance, transfer, or use of the lots or any portion of the lots in any manner that violates this title is prohibited; and
- c. Division of the lots in a manner that results in a nonconforming lot is prohibited.

B. Nonconforming uses.

1. A nonconforming use may be continued when all of the following are met. Any other subsequent use must meet all applicable standards of this title.

- a. The nonconforming use ~~is~~ and the building or buildings it occupies are not enlarged;
- b. If the nonconforming use occupies a building that is accidentally damaged or destroyed by fire, flood, earthquake, or other natural disaster so that the building or tenant space cannot be occupied, it is discontinued for no longer than six months following the date the new building receives final certificate of occupancy; and
- c. The nonconforming use ~~of land~~ is not discontinued for any reason, other than accidental damage or destruction of the building it occupies, for a period of more than ~~six~~ 18 months. The 18-month period begins when the last of the following occurs:
 - i. On the date when the use is vacated,
 - ii. On the date the use ceases to be actively involved in the sale of merchandise or the provision of services, or
 - iii. On the date of termination of any lease or contract under which the nonconforming use has occupied the building or land.

2. Once an allowed or conditional use occupies the site, the nonconforming rights are lost and a nonconforming use may not be re-established.

3. The provisions of Section [18.50.040](#) do not grant an owner of a nonconforming use a vested right.

C. Nonconforming development.

1. Where a lawful structure or development exists that could not be built under the terms of this title by reason of restrictions on lot area, lot coverage, height,

required parking, landscaping, or other requirements, such structure or development may remain and its use continued provided it remains otherwise lawful and complies with the following:

- a. The nonconforming structure or development may not be enlarged or altered in a way that increases its nonconformity;
- b. If a nonconforming structure, development, or nonconforming portion of a structure or development is destroyed by any means to an extent of more than 60% of its current value as assessed by the Washington County assessor, reconstruction is prohibited except in conformity with this title. This prohibition does not apply to small form residential development or regulated affordable housing that is destroyed by accident, such as by fire, flood, or earthquake; and
- c. If a structure or development is moved any distance for any reason, it must thereafter comply with all applicable development standards.

18.50.050 Repairs and Maintenance

- A. Routine repairs and maintenance. On any nonconforming structure or portion of a structure containing a nonconforming circumstance, normal repairs, or replacement of roofs, non-bearing walls, fixtures, wiring, or plumbing may be performed in a manner not in conflict with the provisions of this chapter.
- B. Restoration to safe condition. Nothing in this chapter prevents the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

Chapter 18.120 COMMERCIAL ZONES

18.120.010 Purpose

The purpose of this chapter is to implement the goals and policies of the comprehensive plan related to land use planning and economic development by:

- A. Ensuring that a full range of goods, services, and employment opportunities are available throughout the city so that residents can fulfill all or most of their needs within walking or biking distance of their homes;
- B. Ensuring that a full range of economic activities and job opportunities are available throughout the city; and
- C. Prioritizing sustainability and resilience by reducing distance between services, employment, and residences and by incentivizing sustainable development.

18.120.020 List of Base Zones

- A. COM: Commercial zone. The COM zone is designed to accommodate a full range of retail, office, and civic uses with a citywide and regional trade area. Except where nonconforming, residential uses are limited to mixed-use developments.
- B. MU-CBD: Mixed-Use Central Business District zone. The MU-CBD zone is designed to provide a pedestrian-friendly urban village in downtown Tigard. A wide variety of commercial, civic, employment, mixed-use, apartments, and rowhouses are allowed.
- C. MUE: Mixed-Use Employment zone. The MUE zone is designed to accommodate a wide range of small- to medium-format employment uses, including commercial and low-impact industrial uses. Residential uses are allowed only where employment activity is a primary use.
- D. MUC: Mixed-Use Commercial zone. The MUC zone is designed to allow a range of commercial activity, mixed-use development, and standalone residential uses. It is intended to encourage pedestrian activity, attractive transit options, and urban gathering spaces.
- E. MUR: Mixed-Use Residential zone. The MUR zone is designed for predominantly residential areas where mixed-uses are allowed when supportive of the residential use.
- F. TMU: Triangle Mixed-Use zone. The TMU zone is intended to be an active, urban, multimodal, and mixed-use district that accommodates a variety of housing options and

uses, promotes pedestrian-oriented development, and limits new auto-oriented development.

18.120.030 Land Use Standards

A. General provisions. A list of allowed, restricted, conditional, and prohibited uses in commercial zones is provided in Table 18.120.1, except for uses in the MU-CBD zone, which are provided in Chapter 18.650, Tigard Downtown Plan District; in the TMU zone, which are provided in Chapter 18.660, Tigard Triangle Plan District; and in the Washington Square Regional Center Plan District, which are provided in Chapter 18.670, Washington Square Regional Center Plan District. If a use category is not listed, see Section 18.60.030.

1. Allowed (A). Uses that are allowed, subject to all of the applicable provisions of this title.
2. Restricted (R). Uses that are subject to special requirements, exceptions, or restrictions provided in Subsections 18.120.030.D-G. Use restrictions may be modified through an adjustment application as provided in Chapter 18.715, Adjustments or Chapter 18.770, Planned Developments.
3. Conditional (C). Uses that require the approval of the Hearings Officer using discretionary criteria. The approval process and criteria are provided in Chapter 18.740, Conditional Uses.
4. Prohibited (P). Uses that are not allowed under any circumstance.

B. Additional standards or restrictions may apply in plan districts.

C. Development standards. The standards for residential development in commercial zones are located in the applicable housing type chapter in 18.200 Residential Development Standards. The standards for nonresidential development in commercial zones—including mixed-use development—are located in Chapter 18.320, Commercial Zone Development Standards, and the applicable plan district chapter, if any.

Table 18.120.1				
Commercial Zone Use Standards				
Use Categories	COM	MUC	MUE	MUR
Residential Use Category				
Residential Use	R	A	R	A
Civic Use Categories				

Table 18.120.1

Commercial Zone Use Standards

Use Categories	COM	MUC	MUE	MUR
Basic Utility	R/C	R/C	R/C	R/C
Cemetery	P	P	P	P
Detention Facility	P	P	P	P
Government Services	A	A	A	A
Railroad Yard	P	P	P	P
School or Religious Facility	C	C	C	C
Temporary Shelter	C	C	C	C
Transportation and Utility Corridor	A	A	A	A
Wireless Communications Facility	R	R	R	R
Commercial Use Categories				
Adult Entertainment	C	P	P	P
Commercial Lodging	A	A	A	A
Indoor Sales and Services	R	R	R	R
Major Event Entertainment	A	C	P	P
Mobility Hub	A	R	R	C
Motor Vehicle Fuel Sales	A	P	P	P
Motor Vehicle Sales and Rental	A	R	R	P
Motor Vehicle Servicing	A	R	R	P
Non-Accessory Parking	R	R	R	P
Office	A	A	A	R
Outdoor Sales and Services	A	P	P	P
Self-Service Storage	R	P	P	P
Industrial Use Categories				
Industrial and Manufacturing	R	R	R	P
Off-Site Services	R	P	R	P
Warehouse and Distribution	P	P	A/R	P
Waste-Related Facility	P	P	P	P
Wholesale and Equipment Rental	R	P	A/R	P

A=Allowed R=Restricted C=Conditional Use P=Prohibited

D. COM zone use restrictions.

1. Residential Use. Any combination of residential and nonresidential uses proposed for the same site and not contained in a mixed-use development requires planned development review.
2. Basic Utility.
 - a. This use is conditionally allowed.
 - b. Data centers are conditionally allowed only on or above the second story of a mixed-use development.
3. Wireless Communications Facility. See Chapter 18.450, Wireless Communication Facilities, for allowed and restricted facilities.
4. Indoor Sales and Services. Outdoor animal kennels are prohibited. All animal kennels associated with breeding, boarding, or sales must be contained completely within a building.
5. Non-Accessory Parking. This use is allowed only as structured parking with at least two floors of parking.
6. Self-Service Storage. This use is allowed only on or above the second story of a mixed-use development.
7. Industrial and Manufacturing. All inventory and materials, except parking, must be contained completely within a building.
8. Off-Site Services.
 - a. The maximum gross floor area is 20,000 square feet per tenant.
 - b. A maximum of 20 vehicles may be parked overnight on-site.
 - c. All inventory and materials, except parking, must be contained completely within a building.
9. Wholesale and Equipment Rental.
 - a. The maximum gross floor area is 20,000 square feet per tenant.
 - b. All inventory and materials, except parking, must be contained completely within a building.

E. MUC zone use restrictions.

1. Basic Utility.
 - a. This use is conditionally allowed.

b. Data centers are conditionally allowed only on or above the second story of a mixed-use development.

2. Wireless Communications Facility. See Chapter 18.450, Wireless Communication Facilities, for allowed and restricted facilities.

3. Indoor Sales and Services.

- a. The maximum gross floor area is 30,000 square feet per tenant.
- b. All inventory and materials, except parking, must be contained completely within a building.
- c. Outdoor animal kennels are prohibited. All animal kennels associated with breeding, boarding, or sales must be contained completely within a building.
- d. Uses with drive-through services is prohibited.
- e. Uses in a campus are conditionally allowed.

4. Mobility Hub. A maximum of ten car charging stations is allowed per hub.

5. Motor Vehicle Sales and Rental.

- a. The maximum gross floor area is 25,000 square feet per tenant.
- b. All activities and storage, including any vehicle inventory, must be contained completely within a building.

6. Motor Vehicle Servicing.

- a. The maximum gross floor area is 25,000 square feet per tenant.
- b. All inventory and materials, except parking, must be contained completely within a building.
- c. Drive-through services are prohibited.

7. Non-Accessory Parking. This use is allowed only as structured parking with at least two floors of parking.

8. Industrial and Manufacturing. All inventory and materials, except parking, must be contained completely within a building.

F. MUE zone use restrictions.

1. Residential Use.

- a. Any combination of residential and nonresidential use proposed for the same site and not contained in a mixed-use development requires planned development review.
- b. Allowed civic, allowed commercial, or restricted industrial uses must make up at least 30 percent of the gross floor area.

2. Basic Utility.

- a. This use is conditionally allowed.
 - b. Data centers are conditionally allowed only on or above the second story of a mixed-use development.
3. Wireless Communications Facility. See Chapter 18.450, Wireless Communication Facilities, for allowed and restricted facilities.
4. Indoor Sales and Services.
 - a. The maximum gross floor area is 30,000 square feet per tenant.
 - b. All inventory and materials, except parking, must be contained completely within a building.
 - c. Outdoor animal kennels are prohibited. All animal kennels associated with breeding, boarding, or sales must be contained completely within a building.
 - d. Uses with drive-through services are prohibited.
 - e. Uses in a campus are conditionally allowed.
5. Mobility Hub. A maximum of ten car charging stations is allowed per hub.
6. Motor Vehicle Sales and Rental.
 - a. The maximum gross floor area is 25,000 square feet per tenant.
 - b. All activities and storage, including any vehicle inventory, must be contained completely within a building.
7. Motor Vehicle Servicing. All activities and storage, including any vehicle inventory, must be contained completely within a building.
8. Non-Accessory Parking. This use is allowed only as structured parking with at least two floors of parking.
9. Industrial and Manufacturing. All inventory and materials, except parking, must be contained completely within a building.
10. Off-Site Services.
 - a. The maximum gross floor area is 20,000 square feet per tenant.
 - b. A maximum of 20 vehicles may be parked overnight on-site.
 - c. All inventory and materials, except parking, must be contained completely within a building.
11. Warehouse and Distribution.
 - a. This use is allowed when providing off-site storage and distribution support to an existing manufacturing use located in Tigard.
 - b. Activities that are accessory to an allowed primary use are allowed.

c. Properties shown in the Warehouse and Wholesale Area of Additional Flexibility on Map 18.120.A are also allowed a maximum of 30,000 gross square feet per tenant space. The following buildings are exempt from this limit:

- i. Oregon Business Park 1 Buildings 10 (16600-40 SW 72nd Ave) and 12 (16650-98 SW 72nd Ave).
- ii. Oregon Business Park 3 Buildings D (7342-7380 SW Kable Lane), I (15605-705 SW 72nd Ave), and G (7319 SW Kable Lane).

