

CLACKAMAS COUNTY BOARD OF COUNTY COMMISSIONERS

Policy Session Worksheet

Presentation Date: March 10, 2026 **Approx. Start Time:** 1:30 PM **Approx. Length:** 30 Min

Presentation Title: File ZDO-293: Minor Comprehensive Plan and ZDO Amendments Update

Department: Transportation and Development (DTD)

Presenters: Dan Johnson, DTD Director; Jennifer Hughes, Planning Director

WHAT ACTION ARE YOU REQUESTING FROM THE BOARD?

None. This session is an informational update only on the progress of several code amendments the Board previously initiated.

EXECUTIVE SUMMARY:

The Board directed staff to advance several Zoning and Development Ordinance amendments at a Policy Session on December 2, 2025. As requested, the purpose of this additional session is to provide the Board with an opportunity to inspect the draft code before any hearings and provide feedback as necessary.

The 2025-2027 Long-Range Planning Work Program includes a project titled “*Minor and Time-Sensitive Comprehensive Plan and Zoning and Development Ordinance Amendments.*” Since 2020, a package of amendments has been developed annually or biennially to focus on relatively minor changes to the County’s Comprehensive Plan (Plan) and Zoning and Development Ordinance (ZDO) to comply with any new Metro, state or federal mandates, clarify existing language, correct errors, or adopt optional provisions that require only minimal analysis. The last package of such amendments was adopted by the Board in 2024.

At a policy session in December 2025, the Board directed staff to initiate the formal amendment process to address items in the following three categories. The Board also requested an additional policy session prior to public hearings to consider adoption and identified the Willamette River Greenway height limit, setback standards, and changes to urban parking requirements as items of particular interest.

- 1) Implementation of state mandates, which were adopted through legislation or administrative rulemaking, that are currently in effect or will become effective by July 1, 2026. Generally, these mandates relate to urban housing (procedural and substantive changes); on-site parking in the urban area; certain uses in Exclusive Farm Use and Ag/Forest zones; and requirements to allow certain uses outright, including childcare centers, emergency shelters, residential treatment facilities and homes, mental and psychiatric hospitals, and crisis stabilization centers. These new use allowances are based on a variety of factors, including zoning, operator or property ownership, as described in the table in **Attachment A**. Siting of most of these uses would be limited to the urban area.
- 2) Revisions recommended by staff to correct errors, enhance clarity, or streamline regulations and processes. These amendments are intended to address basic errors (e.g., incorrect citations), revise text that consistently causes confusion for staff and customers, and amend standards or processes that create development barriers without adding significant value. In addition, a code audit of the Exclusive Farm Use, Timber and Ag/Forest zones is proposed to ensure consistency with state law. Two proposals, in particular, would remove development barriers:
 - Amending the county’s regulations applicable to docks on the Willamette River, and

- Clarifying how to identify front, rear, and side lot lines for the purpose of structure setback measurement, particularly on irregularly shaped lots or where access is from private easements.

3) A request from a member of the public. Willamette View, a senior housing provider, has requested an amendment to the 35-foot height limit that applies in the Willamette River Greenway (WRG).

Below, staff have highlighted several proposals that are not mandated by state law and rise above the level of procedural or housekeeping amendments. **Attachment C** includes a first draft of ZDO amendments to implement these proposals. Additional code drafting is underway to fully address the three categories discussed above.

- Willamette River Greenway (WRG)

The Willamette River Greenway (WRG), established through Statewide Planning Goal 15, is a corridor of water and land in which development is planned and built with recognition of the unique qualities of the Willamette River. The first map in **Attachment B** shows the extent of the WRG and the elements of the WRG Design Plan within unincorporated Clackamas County.

Docks in Limited Use Area: Two classifications of water use are established in the Willamette River Greenway (WRG) Design Plan: Limited Use and Multiple Use. Both designations are applied in to varying areas of the Willamette River above and below Willamette Falls, but there is little justification in the Comprehensive Plan for their application to specific stretches of the river, except for a very general policy related to protecting the natural character of the river.

The only practical distinction between the Limited Use and Multiple Use designations is that new, private, noncommercial docks are prohibited in the Limited Use areas and allowed, subject to certain standards, in the Multiple Use areas.

However, based on an analysis of lots, existing dwellings, and existing docks within the county's two Limited Use areas, staff have found the following (see **Attachment B**):

- 41 lots within Limited Use area have river frontage and contain a dwelling
- 38 of those 41 lots currently have a private, noncommercial dock
- No vacant lots with river frontage in the Limited Use area are zoned primarily for residential development; vacant lots that are not parks are farm- or forest-designated land, which does not allow a dwelling outright

Staff have found nothing in the WRG statutes or administrative rules that requires the county to maintain a limited-use area that prohibits new docks. As such, staff are proposing to repeal the prohibition on private, noncommercial docks in the Limited Use area. This removal is expected to have little impact on the river, as it would potentially allow only a few new docks within the Limited Use areas.

Residential Height Limit: Currently the ZDO limits the height for all residential development within the Willamette River Greenway (WRG) boundary to 35 feet. Within the urban area, the vast majority of residential lots within the WRG boundary have a low-density residential designation, which has a height limit of 35 feet for development even outside the WRG. There are, however, a limited number of lots within the WRG that have a High Density Residential (HDR) zoning designation (see map in **Attachment B**). The HDR zoning district is intended for multifamily development; currently has a maximum allowed density of 25 dwelling units per acre; and has no specified height limit outside the WRG.

ZDO-293 will propose to remove the height limit for lots within the WRG that are also within the HDR zoning district. Considering one of the goals of the WRG designation is to minimize visual impacts on the river, staff has discussed whether the height limit should remain for development in the HDR District that is within a certain distance of the river (for example, within 150 or 200 feet of the river) or if there

should be some buffering or screening requirement imposed. However, staff are not proposing either of those restrictions for a number of reasons.

- There are only a few lots that would be wholly or partially affected by this change, many of which are already developed and most of which are located more than 200 feet from the river.
- There is already development visible from the river, and new developments in other locations within the WRG are not required to be “screened”. Given the minimal amount of new development that could occur in the HDR zone within the Greenway, it is unlikely that it would create a significant enough visual impact on the river to warrant additional regulations and expense for the developer.
- Adding more requirements on housing development is counter to recent mandates from the state for local jurisdictions to streamline processes and remove barriers to more housing development in order to help alleviate the housing shortage.
- Screening of a structure that exceeds 35 feet in height is impractical. Even if tall trees already exist on the subject property, they are unlikely to screen a structure from all vantage points.

Draft amendments to ZDO Section 705, *Willamette River Greenway*, to accomplish both these changes are included in **Attachment C**.

- Setbacks

The way that setbacks are reviewed has not changed substantially since the ZDO was adopted in 1980. At that time, the shape and dimensions of lots were strictly controlled, which allowed for a relatively rigid set of setback rules. Since then, however, many of the standards controlling lot shape and dimensions have been repealed, nonconforming lots are no longer required to be consolidated, new access and life safety requirements outside the ZDO have changed the way developments are constructed, and changes to state and local rules regarding infill development have resulted in lot configuration and development that was not contemplated when the 1980 ZDO was drafted. As a result, the current setback rules sometimes create conflicts and confusion when applied to certain lots.

The proposal under ZDO-293 will not change required setback distances. Rather it seeks to clarify how the front lot line is identified for setback purposes, thereby addressing some of the most common administrative challenges identified by staff, including:

- Private access easements
- Fire turnarounds
- Unusual flag lots
- Rounded and “unintentional” corner lots

To accomplish these clarifications, draft amendments to ZDO Section 202, *Definitions*, are proposed (see **Attachment C**).

- Off-street parking requirements in the urban area (Climate Friendly and Equitable Communities, CFEC)

In August 2022, the Land Conservation and Development Commission (LCDC) adopted changes to the Transportation Planning Rule (TPR) that were designed to better support climate friendly and equitable communities. These new rules apply in Oregon’s eight urban areas with populations over 50,000 people, including the Portland Metro region. The new rules included various compliance dates for local jurisdictions to implement the changes and amend their development codes. While many of the changes will take effect when the county’s Transportation System Plan is updated, mandatory changes in off-street parking requirements took effect in two phases, the first on December 31, 2022, and the second on June 30, 2024.

Prior to the parking rules taking effect, the Board directed staff not to pursue amendments to incorporate them in the ZDO. This meant that the state’s rules, including the removal of all minimum off-

street parking requirements in the urban area, took effect on June 30, 2024. Since that time, staff have been implementing the parking mandates directly from state law. ZDO-293 would include the amendments necessary to implement the parking rules through the ZDO, which will reduce confusion for applicants and make administration more efficient for staff.

Draft amendments to ZDO Section 1015, *Parking and Loading*, are included in **Attachment C**. These amendments would apply to property in the urban area and generally include the following:

- Removal of references to minimum off-street parking requirements
- Amended off-street parking maximums for certain locations
- New tree canopy and other design standards for parking lots > 0.5 acre.

Next Steps:

The tentative public hearing schedule for consideration of ZDO-293 is as follows.

Planning Commission: **Monday, May 11, 2026**

Board of County Commissioners: **Not yet scheduled, potentially June 2026**

FINANCIAL IMPLICATIONS (current year and ongoing):

Is this item in your current budget? YES NO

What is the cost? \$60,000 of staff time included in the Long-Range Land Use Planning program budget
What is the funding source? General Fund

STRATEGIC PLAN ALIGNMENT:

- How does this item align with your Department's Strategic Business Plan goals?

The project aligns with the Long-Range Planning Program's purpose of providing land use and transportation plan development, analysis, coordination, and public engagement services to residents; businesses; local, regional, and state partners; and County decision-makers so they can plan and invest based on a coordinated set of goals and policies that guide future development.

- How does this item align with the County's Performance Clackamas goals?

This item aligns with the Performance Clackamas goals of **Safe, Secure and Livable Communities, Vibrant Economy and Public Trust in Good Government** by providing for additional housing opportunities, clarifying and streamlining development regulations and processes, and ensuring that local codes conform to state law.

LEGAL/POLICY REQUIREMENTS: Many of the proposed amendments are mandated by changes in state law.

PUBLIC/GOVERNMENTAL PARTICIPATION: Public notice will be provided, as required by law, for any proposed amendments to the Plan and ZDO that come before the Planning Commission and Board for formal consideration at a public hearing.

OPTIONS:

None. This policy session is informational only.

RECOMMENDATION:

None. This policy session is informational only.

ATTACHMENTS:

Attachment A: Table, Special Uses Mandated by Various Legislation

Attachment B: Maps:

- Willamette River Greenway Design Plan, Comprehensive Plan Map 3-1e
- High Density Residential Zoning near Willamette River Greenway
- Docks and Homes within the Limited Use Area (LUA)

Attachment C: Preliminary Draft Amendments to Zoning & Development Ordinance (ZDO). This includes only those related to discussion items identified above:

- Section 202, Definitions
- Section 705, Willamette River Greenway
- Section 1015, Parking and Loading

SUBMITTED BY:

Division Director/Head Approval _____

Department Director/Head Approval _____

County Administrator Approval _____

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

Attachment A

TABLE: Special Uses Mandated by Various Legislation

Use	Legislation	Locations Use Allowed Outright (note: development standards that must be met are not noted in table)	
		URBAN AREA (inside Portland Metro UGB)	RURAL AREA (outside Portland Metro (any?)UGB)
Child Care Centers	HB 3109 [2021] & HB 3560 [2025]	Must be allowed on property a) Zoned primarily for multifamily residential uses at 17 dwelling units an acre, b) Zoned primarily for commercial or industrial uses, except areas designated for heavy industrial use, or c) Zoned primarily for residential use, if the center is collocated with a legally-established institutional use, including a civic center, public recreational center, public park, place of worship, school, college or library.	May be allowed in EFU, but only if: -Serving local rural residents or workers, and -Collocated with community center or school.
Emergency Shelter Siting	HB 2026 [2021], ORS 197.782-783	Must be allowed in any zone, but must be operated by: 1.A local government as defined in ORS 174.116; 2.An organization with at least two years' experience operating an emergency shelter using best practices that is: a. A local housing authority as defined in ORS 456.375; b. A religious corporation as defined in ORS 65.001; or c. A public benefit corporation, as defined in ORS 65.001, whose charitable purpose includes the support of homeless individuals, that has been recognized as exempt from income tax under section 501(a) of the Internal Revenue Code for at least three years before the date of the application for a shelter; or 3.A nonprofit corporation partnering with any other entity described in this subsection.	Must be allowed in Rural Residential zones, subject to same operator requirements.
Residential Treatment Facility or Residential Treatment Home	HB 2005 [2025]	Must be allowed on property a) Owned by a public body, as defined in ORS 174.109; or b) Zoned for: (A) Residential uses; (B) Commercial uses; (C) Employment uses; (D) Public lands, not including park land; or (E) Industrial uses, provided that if the property is: (i) Publicly owned or owned by a public benefit corporation as defined in ORS 65.001; (ii) Within 250 feet of lands zoned for residential use; and (iii) Not specifically designated for heavy industrial uses. Include exemptions for certain goal protected lands (hazards, etc) and for areas that cannot be adequately served with certain public facilities.	No new allowance.
Mental or Psychiatric Hospital	HB 2005 [2025]	Mental or psychiatric hospital must be allowed on property (a) Zoned for: (A) Commercial uses; (B) Employment uses; (C) Public lands, not including park land; or (D) Industrial uses; and (b) Adjacent to where a crisis stabilization center as defined in ORS 430.626 and licensed under ORS 430.627 is or will be located.	No new allowance.
Crisis Stabilization Center		Crisis stabilization center must be allowed on property that is (a) Owned by a public body, as defined in ORS 174.109; and (b) Adjacent to where a mental or psychiatric hospital licensed under ORS 441.025 is or will be located.	

