

A Guide to Proposed Code Changes for Tigard MADE and WSRC

18.50 Nonconforming Circumstances

The code currently allows a nonconforming use to continue even if tenants/owners change, so long as the property remains vacant for no longer than six months between tenants. Staff proposes increasing the vacancy term to allow 18 months vacancy between tenants.

18.60 Use Categories

The use categories used to identify different types of activity are updated and modernized to better fit with the new employment zones. Proposed updates to this chapter consolidate use categories that function similarly, provide additional clarity to distinguish between different use categories, and include new definitions that are increasingly necessary given new development and business types.

18.100 Base Zones

The MADE project is proposing extensive changes to all City employment zones (commercial, industrial, and mixed use). The number of current employment base zones is being reduced and the proposed zones will be simplified. The following are the proposed new base zones:

- **Commercial (COM):** All four current commercial zones are being consolidated down to a single commercial zone. The COM zone allows a wide range of auto-centric commercial activity and building sizes, while encouraging more pedestrian friendliness.
- **Mixed-Use Commercial (MUC):** The MUC zone is a consolidation and overhaul of the two current MUC zones intended to allow a wide range of commercial and residential activity as standalone or mixed-use development.
- **Mixed-Use Employment (MUE):** The MUE zone is a consolidation of all three current MUE zones into a single zone intended to allow the broadest range of low impact uses to locate near each other including residential, commercial, and some industrial and manufacturing uses.
- **Mixed-Use Residential (MUR):** The MUR zone is a consolidation and overhaul of the two current MUR zones where predominantly residential uses are allowed along with mixed-uses that are directly supportive of the residential use.
- **Industrial (IND):** The three current industrial zones are consolidated into a new single industrial zone that prioritizes employment and manufacturing businesses with a higher density of on-site industrial-sector jobs.

18.120 Commercial Land Use Standards

The draft code includes changes to use standards as described below.

In the COM zone:

- Residential uses are allowed only as part of a mixed-use building or development.
- Self-service storage is allowed only as part of a mixed-use development.
- Low-impact industrial uses and off-site services are allowed.
- Most other uses currently allowed will continue to be allowed.

In the MUC zone:

- Residential and nonresidential uses are allowed as single-use or mixed-use developments.
- Indoor sales and services are limited to 30,000 square feet per tenant.
- Motor vehicle sales and motor vehicle servicing are allowed up to 25,000 square feet per tenant, if all storage, including vehicle inventory, is located within a building.

- Many other commercial and civic uses are allowed or allowed conditionally.
- Apartments and rowhouses are allowed housing types.

In the MUE zone:

- Residential uses are allowed only as part of mixed-use buildings where at least 30 percent gross floor area is devoted to a nonresidential use.
- Indoor sales and services are allowed up to 30,000 square feet per tenant.
- Motor vehicle sales are allowed up to 25,000 square feet per tenant, if all activity and storage, including vehicle inventory, is in a building.
- Motor vehicle servicing is allowed if all activity and storage is contained within a building.
- Off-site services are allowed up to 20,000 square feet per tenant and fleet vehicles are subject to parking maximums as provided in Chapter 18.410.
- Wholesale and equipment rental is allowed up to 20,000 square feet per tenant.
- Drive-throughs and gas stations are prohibited.
- Within a prescribed area between Bonita and Bridgeport:
 - Warehouse and distribution is allowed up to 30,000 square feet per tenant space.
 - Wholesale and equipment rental is allowed up to 35,000 square feet per tenant space.
 - Five specifically identified large warehouse buildings are exempt from warehouse and wholesale size restrictions.

18.130 Industrial Land Use Standards

The amount of land zoned industrial is shrinking with the draft code, but this change is balanced by allowing low-impact industrial uses in other employment zones and through more focused use standards. In the new IND zone:

- Industrial and manufacturing and motor vehicle servicing are allowed.
- Up to 5,000 square feet of employment supportive indoor sales and services are allowed per site.
- Off-site services are allowed up to 20,000 square feet per tenant and fleet vehicles are subject to parking maximums as provided in Chapter 18.410.
- Most other uses are prohibited.

18.230 Apartments

As part of efforts to make housing more feasible to build in commercial and mixed-use zones, the draft code includes changes to apartment development standards. These changes reduce maximum lot coverage, reduce the area required for common space in the MUC zone, and provide more options for ways to meet common space requirements. As the draft code opens more areas of the city where residential and mixed-use buildings can be developed, it also requires common space to be provided with mixed-use buildings in the MUC and MUR zones.