12. Wholesale and Equipment Rental.

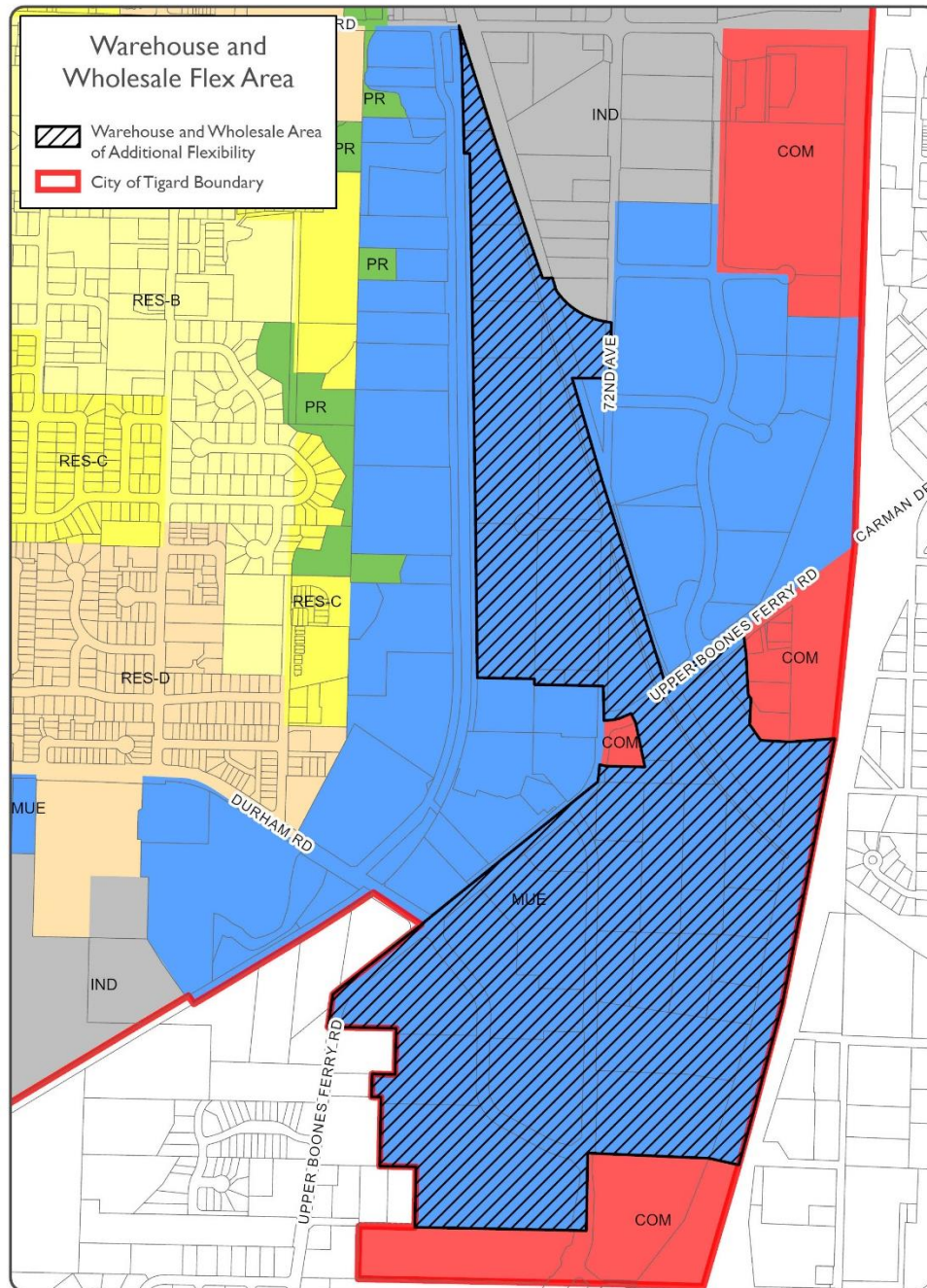
a. All inventory and materials, except parking, must be contained completely within a building.

b. The maximum gross floor area is 20,000 square feet per tenant for properties located outside the Warehouse and Wholesale Area of Additional Flexibility as shown on Map 18.120.A.

c. The maximum gross floor area is 35,000 square feet per tenant space for properties located within the Warehouse and Wholesale Area of Additional Flexibility as shown on Map 18.120.A. The following buildings are exempt from this limit:

- i. Oregon Business Park 1 Buildings 10 (16600-40 SW 72nd Ave) and 12 (16650-98 SW 72nd Ave).
- ii. Oregon Business Park 3 Buildings D (7342-7380 SW Kable Lane), I (15605-705 SW 72nd Ave), and G (7319 SW Kable Lane).

Map 18.120.A



H. MUR zone use restrictions.

1. Basic Utility.

- a. This use is conditionally allowed.
- b. Data centers are conditionally allowed only on or above the second story of a mixed-use development.

2. Wireless Communications Facility. See Chapter 18.450, Wireless Communication Facilities, for allowed and restricted facilities.

3. Indoor Sales and Services. This use is allowed only as part of a mixed-use development.

4. Office. This use is allowed only as part of a mixed-use development.

18.120.040 Housing Types

A. A housing type is not a use category. It describes a type of development that contains a Residential Use.

B. A list of allowed, limited, and prohibited housing types in commercial zones is provided in Table 18.120.2. The terms and abbreviations in Table 18.120.2 are as follows:

1. Yes, allowed (Y). Housing types that are allowed.
2. No, prohibited (N). Housing types that are not allowed under any circumstance.

C. All housing types are subject to the standards and provisions of the applicable development standards chapter or applicable plan district chapter, if any. The applicable chapter for each housing type is provided in Table 18.120.2.

D. All allowed housing types may be built on site or manufactured off site.

Table 18.120.2					
Commercial Zone Housing Types					
Housing Types	Applicable Chapter	COM	MUC	MUE	MUR
Accessory Dwelling Units	18.220	N	N	N	Y
Apartments	18.230	N	Y	N	Y
Cottage Clusters	18.240	N	N	N	Y
Courtyard Units	18.250	N	N	N	Y
Mobile Home Parks	18.260	N	N	N	N
Quads	18.270	N	N	N	Y
Rowhouses	18.280	N	Y	N	Y
Small Form Residential	18.290	N	N	N	Y

Table 18.120.2

Commercial Zone Housing Types

Housing Types	Applicable Chapter	COM	MUC	MUE	MUR
Mixed-Use Development	18.320	Y	Y	Y	Y

Y=Yes, Allowed L=Limited N=No, Prohibited

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Chapter 18.130 INDUSTRIAL ZONES

18.130.010 Purpose

The purpose of this chapter is to implement the goals and policies of the comprehensive plan related to land use planning and economic development by:

- A. Ensuring that a full range of economic activities and job opportunities are available throughout the city;
- B. Promoting the efficient use of the city's limited industrial land supply by preserving industrial land for job-dense industries; and
- C. Promoting more carbon responsible development by reducing the distance between services, employment, and residences.

18.130.020 Base Zone

The IND zone prioritizes manufacturing uses, with limited motor vehicle servicing, off-site services, warehouse and distribution, and wholesale and equipment rental uses. Some civic uses are also allowed. Uses in this zone are intended to foster job density, accessible career pathways, and living wage jobs. Industrial uses may have some off-site impacts including noise and odor.

18.130.030 Land Use Standards

A. General Provisions. A list of allowed, restricted, conditional, and prohibited uses in the IND zone is provided in Table 18.130.1. If a use category is not listed, see Section [18.60.030](#).

1. Allowed (A). Uses that are allowed, subject to all of the applicable provisions of this title.
2. Restricted (R). Uses that are subject to special requirements, exceptions, or restrictions as provided in Subsection 18.130.030.C.
3. Conditional (C). Uses that require the approval of the Hearings Officer using discretionary criteria. The approval process and criteria are provided in Chapter [18.740](#), Conditional Uses.
4. Prohibited (P). Uses that are not allowed under any circumstance.

B. Development standards. The standards for nonresidential development in industrial zones are located in Chapter [18.330](#), Industrial Zone Development Standards, and the applicable plan district chapter, if any.

Table 18.130.1	
Industrial Zone Use Standards	
Use Categories	IND
Residential Use Category	
Residential Use	P
Civic Use Categories	
Basic Utility	R/C
Cemetery	P
Detention Facility	P
Government Services	C
Railroad Yard	P
School or Religious Facility	P
Temporary Shelter	P
Transportation and Utility Corridor	A
Wireless Communications Facility	R
Commercial Use Categories	
Adult Entertainment	P
Commercial Lodging	P
Indoor Sales and Services	R
Major Event Entertainment	P
Mobility Hub	P
Motor Vehicle Fuel Sales	P
Motor Vehicle Sales and Rental	P
Motor Vehicle Servicing	A
Non-Accessory Parking	P
Office	P
Outdoor Sales and Services	P
Self-Service Storage	P
Industrial Use Categories	
Industrial and Manufacturing	A
Off-Site Services	R
Warehouse and Distribution	R
Waste-Related Facility	R
Wholesale and Equipment Rental	R

A=Allowed R=Restricted C=Conditional Use P=Prohibited

C. IND zone use restrictions.

1. Basic Utility.

- a. This use is conditionally allowed.
- b. Data centers are conditionally allowed only on or above the second story of a vertical mixed-use building.

2. Wireless Communications Facility. See Chapter 18.450, Wireless Communication Facilities, for allowed and restricted facilities.

3. Indoor Sales and Services.

- a. A maximum of one establishment with a maximum gross floor area of 5,000 square feet is allowed per lot.
- b. Uses with drive-through services are prohibited.
- c. All animal kennels associated with breeding, boarding, or sales must be contained completely within a building.

4. Off-Site Services.

- a. The maximum allowed gross floor area is 20,000 square feet per tenant.
- b. A maximum of 20 vehicles may be parked overnight on-site.
- c. All inventory and materials, except parking, must be contained completely within a building.

5. Waste-Related Facility. This use is allowed only as an accessory use to allowed or restricted industrial uses.

6. Warehouse and Distribution. This use is only allowed through the adjustment process as provided in Section 18.715.050.B.

7. Wholesale and Equipment Rental.

- a. The maximum allowed gross floor area is 20,000 square feet per tenant.
- b. All inventory and materials, except parking, must be contained completely within a building.

Chapter 18.230 APARTMENTS

18.230.010 Purpose

Apartments are a type of attached housing within single-story or multi-story buildings. Apartment dwelling units may share common side walls, ceilings, or floors. The purpose of this chapter is to provide standards that promote quality development and enhance the livability, walkability, and safety of the community. Apartment development is intended to achieve the following:

- A. Increase the number of affordable dwelling units;
- B. Provide for a variety of housing types that meet the needs of Tigard's diverse population at all stages of life;
- C. Facilitate the efficient use of land through higher-density attached housing; and
- D. Support and complement transit services by providing ridership density and proximity.

18.230.020 Applicability

- A. The standards of this chapter apply to apartment development in the RES-D, RES-E, MUC, and MUR zones. Additional standards apply in the River Terrace Plan District as provided in Chapter [18.640](#), River Terrace Plan District. An applicant may elect to apply the approval process and standards of this chapter or of Chapter [18.280](#), Rowhouses, when proposing rowhouse development.
- B. The standards of this chapter also apply to nonconforming apartment development in the RES-A through RES-C zones. In lieu of specific base zone standards, apartment development in these zones is subject to the RES-D zone standards.
- C. This chapter does not apply to the following:
 - 1. Apartment development in the Bridgeport Village Plan District is subject to the standards of Chapter [18.620](#), Bridgeport Village Plan District.
 - 2. Apartment development in the MU-CBD zone is subject to the approval processes and standards of Chapter [18.650](#), Tigard Downtown Plan District.
 - 3. Apartment development in the TMU zone is subject to the approval processes and standards of Chapter [18.660](#), Tigard Triangle Plan District.

18.230.030 Application Type

Apartment development requires a site development review application.

18.230.040 Development Standards

A. Base zone development standards are provided in Table 18.230.1.

Table 18.230.1				
Apartment Development Standards				
Standard	RES-D	RES-E	MUC	MUR
Minimum Setbacks (ft)				
- Front or street-facing	20	20	1	1
- Side or rear adjacent to nonresidential or RES-E zone	10	10	0	0
- Side or rear adjacent to a RES-A—RES-D zone	10	10[1]	0	20
Maximum Setbacks (ft)				
- Front or street-facing	None	None	12	12
Minimum Height (ft)	None	None	12	12
Maximum Height (ft)	35	45	185	60
Maximum Lot Coverage	80%	80%	None	None
Minimum Landscape Area	20%	20%	None	None
Minimum Density	11 units per acre	23 units per acre	None	None
Maximum Density	14 units per acre	30 units per acre	None	None

[1] An additional one foot of setback is required for each foot of building height above the maximum building height of the adjacent residential zone.

B. Landscaping and screening. All required landscaping, including landscaping used to meet screening or tree canopy standards, is subject to the general provisions of Chapter [18.420](#), Landscaping and Screening.

1. The minimum landscape area standard is provided in Table 18.230.1. Landscaping standards are provided in Section [18.420.040](#). Any landscape area that meets the L-2 standard and any required common open space area may count toward meeting the minimum landscape area standard.

2. Screening standards are provided in Section [18.420.050](#). Screening is required as follows:

- a. Service areas and wall- and roof-mounted utilities must be screened to the S-1 standard. Service areas and utilities are also subject to the standards in Subsection 18.230.040.G.
- b. Apartments that abut a RES-A through RES-D zone must be screened to the S-3 standard along all property lines, except street property lines.
- c. Surface vehicle parking areas, loading areas, and drive aisles within 20 feet of a street property line must be screened to the S-4 standard. Screening must be provided directly adjacent to the street property line, except where access is taken.

3. The minimum tree canopy standards for the site and any off-street vehicle parking areas are provided in Section [18.420.060](#).

C. Common space.

1. Common space is required.

- a. In the RES-D and RES-E zones, the minimum total area of required common space is 10% of the gross site area or 48 square feet per dwelling unit, whichever is greater.
- b. In the MUC and MUR zones, the minimum total area of required common space is 36 square feet per unit.
- c. Multiple common spaces may be provided to meet this standard, but any area used to meet this standard must be a minimum of 20 feet in width and depth.

2. Apartment developments with less than 20 dwelling units and apartment developments or mixed-use developments in the MUC or MUR zones must provide at least two different items from the list below within areas identified as common space. Apartment developments with 20 or more dwelling units must provide at least four different items from the list below within areas identified as common space.

- a. Playground equipment or nature play area for children,
- b. Lawn or garden area, which may include an above-ground vegetated stormwater facility,
- c. Roof-top or upper-story deck with a covered area that is a minimum of 15 feet in width and depth,

- d. Courtyard or covered patio,
- e. Swimming pool or water feature,
- f. Sport court or workout room,
- g. Library or office space, or
- h. Other similar item as determined by the Director.

3. At least 50% of the dwelling units in a development must face outdoor common space or a public street. This standard is met when the front door or a window from the kitchen, living room, or dining room of a dwelling unit faces the outdoor common space or a public street.