MANAGEMENT ACTIVITIES

LAND CLASSIFICATION

GENERAL USES

NATURAL RESOURCE
USES INCLUDE AGRICULTURE, FORESTRY, OPEN SPACE, SINGLE FAMILY RESIDENCES IN CONJUNCTION WITH THE ABOVE OR ON A LOT OF RECORD AS DESIGNATED BY THE COMPREHENSIVE PLAN. AGGREGATE EXTRACTION ALLOWED ONLY BY CONDITIONAL USE PERMIT.

LOW INTENSITY RURAL
USES INCLUDE EXISTING RESIDENTIAL SUBDIVISIONS, EXISTING COMMERCIAL AND INDUSTRIAL OPERATIONS INCLUDING AGGREGATE EXTRACTION AS MAY BE DESIGNATED BY THE COMPREHENSIVE PLAN.

LOW INTENSITY URBAN
USES INCLUDE LOW DENSITY RESIDENTIAL DEVELOPMENT, PARKS, OPEN SPACE, MARINAS AND BOAT RAMPS OF A PUBLIC NATURE IN SPECIFIED AREAS AS DESIGNATED BY THE COMPREHENSIVE PLAN.

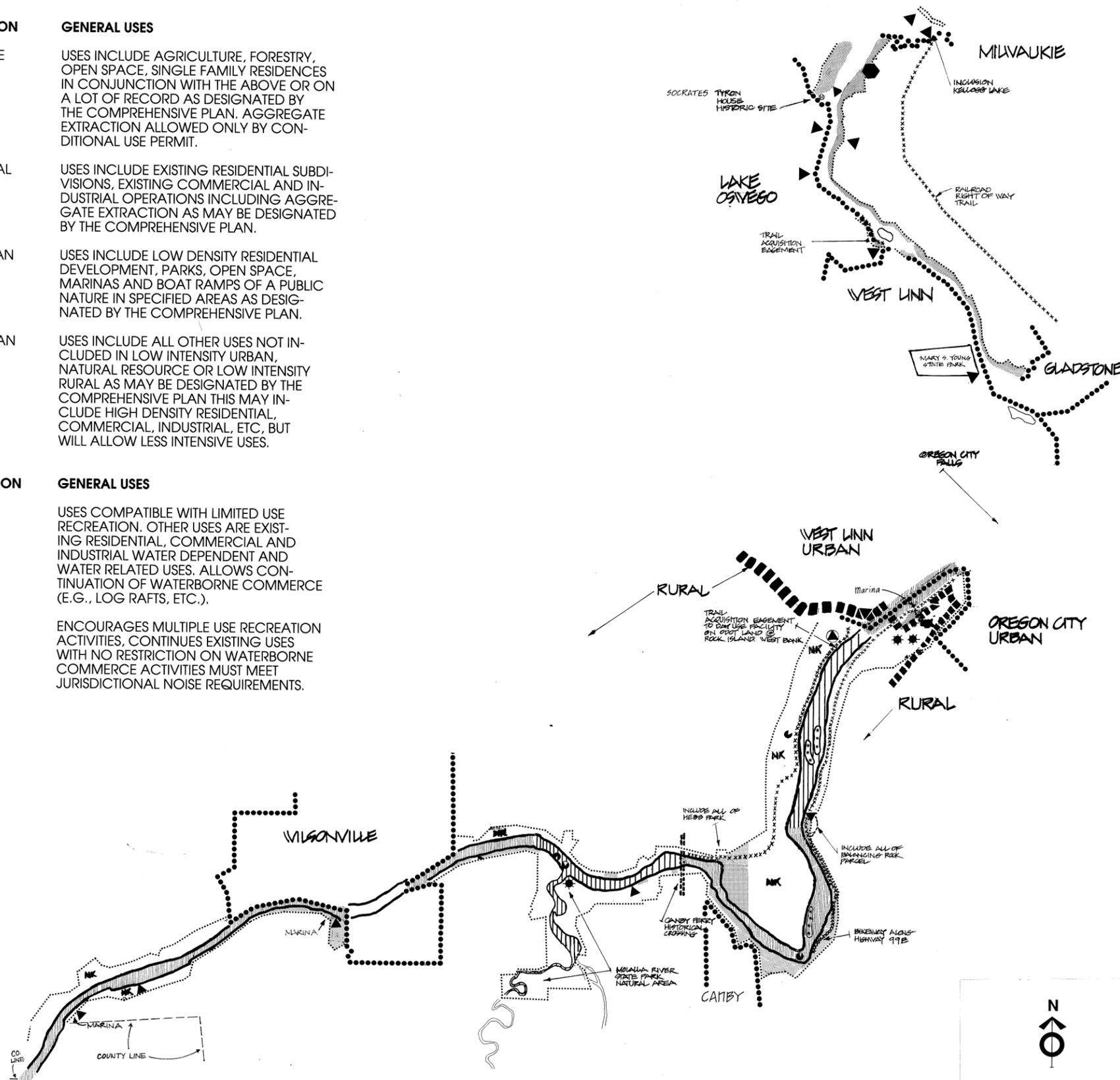
HIGH INTENSITY URBAN
USES INCLUDE ALL OTHER USES NOT INCLUDED IN LOW INTENSITY URBAN, NATURAL RESOURCE OR LOW INTENSITY RURAL AS MAY BE DESIGNATED BY THE COMPREHENSIVE PLAN THIS MAY INCLUDE HIGH DENSITY RESIDENTIAL, COMMERCIAL, INDUSTRIAL, ETC., BUT WILL ALLOW LESS INTENSIVE USES.

WATER CLASSIFICATION

GENERAL USES

LIMITED USE
USES COMPATIBLE WITH LIMITED USE RECREATION. OTHER USES ARE EXISTING RESIDENTIAL, COMMERCIAL AND INDUSTRIAL WATER DEPENDENT AND WATER RELATED USES. ALLOWS CONTINUATION OF WATERBORNE COMMERCE (E.G., LOG RAFTS, ETC.).

MULTIPLE USE
ENCOURAGES MULTIPLE USE RECREATION ACTIVITIES, CONTINUES EXISTING USES WITH NO RESTRICTION ON WATERBORNE COMMERCE ACTIVITIES MUST MEET JURISDICTIONAL NOISE REQUIREMENTS.



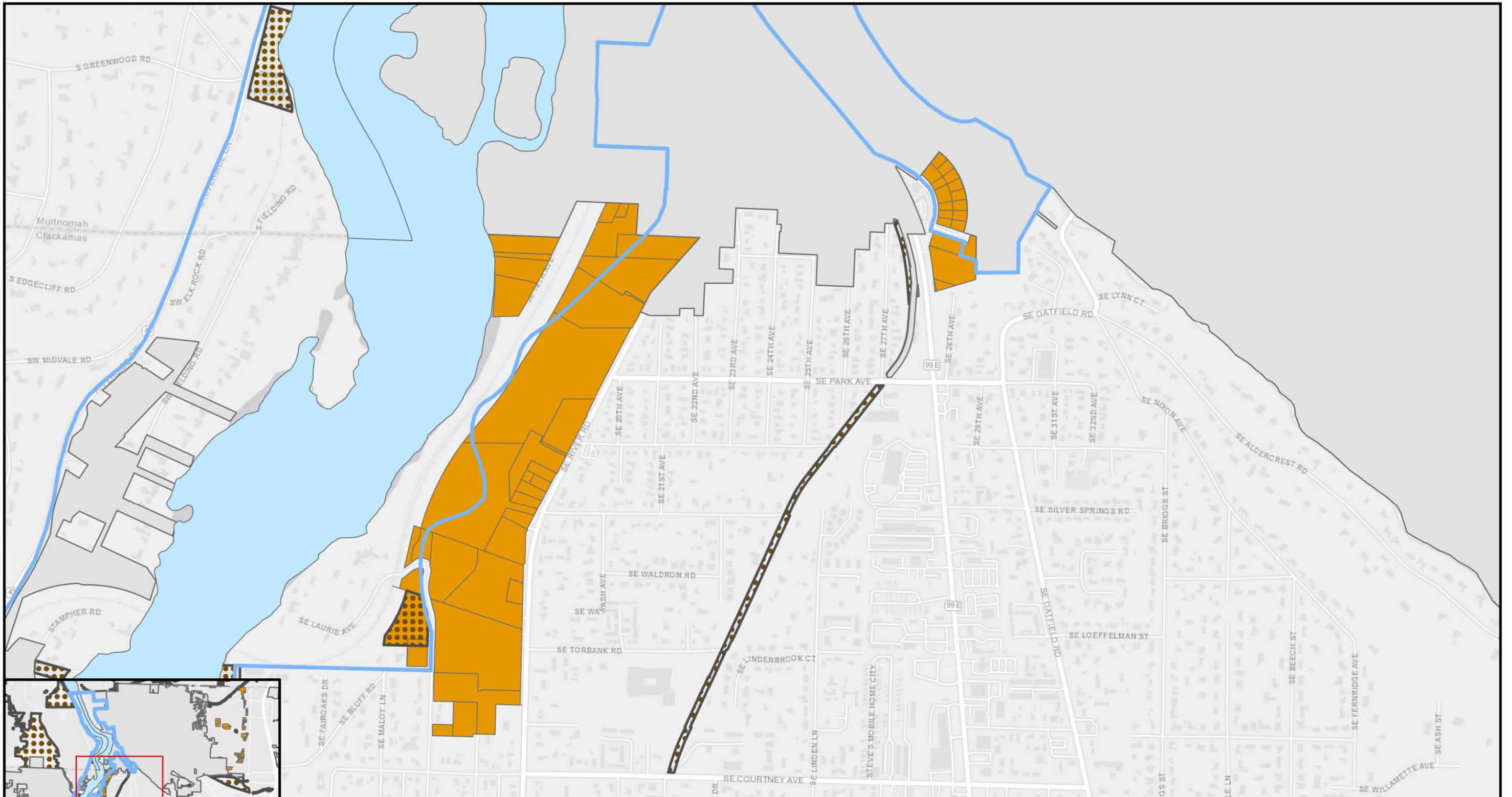
WILLAMETTE RIVER GREENWAY DESIGN PLAN

- Existing Willamette River Greenway Boundary
- Adjustment of Above
- ☀ Protection Resource Area, Unique Natural Area
- ☾ Scenic Vistas
- ▲ Access Point to River
- ⊕ Proposed Public Access
- ▨ Low Intensity Urban
- High Intensity Urban
- NR Natural Resource
- ▨ Low Intensity Rural
- ▨ Multiple Use
- ▨ Limited Use
- ⊕ Historic Sites
- City Limit Line

Comprehensive Plan Amendments to Change the Designation from Limited Use to Multiple Use

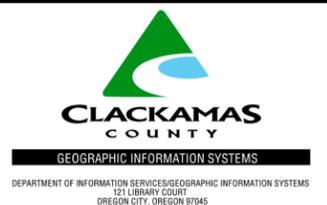
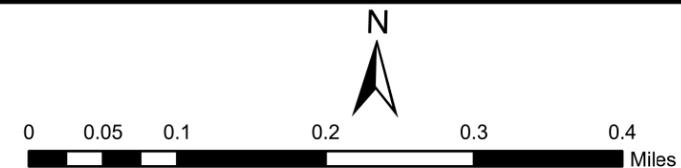
File #	* Assessor's Map & Tax Lot #	Board Order #	Effective Date
Z0256-95-CP	31E02C 01400	95-710	7/13/1995
Z1148-95-CP	31E02C 00803, 00900, 01000	96-15	1/4/1996
Z0226-96-CP	31E15 02700, 02701, 02702	96-734	11/27/1996

* Assessor's map and tax lot numbers are as of the date of the amendment and may have since changed. See files for precise locations.