18.320 Commercial Development Standards

The draft code is intended to reduce barriers to dense, innovative development. It removes maximum lot coverage and minimum landscape standards, reduces minimum setbacks, and allows greater maximum heights. It also encourages more pedestrian-friendly development, with some new standards such as minimum window area and pedestrian pathway improvements.

18.330 Industrial Development Standards

The draft code reduces barriers to industrial development by reducing setbacks, removing maximum height standards, and removing some screening standards. It also introduces limits to the number of elevated loading bays a building can have, in efforts to align with use standards that prohibit warehouse uses.

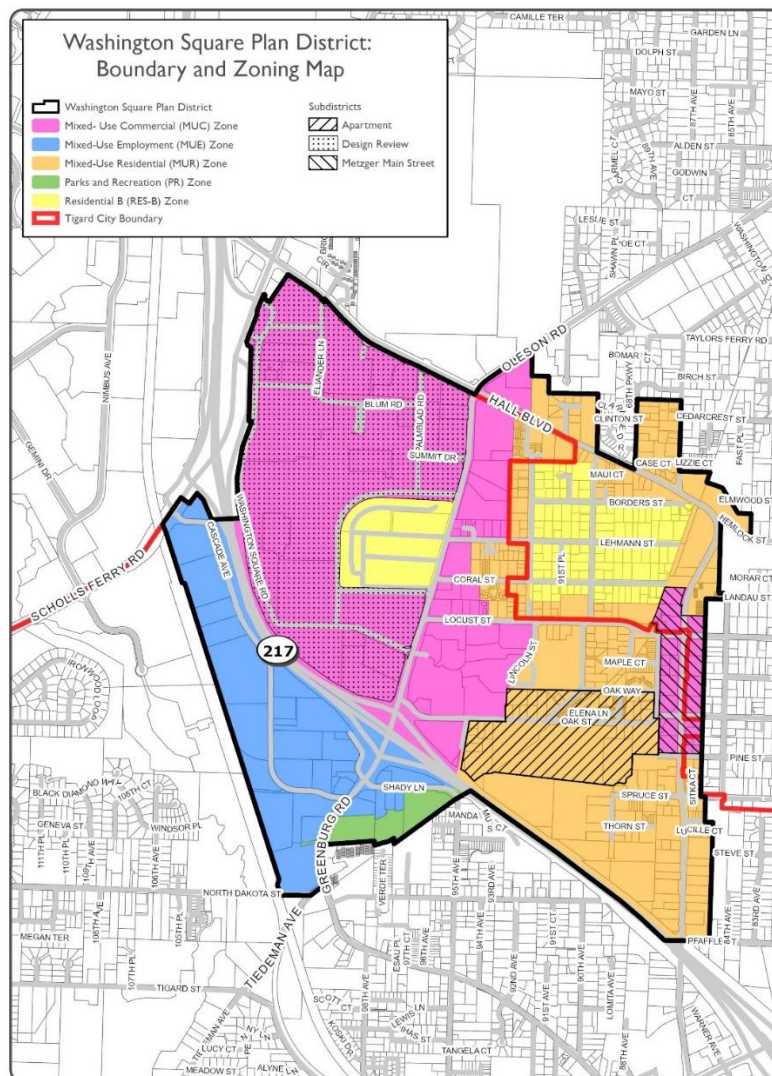
18.440 Temporary Uses

The draft code includes new language that codifies and updates the City's existing food cart policy. The code allows up to three food carts per site as temporary uses, subject to a temporary use permit. More than four food carts are considered a food cart pod, which will be allowed wherever Indoor Sales and Services are allowed and may require land use review.

18.670 Washington Square Regional Center Plan District

The draft code implements the policy recommendations established through the Washington Square Regional Center Update project. It includes standards and processes for the plan district as described below.

Zoning and Subdistricts



This project is proposing extensive changes to the zones contained within the plan district. The number of current base zones is being reduced and the proposed zones, paired with subdistricts, will be simplified. The following are the proposed new base zones:

- **Mixed-Use Commercial (MUC):** The MUC zone is a consolidation and overhaul of the two current MUC zones intended to allow a wide range of commercial and residential activity as standalone or mixed-use development.
- **Mixed-Use Employment (MUE):** The MUE zone is a consolidation of all three current MUE zones into a single zone intended to allow the broadest range of low impact uses to locate near each other including residential, commercial, and some industrial and manufacturing uses.
- **Mixed-Use Residential (MUR):** The MUR zone is a consolidation and overhaul of the two current MUR zones where predominantly residential uses are allowed along with mixed-uses that are directly supportive of the residential use.