4. Building facades, including accessory structure facades, that face outdoor common space must meet the 15% window area requirement in Subsection 18.230.050.B or be screened to the S-4 standard as provided in Table 18.420.2.

5. Common space may not be located in the front setback or include sensitive lands, except common space in a public access easement may be located within the front setback.

6. Outdoor common space that explicitly allows dogs must include an approved dog waste bag dispenser and trash receptacle.

D. Private outdoor space.

1. Private outdoor space is required for each dwelling unit. Each private outdoor space must be a minimum of 48 square feet in area and a minimum of five feet in width and depth.

2. Private outdoor space must be directly accessible from the interior of the dwelling unit that it serves.

3. Additional common space above the required minimum may substitute for some or all of the required private outdoor space at a 1:1 ratio.

E. Pedestrian access.

1. Paths must provide pedestrian access from public sidewalks abutting the site to all required building entrances on the site.

2. Paths must provide pedestrian access between all common open space areas, vehicle and bicycle parking areas, building entrances, and service areas

designed for use by residents. Paths within parking areas or along drive aisles are subject to additional standards in Chapter [18.410](#), Off-Street Parking and Loading.

3. Paths must extend to the perimeter property line to provide pedestrian access to existing or planned pedestrian facilities on adjacent properties, such as trails or public access easements.

4. Paths must be constructed with a hard surface material and have a minimum unobstructed width of five feet.

F. Vehicle and bicycle parking.

1. The applicable provisions and standards of Chapter [18.410](#), Off-Street Parking and Loading, apply to apartment developments.

2. Off-street surface vehicle parking areas, detached garages, and attached or detached carports may not be located closer to a street property line than the building closest to that street property line.

3. Off-street vehicle parking areas may not occupy more than 50% of the total length of each street frontage as measured 20 feet from the street property line. Drive aisles without adjacent parking spaces do not count as parking areas for the purposes of this standard.

4. Attached garages may be attached to any side of an apartment building. If attached to the street-facing facade, they may not be located closer to the street property line than the apartment building facade and the facade must include at least one entrance for each proposed garage that meets the standards of Subsection 18.230.050.A. Driveways associated with attached garages that take direct individual access from a public or private street must meet the rowhouse location and access standards in Paragraph 18.280.050.E.3 and Subparagraph 18.280.050.E.2.a.

5. A minimum of one bicycle parking space must be provided for every two dwelling units. Fractional parking space minima are rounded up to the nearest whole number. Apartment developments with 20 or more dwelling units must meet the following additional standards:

a. All bicycle parking required by Paragraph 18.230.040.F.5 above must be provided inside a structure or under a roof. This bicycle parking is exempt from the location standards of Chapter [18.410](#), Off Street Parking and Loading, but may not be located inside individual dwelling units.

b. Additional bicycle parking must be provided that is equal to or greater than 15% of the minimum parking requirement as provided in Paragraph 18.230.040.F.5 above. This additional bicycle parking must be provided within

20 feet of the street property line and be visible to pedestrians from the public sidewalk in front of the site. Bicycle parking may be located in the public right-of-way with approval of the City Engineer.

G. Utilities and service areas.

1. Private utility facilities, such as transformers or control valves, that serve a single development must be located below ground or a minimum of 20 feet from any street property line or any property line adjacent to a residential zone if located above ground.
2. Service areas, such as waste and recycling containers, outdoor storage, and mechanical equipment, may not be located within 20 feet of any street property line or any property line adjacent to a residential zone, except where located inside a building.

H. Lighting.

1. Minimum illumination levels are measured horizontally at ground level.
 - a. The minimum average illumination is 1.5 footcandles for paths, except those within parking areas, which are subject to the lighting standards in Chapter [18.410](#), Off-Street Parking and Loading. All points of measurement must be a minimum of 0.5 footcandles.
 - b. The minimum average illumination is 3.5 footcandles for required building entrances and 2.0 footcandles for any non-required building entrances. All points of measurement must be a minimum of 1.0 footcandle.
2. Maximum illumination levels are measured vertically at the property line or sensitive lands boundary line. The maximum illumination is 0.5 footcandles at side and rear property lines, except that the maximum illumination may be increased to 1.0 footcandle where the development abuts a commercial or industrial zone. The maximum illumination is zero footcandles at any sensitive lands boundary line.
3. Lighting must be shielded, with a cutoff angle of 90 degrees or greater to ensure that it does not shine upwards. Lighting sources, such as lamps and bulbs, may not be directly visible from adjacent properties or sensitive lands.

I. Apartments are subject to all other applicable requirements of this title, including, but not limited to, standards related to streets, utilities, sensitive lands, and signs.

18.230.050 Design Standards

A. Entrances.

1. For dwelling units with internal building access, a minimum of one entrance per building must be visible and accessible from a public or private street or outdoor common space. Additional entrances may face drive aisles, parking areas, or service areas.
2. For dwelling units without internal building access, a minimum of one entrance per dwelling unit must be visible and accessible from a public or private street, outdoor common space, or drive aisle that has a curb and path adjacent to the dwelling unit.
3. A required building entrance must be at an angle that is no more than 45 degrees from the street, common space, or drive aisle that it faces. A required building entrance to an individual dwelling unit may exceed this standard where it opens onto a porch or stoop provided the angle is no more than 90 degrees from the street, common space, or drive aisle that it faces.
4. A required building entrance must be covered, recessed, or treated with a permanent architectural feature that provides weather protection for pedestrians. The required weather protection must be at least as wide as the entrance, a maximum of six feet above the top of the entrance, and a minimum of three feet in depth. The required weather protection may project into the minimum front setback.

B. Windows.

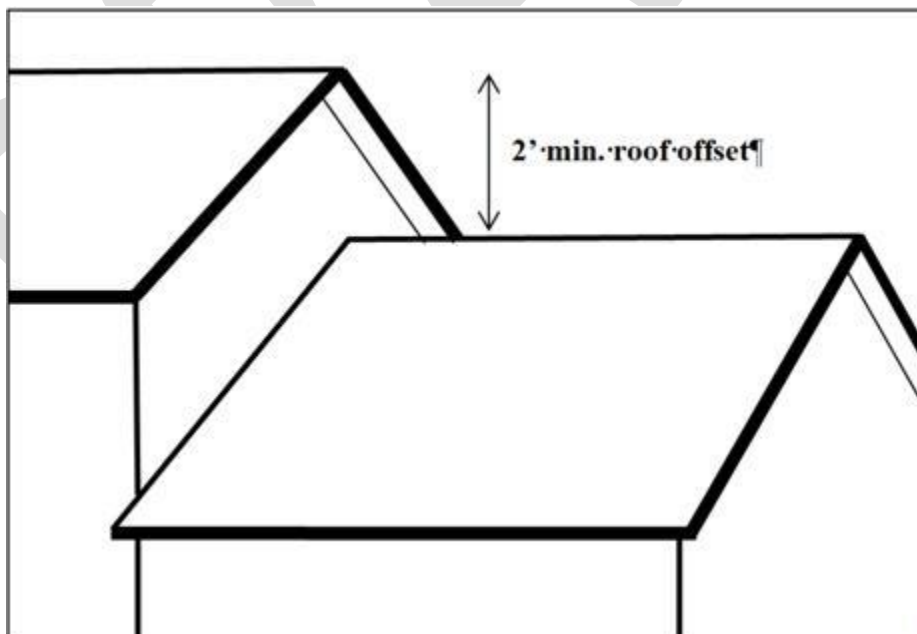
1. All building facades that face a public or private street must include a minimum of 15% window area.
2. The minimum window area standard does not apply to stories with sloped roofs or dormers.

C. Facade design.

1. All building facades that face a public or private street or outdoor common space must include at least two different architectural features from the list provided below. An additional two different architectural features per facade are required on all buildings with 20 or more dwelling units. This standard may be met by including different architectural features on different facades of the same building. Buildings that do not include dwelling units are exempt from providing architectural features on facades that face outdoor common space areas, but must provide at least two different architectural features on all street-facing facades.

- a. Facade articulation. A wall projection or recession that is a minimum of six feet in width and two feet in depth for a minimum of half the height of the facade and with a maximum distance of 40 feet between projections or recessions.
- b. Roof eave or projecting cornice.
 - i. An eave that projects a minimum of 12 inches from the building facade; or
 - ii. A cornice that projects a minimum of six inches from the building facade and is a minimum of 12 inches in height.
- c. Roof offsets or dormers.
 - i. A roof offset that is a minimum of two feet from the top surface of one roof to the top surface of another roof as measured horizontally or vertically with a maximum distance of 40 feet between offsets. See Figure 18.230.1; or
 - ii. One dormer for each top-story dwelling unit that is a minimum of four feet in width and integrated into the roof form.

Figure 18.230.1 Roof Offset



- d. Accent siding. A minimum of two different siding materials are used, and one siding material covers a minimum of 40% of the building facade.

- e. Distinct base and top. The first story is visually distinguished from the upper stories by including a belt course and at least one of the following:
 - i. a change in surface or siding pattern;
 - ii. a change in surface or siding material; or
 - iii. a change in the size or orientation of windows.
- f. Window area. A minimum of 50% window area is included.
- g. Window shadowing. All windows include at least one of the following:
 - i. Window trim that is a minimum of 2.5 inches in width and 0.625 inches in depth; or
 - ii. Windows that are recessed a minimum of three inches from the building facade.
- h. Balconies. Balconies are included on all upper stories that meet the dimensional requirement for private outdoor space provided in Subsection 18.230.040.D.
- i. Covered porches or recessed entrances. All first-story dwelling units with individual entrances include at least one of the following:
 - i. A covered porch that is a minimum of five feet in width and depth; or
 - ii. An entrance area that is a minimum of five feet in width and recessed a minimum of two feet from the building facade.
- j. Enhanced entrances or awnings. A building that provides internal access to dwelling units includes at least one of the following:
 - i. A building entrance that is a minimum of eight feet in width and is either:
 - (A) recessed a minimum of five feet from the building facade, or
 - (B) covered with a permanent architectural feature that provides weather protection. The architectural feature must be at least as wide as the entry, a maximum of six feet above the top of the entry, and a minimum of five feet in depth. The architectural feature may project into the minimum front setback; or

ii. A permanent architectural feature above all first-story windows, such as an awning or series of awnings, that are at least as wide as each window, a maximum of six feet above the top of each window, and a minimum of three feet in depth. The architectural feature may project into the minimum front setback.

2. The following building materials are prohibited on all building facades, including accessory structure facades, that face a public or private street or outdoor common space. They may not be used collectively on more than 35% of any other building facade.

- a. Vinyl PVC siding,
- b. T-111 plywood,
- c. Exterior insulation finishing (EIFS),
- d. Corrugated metal,
- e. Plain concrete or plain concrete block,
- f. Spandrel glass, or
- g. Sheet pressboard.

18.230.060 Accessory Structures

Accessory structures are allowed subject to the following standards:

- A. Accessory structures are prohibited in the required front or street side setback;
- B. Accessory structures may be located in the required side or rear setback provided they are a minimum of five feet from the side and rear property lines and a maximum of 15 feet in height; and
- C. All accessory structures, including structures required to screen utilities and service areas, and all site improvements, such as fences, walls, signs, and light fixtures, must use materials, colors, and architectural design features that are similar in scale and appearance to those on primary buildings. Chain link fencing and unfinished concrete blocks are prohibited within 20 feet of any street property line or public access easement.

Chapter 18.320 COMMERCIAL ZONE DEVELOPMENT STANDARDS

18.320.010 Purpose

A. The purpose of this chapter is to provide standards for nonresidential development and mixed-use development in commercial zones that promote quality development and enhance the livability, walkability, and safety of the community. Standards prioritize more dense and walkable development, in order to enhance climate resilience and economic activity with the limited developable land available in the city.

18.320.020 Applicability

A. The standards of this chapter apply to nonresidential and mixed-use development in the COM, MUC, MUE, and MUR zones. Additional standards apply to nonresidential and mixed-use development in the River Terrace Plan District as provided in Chapter [18.640](#), River Terrace Plan District.

B. Residential development, except for mixed-use development, in commercial zones is subject to the approval processes and standards of the applicable housing type in Chapter [18.200](#), Residential Development Standards.

C. This chapter does not apply to the following:

1. Nonresidential and mixed-use development in the Bridgeport Village Plan District is subject to the standards of Chapter [18.620](#), Bridgeport Village Plan District.
2. Nonresidential and mixed-use development in the MU-CBD zone is subject to the approval processes and standards of Chapter [18.650](#), Tigard Downtown Plan District.
3. Nonresidential and mixed-use development in the TMU zone is subject to the approval processes and standards of Chapter [18.660](#), Tigard Triangle Plan District.
4. Nonresidential and mixed-use development in the Washington Square Regional Center Plan District is subject to the standards of Chapter [18.670](#), Washington Square Regional Center Plan District.

18.320.030 Application Type

Nonresidential development in commercial zones requires a site development review application, except where a conditional use or planned development application is required or proposed.

18.320.040 Site Design Standards

A. Base zone standards.

- 1. Base zone site design standards are provided in Table 18.320.1. and Subsections 18.320.040.B - J.
- 2. Existing development or proposed additions are exempt from maximum building setback standards.

Table 18.320.1				
Commercial Zone Site Design Standards for Nonresidential Development				
Standard	COM	MUC	MUE	MUR
Minimum Setback (ft)				
- Front or street-facing	1	1	1	1
- Side or rear adjacent to nonresidential or RES-E zone	0	0	0	0
- Side or rear adjacent to a RES-A—RES-D zone	15	0	15	20
Maximum front or street-facing Setback (ft)	None	12	12	20
Maximum Lot Coverage	100%	100%	100%	100%
Minimum Landscape Area	0%	0%	0%	0%
Minimum Site Tree Canopy Coverage	The minimum site tree canopy standards are provided in Section 18.420.060.			
Minimum Parking Lot Tree Canopy Coverage	The minimum parking lot tree canopy standards are provided in Subsection 18.410.030.M.			