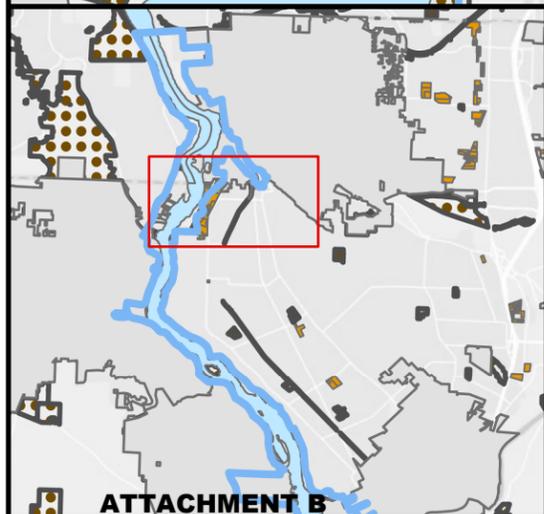


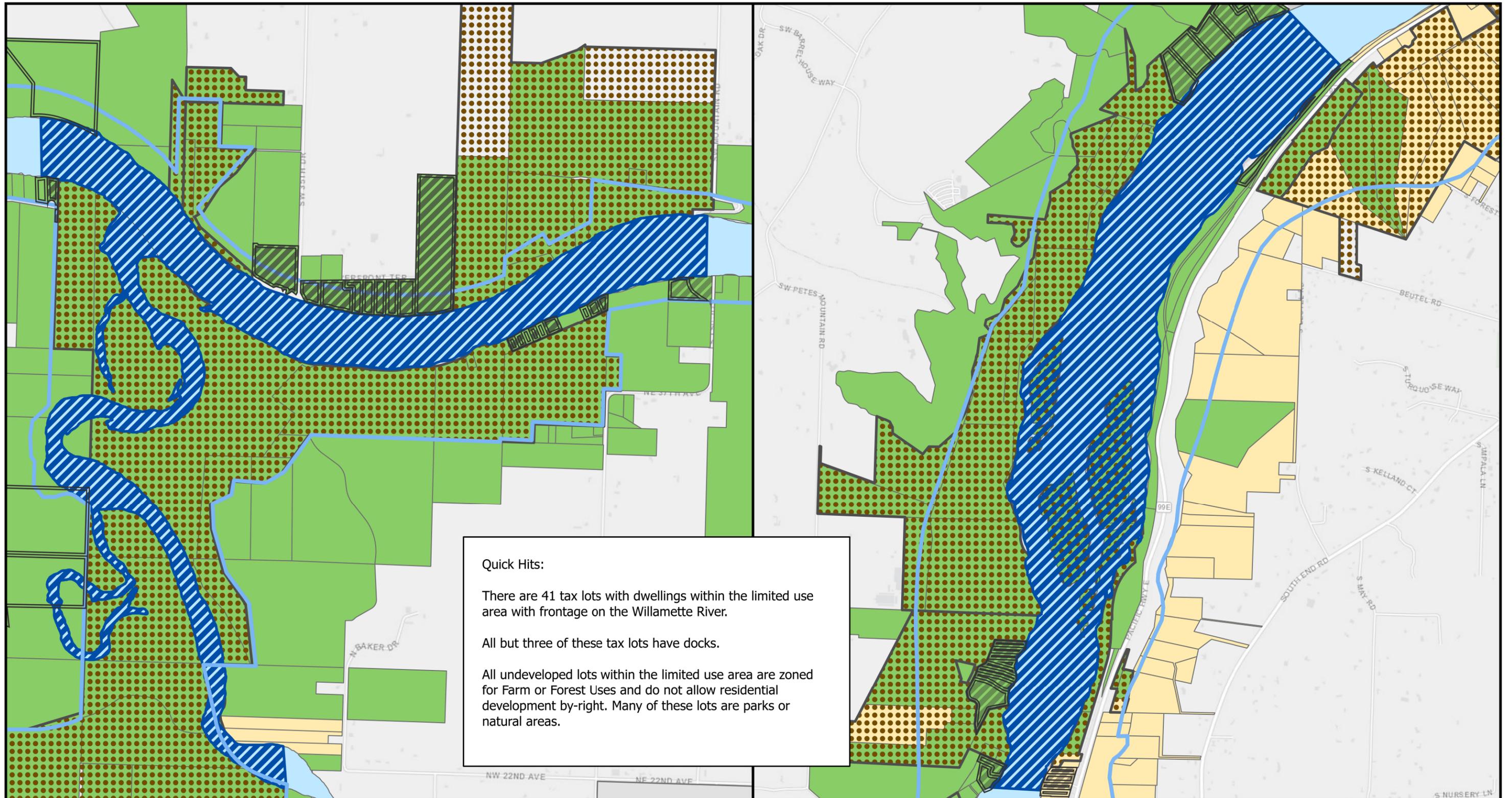
High Density Residential Zoning near Willamette River Greenway

-  Willamette River Greenway
-  Rivers (approximate)
-  Cities
-  Parks and Natural Areas
-  HDR Zoned Tax Lots



The information on this map was derived from digital databases from Clackamas County's GIS. Care was taken in the creation of this map but is provided "as is". Clackamas County cannot accept any responsibility for any errors, omissions, or positional accuracy, and therefore, there are no warranties which accompany this product. Although information from Land Surveys may have been used in the creation of this product, in no way does this product represent or constitute a Land Survey. Users are cautioned to field verify information on this product before making any decisions.





Quick Hits:

There are 41 tax lots with dwellings within the limited use area with frontage on the Willamette River.

All but three of these tax lots have docks.

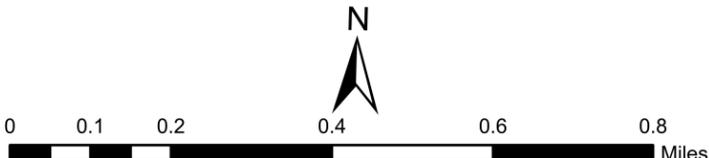
All undeveloped lots within the limited use area are zoned for Farm or Forest Uses and do not allow residential development by-right. Many of these lots are parks or natural areas.

Docks and Homes within the Limited Use Area (LUA)

Oregon Metro, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA

ATTACHMENT B

- | | | | |
|-------------------------------------|----------------------------|-------|-------------------------|
| Limited Use Areas (Approximated) | Tax Lots with Docks in LUA | FF10 | Parks and Natural Areas |
| Willamette River Greenway | AGF | FU10 | |
| Homes Adjacent to Willamette in LUA | EFU | RA2 | |
| | TBR | RRRF5 | |



CLACKAMAS COUNTY
GEOGRAPHIC INFORMATION SYSTEMS
DEPARTMENT OF INFORMATION SERVICES/GEOGRAPHIC INFORMATION SYSTEMS
121 LIBRARY COURT
OREGON CITY, OREGON 97045

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202 DEFINITIONS

ACCESSORY BUILDING OR USE: A subordinate building or use, the function of which is clearly incidental to that of the main building or use on the same lot.

ACCESSWAY: A public right-of-way, a portion of which is hard surfaced, for use by pedestrians and bicyclists providing a direct route where public roads require significant out of direction travel.

ACCESS DRIVE: A private way, ~~with a travel surface generally no more than 12 feet in width,~~ created by deed or easement to provide vehicular ingress to, or egress from ~~not more than~~ two lots or parcels.

ACTIVE RECREATIONAL AREA: An area such as a park, sports field, or golf course, where turf lawn provides a playing surface that is dedicated to active play.

ADJOINING: Contiguous or abutting exclusive of street width. It shall include the terms adjacent, abutting or contiguous.

AIRPORT, PERSONAL-USE: An airstrip restricted, except for aircraft emergencies, to use by the owner and, on an infrequent and occasional basis, by his invited guests, and to commercial activities in connection with agricultural operations only.

AIRPORT, PRIVATE USE: An airport restricted, except for aircraft emergencies, to use by the owner and his invited guests. The determination as to whether an airport is private or public-use is made by the Oregon Department of Aviation.

AIRPORT, PUBLIC-USE: An airport that is open to use by the flying public, with or without a request to use the airport.

ALLEY: A travel way that is used primarily for vehicular service access to the back or side of properties otherwise abutting on a street.

ALTERATION, CULTURAL RESOURCE: Any exterior change or modification, through public or private action, of any cultural resource or of any property located within an historic district including, but not limited to, exterior changes to or modification of structure, architectural details or visual characteristics such as paint color and surface texture, grading, surface paving, new structures, cutting or removal of trees and other natural features, disturbance of archaeological sites or areas, and the placement or removal of any exterior objects such as signs, plaques, light fixtures, street furniture, walls, fences, steps, plantings and landscape accessories affecting the exterior visual qualities of the property.

ANTIQUES: Goods that, by virtue of their age or unusual quality, are generally considered to be of historical and/or artistic interest, ordinarily such items are in good state of preservation or are restorable to their original conditions.

AQUIFER: A layer of rock or alluvial deposit which holds water.

ARCHITECTURAL FEATURES: Features include, but are not limited to cornices, canopies, sunshades, gutters, chimneys, fireplaces, flues and eaves. Architectural features shall not include any portion of a structure built for the support, occupancy, shelter or enclosure of persons or property of any kind.

ARCHITECTURAL FEATURES, CULTURAL RESOURCE: The architectural elements embodying style, design, general arrangement and components of all of the outer surfaces of an improvement, including, but not limited to, the kind, color, texture of the building materials and type and style of all windows, doors, lights, signs and other fixtures appurtenant to such improvements.

AUTOMATIC IRRIGATION CONTROLLER: An automatic timing device used to remotely control valves that operate an irrigation system. Automatic irrigation controllers schedule irrigation events using either evapotranspiration (weather-based) or soil moisture sensor data.

BABYSITTER: A person who goes into the home of a child to give care during the temporary absence of the parent or legal guardian or custodian.

BASEMENT: A portion of a building which has less than one-half of its height measured from finished floor to finished ceiling above the average elevation of the adjoining ground, but not an "underground structure" as defined in this ordinance.

BEACON: Any light with one or more beams directed into the atmosphere or directed at one or more points not on the same site as the light source; also, any light with one or more beams that rotate or move.

BED AND BREAKFAST HOMESTAY: A use that is conducted in an owner-occupied single-family dwelling, provides rooms for rent on a daily or weekly basis to the public, and includes breakfast as part of the cost of the room. A maximum of two guest rooms and a maximum of five guests at one time are permitted.

BED AND BREAKFAST INN: A use that is conducted in an operator- or owner-occupied single-family dwelling, provides rooms for rent on a daily or weekly basis to the public, and includes breakfast as part of the cost of the room. A bed and breakfast inn may include a restaurant offering meals to the general public as well as to overnight guests.

BED AND BREAKFAST RESIDENCE: A use that is conducted in an operator- or owner-occupied single-family dwelling, provides rooms for rent on a daily or weekly basis to the public, and includes breakfast as part of the cost of the room. In addition to the required breakfast, other occasional family-style meals may be provided for overnight guests.

BICYCLE RACK: An apparatus designed to support the central frame of a bicycle and allow locking of both wheels, without the removal of wheels.

BIKEWAY: A paved facility provided for use by cyclists. There are five types of bikeways.

Shared Roadway: A type of bikeway where motorists and cyclists occupy the same roadway area. Shared roadways are allowed on neighborhood streets and on rural roads and highways.

Shoulder Bikeway: A bikeway which accommodates cyclists on paved roadway shoulder.

Bike Lane: A section of roadway designated for exclusive bicycle use, at the same grade as the adjacent roadway.

Bike Path: A bike lane constructed entirely separate from the roadway.

Cycle Track: An exclusive “grade-separated” bike facility elevated above the street level using a low-profile curb and a distinctive pavement material.

BLANKETING: The visual blocking of one sign by another as seen by a motorist traveling a street or highway.

BLOCK: A parcel of land bounded by streets, railroad rights-of-way, waterways, parks, unsubdivided acreage, or a combination thereof.