In addition to the above base zones, parts of the plan district will also be contained within subdistricts, as follows:

- **Design Review Subdistrict:** Development in the Design Review Subdistrict is subject only to the use standards and height standards provided in this chapter. Development in this subdistrict is evaluated using the discretionary criteria provided in the new Chapter 18.725, Development Design Reviews, in the place of other standards.
- **Apartment Subdistrict:** Development in the Apartment Subdistrict is subject to the use and development standards of the MUR base zone, with the exceptions of housing types and building height. The only housing type allowed in the apartment subdistrict is apartments and development is required to be at least three stories tall.
- **Metzger Business Subdistrict:** Development in the Metzger Business Subdistrict is subject to the use and development standards of the MUC base zone, except for building height and residential uses. Development in this subdistrict is intended to be smaller in scale than development in the MUC zone outside the subdistrict and residential is only allowed as part of a mixed-use building.

Review Process

Nonresidential development requires a site development review. Residential development requires development permits when all standards are met. A site development review is an option to allow for more flexibility when requested.

Within the Design Review Subdistrict, a development design review application is required instead of a site development review.

Use Standards

The following use standards apply to development in the plan district, whether within a subdistrict or outside of a subdistrict.

In the MUC zone:

- Residential and nonresidential uses are allowed as single-use or mixed-use developments.
- Indoor sales and services are limited to 30,000 square feet per tenant except where in an existing building.
- Motor vehicle sales is an allowed use if all storage and activity is in a building. The existing exception for the development located at the northwest corner of Highway 217 and Greenburg Road will remain in place, as will allowances for accessory motor vehicle servicing.
- Many other commercial and civic uses are allowed or allowed conditionally.
- Apartments are allowed housing types anywhere zoned MUC, and rowhouses are allowed only within the Design Review Subdistrict.

In the MUE zone:

- Residential uses are allowed only as part of mixed-use buildings where at least 30 percent gross floor area is devoted to a nonresidential use.
- Indoor sales and services are allowed up to 30,000 square feet per tenant.

- Motor vehicle sales are allowed up to 25,000 square feet per tenant if all storage, including vehicle inventory, is in a building.
- Motor vehicle servicing is allowed if all activity and storage is contained in a building.
- Off-site services are allowed up to 20,000 square feet per tenant and fleet vehicles are subject to parking maximums as provided in Chapter 18.410.
- Wholesale and equipment rental is allowed up to 20,000 square feet per tenant.
- Drive-throughs are prohibited.
- Gas stations are allowed.

In the MUR zone:

- Indoor sales and services and office are allowed in mixed-use buildings.
- Other nonresidential uses are not allowed.
- All housing types except mobile home parks are allowed.

Development Standards

There are no Floor Area Ratio (FAR), maximum lot coverage, or minimum landscaping requirements in the plan district. Development is subject to maximum setbacks, minimum window coverage, and other pedestrian-friendly standards, all of which are designed to be as clear and objective as possible. Maximum building height is the primary method of regulating density, with different maximums provided for different zones, subdistricts, or development types. Some zones or subdistricts offer height incentives for mixed-use buildings.

Common Space

All mixed-use and residential buildings require common open space to be provided.

Transportation Standards

The draft code includes:

- Maps of required street improvements and preferred trail alignments;
- Requirements that private streets be located within tracts;
- Cross sections for Oak Street; and
- Fee in lieu of construction provisions for Greenburg Road and Hall Boulevard.

18.715 Adjustments

The draft code allows restricted uses to be modified through the adjustments process. If a business wishes to exceed a square footage maximum provided in Chapter 18.120 or Chapter 18.130, an adjustment application may be submitted. Staff will review the proposed adjustment against new approval criteria. Adjustments to square footage limits require a community benefit that enhances community and connectivity, job density and economic mobility, or sustainability and resilience.

18.725 Development Design Review

The development design review application process is intended to allow for development in the Washington Square Plan District, Design Subdistrict to be reviewed and approved through a design-focused and flexible process, rather than prescriptive development standards. The design review process emphasizes the use of pedestrian scale and transit supportive design elements within large-scale mixed use projects in the subdistrict.