B. Setbacks. Minimum and maximum building setbacks are met when at least 70 percent of the building facade facing a public or private street is located within the setback.

C. Common space. Mixed-use development in the MUR and MUC zones is required to provide common space as provided in Subsection 18.230.040.C.

D. Landscaping and screening. Landscaping and screening standards are provided in Chapter 18.420, Landscaping and Screening. Landscaping and screening are required as follows:

1. Service areas and wall- and roof-mounted utilities must be screened to the S-1 standard. Service areas and utilities are also subject to the standards in Subsection 18.320.040.D.
2. Nonresidential development that abuts a residential zone must be screened to the S-3 standard along all property lines, except street property lines.
3. Surface vehicle parking areas, loading areas, drive aisles, and stacking lanes for drive-through services within 20 feet of a street property line must be screened to the S-4 standard. Screening must be provided directly adjacent to the street property line, except where access is taken.

E. Pedestrian access.

1. Paths are required and must provide safe and convenient pedestrian access from public sidewalks abutting the site to all required building entrances on the site.
2. For every 200 linear feet of street frontage, a minimum of one path must be provided that connects an adjacent planned or existing sidewalk to a building entrance or structure intended for public access.
3. Paths must provide safe and convenient pedestrian access within the site between all buildings, uses, and areas designed for use by pedestrians. Paths within parking areas or along drive aisles are subject to additional standards in Chapter 18.410, Off-Street Parking and Loading.
4. Paths must extend to the perimeter property line to provide access to existing or planned pedestrian facilities on adjacent properties, such as trails or public access easements.
5. Paths must be constructed with a hard surface material and have a minimum unobstructed width of five feet.

F. Utilities and service areas.

1. Private utility facilities, such as transformers or control valves, that serve a single development must be located below ground or a minimum of 20 feet from any street property line or any property line adjacent to a residential zone if located above ground.
2. Service areas, such as waste and recycling containers, outdoor storage, and mechanical equipment, may not be located within 20 feet of any street property line

or any property line adjacent to a residential zone, except where located inside a building.

G. Lighting.

1. Minimum illumination levels are measured horizontally at ground level.
 - a. The minimum average illumination is 1.5 footcandles for paths, except those within parking areas, which are subject to the lighting standards in Chapter 18.410, Off-Street Parking and Loading. All points of measurement must be a minimum of 0.5 footcandles.
 - b. The minimum average illumination is 3.5 footcandles for required building entrances and 2.0 footcandles for any non-required building entrances. All points of measurement must be a minimum of 1.0 footcandle.
2. Maximum illumination levels are measured vertically at the property line. The maximum illumination is 0.5 footcandles at side and rear property lines, except that the maximum illumination may be increased to 1.0 footcandle where the development abuts a commercial or industrial zone.
3. Lighting must be shielded, angled, or located such that it does not shine upwards or directly onto adjacent properties or sensitive lands.

H. Driveways. The following standards apply to new driveways or substantial redevelopment.

1. For each street frontage less than or equal to 300 feet in length, a maximum of one driveway per street frontage is allowed.
2. For each street frontage more than 300 feet in length, a maximum of one driveway for every 200 feet of street frontage is allowed.

I. Parking and loading areas.

1. Vehicle parking and loading areas must be designed and located to minimize conflicts between vehicular and non-vehicular traffic.
2. Loading areas must be designed and located to minimize adverse impacts on adjacent properties when adjacent to a residential zone.
3. A minimum of 50 percent of required bicycle parking spaces must be located within 20 feet of the street property line and be visible to pedestrians from the public sidewalk in front of the site.

4. Bicycle parking may be located in the public right-of-way with approval of the City Engineer.

J. Other standards. Development in commercial zones is subject to all other applicable standards of this title, including, but not limited to, standards related to parking and loading, streets and utilities, sensitive lands, and signs.

18.320.050 Building Design Standards

A. Floor Area Ratio (FAR). There are no minimum or maximum FAR requirements for development in commercial zones.

B. Entrances.

1. A minimum of one entrance per building, or tenant space within a building without internal building access, must be visible and accessible from a public street.
2. A required entrance must be within 1 foot above or below the grade of the adjacent sidewalk.
3. A required building entrance must be at an angle that is no more than 45 degrees from the street that it faces.
4. A required building entrance must be covered, recessed, or treated with a permanent architectural feature that provides weather protection for pedestrians. The required weather protection must be at least as wide as the entrance, a maximum of six feet above the top of the entrance, and a minimum of three feet in depth. The required weather protection may project into the minimum front setback.

C. Windows. Building facades facing public or private streets when located within 35 feet of the street-facing property line must include a minimum window area as provided in Table 18.320.3.

Table 18.320.3		
Minimum Window Area		
Story	Use	Minimum Window Area
First Story	Nonresidential	50% of facade
	Residential	30% of facade
Upper Stories	Nonresidential	30% of facade
	Residential	20% of facade (not applicable to stories with sloped roofs or dormers)

D. Building Height.

1. The minimum and maximum building height for each zone is provided in Table 18.320.4.

2. In all zones, the facade facing a public or private street must include a first story with a minimum height of 12 feet and maximum height of 25 feet. Where the minimum height is 25 feet in Table 18.320.4, the building must provide a minimum of two stories.

Zone	Development or Use	Minimum Building Height (in feet)	Minimum Stories Required	Maximum Building Height (in feet)
COM	Nonresidential	12	1	45
	Mixed-use	25	2	100
MUE	Nonresidential	12	1	75
	Mixed-use	25	2	100
MUC	Any	12	1	185
MUR	Residential	12	1	60
	Mixed-use	25	2	60

E. Roofs. Roofs must have a minimum solar reflectance index of at least 64. Any roof area not meeting this standard must be constructed as an ecoroof, except where being used for mechanical equipment, stairwells, solar arrays, maintenance access, rooftop parking, rooftop decks, skylights, or mechanical equipment.

F. Building Projections. Building projections are allowed as follows:

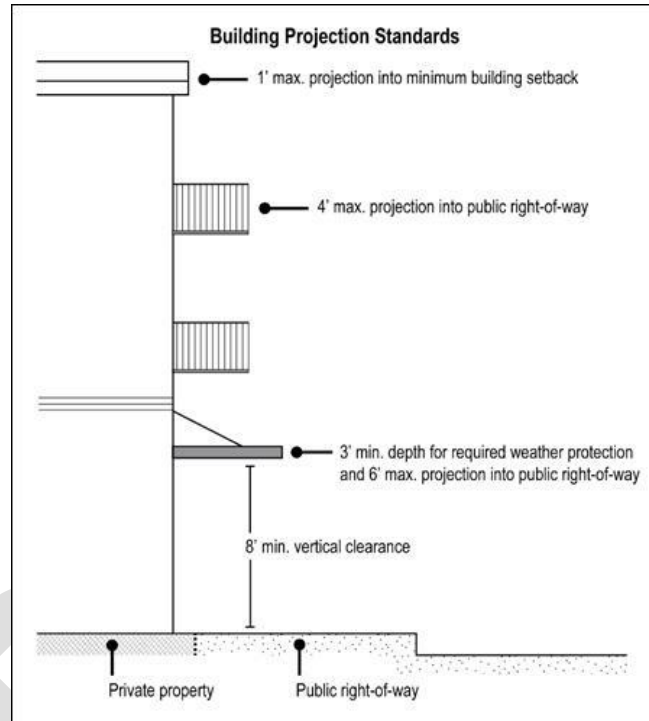
1. Architectural elements such as eaves, cornices, and bay windows may project a maximum one foot into the minimum building setback as shown in Figure 18.320.1.

2. Balconies may project into the minimum building setback and public right-of-way as shown in Figure 18.320.1. Balconies may project a maximum of 4 feet into the right-of-way. Balconies that project into the right-of-way must have a minimum vertical clearance of 10 feet from sidewalk grade and are subject to approval by the City Engineer.

3. Weather protection elements, such as canopies or awnings, may project into the right-of-way a maximum of 6 feet or the minimum sidewalk width along the building frontage, whichever is less. Elements that project into the right-of-way must

have a minimum vertical clearance of 8 feet from sidewalk grade and are subject to approval by the City Engineer.

Figure 18.320.1 Building Projection Standards



G. Facade Variation. All street-facing facades more than 50 feet in length that are located within 35 feet of a street property line must provide at least one element from the following list. Elements must be repeated or distributed along the length of the facade so that there is no more than 40 feet between elements.

1. A change in surface or siding material, color, or pattern; or
2. A wall projection or recession that is a minimum of six feet in width and two feet in depth for a minimum of half the height of the facade.

18.320.070 Additional Standards for Adult Entertainment Uses

- A. Adult Entertainment uses are prohibited within 500 feet of any:
1. Residential zone,
 2. Public or private primary, elementary, junior, middle, or high school,
 3. Day care or hospital,

4. Public library,
5. Public park, or
6. Religious facility.

B. Hours of operation are limited to between 10 a.m. and 1 a.m.

C. Windows less than 7 feet from the ground must be covered or screened such that sales areas and merchandise are not visible from public sidewalks.

D. Doors and windows must be closed at all times except for normal ingress and egress.

E. Any sound transmitted by any means that is audible outside the structure containing the use is prohibited.

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Chapter 18.330
INDUSTRIAL ZONE DEVELOPMENT STANDARDS
Chapter 18.330 INDUSTRIAL ZONE DEVELOPMENT STANDARDS

18.330.010 Purpose

The purpose of this chapter is to provide standards for nonresidential development in industrial zones that serve industrial and manufacturing users while allowing for safer, more comfortable, and more attractive streetscapes for pedestrians.

18.330.020 Applicability

- A. The standards of this chapter apply to nonresidential development in the IND zone.
- B. Nonresidential development in the IND zone within the Durham Advanced Wastewater Treatment Facility Plan District is subject to the standards of Chapter 18.630, Durham Advanced Wastewater Treatment Facility Plan District.

18.330.030 Application Type

Nonresidential development in the IND zone requires a site development review application, except where a conditional use or planned development application is required or proposed.

18.330.040 Site Design Standards

- A. Base zone site design standards are provided in Table 18.330.1.

Table 18.330.1	
Industrial Zone Site Design Standards for Nonresidential Development	
Standard	IND
Minimum Setbacks	
- Front and street-facing	1 ft
- Side or rear adjacent to residential zone	50 ft
- Side or rear adjacent to nonresidential zone	1 ft
Maximum Lot Coverage	85%
Minimum Landscape Area	15%

Table 18.330.1

Industrial Zone Site Design Standards for Nonresidential Development

Standard	IND
Minimum Site Tree Canopy Coverage	The minimum site tree canopy standards are provided in Section 18.420.060.
Minimum Parking Lot Tree Canopy Coverage	The minimum parking lot tree canopy standards are provided in Subsection 18.410.030.M.

B. Landscaping and screening. All required landscaping, including landscaping used to meet screening or tree canopy standards, is subject to the general provisions of Chapter 18.420, Landscaping and Screening.

1. The minimum landscape area standard is provided in Table 18.330.1. Landscaping standards are provided in Section 18.420.040. Any landscape area used to meet minimum landscaping requirements must meet the L-2 standard.
2. Screening standards are provided in Section 18.420.050. Screening is required as follows:
 - a. Service areas and wall- and roof-mounted utilities must be screened to the S-1 standard. Service areas and utilities are also subject to the standards in Subsection 18.330.040.C.
 - b. Nonresidential development that abuts a nonindustrial zone must be screened to the S-3 standard along all property lines abutting the nonindustrial zone, except street property lines.
 - c. Surface vehicle parking areas, loading areas, and drive aisles within 20 feet of a street property line must be screened to the S-4 standard. Screening must be provided directly adjacent to the street property line, except where access is taken.

C. Utilities and service areas.

1. Private utility facilities, such as transformers or control valves, that serve a single development must be located below ground or a minimum of 20 feet from any street property line or any property line adjacent to a residential zone if located above ground.
2. Service areas, such as waste and recycling containers, outdoor storage, and mechanical equipment, may not be located within 20 feet of any street property line or any property line adjacent to a residential zone, except where located inside a building.

D. **Lighting.** Lighting must be shielded, angled, or located such that it does not shine upwards or onto adjacent residentially-zoned properties or sensitive lands. The maximum illumination is 0.5 footcandles measured vertically at the property line where abutting a residential zone or sensitive lands.

E. **Pedestrian access.**

1. Paths are required and must provide safe and convenient pedestrian access within the site between all buildings, uses, and areas designed for use by pedestrians. Paths within parking areas or along drive aisles are subject to additional standards in Chapter 18.410, Off-Street Parking and Loading.
2. Paths must extend to the perimeter property line to provide access to existing or planned pedestrian facilities on adjacent properties, such as trails or public access easements.
3. Paths must be constructed with a hard surface material and have a minimum unobstructed width of five feet.

18.330.050 Building Design Standards

A. **Height.** There is no minimum or maximum height.

B. **Roofs.** Roofs must have a minimum solar reflectance index of at least 64. Any roof area not meeting this standard must be constructed as an ecoroof, except for areas used for stairwells, solar arrays, rooftop parking, rooftop decks, sunroofs, or mechanical equipment.

C. **Loading docks and bays.** New buildings or additions may include a maximum of one elevated loading dock per tenant or per 100 lineal feet of building façade, whichever is greater. There is no maximum number of at-grade loading docks or roll-up garage doors.