BOUNDARY LINE: A separation that delineates the confines of a property for development purposes, such as from another property, or from an easement granted for right-of-way or private motor vehicle access.

BUILDING: Any structure used or intended for supporting or sheltering any use or occupancy.

BUILDING ENVELOPE: The three dimensional space which is to be occupied by a building.

BUILDING LINE: A straight line that is parallel and adjacent to the ~~front side of the main building and parallel to the front lot line.~~plane of the primary structure façade (exclusive of architectural features, arcades, bay or bow windows, porches, patios, stairs, or ramps) that is most close to parallel to the front lot line. A through lot or corner lot may have multiple building lines.

BUILDING OR STRUCTURE HEIGHT: The term "height of building" shall be calculated by the methods identified in the State of Oregon Structural Specialty Code or the State of Oregon One and the Two Family Dwelling Specialty Code, as

applicable.

BULK PLANT: Hazardous substances at the bulk plant level are manufactured, collected, repackaged, stored, or distributed, but are generally not used on the site. The primary emphasis of uses at the bulk plant level is on hazardous substances. Materials are stored in large permanent tanks. Bulk plant quantities are larger than amounts transported in or out in any single shipment. Processors of hazardous substances will generally be at this level. Uses which produce hazardous substances as a by-product or accessory to another product are not in this category.

CANNABINOID: Any of the chemical compounds that are the active constituents of marijuana.

CANNABINOID CONCENTRATE: A substance obtained by separating cannabinoids from marijuana by a mechanical extraction process; a chemical extraction process using a nonhydrocarbon-based or other solvent, such as water, vegetable glycerin, vegetable oils, animal fats, isopropyl alcohol, or ethanol; a chemical extraction process using the solvent carbon dioxide, provided that the process does not involve the use of high heat or pressure; or any other process identified by the Oregon Liquor Control Commission, in consultation with the Oregon Health Authority, by rule.

CANNABINOID EDIBLE: Food or potable liquid into which a cannabinoid concentrate, cannabinoid extract, or dried marijuana leaves or flowers have been incorporated.

CANNABINOID EXTRACT: A substance obtained by separating cannabinoids from marijuana by a chemical extraction process using a hydrocarbon-based solvent, such as butane, hexane or propane; a chemical extraction process using the solvent carbon dioxide, if the process uses high heat or pressure; or any other process identified by the Oregon Liquor Control Commission, in consultation with the Oregon Health Authority, by rule.

CANNABINOID PRODUCT: A cannabinoid edible and any other product intended for human consumption or use, including a product intended to be applied to the skin or hair, that contains cannabinoids or dried marijuana leaves or flowers. Cannabinoid product does not include usable marijuana by itself, a cannabinoid concentrate by itself, a cannabinoid extract by itself, or industrial hemp as defined in Oregon Revised Statutes (ORS) 571.300.

CARE: The provision of room and board and other services as needed to assist in activities of daily living, such as assistance with bathing, grooming, eating, medication management, money management, or recreation.

CHILD CARE CENTER: As defined in ORS 329A.244(1)(a). Includes child care facility, excluding family child care home; preschool or school-age recorded program; and parent cooperative, as defined in ORS 329A.250.

CHILD CARE FACILITY: As defined in ORS 329A.250 ~~but excluding a family child care home.~~

CLACKAMAS REGIONAL CENTER: The regional center identified on Comprehensive Plan Map 10-CRC-1, *Regional Center, Corridors, and Station Community*, excluding the portion in the City of Happy Valley.

CLACKAMAS REGIONAL CENTER AREA: The Clackamas Regional Center Area identified on Comprehensive Plan Map 10-CRC-1, *Regional Center, Corridors, and Station Community*, excluding the portion in the City of Happy Valley.

COGENERATION FACILITY: A facility that produces, through the sequential use of energy, electric energy and useful thermal energy including but not limited to heat or steam, used for industrial, commercial, heating, or cooling purposes; and is more than 50 percent owned by a person who is not an electric utility, an electric holding company, an affiliated interest, or any combination thereof.

COMMERCIAL USE: The use of land and/or structures for the conduct of retail, service, office, artisan, restaurant, lodging, child care, adult daycare, entertainment, private recreational, professional, and similar uses.

COMMON OWNERSHIP: Land commonly owned to include open space lands dedicated in planned unit developments and lands dedicated for open space which are owned by homeowners associations.

COMMUNITY GARDEN: A site where any kind of plant, except marijuana, is grown, and several individuals or households cultivate the site. The site may be divided into individual allotments, or gardeners may work together to cultivate the entire property. The land may be publicly or privately owned. The plants are grown for personal use by the gardeners, or for donation, and sales are prohibited.

COMPOSTING: The managed process of controlled biological decomposition of green feedstocks. It does not include composting for the purposes of soil remediation.

COMPOSTING FACILITY: A site or facility, excluding home composting and agricultural composting conducted as a farm use, which utilizes green feedstocks to produce a useful product through a managed process of controlled biological decomposition. Composting may include amendments beneficial to the composting process. Vermiculture and vermicomposting are considered composting facilities.

CONGREGATE HOUSING FACILITY: A building that contains more than one dwelling unit and provides common facilities and services for residents who require or desire a more supportive living environment than typically afforded to residents in other types of dwellings. Regular on-premise supervision by a registered physician, registered nurse, or other health care provider may be included.

COTTAGE CLUSTER: A group of four or more detached dwelling units with a common courtyard, all of which are located on the same lot of record or on middle housing lots.

COTTAGE CLUSTER DEVELOPMENT: A development site with one or more cottage clusters.

CULTURAL RESOURCE: Improvements, buildings, structures, signs, features, sites, places, areas or other objects of scientific, aesthetic, educational, cultural, architectural, or historical significance to the community members of the county.

CULTURAL RESOURCE INVENTORY: The official list of designated cultural features, sites, districts subject to the provisions of Section 707, *Historic Landmark (HL)*, *Historic District (HD)*, and *Historic Corridor (HC)*.

CULTURAL RESOURCES OBJECT: A material thing of functional, aesthetic, cultural, symbolic or scientific value, usually by design or nature movable.

DEDICATION: The designation of land by its owner for any general or public use.

DESIGNATED SITE (historic site, cultural resource site, landmark site): A parcel or part thereof on which a cultural resource is situated, and any abutting parcel or part thereof constituting part of the premises on which the cultural resource is situated, and which has been designated pursuant to this Ordinance.

DESIGNATED STRUCTURE (landmark, cultural resource, historic structure): Any improvement that has special historical, cultural, aesthetic or architectural character, interest or value as part of the development, heritage or history of the county, the State of Oregon, or the nation and that has been designated pursuant to this ordinance.

DIMENSIONAL STANDARD: A numerical measurement for a distance or area standard of this Ordinance, such as building height, lot size, or setback; or a percentage of a distance or area measurement of this Ordinance, such as lot coverage or landscaped area.

DIRECT ROUTE: The shortest reasonable route between two points. A route is considered direct if it does not involve significant out of direction travel that could be avoided. Out of direction travel is significant if it is more than 50 percent longer than the straight line between two points.

DISTINCTIVE URBAN FOREST: Forested or woodland areas which are visually prominent or contain unique or rare tree and plant communities. These areas are usually found in association with other open space resources within the urban area.

DRIP LINE, TREE: The outermost edge of a tree's canopy; when delineating the tree drip line on the ground, it will appear as an irregularly shaped circle defining the canopy's perimeter.

DRIVE AISLE: A drive aisle is the portion of a motor vehicle parking area provided for the purpose of ingress and egress to individual parking spaces within the parking area. A drive aisle is different from an internal or private street in that an internal or private street does not provide direct access parking spaces, except for parallel spaces when the internal or private street is developed to comply with the Roadway Standards applicable to a Local or Connector Roadway section.

DRIVEWAY: The area of a property that is located between a Road and a Motor Vehicle Parking Area. A driveway includes the location of any apron or motor vehicle entrance onto the lot but does not include any parking spaces, internal streets, or private streets provided as a part of the motor vehicle parking area. A driveway may also contain or be crossed by walkways provided for pedestrians.

DROUGHT-TOLERANT PLANTS: Plants that will survive in the typical or somewhat less than typical amount of rainfall in the Willamette Valley, and therefore require very little or no supplemental water once established.

DUPLEX: A building that contains exactly two dwelling units, both of which are located on the same lot of record or on middle housing lots. If one of the two dwelling units is an accessory dwelling unit, the building is not a duplex.

DWELLING: A building that contains one or more dwelling units. A dwelling may be a residential trailer or a manufactured dwelling but not a recreational vehicle, except when the recreational vehicle is approved as a temporary dwelling pursuant to Section 1204, *Temporary Permits*, or as a second dwelling pursuant to Section 847, *Recreational Vehicles as Second Dwellings*.

DWELLING, ACCESSORY HISTORIC: A detached single-family dwelling legally constructed between 1850 and 1945 that was converted from a primary dwelling to an accessory dwelling, pursuant to Section 843, *Accessory Historic Dwellings*.

DWELLING, DETACHED SINGLE-FAMILY: A building that contains only one dwelling unit and is detached from any other dwelling, except where otherwise permitted for an accessory dwelling unit. A manufactured dwelling, residential trailer, or dwelling unit in a cottage cluster is not a detached single-family dwelling.

DWELLING, MULTIFAMILY: A building that contains five or more dwelling units.

DWELLING UNIT: A building, or portion thereof, with one or more rooms designed for residential occupancy by one family.

EASEMENT: A right of usage of real property granted by an owner to the public or to specific persons, firms, and corporations.

EDIBLE GARDEN: A garden that contains plants that produce food for human consumption.

ELECTRIC VEHICLE CHARGING STATION: A location where a vehicle can plug into an electrical source to re-charge its batteries.

EQUINE FACILITY: Premises that are used for the stabling or training of equines, including, but not limited to, providing riding lessons, training clinics, and schooling shows.

FAMILY: Any individual or group of persons, regardless of relationship but not exceeding 15 persons, living together as a single housekeeping unit within a dwelling unit.

FAMILY CHILD CARE HOME: A child care ~~provider who~~ facility that provides child care to 16 or fewer children, including children of the provider, regardless of full-time or part-time status, in the home of the provider. Child and child care are as defined in ORS 329A.250.

FARMERS' MARKET: An organized seasonal outdoor market dedicated to the direct sales by growers of agricultural goods, including plants, produce, meats, and other animal products (e.g., eggs, cheese, honey), but excluding marijuana.

FLAG: Any fabric, banner, or bunting containing distinctive colors, patterns, or symbols.

FLOOR AREA: The area inside the perimeter walls of a building or portion thereof. For a building, or portion thereof, not provided with perimeter walls, the floor area shall be the area under the horizontal projection of the roof or floor above. Floor area shall not include exterior stairs, exterior covered entries, or portions of buildings used for parking of vehicles. In a multi-story building, floor area is the sum of the floor area of each floor. For the purposes of calculating floor area, mezzanines and lofts are considered to be floors within perimeter walls.

FLOOR AREA RATIO (FAR): A measurement of density expressed as the ratio of floor area (in square feet) to net site area (in square feet). The greater the ratio, the greater the density. For example, a building occupying one-fourth of the net site area has a FAR of 0.25:1, or 0.25; adding a second floor of equal area to the same building increases the FAR to 0.5:1, or 0.5.

GOVERNMENT CAMP: The unincorporated community of Government Camp, as identified on Comprehensive Plan Map 10-MH-4, *Government Camp Village Plan, Land Use Plan & Boundary*.

GRADE: The line of the street or ground surface deviation from the horizontal.

GREEN FEEDSTOCKS: Yard debris, non-treated wood waste, vegetative food waste, produce waste, vegetative restaurant waste, vegetative food processor by-products, crop waste, and livestock manure. Non-treated wood waste excludes wood waste treated with paint, varnish, or other chemicals or preservatives.

GREEN ROOF: A vegetated roof designed to treat storm runoff.

GROUNDWATER: Any water, except capillary moisture, beneath the land surface or beneath the bed of any stream, lake, reservoir, or other body of surface water, whatever may be the geological formation or structure in which such water stands, flows, percolates, or otherwise moves.

GUEST HOUSE: An accessory building, or portion thereof, that includes at least one bedroom and is—with the exception of bathrooms, closets, and halls—constructed as habitable space under the Oregon Residential Specialty Code.

HARDSCAPES: In the practice of landscaping, refers to the inanimate, manmade, non-planted, outdoor areas where the soil is no longer exposed and that are surfaced with pervious or non-pervious durable materials such as masonry, wood, stone, paving, tile, or similar material to create patios, walkways, water fountains, benches, gazebos, etc.