Chapter 18.670
WASHINGTON SQUARE REGIONAL CENTER PLAN DISTRICT

Sections:

- 18.670.010 Purpose**
- 18.670.020 Applicability**
- 18.670.030 General Provisions**
- 18.670.040 Review Process**
- 18.670.050 Land Use Standards**
- 18.670.060 Housing Types**
- 18.670.070 Site Design Standards**
- 18.670.080 Building Design Standards**
- 18.670.090 Additional Standards for Residential or Mixed-Use Development**
- 18.670.100 Transportation Standards**

18.670.010 Purpose

The purpose of this chapter is to implement the land use and transportation policy framework for the portion of the Washington Square Regional Center within Tigard's urban planning area. This chapter implements the goals and policies of the Tigard Comprehensive Plan and Metro's long-range growth management plan for the Portland metropolitan area, particularly those related to regional centers. It also advances the goals of the Department of Land Conservation and Development's Climate-Friendly and Equitable Communities program.

The standards and procedures in this chapter are designed to:

- A. Facilitate a complementary mix of residential and nonresidential land uses that support a wide range of working, living, shopping, and travel options.
- B. Foster urban-scale development at transit-supportive levels throughout the entire plan district, but particularly in the Design Review Subdistrict, to meet the needs of Tigard and the region in a carbon-responsible and climate-resilient manner.
- C. Promote the development of safe, comfortable, and interesting public gathering spaces and active transportation facilities that support a walkable and vibrant urban environment.
- D. Respect the needs of the community and the area's unique and diverse development patterns through the creation of three subdistricts.
 - 1. Design Review Subdistrict. The purpose of this subdistrict is to facilitate the development of a highly urbanized mixed-use neighborhood that prioritizes the comfort and needs of people by utilizing pedestrian-scale design principles and

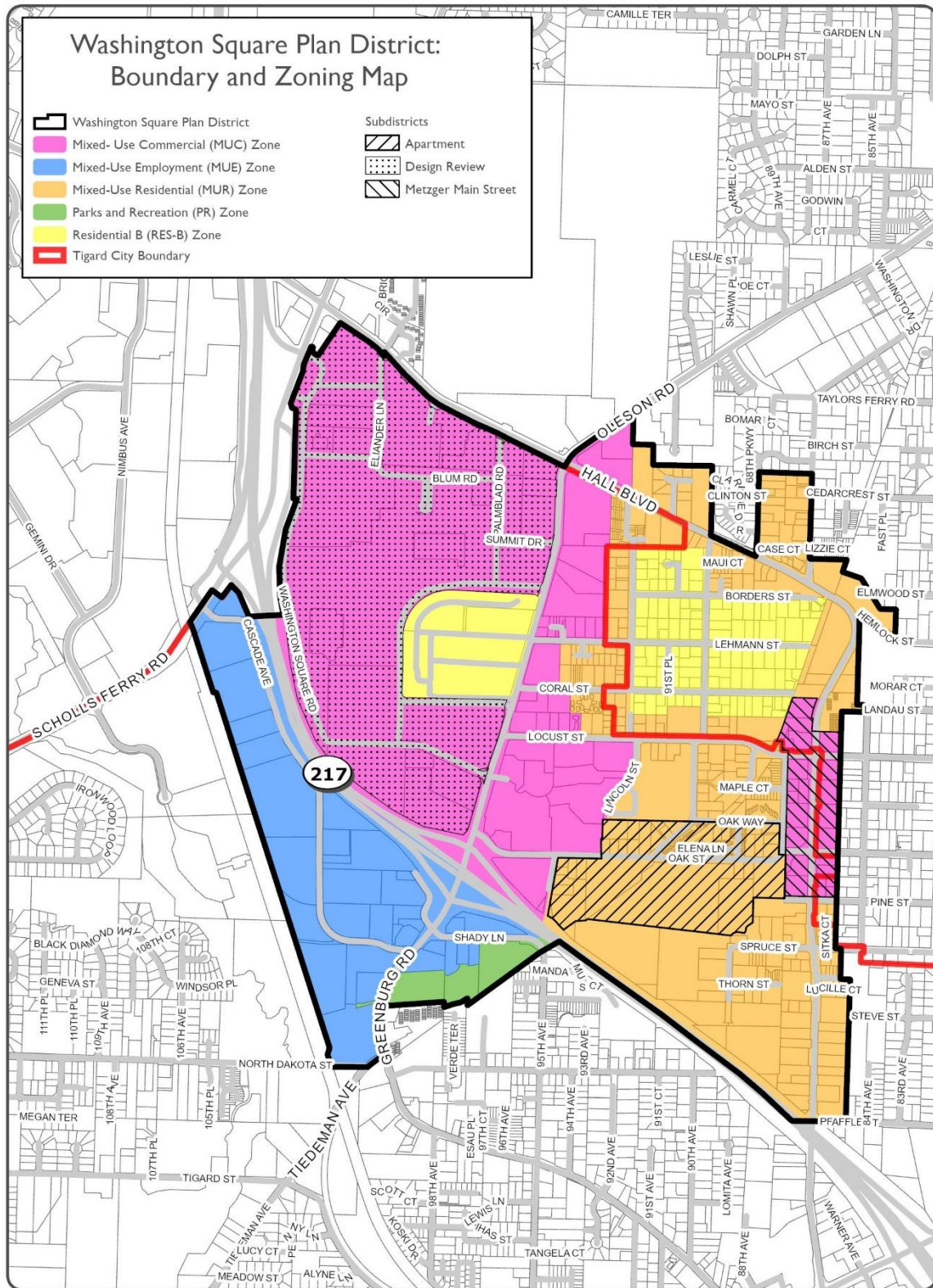
providing a variety of inviting public spaces and high-quality active transportation facilities.

2. Apartment Subdistrict. The purpose of this subdistrict is to facilitate the development of apartments at a variety of scales to the exclusion of all other housing types.
3. Metzger Business Subdistrict. The purpose of this subdistrict is to foster neighborhood-scale mixed-use development that reinforces the identity of this area as a local commercial hub.

18.670.020 Applicability

- A. Applicability. The standards and procedures in this chapter apply to all property within the Washington Square Regional Center Plan District, with the following clarifications:
 1. Property within the Residential-B (RES-B) zone or the Parks and Recreation (PR) zone is exempt from the provisions of this chapter, but not from the provisions of this title.
 2. Property within the subdistricts shown on Map 18.670.A are subject to different or additional development standards, use restrictions, or review processes as provided in this chapter.
- B. Boundary map. The plan district, base zones, subdistricts, and jurisdictional boundaries are shown on Map 18.670.A. These boundaries, except for the subdistricts, are also included on the Tigard Zoning Map.
- C. Unincorporated Washington County. This chapter includes future zoning designations for unincorporated Washington County property within the plan district. The standards and procedures in this chapter, including the zoning designations shown on Map 18.670.A, will apply to these properties upon annexation to the City of Tigard.

Map 18.670.A



18.670.030 General Provisions

- A. The standards and procedures in this chapter apply in addition to all other applicable provisions of this title, except that this chapter supersedes the standards in the following chapters:
 - 1. Chapter 18.100, Base Zones; and
 - 2. Chapter 18.300, Nonresidential Development Standards.
- B. The standards and procedures in this chapter govern in the event of a conflict.
- C. The standards and procedures in Tigard Municipal Code Chapter 15.16, Encroachment Permits, apply where any privately-owned structures or furnishings allowed by this chapter are proposed to encroach into the public right-of-way.

18.670.040 Review Process

- A. Plan District Review Process. The following review processes apply to development in the plan district, except for development in the Design Review Subdistrict, which is subject to the approval processes provided in Section 18.670.040.B.
 - 1. New nonresidential development or mixed-use development requires a site development review application as provided in Chapter 18.780, Site Development Reviews, except when a conditional use or planned development is required or proposed.
 - 2. Residential development, except for mixed-use development, is subject to the review processes associated with the proposed housing type, as provided in Chapter 18.200, Residential Development Standards.
- B. Design Review Subdistrict Review Process. The following review processes apply in the Design Review Subdistrict.
 - 1. Residential development, except for mixed-use development, that complies with the additional standards provided in Subsection 18.670.090.B is subject to the review processes associated with the proposed housing type, as provided in Chapter 18.200, Residential Development Standards.
 - 2. Mixed-use development that complies with all applicable standards provided in this chapter requires a site development review application as provided in Chapter 18.780, Site Development Reviews.
 - 3. The following types of development require a development design review as

provided in Chapter 18.725, Development Design Reviews:

- a. Mixed-use development that does not comply with all the standards provided in this chapter;
- b. Residential development that does not comply with the additional standards provided in Subsection 18.670.090.B; or
- c. New nonresidential development or a major modification to nonresidential development.

C. Boundary amendments. Plan district or subdistrict boundary amendments are subject to the legislative process in Chapter 18.790, Text and Map Amendments.

18.670.050 Land Use Standards

A. General provisions. A list of allowed, restricted, conditional, and prohibited uses is provided in Table 18.670.1.

1. Allowed (A). Uses that are allowed, subject to all of the applicable provisions of this title.
2. Restricted (R). Uses that are subject to special requirements, exceptions, or restrictions provided in Subsections 18.670.050.B-D. Use restrictions may be adjusted through an adjustment application as provided in Chapter 18.715, Adjustments, a development design review application as provided in Chapter 18.725, Development Design Reviews, or a planned development review application as provided in Chapter 18.770, Planned Developments.
3. Conditional (C). Uses that require the approval of the Hearings Officer using discretionary criteria. The approval process and criteria are provided in Chapter 18.740, Conditional Uses.
4. Prohibited (P). Uses that are not allowed under any circumstance and are not adjustable through an adjustment nor a development design review.

**Table 18.670.1
Land Uses by Zone**

Land Use Categories	MUC Zone	MUE Zone	MUR Zone
Residential Use Category			
Residential Use	A	R	A
Civic Use Categories			

**Table 18.670.1
Land Uses by Zone**

Land Use Categories	MUC Zone	MUE Zone	MUR Zone
Basic Utility	R/C	R/C	R/C
Cemetery	P	P	P
Detention Facility	P	P	P
Government Services	A	A	A
Railroad Yard	P	P	P
School or Religious Facility	C	C	C
Temporary Shelter	A	A	A
Transportation and Utility Corridor	A	A	A
Wireless Communications Facility	R	R	R
Commercial Use Categories			
Adult Entertainment	P	P	P
Commercial Lodging	A	A	A
Indoor Sales and Services	R	R	R
Major Event Entertainment	C	P	P
Mobility Hub	R	R	R
Motor Vehicle Fuel Sales	P	A	P
Motor Vehicle Sales and Rental	R	R	P
Motor Vehicle Servicing	P	R	P
Non-Accessory Parking	R	R	P
Office	A	A	R
Outdoor Sales and Services	P	P	P
Self-Service Storage	P	P	P
Industrial Use Categories			
Industrial and Manufacturing	R	R	P
Off-Site Services	P	R	P
Warehouse and Distribution	P	P	P
Waste-Related Facility	P	P	P
Wholesale and Equipment Rental	P	R	P

B. MUC zone use restrictions.

1. Basic Utility.

- a. This use is conditionally allowed.
- b. Data centers are conditionally allowed only on or above the second story of a mixed-use development.

2. Wireless Communications Facility. See Chapter 18.450, Wireless Communication Facilities, for allowed and restricted facilities.

3. Indoor Sales and Services.

- a. The maximum gross floor area is 30,000 square feet per tenant for new buildings and additions. New tenants in the existing footprint of existing buildings are exempt from this restriction.
- b. All inventory and materials, except parking, must be contained completely within a building.
- c. Outdoor animal kennels are prohibited. All animal kennels associated with breeding, boarding, or sales must be contained completely within a building.
- d. Uses with drive-through services are prohibited.

4. Mobility Hub. A maximum of ten car charging stations is allowed per hub.

5. Motor Vehicle Sales and Rental.

- a. This use is prohibited outside the Design Review Subdistrict.
- b. All sales and rental inventory, materials and equipment, and vehicle service areas must be contained completely inside a building, except for the existing Motor Vehicle Sales and Rental development located at the northwest corner of Highway 217 and Greenburg Road.
- c. If the use includes accessory motor vehicle servicing activities,
 - i. Any adverse impacts from the proposed servicing activities are mitigated to the extent practicable, including, but not limited to, noise, odors, and vibrations;

- ii. All customer vehicle drop-off areas associated with the proposed servicing activities are clearly identified and designed to prevent vehicle idling and queuing outside of a building; and
 - iii. The proposed servicing activities and associated driveways, accessways, drive aisles, and parking areas are located and designed to support pedestrian access, safety, and comfort.
 - 6. Non-Accessory Parking. This use is allowed only as structured parking with at least two floors of parking.
 - 7. Industrial and Manufacturing. All inventory and materials, except parking, must be contained completely within a building.
- C. MUE zone use restrictions.
- 1. Residential Use.
 - a. Any combination of residential and nonresidential use proposed for the same site and not contained in a mixed-use development requires planned development review.
 - b. Allowed civic, allowed commercial, or restricted industrial uses must make up at least 30 percent of the gross floor area.
 - 2. Basic Utility.
 - a. This use is conditionally allowed.
 - b. Data centers are conditionally allowed only on or above the second story of a mixed-use development.
 - 3. Wireless Communications Facility. See Chapter 18.450, Wireless Communication Facilities, for allowed and restricted facilities.
 - 4. Indoor Sales and Services.
 - a. The maximum gross floor area is 30,000 square feet per tenant.
 - b. All inventory and materials, except parking, must be contained completely within a building.
 - c. Outdoor animal kennels are prohibited. All animal kennels associated with breeding, boarding, or sales must be contained completely within a building.

- d. Uses with drive-through services are prohibited.
 - 5. Mobility Hub. A maximum of ten car charging stations is allowed per hub.
 - 6. Motor Vehicle Sales and Rental. All sales and rental inventory, materials and equipment, and vehicle service areas must be contained completely within a building or located behind a building such that inventory and service areas are not visible from Cascade Avenue.
 - 7. Motor Vehicle Servicing. All activities and storage, including any vehicle inventory, must be contained completely within a building.
 - 8. Non-Accessory Parking. This use is allowed only as structured parking with at least two floors of parking.
 - 9. Industrial and Manufacturing. All inventory and materials, except parking, must be contained completely within a building.
 - 10. Off-Site Services.
 - a. The maximum gross floor area is 20,000 square feet per tenant.
 - b. A maximum of 20 vehicles may be parked overnight on-site.
 - c. All inventory and materials, except parking, must be contained completely within a building.
 - 11. Wholesale and Equipment Rental.
 - a. The maximum gross floor area is 20,000 square feet per tenant.
 - b. All inventory and materials, except parking, must be contained completely within a building.
- D. MUR zone use restrictions.
- 1. Basic Utility.
 - a. This use is conditionally allowed.
 - b. Data centers are conditionally allowed only on or above the second story of a mixed-use development.
 - 2. Wireless Communications Facility. See Chapter 18.450, Wireless Communication Facilities, for allowed and restricted facilities.

3. Indoor Sales and Services. This use is allowed only as part of a mixed-use development.
4. Office. This use is allowed only as part of a mixed-use development.

18.670.060 Housing Types

- A. A housing type is not a use category. It describes a type of development that can contain a Residential use.
- B. A list of allowed, limited, and prohibited housing types is provided in Table 18.670.2. Terms and abbreviations used are defined as follows:
 1. Yes, allowed (Y). Housing types that are allowed.
 2. Limited (L). Housing types that are allowed subject to specific limitations.
 3. No, prohibited (N). Housing types that are not allowed under any circumstance.
- C. All housing types are subject to the standards and provisions of the applicable development standards chapter. The applicable chapter for each housing type is provided in Table 18.670.2.
- D. All allowed housing types may be built on site or manufactured off site.

Table 18.670.2				
Washington Square Regional Center Housing Types				
Housing Types	Applicable Chapter	MUC	MUE	MUR
Accessory Dwelling Units	18.220	N	N	Y/L
Apartments	18.230	L	N	Y
Cottage Clusters	18.240	N	N	Y/L
Courtyard Units	18.250	N	N	Y/L
Mobile Home Parks	18.260	N	N	N
Quads	18.270	N	N	Y/L
Rowhouses	18.280	L	N	Y/L
Small Form Residential	18.290	N	N	Y/L
Mixed-Use Development	18.670	Y	Y	Y

Y=Yes, Allowed L=Limited N=No, Prohibited

E. Limited housing types in subdistricts.

1. Limited housing types in the MUC zone.

- a. Rowhouses are allowed only in the Design Review Subdistrict.
- b. Only mixed-use development is allowed in the Metzger Business Subdistrict. All other housing types are prohibited.

2. Limited housing types in the MUR zone. Only apartments and mixed-use development are allowed in the Apartment Subdistrict. All other housing types are prohibited.

18.670.070 Site Design Standards

A. General provisions.

- 1. Site design standards for nonresidential and mixed-use development are provided in Table 18.670.3 and Subsections 18.670.070.B - G.
- 2. Residential development, except for mixed-use development, is subject to standards of the applicable housing type in Chapter [18.200](#), Residential Development Standards.
- 3. Development reviewed through a development design review application is not subject to these standards and is evaluated through the development design review process.

Table 18.670.3 Site Design Standards by Zone			
Setback Standards	MUC Zone	MUE Zone	MUR Zone
Minimum Setback in Feet			
- Front or street property line	1	1	1
- Side or rear adjacent to nonresidential or mixed-use zone	0	0	0
- Side or rear adjacent to a residential zone	0	15	20
Maximum Setback in Feet			

- Front or street property line	12	12	20
Lot Coverage	No minimum or maximum lot coverage.		
Landscape Area	No minimum or maximum landscape area.		
Minimum Site Tree Canopy Coverage	The minimum site tree canopy standards are provided in Section 18.420.060.		
Minimum Parking Lot Tree Canopy Coverage	The minimum parking lot tree canopy standards are provided in Subsection 18.410.030.M.		

B. Setbacks.

1. Minimum and maximum building setbacks are met when at least 70 percent of the building facade is located within the required setbacks.
2. Existing development and proposals for attached additions are exempt from maximum building setback standards.

C. Landscaping and Screening. Landscaping and screening standards are provided in Chapter 18.420, Landscaping and Screening. Landscaping and screening are required as follows:

1. The area between the building facade and the street property line must be landscaped to the L-2 standard.
2. Service areas and wall- and roof-mounted utilities must be screened to the S-1 standard. Service areas and utilities are also subject to the standards in Subsection 18.320.040.D.
3. Nonresidential development that abuts a residential zone must be screened to the S-3 standard along all property lines, except street property lines.
4. Surface vehicle parking areas, loading areas, drive aisles, and stacking lanes for drive-through services within 20 feet of a street property line must be screened to the S-4 standard. Screening must be provided directly adjacent to the street property line, except where access is taken.

D. Pedestrian access.

1. Paths are required and must provide safe and convenient pedestrian access from public sidewalks abutting the site to all required building entrances on the site.
2. A minimum of one path to a building or structure intended for public access is required for every 200 linear feet of street frontage.

3. Paths must provide safe and convenient pedestrian access within the site between all buildings, uses, and areas designed for use by pedestrians. Paths within parking areas or along drive aisles are subject to additional standards in Chapter 18.410, Off-Street Parking and Loading.
 4. Paths must extend to the perimeter property line to provide access to existing or planned pedestrian facilities on adjacent properties, such as trails or public access easements.
 5. Paths must be paved with a hard surface material and have a minimum unobstructed width of five feet.
- E. Driveways. Driveway standards apply when introducing a new driveway to a development or when substantially redeveloping a site.
1. For each street frontage less than or equal to 300 feet in length, a maximum of one driveway per street frontage is allowed.
 2. For each street frontage more than 300 feet in length, a maximum of one driveway per 200 feet of street frontage is allowed.
- F. Utilities and service areas.
1. Private utility facilities, such as transformers or control valves, that serve a single development must be located below ground or a minimum of 20 feet from any street property line or any property line adjacent to a residential zone.
 2. Service areas, such as waste and recycling containers, outdoor storage, and mechanical equipment, may not be located within 20 feet of any street property line or any property line adjacent to a residential zone, except where located inside a building.
- G. Lighting.
1. Minimum illumination levels are measured horizontally at ground level.
 - a. The minimum average illumination is 1.5 footcandles for paths, except those within parking areas, which are subject to the lighting standards in Chapter 18.410, Off-Street Parking and Loading. All points of measurement must be a minimum of 0.5 footcandles.
 - b. The minimum average illumination is 3.5 footcandles for required building entrances and 2.0 footcandles for any non-required building entrances. All points of measurement must be a minimum of 1.0 footcandle.

2. Maximum illumination levels are measured vertically at the property line. The maximum illumination is 0.5 footcandles at side and rear property lines, except that the maximum illumination may be increased to 1.0 footcandle where the development abuts a commercial or industrial zone.
3. Lighting must be shielded, angled, or located such that it does not shine upwards or directly onto adjacent properties or sensitive lands.

18.670.080 Building Design Standards

A. General provisions.

1. Building design standards for nonresidential and mixed-use development are provided in Subsections 18.670.080.B - H.
2. Residential development, except for mixed-use development, is subject to standards of the applicable housing type in Chapter [18.200](#), Residential Development Standards.
3. Development reviewed through a development design review application is not subject to these standards and is evaluated through the development design review process.

B. Building height.

1. The minimum and maximum height for each zone and subdistrict is provided in Table 18.670.4.
2. The facade facing a public or private street must include a first story with a minimum height of 12 feet and maximum height of 25 feet. Where the minimum height is 25 feet in Table 18.670.5, the building must provide a minimum of two stories.

**Table 18.670.4
Height by Zone and Subdistrict**

Zone or Location	Development or Use	Minimum Height (in feet)	Minimum Stories Required	Maximum Height (in feet)
MUE	Nonresidential	12	1	75
	Mixed-Use	25	2	100
MUC Outside of a Subdistrict	Any	12	1	185

MUC in the Design Review Subdistrict	Any	12	1	185
MUC in the Metzger Business Subdistrict	Nonresidential	12	1	60
	Mixed-Use	36	2	75
MUR Outside of a Subdistrict	Residential	12	1	60
	Mixed-Use	25	2	60
MUR in the Apartment Subdistrict	Any	36	3	115

D. Entrances.

1. A minimum of one entrance per building, or tenant space within a building without internal building access, must be visible and accessible from a public street.
2. For every 200 linear feet of street frontage, a minimum of one path must be provided that connects an adjacent planned or existing sidewalk to a building entrance or structure intended for public access.
3. A required entrance must be within 1 foot above or below the grade of the adjacent sidewalk.
4. A required building entrance must be at an angle that is no more than 45 degrees from the street that it faces.
5. A required building entrance must be covered, recessed, or treated with a permanent architectural feature that provides weather protection for pedestrians. The required weather protection must be at least as wide as the entrance, a maximum of six feet above the top of the entrance, and a minimum of three feet in depth. The required weather protection may project into the minimum front setback.

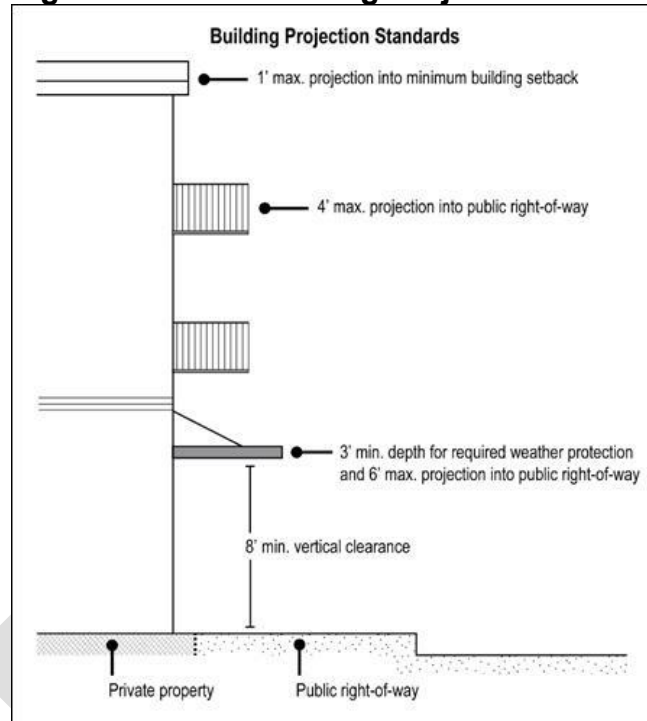
E. Facade design. All facades that extend more than 50 feet fronting a public or private street and are located within 35 feet of the street-facing property line must provide at least one of the following features:

1. A change in surface or siding material, color, or pattern; or
2. A wall recession or projection that is a minimum of 6 feet in width and 2 feet in depth for the entire height of the facade.

F. Building projections.

1. Architectural elements such as eaves, cornices, and bay windows may project a maximum one foot into the minimum building setback as shown in Figure 18.670.1.

Figure 18.670.1 Building Projection Standards



2. Balconies may project into the minimum building setback and public right-of-way as shown in Figure 18.320.1. Balconies may project a maximum of 4 feet into the right-of-way. Balconies that project into the right-of-way must have a minimum vertical clearance of 10 feet from sidewalk grade and are subject to approval by the City Engineer.

3. Weather protection elements, such as canopies or awnings, may project into the right-of-way a maximum of 6 feet or the minimum sidewalk width along the building frontage, whichever is less. Elements that project into the right-of-way must have a minimum vertical clearance of 8 feet from sidewalk grade and are subject to approval by the City Engineer.

G. Windows.

1. Windows are required on all street-facing facades located within 35 feet of the street property line and are subject to the window area standards in Table 18.670.5. Any portion of a street-facing facade that contains vehicle parking, such as a parking structure, does not have to provide windows but must provide facade openings that meet the minimum required window area in Table

18.670.5. If required facade openings contain glass, they must meet the standards in Paragraph 18.670.080.G.3 If required facade openings do not contain glass, they may contain architectural elements that are no more than 30 percent sight-obscuring.

2. Window area is the aggregate area of the glass within each window, including any interior grids, mullions, or transoms. Facade area is the aggregate area of each street-facing vertical wall plane.
3. Required windows must be clear glass and not mirrored, frosted, or reflective. Clear glass within doors may be counted toward meeting the window coverage standard.

Table 18.670.5 Minimum Window Area		
Story	Use	Minimum Window Area
First Story	Nonresidential or Mixed-Use Building	50% of facade
	Residential Building	30% of facade
Upper Stories	Nonresidential or Mixed-Use Building	30% of facade
	Residential Building	20% of facade (not applicable to stories with sloped roofs or dormers)

H. Roofs. Roofs must have a minimum solar reflectance index of at least 64. Any roof area not meeting this standard must be constructed as an ecoroof, except where being used for mechanical equipment, stairwells, solar arrays, maintenance access, rooftop parking, rooftop decks, skylights, or mechanical equipment.