HAZARDOUS SUBSTANCE, MATERIAL, OR WASTE: Any hazardous substance, material, or waste listed in the following federal regulations:

1. Superfund Amendments and Reauthorization Act (SARA) of 1986, Section 302 Extremely Hazardous Substances List (40 C.F.R 355, App. A and B);
2. Comprehensive Environmental Response Compensation & Liability Act Superfund (CERCLA) of 1980, Hazardous Substances List (40 C.F.R 302, Table 302.4);
3. SARA of 1986, Section 313, Toxic Chemicals List (40 C.F.R Section 372.65);
4. Resource Conservation and Recovery Act (RCRA) of 1976 and 1984 Amendments, Hazardous Wastes List (P & U Categories) (40 C.F.R Section 261.33(e) and (f)); and
5. DOT Hazardous Materials Table (49 C.F.R Part 172.101).

HISTORIC AREA: Any area containing improvements which have a special character, historical interest or aesthetic value or which represent one or more architectural periods or styles typical of the history of the County and which improvements constitute a distinct section of the County that has been designated a cultural resource district pursuant to this ordinance.

HOME COMPOSTING: A composting area operated and controlled by the owner or person in control of a single-family dwelling and used to dispose of vegetative waste, garden wastes, weeds, lawn cuttings, leaves, and prunings generated from that property.

HOME OCCUPATION: An occupation or business activity that results in a product or service and is conducted, in whole or in part, in a dwelling unit, an accessory

building normally associated with primary uses allowed in the subject zoning district, or both. Home occupations do not include garage sales, yard sales, holiday bazaars, or home parties which are held for the purpose of the sale or distribution of goods or services unless such sales and parties are held more than six times in a calendar year or operate in excess of 24 total days in a calendar year.

HOMEOWNERS ASSOCIATION: The grouping or uniting of persons residing within a defined area, such as a subdivision, into an incorporated entity for the prosecution of a common enterprise.

HOSPITAL, ANIMAL: A building or premises for the medical or surgical treatment of domestic animals or pets, including dog, cat, and veterinary hospitals.

HOTEL: A building which is designed or used to offer short-term lodging for compensation, with or without meals, for six or more people. A facility that is operated for the purpose of providing care beyond that of room and board is not a "hotel".

HOUSEKEEPING UNIT: A living arrangement within a dwelling unit in which the kitchen, living and dining rooms, and other general living areas of the dwelling unit are shared in common, and the duties, rights, and obligations associated with the performance of domestic tasks and management of household affairs, are shared by the residents by virtue of legal relationship or mutual agreement. Such a living arrangement also may include the provision of food, shelter, personal services, care, and when appropriate, a planned treatment or training program of counseling, therapy, or other rehabilitative social service, for persons of similar or compatible conditions or circumstances who are members of the resident family.

HYDROELECTRIC FACILITY: Any facility relating to the production of electricity by waterpower, including, but not limited to the power generating plant, associated dams, diversions, penstocks, navigation locks, fish ladders, fish screens, reservoirs and detention areas, recreation facilities, substations, access roads, offices or commercial and industrial structures proposed to be built in connection with the energy facility; and activities involved in their construction and operation.

IMPROVEMENT: Any building structure, parking facility, fence, gate, wall, work of art or other object constituting a physical betterment of real property, or any part of such betterment.

INDIRECT ILLUMINATION: A nonelectric sign illuminated by an indirect or separate light source.

INDUSTRIAL USE: The use of land and/or structures for the manufacturing or processing of primary, secondary, or recycled materials into a product; warehousing and associated trucking operations; wholesale trade; and related development.

INSTITUTIONAL USE: The use of land and/or structures for activities such as child care, adult daycare and pre-school facilities, public and private schools, colleges, universities, art, music, trade and other educational and training facilities, convalescent care facilities, nursing homes, hospitals, places of worship, fraternal lodges, municipal and civic buildings, transit centers and park-and-ride facilities, parks, swimming pools and other recreational facilities open to the public or a membership group, senior and community centers, libraries, museums, cemeteries and mausoleums, utility facilities, and similar public and private uses.

INVASIVE NON-NATIVE OR NOXIOUS VEGETATION: Plant species that are listed in the Oregon Department of Agriculture's Noxious Weed Policy and Classification System.

KENNEL: Any lot or premises on which four or more dogs, more than six months of age or with permanent canine teeth, are kept for purposes other than a veterinary clinic.

KIOSK: A small structure used as a newsstand, information booth, refreshment stand, bandstand, or display of goods, etc.

KITCHEN, ACCESSORY: A kitchen that complies with all of the following standards:

1. It shall be incidental to a primary dwelling.
2. It shall be located in a room that is approved for residential occupancy and used for a purpose in addition to that of a kitchen (e.g., a recreation room, a bedroom).
3. It shall not be located in a detached accessory building.
4. Any of the following features shall be located within a contiguous area that is no more than 30 inches deep and 10 feet long: cooking appliances, sinks, refrigerators, dishwashers, counters, and cabinets.

LANDSCAPING: Areas of land planted with groundcover, grasses, shrubs, annuals, perennials, or trees.

LIMITED USE: A use allowed in a district on a limited basis and subject to conditions specified therein which are generally more restrictive than the conditions placed on primary or accessory uses within the same district.

LIVESTOCK: One or more domesticated animals raised to produce commodities, such as food, fiber, and labor. Livestock includes, but is not limited to, miniature livestock, fowl, and farmed fish.

LOT: A single unit of land that is created by a subdivision of land. For the purposes of this Ordinance, lot includes parcel and lot of record unless otherwise specified in the context of the specific provisions.

LOT AREA OR LOT SIZE: The total surface area (measured horizontally) within the lot lines of a lot.

LOT, CORNER: A lot ~~with street frontage on two streets intersecting at a corner of the lot with more than one front lot line, where at least two front lot lines intersect.~~ A lot within the radius curve or curves of a single street is not a corner lot and the collective boundary line or lines that separate the lot from the adjacent street shall be viewed as one lot line. A lot may be both a corner lot and a through lot.

LOT COVERAGE: The area of a lot covered by a building or buildings, exclusive of architectural features and swimming pools, expressed as a percentage of the total lot area.

LOT DEPTH: The mean horizontal distance between the front lot line and the rear lot line of a lot.

LOT, FLAG: A lot that has access to a road by means of a narrow strip of lot or easement.

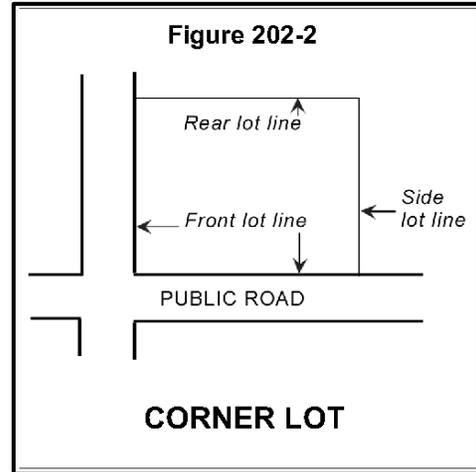
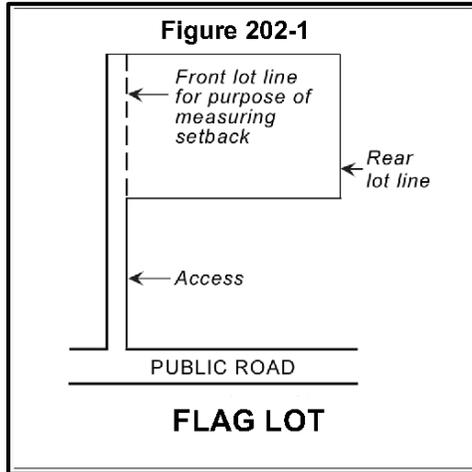
LOT LINE, FRONT: Any boundary line separating a lot from a County, public, state, or private road, or from an access drive or a Private Street. Exceptions are:

1. Except as otherwise provided in Subsection 903.08, the front lot line of a flag lot shall be within the boundaries of the lot by a distance equal to the width of the narrow strip of lot or easement providing access to the lot. The front lot line shall be parallel to the lot line extending from the road to the lot line opposite and most distant from the road. (See Figure 202-1.)
2. A corner lot may have more than one front lot line. Each lot line that is crossed by a motor vehicle access to the subject property is a front lot line. Unless the lot is a through lot, all other lot lines that would be front lot lines are side lot lines if those lines separate the lot from a private road or access drive/has at least two front lot lines, except where one of the lot lines that would otherwise be a front lot line abuts a private road or access drive and motor vehicle access from the lot is not taken to that private road or access drive. In that case, the lot line where motor vehicle access is not taken is a side lot line.
3. A through lot has at least two front lot lines except where one of the lot lines that would otherwise be a front lot line abuts a collector, arterial, expressway, interstate, or other feature that precludes motor vehicle access. In that case, the lot line where access is precluded is the rear lot line.
4. Notwithstanding (1), any portion of a boundary line that separates a lot from an area of a private road or access drive may be a side lot line if:
 - a. the boundary line delineates an area outside of the primary travel or parking areas of the private road or access drive, and

b. this area is provided for the maneuvering of emergency vehicles as required by the Roadway Standards, Comprehensive Plan, or this Ordinance, and

c. no motor vehicle access serving the lot crosses the emergency vehicle maneuvering area, and

d. any garage or carport motor vehicle entrance oriented towards the boundary line complies with the minimum front setback applicable to such entries.



LOT LINE, REAR: ~~Any~~ The whole length of any boundary line opposite and most distant from the front lot line and not intersecting a front lot line. Exceptions are:

1. For a corner lot, the rear lot line is any one of the boundary lines opposite the front lot lines. Any other opposite boundary line is a side lot line. (See Figure 202-2.)
2. A triangular-shaped lot has no rear lot line. This shall include lots that are within the radius curve or curves of a single street that are not corner lots pursuant to the definition of Lot, Corner.
3. A through lot has no rear lot line except where one of the lot lines that would otherwise be a front lot line abuts a collector, arterial, expressway, interstate, or other feature that precludes motor vehicle access. In that case, the lot line where access is precluded is a rear lot line.

LOT LINE, SIDE: Any boundary line that is not a front or rear lot line.

LOT OF RECORD:

1. A lot or parcel created by a subdivision or partition plat, as defined in ORS chapter 92, filed with the Clackamas County Surveyor and recorded with the Clackamas County Clerk;
2. A unit of land created by a recorded deed or recorded land sales contract and in compliance with all applicable planning, zoning, and subdivision or partition ordinances and regulations, if any, in effect on the date the deed or land sales contract was signed by the parties to the deed or contract; or
3. A unit of land created solely to establish a separate tax account or for mortgage purposes; that did not conform to all planning, zoning, or subdivision or partition ordinances or regulations in effect on the date it was created; and that was sold prior to September 5, 2023, under the foreclosure provisions of ORS chapter 88.

LOT, THROUGH: A lot that has street frontage on two or more non-intersecting streets. A lot may be both a corner lot and a through lot.

LOT WIDTH: The mean horizontal distance between the side lot lines of a lot.

LOT, ZONING: A "zoning lot or lots" is a single tract of land located within a single block, which (at the time of filing for a building permit) is designated by its owner or developer as a tract to be used, developed, or built upon as a unit under single ownership or control. Therefore, a "zoning lot or lots" may or may not coincide with a lot of record.

LOW VOLUME IRRIGATION: The application of irrigation water at low pressure through a system of tubing or lateral lines and low-volume emitters such as drip, drip

lines, and bubblers. Low volume irrigation systems are specifically designed to apply small volumes of water slowly at or near the root zone of plants.

MAJOR TRANSIT STOP: A transit center, major bus stop, or light rail stop, as identified on Comprehensive Plan Map 5-8a, *Transit, Urban*.

MAJOR TRANSIT STREET: A street with a Frequent Service Bus Line, as identified on Comprehensive Plan Map 5-8a, *Transit, Urban*; existing or planned High Capacity Transit, as identified on Comprehensive Plan Map 5-8c, *High Capacity Transit (HCT) System Plan*; or both.

MANUFACTURED DWELLING: A mobile home or manufactured home but not a residential trailer or recreational vehicle.

MANUFACTURED DWELLING PARK: Any place where four or more manufactured dwellings or prefabricated structures that are relocatable and more than eight and one-half feet wide, are located within 500 feet of one another on a lot, tract, or parcel of land under the same ownership, the primary purpose of which is to rent or lease space or keep space for rent or lease to any person for a charge or fee paid or to be paid for rental or lease or use of facilities or to offer space free in connection with securing the trade or patronage of such person. Manufactured dwelling park does not include a lot or lots located within a subdivision being rented or leased for occupancy by no more than one manufactured dwelling per lot.