18.670.090 Additional Standards for Residential or Mixed-Use Development

- A. Common space is required for all apartment or mixed-use developments as provided in Subsection 18.230.040.C.
- B. Residential development or mixed-use development in the Design Review Subdistrict must meet the following standards. Development reviewed through a development design review application is not subject to these standards and is evaluated through the development design review process.
 1. Common space must be provided and meet the standards Subsection 18.230.040.C.
 2. Each dwelling unit must include private outdoor space that is directly accessible from the interior of the dwelling unit it serves. Each private outdoor space must

be a minimum of 48 square feet in area and a minimum of five feet in width and depth.

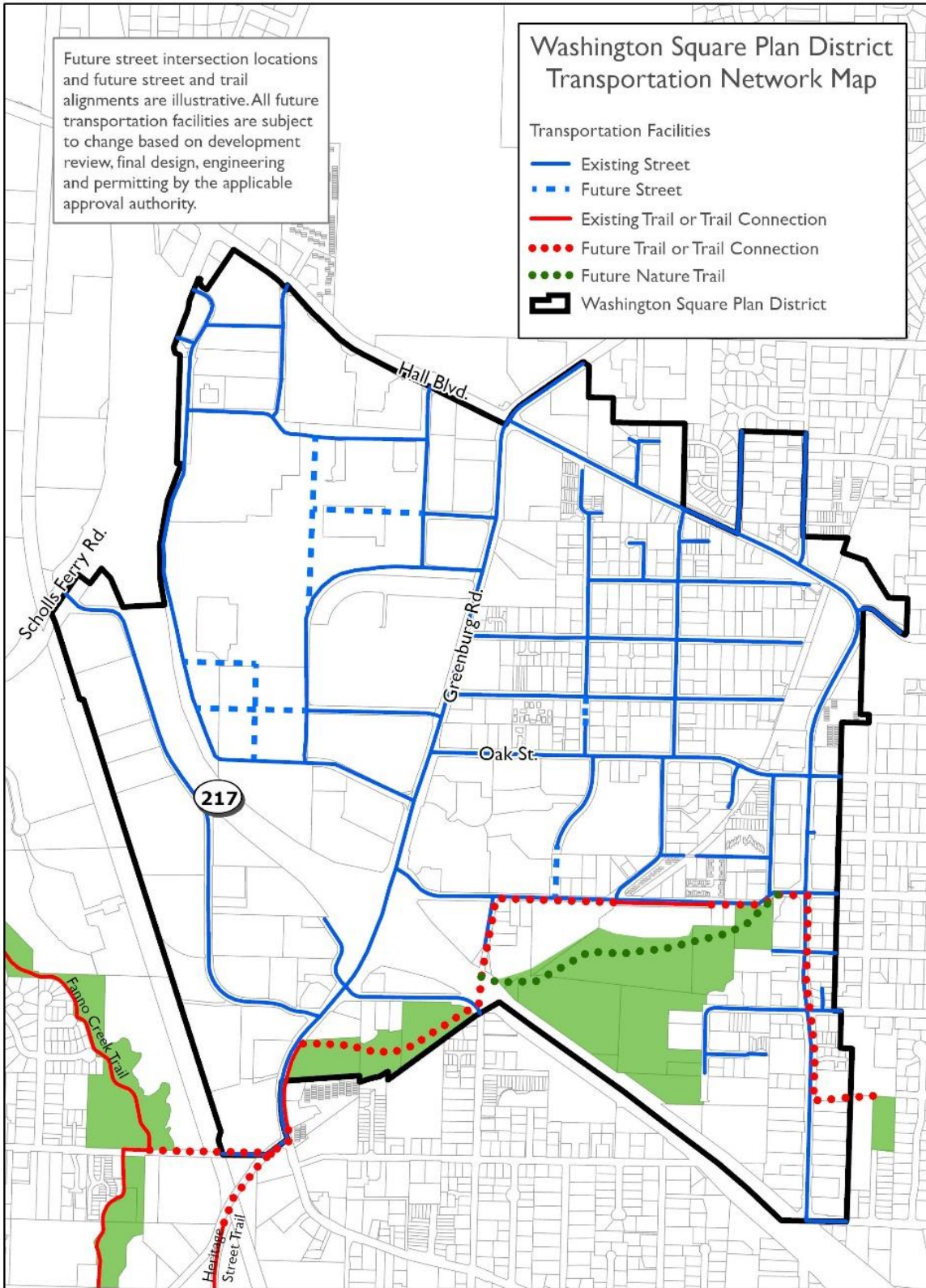
3. A minimum of 20% of dwelling units must be regulated as affordable housing for households at 60 percent Area Median Income (AMI).
4. Mixed-use and residential buildings must be a minimum four stories.

18.670.100 Transportation Standards

- A. Minimum required transportation improvements are shown on Map 18.670.B Transportation Network Map.

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Map 18.670.B



B. Greenburg Road. The following street design standards apply to Greenburg Road between Tiedeman Avenue and Hall Boulevard.

Table 18.670.6			
Street Elements and Widths			
Segment	Location	Maximum ROW (ft)	Required Elements
Segment A	Highway 217 to Washington Square Road (south)	109	Sidewalks, planting strips, separated bike lanes, and two travel lanes on both sides of the street; center turn lane; northbound left turn lane
Segment B	Washington Square Road (south) to Locust Street	103	Sidewalks, planting strips, separated bike lanes, and two travel lanes on both sides of the street; southbound left turn lane
Segment C	Locust Street to Washington Square Road (north)	74.5	Sidewalks, separated bike lanes, and one travel lane on both sides of the street; two-way center turn lane
Segment D	Washington Square Road (north) to Summit Drive	79	Sidewalks, planting strips, separated bike lanes, and one travel lane on both sides of the street; two-way center turn lane
Segment E	Summit Drive to Hall Boulevard	81.5	Sidewalks, separated bike lanes, and one travel lane on both sides of the street; two-way center turn lane; northbound right turn lane

C. Hall Boulevard. The following street design standards apply to Hall Boulevard between Highway 217 and Locust Street.

1. The maximum right-of-way width for this street is 75 feet. Additional right-of-way may be required at intersections as identified by the City Engineer.
2. The cross section must include two travel lanes; a center turn lane; and bike facilities, pedestrian facilities, and planting strips on both sides of the street.

D. Oak Street. The following street design standards apply to Oak Street between Greenburg Road and Hall Boulevard.

1. The cross section for the north side of the street must be consistent with Table 18.910.1 for collector streets, except that on-street parking is allowed and no bike lane is required; and

2. The cross section for the south side of the street must be consistent with Table 18.910.1 for collector streets, except that on-street parking is allowed and a 12-foot-wide, grade-separated, multi-use path is required in lieu of a bike lane and sidewalk.
- E. Fee in lieu of construction (FILOC). If improvements to public transportation facilities are required for development along Greenburg Road or Hall Boulevard, the applicant may request to pay a fee in lieu of constructing the required improvements. The provisions of this Subsection do not allow the applicant to pay a fee in lieu of dedicating any needed public right-of-way.
1. FILOC findings. If the City Engineer determines that a fee in lieu of construction satisfies one of the criteria in Paragraph 18.670.100.D.1, the city will accept a fee upon the City Engineer finding that deferring construction of required improvements will not result in any of the following.
 - a. Safety hazards as determined by the City Engineer.
 - b. New and significant street drainage issues as determined by the City Engineer.

If the City Engineer cannot make such findings, then the city will not accept a fee and will require construction of the required improvements.
 2. FILOC fees. If the City Engineer determines that required improvements are eligible for FILOC, the applicant must pay the fee in lieu of constructing the required improvements unless the city determines that the fee is not roughly proportional to the number of new trips estimated to be generated by the proposed development. The City Engineer will determine the fee based upon an estimate to construct the required improvements using the average cost of the most recent capital improvement project itemized bid prices. The applicant must pay the fee to the city prior to the issuance of any development permits.
 - a. If full transportation facility improvements have been assessed with previous development on the site and the proposed development has additional impacts, the city may only assess additional FILOC fees when there has been a change to the city's street design standards.
 - b. If partial transportation facility improvements have been assessed with previous development on the site and the proposed development has additional impacts, the city may assess additional FILOC fees for the balance of the improvements.
 - c. If the applicant pays a fee in lieu of constructing the required

improvements and is issued a development permit by the city but does not develop as planned, the applicant may request a refund of the FILOC fee within 3 years of payment. Any refunds are subject to the approval of the City Engineer.

2. FILOC program administration. Fees collected by the city will be used to construct public transportation facilities or to leverage additional grant money for larger transportation projects. An accounting of fees collected and expended will be made available by the city to the public on an annual basis at the end of the fiscal year. Expenditure of fees is subject to the following: Fees will be used for construction of public transportation facilities that benefit the development sites that paid the fees.

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Chapter 18.440 TEMPORARY USES

18.440.010 Purpose

The purpose of this chapter is to establish standards for the approval of temporary uses.

18.440.020 Applicability

- A. Applicability. This chapter applies to all types of temporary uses listed in Section [18.440.030](#), unless they are exempt in Subsection 18.440.020.C or D.
- B. Temporary uses allowed. The following temporary uses are allowed without a temporary use permit:
1. Seasonal and special events conducted exclusively by and for the benefit of a Tigard-based nonprofit organization;
 2. Temporary Shelter, as an accessory use to a Religious Institution use or a Social/Fraternal Clubs/Lodges use, where the following are met:
 - a. No more than 20 people are provided shelter at a time,
 - b. Each stay does not exceed 30 days, and
 - c. Temporary shelter is not provided on the property more than 90 total days in a year.
 3. Garage sales;
 4. Temporary construction offices in conjunction with the initial development of residential, commercial or industrial property (three or more dwelling units or lots);
or
 5. Seasonal and special events located entirely within the PR zone, public right-of-way, or city-owned property provided the use has received a special event permit pursuant to Tigard Municipal Code Chapter [7.48](#).
- C. Emergency situations. The Director may waive any of the requirements in this chapter or request additional information in compliance with Chapter [18.710](#), Land Use Review Procedures, for cases that involve destruction of an existing structure due to fire, natural causes, or other circumstances that are beyond the control of the applicant. An emergency as allowed by this subsection does not include failure by the applicant to submit a temporary use request as provided in this chapter.

18.440.030 Types of Temporary Uses

A. Seasonal or special event. This type of temporary use is a use that by its nature will last less than one year. Examples of this type of use are those associated with the sale of goods for a specific holiday, activity, or celebration, uses associated with construction, or seasonal use. This type of use does not apply to businesses seeking a temporary or interim location. These types of temporary uses include:

1. Use associated with the celebration of a specific holiday such as the sale of Christmas trees and fireworks;
2. Use associated with the sale of fresh fruits, produce, and flowers, including seasonal markets by a chartered public service or non-profit organization that may offer additional products and services as provided in the organization's "market rules and policies" such as landscaping plants, prepared food, animal products, and art or handcrafts assembled by the vendor;
3. Use associated with festivals or celebrations or special events;
4. Seasonal activities such as the sale of food at sports events or activities;
5. Use associated with construction such as the storage of equipment during the construction of roads or development, but not a temporary sales office or model home as provided by this chapter; and
6. Temporary fund raising and other civic activities in commercial zones.

B. Unforeseen or emergency situations. This type of temporary use is a use that is needed because of an unforeseen event such as fire, windstorm, flood, unexpected health or economic hardship, or due to an eviction resulting from condemnation or other proceedings. Examples of this type of temporary use include:

1. A mobile home or other temporary structure for a residential purpose in a residential zone;
2. A mobile home or other temporary structure for a business purpose in a commercial or industrial zone; and
3. Use of an existing dwelling or mobile or manufactured home during the construction period of a new dwelling unit on the same lot.

C. Temporary sales office or model home. This type of use includes a temporary sales office or offices either in a dwelling unit or in another temporary building for the purpose of facilitating the sale of real property in any subdivision or property within this city. This includes the use of one dwelling unit in a subdivision as a "model home" for purposes of showing prospective buyers.

D. Temporary use in commercial and industrial zones. This type of temporary use includes a temporary trailer or prefabricated building for use on any commercially or industrially zoned property within the city as a temporary commercial or industrial office or space associated with the primary use on the property.

E. Food carts. This type of temporary use includes up to three food carts.

18.440.040 Approval Process

A. Approval process. Temporary use applications are processed through a Type I procedure, as provided in Section [18.710.050](#).

B. Approval period. An approval for a temporary use is valid for a period of 1 year unless otherwise stipulated by the approval. Approvals for food carts as a temporary use are valid indefinitely.

C. Expiration. An approval for the temporary use will expire if:

1. Substantial construction of the approved plan or onset of the approved activity has not begun within the approval period; and
2. Construction or activity on the site is a departure from the approved plan.

18.440.050 Approval Criteria

A. Seasonal and special events. The approval authority will approve or approve with conditions seasonal and special events when all of the following are met:

1. The use occurs only once in a calendar year and for no longer a period than 30 consecutive days, except as provided in Paragraph 18.440.050.A.6;
2. The use is allowed in the applicable base zone;
3. The applicant has proof of the property owner's permission to place the use on the property;
4. There will be no parking utilized by the customers and employees of the temporary use that is required to meet the minimum parking requirements for the other uses on the property, as required by Chapter [18.410](#), Off-Street Parking and Loading;
5. The use will provide adequate vision clearance, as required by Chapter [18.930](#), Vision Clearance Areas, and not obstruct pedestrian access on public rights-of-way; and

6. Seasonal markets are allowed in the C-G and MU-CBD zones and may operate from April through October. The applicant must provide “market rules and policies” for city approval, which are consistent with the seasonal market use description in Paragraph 18.440.030.A.2 and will be observed for the duration of the permit. Market rules and policies must include hours of operation, location, product guidelines, vendor obligations, vehicle loading or unloading, and any other applicable policies guiding the operation of the market. The city may also consider the following criteria:

- a. Provide documentation demonstrating adequate and safe ingress and egress exist when combined with the other uses of the property, in compliance with Chapter [18.920](#), Access, Egress, and Circulation;
- b. Provide documentation demonstrating the use will not create a traffic hazard, including coordination with ODOT if applicable;
- c. Provide documentation that the use will not create adverse off-site impacts related to noise, odors, vibrations, glare, or lights that would be greater than otherwise allowed by uses allowed in the base zone; and
- d. Signs are allowed as provided in Chapter [18.435](#), Signs; however, temporary signs may be approved for a period of time to correspond with the duration of the seasonal market use.

B. Unforeseen or emergency situations. The approval authority will approve or approve with conditions unforeseen or emergency situations when all of the following are met:

1. The need for the use is the direct result of a casualty loss such as fire, wind storm, flood, or other severe damage by the elements to a pre-existing structure or facility previously occupied by the applicant on the premises for which the permit is sought; or
2. The use of a mobile or manufactured home on a lot with an existing dwelling unit is necessary to provide adequate and immediate health care for a relative who needs close attention who would otherwise be required to receive needed attention from a hospital or care facility; or
3. The applicant has been evicted within 60 days of the date of the application from a pre-existing occupancy of the premises for which the permit is sought as a result of condemnation proceedings by a public authority, or eviction by abatement of nuisance proceedings, or by determination of a public body or court having jurisdiction that the continued occupancy of the facilities previously occupied constitutes a nuisance or is unsafe for continued use; or

4. There has been a loss of leasehold occupancy rights by the applicant due to unforeseeable circumstances or other hardship beyond the foresight and control of the applicant; and
5. There exists adequate and safe ingress and egress when combined with the other uses of the property, as required by Chapter [18.920](#), Access, Egress and Circulation, and Chapter [18.930](#), Vision Clearance Areas; and
6. There exists adequate parking for the customers of the temporary use as required by Chapter [18.410](#), Off-Street Parking and Loading; and
7. The use will not result in congestion on adjacent streets; and
8. The use will pose no hazard to pedestrians in the area of the use; and
9. The use will not create adverse off-site impacts including noise, odors, vibrations, glare, or lights that will affect adjoining uses in a manner that other uses allowed in the base zone would not affect adjoining uses; and
10. The use can be adequately served by sewer or septic system and water, if applicable.

C. Temporary sales office or model home. The approval authority will approve or approve with conditions a temporary sales office or model home when all of the following are met:

1. Temporary sales office.
 - a. The temporary sales office must be located within the boundaries of the subdivision or property in which the real property is to be sold; and
 - b. Sales offices approved through the provision of this chapter may not be permanent.
2. Model home.
 - a. The model home must be located within the boundaries of the subdivision or property where the real property to be sold is situated; and
 - b. The property to be used for a model house must be a permanently designed dwelling unit.

D. Temporary use in commercial and industrial zones. The approval authority will approve or approve with conditions a temporary trailer or prefabricated building when all of the following are met:

1. The temporary trailer must be located within the boundaries of the property on which it is located;
2. The property to be used for a temporary trailer must already be developed;
3. There exists adequate and safe ingress and egress when combined with the other uses of the property; as required by Chapter [18.920](#), Access, Egress, and Circulation, and Chapter [18.930](#), Vision Clearance Areas;
4. There exists adequate parking for the customers or users of the temporary use as required by Chapter [18.410](#), Off-Street Parking and Loading;
5. The use will not result in congestion on adjacent streets;
6. The use will pose no hazard to pedestrians in the area of the use;
7. The use will not create adverse off-site impacts including noise, odors, vibrations, glare, or lights that will affect the adjoining uses in a manner that other uses allowed in the base zone would not affect the adjoining uses;
8. The use can be adequately served by sewer or septic system and water, if applicable; and
9. The length of time that the temporary building will be used is the maximum needed to address the hardship.

E. Food carts. The approval authority will approve or approve with conditions a temporary use application for a food cart use when all of the following are met:

1. The cart is located on a property with an existing nonresidential use.
2. The cart meets the minimum setback standards for a building in the base zone in which it is located.
3. The cart does not obstruct or otherwise make unsafe any areas designed for pedestrian or vehicle movement to, from, or through the property on which the cart is located.
4. Any associated signs meet the regulations for the base zone provided in Chapter 18.435, Signs.
5. The addition of the proposed cart to the proposed location will not result in more than three food carts being present on that property.
6. The following design requirements are met:

- a. The cart has wheels and the wheels remain permanently attached and functional.
- b. If there are permanent utilities located on site, the cart has only temporary connections to such utilities and the connections may be easily removed at any time.
- c. Any canopies, awnings, or other attachments on the cart are entirely supported by the cart, and are fully collapsed outside of business hours.

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Chapter 18.715 ADJUSTMENTS

18.715.010 Purpose

The purpose of this chapter is to provide an appropriate and efficient review process for granting relief from the specific requirements of this title to allow reasonable development or restricted uses or prevent undue hardship. Adjustments are intended to provide limited flexibility for development to address the requirements of this title through alternative or innovative means.

18.715.020 Applicability

A. Applicability. This chapter applies to all proposals to adjust an existing requirement of this title. All requirements, such as development or design standards, may be adjusted except as provided in Subsection 18.715.020.B or where specifically provided for elsewhere in this title, such as in Chapter [18.660](#), Tigard Triangle Plan District.

B. Prohibited adjustments. Adjustments are prohibited in the following situations:

1. To allow a primary or accessory use that is prohibited;
2. To change or eliminate a regulation that contains an express prohibition;
3. To change or eliminate a threshold for a review;
4. To change or eliminate any part of an approval process, including approval periods;
5. To change a definition, a method of measurement, or the description of a use category;
6. To change or eliminate any regulations in Chapter [18.510](#), Sensitive Lands; or
7. To change the required density for a housing type in a residential zone.

18.715.030 General Provisions

A. An applicant may seek relief from the specific requirements of this title through one of three types of adjustments. An applicant may either demonstrate that a proposed adjustment meets the criteria for adjustments to development standards or use restrictions; or that a hardship exists and a proposed adjustment is necessary to not preclude all reasonable economic use of the property.

B. Some Plan Districts contain specific adjustment processes and approval criteria, which are evaluated separately from this chapter, as provided in Chapter 18.650, Tigard Downtown Plan District, and Chapter 18.660, Tigard Triangle Plan District.

C. Multiple adjustment proposals will be processed concurrently. (Ord. 18-28 §1)

18.715.040 Approval Process

An adjustment application is processed through a Type II procedure as provided in Section [18.710.060](#).

18.715.050 Approval Criteria

The approval authority will approve or approve with conditions an adjustment application when all of the criteria in Subsection 18.715.050.A, B, or C are met.

A. Criteria for adjustments to development standards.

1. The proposed adjustment results in development that is generally consistent with the purpose of the development standard to be adjusted and meets one of the following:

- a. Has only minor impacts on surrounding properties or public facilities,
- b. Addresses a site constraint or unusual situation, or
- c. Utilizes innovative design or results in sustainable development;

2. The proposed adjustment does not have a greater impact on city-designated sensitive lands than would otherwise occur if the adjustment was not approved;

3. If the proposed adjustment addresses a site constraint or unusual situation, utilizes innovative design, or results in sustainable development, any impacts from the proposed adjustment are mitigated to the extent practicable; and

4. If more than one adjustment is proposed, the cumulative effect of all the adjustments results in development that has only minor impacts on surrounding properties or public facilities.

B. Criteria for adjustments to use restrictions.

1. The proposed adjustment is generally consistent with the purpose of the base zone where the restricted use is located;

2. The proposal includes public benefits. Public benefits may include, but are not limited to, the following:

- a. Energy Trust Path to Net Zero certification, as demonstrated by an approved EUI number,
- b. On-site generation and storage of renewable power,
- c. Off-site improvements to active transportation facilities,
- d. Other similar item as determined by the Director;

3. Any impacts resulting from the adjustment are mitigated to the maximum extent practicable;

4. The proposed adjustment does not have a greater impact on city-designated sensitive lands than would otherwise occur if the adjustment was not approved; and

5. If more than one adjustment is proposed, the cumulative effect of all the adjustments and associated mitigations results in development and activity that has only minor impacts on surrounding properties or public facilities.

C. Criteria for demonstrating hardship.

1. Application of the development standard proposed for adjustment would preclude all reasonable economic use of the property;

2. The need for the proposed adjustment is the result of conditions or circumstances outside the control of the applicant or property owner;

3. The proposed adjustment results in development that equally or better meets the purpose of the development standard to be modified; and

4. Any impacts from the proposed adjustment are mitigated to the extent practicable.

Chapter 18.725 DEVELOPMENT DESIGN REVIEWS

Sections:

- 18.725.010 Purpose**
- 18.725.020 Applicability**
- 18.725.030 General Provisions**
- 18.725.040 Review Process**
- 18.725.050 Approval Criteria**
- 18.725.060 Conditions of Approval**

18.725.010 Purpose

The purpose of this chapter is to ensure specific areas of the city utilize site and building design techniques that prioritize the well-being of people and promote carbon responsible transportation options, including transit. Design review facilitates creative site and building designs that result in high quality buildings, public spaces, and active transportation facilities.

18.725.020 Applicability

This chapter applies to all new development, substantial redevelopment, or modifications to development or land use approvals where development design review is either proposed or required as provided in Subsection 18.670.040.B.

18.725.030 General Provisions

- A. If a proposal includes a change to a use restriction provided in Subsection 18.670.050.B, the proposed change is reviewed through the development design review process.
- B. Where development design review is proposed or required:
 - 1. Site development review is not required.
 - 2. Planned development review may not be requested.
 - 3. Conditional use applications must be processed concurrently with the design development review.

18.725.040 Review Process

A development design review application is processed through a Type II procedure as provided in Section 18.710.060, using the approval criteria in Section 18.725.050.

18.725.050 Approval Criteria

The approval authority will approve or approve with conditions a development design review application when all of following criteria are met:

- A. Scale. The proposed development is thoughtfully integrated with its surroundings, at an urban scale that addresses pedestrian needs and comfort within the context of the area to be developed. Single story buildings are limited to buildings with a maximum 5,000 square-foot footprint and where promoting incremental development. The proposed development provides pedestrian-scaled places with strong relationships among buildings, open spaces, and pedestrian pathways;
- B. Pedestrian comfort. The proposed development is designed to support pedestrian access, safety, and comfort on and adjacent to the site. The proposed development bridges or removes any pedestrian barriers and implements pedestrian-friendly designs and block lengths;
- C. Building design. All building facades or fences that face active transportation facilities and are intended for regular public access are visually appealing and provide design elements including facade variation and windows. Buildings incorporate exterior design and building materials that exhibit permanence and quality;
- D. Parking. Pedestrian paths providing access to parking areas are designed so that a visitor only needs to park once to easily and comfortably access multiple destinations on site. Development also complies with the maximum parking standards provided in Chapter 18.410, Off-Street Parking and Loading;
- E. Common space. The proposed development includes publicly accessible common space that is designed to encourage public gathering through the integration of features such as broad steps or benches that serve as permanent seating, stoops, fountains, or plazas. Common space is located to easily serve the site and public, and is designed to provide safety and comfort for users while promoting vibrancy and livability.
- F. Active transportation facilities. Active transportation facilities are designed to be comfortable and desirable facilities to use and are visually prioritized over facilities intended for use by motor vehicles.
- G. Transit. The proposed development appropriately accommodates transit to or through the site in ways that best serve the public and proposed users of the development. The applicant provides documentation that TriMet has reviewed and approved any changes or impacts to transit routes or facilities.

- H. Stormwater facilities. Stormwater facilities provide community benefits in addition to stormwater management. Stormwater facilities are vegetated and thoughtfully integrated into the development site through the inclusion of features such as seating, sculptural elements, and pedestrian paths. Stormwater facilities may be used to meet minimum common open space requirements when designed to facilitate public access.
- I. Sustainability and resiliency. The development incorporates sustainable and resilient site and building designs that reduce GHG emissions and operating costs, improve livability, and reduce impacts from natural hazards and disasters.
- J. Streets and access. The city engineer has determined that any changes to streets or access points do not result in unsafe conditions. All private streets are located within tracts and public access easements. All transportation improvements are consistent with Map 18.670.B.
- K. Trees. The proposed development uses trees and landscaping to create a sense of place, provide protection from the elements, and mitigate the heat island effect of urban development. Development also complies with parking lot canopy requirements as provided in Subsection 18.410.030.M.
- L. Flexibility Request. If the proposal includes a change to a use restriction, the change results in development that is appropriately located, designed, and scaled to preserve and promote pedestrian-scaled urban development.

18.725.060 Conditions of Approval

The approval authority may impose conditions of approval that are suitable and necessary to ensure that the proposal is consistent with the purpose of this chapter as embodied by the approval criteria. Conditions may include but are not limited to the following:

- A. Requiring more or higher quality pedestrian-oriented architectural elements;
- B. Requiring more or higher quality public spaces or community amenities;
- C. Requiring higher quality active transportation facilities or a more robust active transportation network;
- D. Requiring modifications to building height, size, location, or materials;
- E. Requiring modifications to parking lot size or location;
- F. Requiring separation or screening of uses, buildings, parking lots, or service areas from public spaces or adjacent uses;

- G. Requiring separation or screening of private residential spaces, such as balconies, from public spaces or adjacent uses;
- H. Limiting or otherwise designating the size, number, or location of vehicle access points; or
- I. Limiting or otherwise designating the location, intensity, and shielding of outdoor lighting.

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