MANUFACTURED HOME: A structure constructed on or after June 15, 1976, for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy by one family, that is being used for residential purposes, and that was constructed in accordance with federal manufactured housing construction and safety standards and regulations in effect at the time of construction.

MARIJUANA: The plant Cannabis family Cannabaceae, any part of the plant Cannabis family Cannabaceae, and the seeds of the plant Cannabis family Cannabaceae. Marijuana does not include industrial hemp as defined in ORS 571.300.

MARIJUANA ITEMS: Marijuana, cannabinoid products, cannabinoid concentrates, and cannabinoid extracts.

MARIJUANA PROCESSING: The processing, compounding, or conversion of marijuana into cannabinoid products, cannabinoid concentrates, or cannabinoid extracts, provided that the marijuana processor is licensed by the Oregon Liquor Control Commission (OLCC), a holder of a research certificate issued by the OLCC, or registered with the Oregon Health Authority.

MARIJUANA PRODUCTION: The manufacture, planting, cultivation, growing, trimming, harvesting, or drying of marijuana, provided that the marijuana producer is licensed by the Oregon Liquor Control Commission (OLCC), a holder of a research

certificate issued by the OLCC, or registered with the Oregon Health Authority and a “person designated to produce marijuana by a registry identification cardholder.”

MARIJUANA RETAILING: The sale of marijuana items to a consumer, provided that the marijuana retailer is licensed by the Oregon Liquor Control Commission or registered with the Oregon Health Authority.

MARIJUANA WHOLESALING: The purchase of marijuana items for resale to a person other than a consumer, provided that the marijuana wholesaler is licensed by the Oregon Liquor Control Commission.

MASTER PLAN: A sketch or other presentation showing the ultimate development layout of a parcel of property that is to be developed in successive stages or subdivisions. The plan need not be completely engineered but shall be of sufficient detail to illustrate the property's inherent features and probable development pattern.

MIDDLE HOUSING: A duplex, triplex, quadplex, townhouse, or cottage cluster.

MIDDLE HOUSING LAND DIVISION: A partition or subdivision of a lot of record that is developed, or proposed to be developed, with more than one middle housing dwelling unit. The type of middle housing developed on the original lot of record is not altered by a middle housing land division.

MIDDLE HOUSING LOT: A lot or parcel created through a middle housing land division. A middle housing lot is a separate lot of record; however, development on a middle housing lot is limited by conditions imposed at the time of the middle housing land division. Middle housing lots are not divisible.

MILL SITE, ABANDONED OR DIMINISHED: A mill, plant, or other facility engaged in the processing or manufacturing of wood products, including sawmills and facilities for the production of plywood, veneer, hardboard, panel products, pulp, and paper, that is located outside of urban growth boundaries; was closed after January 1, 1980, or has been operating at less than 25 percent of capacity since January 1, 2003; and contains or contained permanent buildings used in the production or manufacturing of wood products.

MIXED-USE: A mix of uses located within a single building, such as retail on the first floor and residential or office uses on the upper floors.

MOBILE HOME: A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy by one family, that is being used for residential purposes, and that was constructed between January 1, 1962, and June 15, 1976, and met the construction requirements of Oregon mobile home law in effect at the time of construction.

MOBILE VENDING UNIT: A vehicle that is used in selling and dispensing goods or services to the customer. Notwithstanding this definition, a mobile vending unit shall not be used in selling and dispensing marijuana items. As used in this definition, a vehicle is motorized or non-motorized transportation equipment containing an axle and intended for use on public roads, including, but not limited to, a car, van, pickup, motorcycle, recreational vehicle, bus, truck, detached trailer, or a truck tractor with no more than one trailer.

MOTEL: A building or series of buildings in which lodging only is offered for compensation and which may have more than five sleeping rooms or units for this purpose and which is distinguished from a hotel primarily by reason of providing direct independent access to and adjoining parking for each rental unit designed primarily for automobile tourists and transient persons. The term includes auto courts, tourist courts, tourist homes, and motor lodges.

NATIVE PLANTS: Any indigenous or resident species currently or historically found in the Willamette Valley.

NATURAL AREA: An area of land or water that has substantially retained its character and functions as an important habitat for plant and animal life.

NONCONFORMING DEVELOPMENT: An element of development, such as landscaping, parking, height, signage, or setbacks that was created in conformance with development regulations which, due to a change in the zone or zoning regulations, is no longer in conformance with the current applicable regulations.

NONCONFORMING USE: A use of any building, structure or land allowed by right when established or that obtained a required land use approval when established but, due to a change in the zone or zoning regulations, is now prohibited in the zone.

NURSERY: The propagation of trees, shrubs, vines or flowering plants for transplanting, sale, or for grafting or budding; planting of seeds or cuttings; grafting and budding one variety on another; spraying and dusting of plants to control insects and diseases, and buying and selling the above plant stock at wholesale or retail. Help and seasonal labor may be employed. The term "nursery" contemplates the sale of a product of such nursery. The conduct of a nursery business presumes parking places for customers, the keeping of sales records, and quarters for these functions. However, the use does not include the business of reselling goods purchased off the premises, except plant stock, or the establishment of a roadside stand.

NURSING HOME: A nursing, convalescent, or rest home facility licensed by the State under ORS chapters 441 and 442, or an assisting living facility licensed under ORS 443, which provides, for a period exceeding 24 hours, the continuous services of licensed nursing personnel to care for chronically ill or infirm patients, exclusive of those patients related to the owner or facility administrator by blood or marriage. Such nursing, convalescent, or rest home must provide nursing services to those patients who, in the judgment of a physician, registered nurse, or facility administrator, require remedial, restorative, supportive, or preventive nursing measures.

OPEN SPACE: Land within a development which has been dedicated in common to the ownership within the development or to the public specifically for the purpose of providing places for recreational uses or for scenic purposes. Open space shall be used as such in perpetuity.

OVERBURDEN: Earth that lies above a natural deposit of a mineral.

OVERHEAD SPRINKLER IRRIGATION: The application of irrigation water from spray heads, rotors, or other above-ground emitters that send water through the air.

OWNER: Person or persons holding fee title to a parcel, lot or tract of land, except in those instances when the land is being sold on contract, the contract purchaser shall be deemed the owner.

PARCEL: A single unit of land that is created by a partition of land. For the purposes of this Ordinance, parcel includes lot and lot of record unless otherwise specified in the context of the specific provisions.

PARKING AREA, MOTOR VEHICLE: A defined portion of a property provided for the parking and maneuvering of motor vehicles. A parking area may be located within an easement and shared between multiple lots without being considered a Private Road or Access Drive for the purpose of assigning lot lines.

A motor vehicle parking area may contain drive aisles, but does not have additional driveways providing access to further lots or parking areas – please see Road, Private; Access Drive; Street, Internal; and Street, Private where this is the case.

PARKING STRUCTURE: A building having at least two levels that are designed and used for parking vehicles, or a building having one level of covered parking area under an open space or recreational use. A one-level surface parking area, garage, or carport is not a parking structure.

PARTITION: To divide an area or tract of land into two or three parcels within a calendar year when such area or tract of land exists as a unit or contiguous units of land under single ownership at the beginning of such year. "Partition" does not include divisions of land resulting from lien foreclosures, divisions of land resulting from foreclosure of recorded contracts for the sale of real property and divisions of

land resulting from the creation of cemetery lots; and "partition" does not include any adjustment of a lot line by the relocation of a common boundary where an additional parcel is not created. "Partition" does not include the sale of a lot in a recorded subdivision, even though the lot may have been acquired prior to the sale with other contiguous lots or property by a single owner.

PEDESTRIAN AMENITIES: Outdoor improvements directly visible and accessible to pedestrians that promote and facilitate pedestrian use, including plazas, pocket parks, courtyards, awnings or other weather protection, kiosks, gazebos, water features, drinking fountains, sculpture, outside seating areas, planters, trellises, and street furniture.

PEDESTRIAN PATHWAY: A hard-surfaced or permeable hard-surfaced pedestrian facility adjacent to a public roadway where there is no curb, but is protected from vehicular traffic or set back behind a planting strip.

PEDESTRIAN-SCALE LIGHTING: Street lights designed to illuminate sidewalks to provide security for nighttime use by pedestrians. Pedestrian scale lighting includes ornamental lighting with a 14- to 25-foot mounting height and which meets the Illumination Society guidelines for Commercial Collector roadways.

PENNANT: Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended, usually in series, from a rope, wire, or string, and designed to move in the wind.

PERSON DESIGNATED TO PRODUCE MARIJUANA BY A REGISTRY IDENTIFICATION CARDHOLDER: A person designated to produce marijuana by a registry identification cardholder under ORS 475B.420 who produces marijuana for a registry identification cardholder at an address other than the address where the registry identification cardholder resides or at an address where more than 12 mature marijuana plants are produced.

PERVIOUS: Any surface or material that allows the passage of water through the material and into the underlying soil.

PLAT, FINAL: A final map and other writing containing all the descriptions, locations, specifications, dedications, provisions, and information concerning a partition or subdivision and recorded as required by ORS Chapter 92.

PLAT, PRELIMINARY: A clearly legible and approximate drawing of the proposed layout of streets, blocks, lots and other elements of a subdivision or partition which shall help furnish a basis for the approval or disapproval of the general layout of a partition or subdivision. As used in this Ordinance, preliminary plat shall be synonymous with tentative plan as used in ORS Chapter 92.

POROUS PAVEMENT: Surface to walk, drive or park on that may reduce stormwater runoff by allowing water to soak into the ground. Examples are

permeable pavers, pervious concrete, porous asphalt, and gravel.

PREFABRICATED STRUCTURE: A building or subassembly that has been in whole or substantial part manufactured or assembled using closed construction at an off-site location to be wholly or partially assembled on-site; is relocatable; is more than eight and one-half feet wide; and is designed for use as a single-family dwelling. A prefabricated structure is not a manufactured dwelling or “small home”, as defined in ORS Chapter 455.

PREMISES: A lot, building, or portion of a lot or building, occupied by a use with its appurtenances.

PRESERVATION, CULTURAL RESOURCES: The identification, study, protection, restoration, rehabilitation or enhancement of cultural resources.

PRIMARY BUILDING WALL: Exterior building wall which contains a public entrance to the occupant’s premises and faces either a street or a parking area.

PRODUCE STAND: A table, bench, cart, or structure, any of which may be covered, that is located or erected for the purpose of direct sales by growers of agricultural goods, including vegetables, fruits, flowers, bulbs, herbs, plants, honey, and similar products, but not including marijuana or processed foods such as jams or jellies, that are produced on the same tract on which the produce stand is located.

PROFESSIONAL SERVICES: Activities such as those offered by a physician, surgeon, dentist, lawyer, architect, engineer, accountant, artist, teacher, real estate agent, and insurance agent.

PROPERTY LINE ADJUSTMENT: A relocation or elimination of all or a portion of the common property line between two abutting lots of record that does not create an additional lot of record. As used in this definition, a property line is the entirety of the division boundary line between two abutting lots of record.

PUBLIC OWNERSHIP: Land owned by federal, state, regional, or local government, or governmental agency.

PUBLIC WATER SYSTEM: A system for the provision to the public of piped water for human consumption, if such system has more than three service connections and is a facility licensed by the State of Oregon Health Division.

QUADPLEX: A building that contains exactly four dwelling units, all of which are located on the same lot of record or on middle housing lots.

RAINWATER COLLECTION SYSTEM: A system of pipes, container (rain barrel, rainwater tank, pond, or rainwater reservoir), valves and associated apparatus for collecting and storing harvested rainwater runoff, typically from rooftops via rain gutters, but also from ground catchment systems.

RECREATIONAL VEHICLE: A vehicle licensed by the State of Oregon, with or without motive power, that is designed for human occupancy and to be used temporarily for recreational, seasonal, or emergency purposes, and has a gross floor area not exceeding 400 square feet in the set-up mode. These shall include but are not limited to park trailers, travel trailers, pickup campers, motor homes, fifth wheel trailers, camping and tent trailers.

RECYCLABLE DROP-OFF SITE: A convenient location not within a public right-of-way where mobile depots or drop boxes may be sited as a recyclable material collection point for nearby residents prior to delivery to a broker or user of such materials.

RECYCLE/RECYCLING: A process by which solid waste materials are transformed into new products in such a manner that the original products may lose their identity. It shall also include the collection, transportation, or storage of products by other than the original user or consumer, giving rise to the product's being in the stream of commerce for collection, disposal, recycling, reuse, resource recovery, or utilization.

RECYCLING CENTER: A facility that primarily purchases for recycling or reuse principal recyclable materials which have been source-separated by type, such as vegetative yard debris, paper, glass, and metal, by the person who last used the unseparated solid wastes, but not a salvage or junkyard. Principal recyclable materials are those items defined as such by the Oregon Department of Environmental Quality.

RELATIVE: A parent, child, brother, sister, grandparent, or grandchild of a person or person's spouse.

REPLAT: The act, other than a property line adjustment or a middle housing land division, of platting the lots, parcels, tracts, or easements in a final plat to achieve a reconfiguration of the existing final plat or to increase or decrease the number of lots or parcels.

RESERVE STRIP: A strip of land, usually one foot in width, across the end of a street or alley which shall be under the ownership of the County to insure street extensions where needed.

RESIDENTIAL TRAILER: A structure constructed for movement on the public highways that has sleeping, cooking, and plumbing facilities, that is intended for human occupancy by one family, that is being used for residential purposes, and that was constructed before January 1, 1962.

RESIDENTIAL TREATMENT FACILITY: A facility that provides, for six or more individuals with mental, emotional or behavioral disturbances or alcohol or drug dependence, residential care and treatment in one or more buildings on contiguous properties. For the purposes of a Residential Treatment Facility or Residential Treatment Home, "treatment" means the systematic, planned maintenance, development or enhancement of self-care skills, social skills or independent living

skills, or the planned sequence of systematic interactions, activities or structured learning situations designed to meet each resident’s specified needs in the areas of physical, social, emotional and intellectual growth.

RESIDENTIAL TREATMENT HOME: A facility that provides for five or fewer individuals with mental, emotional or behavioral disturbances or alcohol or drug dependence, residential care and treatment in one or more buildings on contiguous properties.

RESOURCE RECOVERY FACILITY: Any facility at which solid waste is processed for the purpose of extracting, converting to energy, or otherwise separating and preparing solid waste for reuse, but not a salvage or junkyard.

RHODODENDRON: The unincorporated community of Rhododendron, as identified on Comprehensive Plan Map 4-7, *Non-Urban Area Land Use Plan, Mt. Hood Corridor Land Use Plan.*

RIGHT-OF-WAY: The legal right, established by usage or grant, to pass through property owned by another, or the strip of land subject to a nonowner’s right to pass through.

ROAD: A public or private way created to provide ingress to, or egress from, one or more lots, parcels, areas or tracts of land, or that provides for travel between places by vehicles. A private way created exclusively to provide ingress and egress to land in conjunction with a forest, farm or mining use is not a “road”. The terms “street”, “access drive” and “highway” for the purposes of this Ordinance shall be synonymous with the term “road”, except “street, internal” and “street, private” shall have the meanings provided elsewhere within this Ordinance.

ROAD, COUNTY: A public way under County jurisdiction which has been accepted into the County road maintenance system by order of the Board of County Commissioners.

ROAD, PRIVATE: A private way created by deed or easement to provide vehicular ingress to, or egress from, three or more lots or parcels. When a private way is located integrally within a Motor Vehicle Parking Area, refer to Street, Internal and Street, Private.

ROAD, PUBLIC: A public way dedicated or deeded for public use but not accepted into the County road maintenance system, intended primarily for vehicular circulation and access to abutting properties.

ROADWAY: That portion of a road or alley that has been improved for vehicular and pedestrian traffic.

SALVAGE: Separating, collecting, or retrieving reusable solid waste for resale.

SALVAGE, JUNKYARD: A location at which solid wastes are separated, collected, and/or stored pending resale.

SCHOOL, COMMERCIAL: A building where instruction is given to pupils in arts, crafts, or trades, and operated as a commercial enterprise as distinguished from schools endowed or supported by taxation.

SENSITIVE GROUNDWATER AREA: Any area classified by the State of Oregon as a groundwater limited area, critical groundwater area, or other area where new groundwater appropriations are restricted by the State of Oregon.

SERVICE STATION: A commercial establishment with sales and services limited to the sale of motor fuels and supplying goods and service generally required in the operation and maintenance of automotive vehicles and fulfilling a motorist's needs. These may include sale of petroleum products; sale and servicing of tires, batteries, automotive accessories and replacement items; washing and lubricating services; the performance of minor automotive maintenance and repair, and the supplying of other incidental customer services and products. Major automotive repairs, painting and fender work are excluded. An electric vehicle charging station is not a service station.

SETBACK: The shortest horizontal distance between a structure and the lot line.

SETBACK, FRONT: The shortest horizontal distance between a structure and the front lot line.

SETBACK, REAR: The shortest horizontal distance between a structure and the rear lot line.

SETBACK, SIDE: The shortest horizontal distance between a structure and the side lot line.

SHARED PARKING: Parking spaces used jointly by two or more uses within the same development, or separate adjacent developments, which either have peak hours of operation that do not overlap, or typically provide services to many of the same patrons (e.g., restaurant in an office complex or hotel providing lodging for convention participants within the same development), provided satisfactory legal evidence is presented in the form of deeds, leases, or contracts securing full access to such parking spaces for all parties jointly using them.

SHORT-TERM RENTAL: The rental of a dwelling unit, portion of a dwelling unit, or guest house for overnight residential purposes, for a period of up to 30 consecutive nights. Overnight occupancy of the dwelling unit plus any guest house shall not exceed 15 persons. A short-term rental may include use of accessory structures, such as decks or swimming pools, that are located on the same lot as the dwelling unit or guest house being rented.

SIDEWALK: A concrete pedestrian facility adjacent to a curb along a road or set

back from the curb behind a planting strip.

SIGN: A presentation or representation, other than a house number, by words, letters, figures, designs, pictures or colors displayed out of doors in view of the general public so as to give notice relative to a person, a business, an article of merchandise, a service, an assemblage, a solicitation, or a request for aid or other type of identification. This definition specifically includes billboards, ground signs, freestanding signs, wall signs, roof signs, logo signs, and signs on the following: marquees, awnings, canopies, street clocks and furniture and includes the surface upon which the presentation or representation is displayed.

SIGN, ANIMATED: Any sign that uses movement or change of lighting to depict action or create a special effect or scene.

SIGN AREA, OR SURFACE AREA: The area, on the largest single face of a sign, within a perimeter which forms the outside shape of a sign. If the sign consists of more than one module, the total area of all modules will constitute the sign area. The area of a sign having no such perimeter or border shall be computed by enclosing the entire copy area within the outline of either a parallelogram, triangle, circle or any other easily recognized geometric shape and then computing the area. Where a sign is of a three-dimensional, round or irregular shape, the largest cross section shall be used in flat projection for the purpose of computing sign area.

SIGN, BUILDING: Any sign attached to any part of a building, as contrasted to a freestanding sign.

SIGN, CHANGEABLE COPY: A sign or portion thereof with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this ordinance.

SIGN, COMMERCIAL: Any sign associated with a commercial activity.

SIGN, DIRECTORY: An onsite sign that identifies and directs traffic to a number of tenants, uses, or buildings within a development.

SIGN, DRIVE-THRU: A freestanding or building sign for a commercial drive-thru window service that is oriented toward a drive-thru lane on the same property and that is for viewing by drivers and their passengers while they are in the drive-thru lane, but does not extend higher than eight feet above grade.

SIGN, ELECTRONIC MESSAGE CENTER: A sign, display, or device, or portion thereof, whose message may be changed by electronic process or remote control, and includes electronic time and temperature displays and the device known in the advertising industry as a commercial electronic variable message sign.

SIGN, FREESTANDING: A sign not attached to a building.

SIGN, INCIDENTAL: A sign, generally informational, that has a purpose secondary to the use of the site on which it is located, such as "no parking," entrance," "loading only," "telephone," and other similar directives.

SIGN, INTEGRAL ROOF: Any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches.

SIGN, LOGO: A sign consisting of a trademark or symbol.

SIGN, MESSAGE: Anything displayed on an electronic message center sign, including copy and graphics.

SIGN, MONUMENT: A sign which extends from the ground or which has a support which places the bottom thereof less than two feet from the ground.

SIGN, OFF-PREMISES: A sign which advertises goods, products or services which are not sold, manufactured, or distributed on or from the premises or facilities on which the sign is located.

SIGN, POLE: A sign erected and maintained on a freestanding frame, mast or pole and not attached to any building but does not include ground-mounted signs.

SIGN, PORTABLE: Any sign not permanently attached to the ground or other permanent structure, and/or designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used as other than a sign in the normal day-to-day operations of the business for transportation of goods and/or personnel.

SIGN, PROJECTING: Any sign affixed to a building or wall in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall.

SIGN, PUBLIC SERVICE INFORMATION: Any sign, or message on an electronic message center sign, which provides the time, date, temperature, weather, or information concerning civic, charitable or other noncommercial activities.

SIGN, RESIDENTIAL: Any sign associated with a dwelling.

SIGN, ROOF: Any sign erected and constructed wholly on and on top of the roof of a building, supported by the roof structure.

SIGN, SEGMENTED MESSAGE: Any message or distinct subunit of a message

presented by means of at least one display change on an electronic message center sign.

SIGN, TEMPORARY: Any sign that is normally considered to be of temporary duration and is not permanently mounted. Examples include, but are not limited to: commercial signs for limited term events, election signs, real estate signs, etc.

SIGN, TRAVELING MESSAGE: A message which appears to move across an electronic message center sign.

SIGN, WALL: Any sign parallel to, and attached within six inches of a wall, painted on the wall surface, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

SIGN, WINDOW: Any sign, pictures, symbol, or combination thereof, that is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

SIGNIFICANT NATURAL AREAS: Natural areas as defined in "Oregon National Areas - Clackamas County Data Summary" published by The Nature Conservancy. This list of natural areas may be amended by the County as additional areas are identified.

SINGLE ROOM OCCUPANCY: A residential development with no fewer than four attached units that are independently rented and lockable and provide living and sleeping space for the exclusive use of an occupant, but require that the occupant share sanitary or food preparation facilities with other units in the occupancy.

SNOW SLIDE AREA: The area around a building that may be subject to snow buildup as a result of snow sliding from the sloped roof of the building.

SOIL MOISTURE SENSOR: A device that measures the amount of water in the soil. The device also suspends and initiates irrigation events.

SOLAR ENERGY SYSTEM: Any solar collector, or other solar energy device, the primary purpose of which is to provide for the collection, storage, and distribution of solar energy for space heating or cooling, water heating, or electricity.

1. The power generating capacity of a roof-mounted solar energy system that is located on a primary use, conditional use, or limited use structure is limited only by the size of the system that can fit within the confines of the roof surface to which it is mounted.
2. The power generating capacity of a ground-mounted solar energy system, or of a roof-mounted solar energy system that is located on an accessory structure, is limited to power consumed by the development to which the system is accessory,

or—if the system feeds power into the grid of a public utility company—to an amount equivalent to no more than the annual usage of the development to which the system is accessory.

SOLID WASTE: As defined in Chapter 10.03, *Solid Waste and Wastes Management*, of the Clackamas County Code.

STORMWATER MANAGEMENT FACILITY: Any facility that is designed, constructed, and maintained to collect, treat, filter, retain, or detain surface water runoff during and after a storm event for the purpose of controlling flows or reducing pollutants in stormwater runoff. Stormwater management facilities include, but are not limited to, constructed wetlands, rain gardens, water quality swales, stormwater planters, infiltration facilities, and ponds.

STORY: A portion of a building included between a floor and the ceiling next above it, exclusive of a basement.

STREAM: A body of perennial running water, together with the channel occupied by such running water.

STREAM CORRIDOR AREA: An area including the streambed and a required strip or buffer of land on each side of the streambed necessary to maintain streamside amenities and existing water quality. The width of the stream corridor area varies with the site conditions and shall be determined by on-the-ground investigation, as provided under Subsection 1002.04(B). The intent of the stream corridor area shall be to preserve natural environmental qualities and the function of land to purify water before it reaches the stream but not to prohibit timber management activities pursuant to the State Forest Practices Act.

STREET FRONTAGE: The entire linear distance of a lot abutting a street. Toe strips or flair strips shall not be used to satisfy the minimum street frontage requirements of the Ordinance.

STREET: See “ROAD”.

STREET, INTERNAL: A way located outside of a road that is provided for motor vehicle circulation within a commercial, institutional, or mixed use development or between multiple such developments. A private street may also be located within a residential development that consists of other than detached single family dwelling(s), temporary dwelling(s), accessory dwelling units, or middle housing.

STREET, PRIVATE: An internal street that has been improved with curbs, sidewalks or pedestrian paths, street trees, and pedestrian-scale lighting.

STREET FURNITURE: Any structural element other than residential, industrial or commercial buildings, streets, sidewalks and curbs shall be considered street furniture

including, but not limited to, benches, bus shelters, newsstands, bulletin boards, kiosks, drinking fountains, bicycle stalls, etc.

STRUCTURE: Anything constructed or erected, which requires location on the ground or attached to something having a location on the ground.

SUBDIVIDE: To divide an area or tract of land into four or more lots within a calendar year when such area or tract exists as a unit or contiguous units, under a single ownership at the beginning of such year, whether or not that area or tract of land is divided by a water course or a road right-of-way.

SUBDIVISION: A division of property creating four or more lots in the same calendar year.

SUBDIVISION, MAJOR: A subdivision creating 11 or more lots in the same calendar year.

SUBDIVISION, MINOR: A subdivision creating four to 10 lots in the same calendar year.

SUNNYSIDE VILLAGE: The Sunnyside Village community plan area, as identified on Comprehensive Plan Map 10-SV-1, *Sunnyside Village Plan, Land Use Plan Map*.

SURFACE MINING: Includes the mining of minerals by removing overburden and extracting a natural mineral deposit thereby exposed, or simply such extraction. Surface mining includes open-pit mining, auger mining, production of surface mining waste, prospecting and exploring that extracts minerals or affects land, processing to include rock crushing and batch plant operations, and excavation of adjacent offsite borrow pits other than those excavated for building access roads. Surface mining does not mean operations within a road right-of-way or other easement for the purpose of construction, reconstruction, or maintenance; excavations of sand, gravel, clay, rock, or other similar materials by a landowner or tenant for the purpose of construction, reconstruction, or maintenance of access roads; excavation or grading in the process of farming, forestry, or cemetery operations, or other onsite construction, unless more than 5,000 cubic yards of such materials are removed from the property for compensation, except that more than 5,000 cubic yards of such materials may be removed from the property for compensation when the construction activities are authorized by a building permit.

SURFACE MINING, MINERALS: Soil, clay, stone, sand, gravel, and any other inorganic solid excavated from a natural deposit in the earth for commercial, industrial, or construction use.

SURFACE MINING, NONAGGREGATE MINERALS: Coal and metal-bearing ores, including, but not limited to, ores that contain nickel, cobalt, lead, zinc, gold, molybdenum, uranium, silver, aluminum, chrome, copper, or mercury.

SURFACE MINING, OPERATOR: A legal entity engaged in surface mining or in an activity at a surface mining site preliminary to surface mining.

SURFACE MINING, RECLAMATION: Procedures designed to minimize the disturbance from surface mining and to provide for the rehabilitation of surface resources through the use of plant cover, soil stabilization, and other procedures to protect the surface and subsurface water resources, and other measures appropriate to the subsequent beneficial use of mined lands.

SURFACE WATER MANAGEMENT REGULATORY AUTHORITY: The surface water management district in which the subject property is located, or, if there is no such district, the County.

TOWNHOUSE: A dwelling unit that shares at least one wall, or portion thereof, with another townhouse and is located on a separate lot of record from any other dwelling that is not an accessory dwelling unit.

TRACT: One or more contiguous lots of record under the same ownership. Notwithstanding the preceding definition, as used in Sections 706, *Habitat Conservation Area District*, 709, *Water Quality Resource Area District*, 1012, *Lot Size and Density*, 1013, *Planned Unit Developments*, and 1105, *Subdivisions, Partitions, Replats, Condominium Plats, and Vacations of Recorded Plats*, a tract is a unit of land (other than a lot or parcel) created by a subdivision, partition, or replat.

TRAIL: A hard- or soft-surfaced facility for pedestrians, bicyclists, or equestrians that is separate from vehicular traffic. Trails often go through natural areas and are designed to have a minimal impact on the natural environment.

TRANSFER STATION: A fixed or mobile facility used as part of a solid waste collection and disposal system or resource recovery system, between a collection route and a processing facility or a disposal site, including, but not limited to, drop boxes made available for general public use. Solid waste collection vehicles are not transfer stations.

TRANSIT STOP: Any posted bus or light rail stop.

TRIPLEX: A building that contains exactly three dwelling units, all of which are located on the same lot of record or on middle housing lots.

TURF LAWN: A ground-cover surface made up of thick, closely mowed, cultivated grass.

UNDERGROUND STRUCTURE: A structure in which more than 50 percent of the cubic footage of the enclosed, covered space is (1) constructed below the highest elevation of the ground adjoining the structure site prior to excavation; and (2) covered over by ground materials, such as soil, sod, sand or exterior paving, which are continuous on at least one side of the structure with contiguous surface ground

materials. Conventional roofing materials may be used to cover any portion of the structure which extends above ground elevation.

UNINCORPORATED COMMUNITY: A settlement that conforms to the definition set forth in chapter 660, division 22 of the Oregon Administrative Rules. The County's unincorporated communities are identified in Chapter 4 of the Comprehensive Plan and shown on Map 4-7 of the Comprehensive Plan.

USE: The purpose for which land or a building is arranged, designed or intended, or for which either land or a building is or may be occupied.

UTILITY CABINET: A small enclosure used to house utility equipment intended for off-site service, such as electrical transformer boxes, telephone cable boxes, cable television boxes, fire alarm boxes, police call boxes, traffic signal control boxes, and other similar apparatus.

UTILITY FACILITY: A building, structure, or any constructed portion of a system that provides for the production, transmission, conveyance, delivery, or furnishing of heat, light, power, gas, water, sanitary sewer, stormwater, telephone, cable television, internet, or other similar service. Utility facility does not include wireless telecommunication facility.

UTILITY LINE: A utility facility consisting of a cable, conduit, pipe, wire, drainageway, or other linear conveyance system. A utility line may include support poles, support towers, and equipment for the monitoring or operation of the utility line, provided that such equipment is mounted on the poles or towers; underground; or both aboveground and not exceeding five feet in length, width, and height.

UTILITY SERVICE LINE: A utility line that ends at the point where the utility service is received by the customer. A service line is distinguished from larger utility lines including, but not limited to, distribution lines, mainlines, transmission lines, and trunk lines.

VEHICLE, COMMERCIAL: A commercially licensed and operated vehicle exceeding the capacity of one ton.

VISUALLY SENSITIVE AREAS: Prominent natural landscape features such as hillsides, forests, and waterways; historic district; visual corridors along major highways and rivers. Natural landscapes that occur within the urban area and along traffic corridors are of higher visual significance.

WALKWAY: A hard-surfaced facility for pedestrians, within a development or between developments, distinct from surfaces used by motor vehicles. A walkway is distinguished from a sidewalk by its location on private property.

WELL, EXEMPT-USE: A well from which groundwater is used as defined in ORS 537.545(1) as amended.

WELL, PERMITTED: A well from which the intended use of water requires a registration, certificate of registration, application for a permit, permit, certificate of completion, or groundwater right certificate under ORS 537.505 to 537.795 and 537.992.

WEMME/WELCHES: The unincorporated community of Wemme/Welches, as identified on Comprehensive Plan Map 4-7, *Non-Urban Area Land Use Plan, Mt. Hood Corridor Land Use Plan*.

WETLANDS: Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions.

WILDWOOD/TIMBERLINE: The unincorporated community of Wildwood/Timberline, as identified on Comprehensive Plan Map 4-7, *Non-Urban Area Land Use Plan, Mt. Hood Corridor Land Use Plan*.

ZIGZAG VILLAGE: The unincorporated community of Zigzag Village, as identified on Comprehensive Plan Map 4-7, *Non-Urban Area Land Use Plan, Mt. Hood Corridor Land Use Plan*.

ZONING DISTRICT, COMMERCIAL: A zoning district regulated by Section 500, *Commercial Districts*.

ZONING DISTRICT, INDUSTRIAL: A zoning district regulated by Section 600, *Industrial Districts*.

ZONING DISTRICT, NATURAL RESOURCE: A zoning district regulated by Section 400, *Natural Resource Districts*.

ZONING DISTRICT, RESIDENTIAL: A zoning district regulated by Section 300, *Urban and Rural Residential Districts*.

[Amended by Ord. ZDO-224, 5/31/2011; Amended by Ord. ZDO-231, 1/31/2012; Amended by Ord. ZDO-232, 3/12/2012; Amended by Ord. ZDO-234, 6/7/2012; Amended by Ord. ZDO-243, 9/9/2013; Amended by Ord. ZDO-246, 3/1/2014; Amended by Ord. ZDO-249, 10/13/2014; Amended by Ord. ZDO-248, 10/13/2014; Amended by Ord. ZDO-252, 6/1/2015; Amended by Ord. ZDO-253, 6/1/2015; Amended by Ord. ZDO-254, 1/4/2016 and 3/1/2016; Amended by Ord. ZDO-258, 1/18/2017; Amended by Ord. ZDO-263, 5/23/2017; Amended by Ord. ZDO-267, 8/28/2017; Amended by Ord. ZDO-266, 5/23/2018; Amended by Ord. ZDO-269, 9/6/2018; Amended by Ord. ZDO-268, 10/2/2018; Amended by automatic repeal of Ord. ZDO-267, 8/28/2019; Amended by Ord. ZDO-273, 1/17/2021; Amended by Ord. ZDO-280, 10/23/2021; Amended by Land Use Board of Appeals Remand of Ord. ZDO-273, 1/24/2022; Amended by Ord. ZDO-282, 7/1/2022; Amended by Ord. ZDO-273, on remand, 5/30/2023; Amended by Ord. ZDO-283, 9/5/2023; Amended by Ord. ZDO-285, 9/3/2024; Amended by Ord. ZDO-288, 9/9/2024]

705 WILLAMETTE RIVER GREENWAY (WRG)

705.01 PURPOSE

Section 705 is adopted to:

- A. Protect, conserve, enhance, and maintain the natural, scenic, historical, agricultural, economic, and recreational qualities of lands along the Willamette River;
- B. Maintain the integrity of the Willamette River by minimizing erosion, promoting bank stability, and maintaining and enhancing water quality and fish and wildlife habitats; and
- C. Implement the Willamette River Design Plan set forth in Chapter 3 of the Comprehensive Plan.

705.02 DEFINITIONS

Unless specifically defined in Subsection 705.02, words or phrases used in Section 705 shall be interpreted to give them the same meaning as they have in common usage and to give Section 705 its most reasonable application.

- A. Change of Use: Making a different use of the land or water which requires construction, alterations of the land, water, or other areas outside of existing structures and which substantially alters or affects the land or water.
- B. Develop: To bring about growth or availability; to construct or alter a structure; to conduct a mining operation; to make a physical change in the use or appearance of land; to divide land into parcels; to create or terminate rights of access.
- C. Development: The act, process, or result of developing.
- D. Intensification: Any addition or action which increases or expands the area or amount of an existing use, or the level of activity, including remodeling the exterior of a structure if the remodeling substantially alters the appearance of the structure.
- E. Water-Dependent Use: A use or activity that can be carried out only on, or adjacent to water areas because the use requires access to the water body for water borne transportation, recreation, energy production, or source of water.

705.03 AREA OF APPLICATION

Section 705 applies to development, change of use, or intensification of use on lands and water within the Willamette River Greenway, except:

- A. A change of use of a building or other structure which does not substantially alter or affect the land or water upon which it is situated;
- B. Landscaping, driveway construction, modifications of existing structures, and the construction or placement of subsidiary structures or facilities which are usual and necessary to the use and enjoyment of existing improvements;
- C. Changes, modifications, and other practices customarily related to those farm uses described in Section 401;
- D. Gravel removal from the bed of the Willamette River when conducted under a permit from the State of Oregon, and when compatible with the purposes stated in Subsection 705.01;
- E. Customary dredging and channel maintenance;
- F. The placing, by a public agency, of signs, workers, or aids to serve the public;
- G. Activities to protect, conserve, enhance, and maintain public recreational, scenic, historical, and natural uses on public lands;
- H. Acquisition and maintenance of scenic easements by the Oregon Parks and Recreation Department; and
- I. The partial harvest of timber beyond the vegetative fringes in areas not covered by a scenic easement when the harvest is consistent with an approved plan under the Oregon Forest Practices Act (OFPA). If such activity is not covered by the OFPA, it shall be reviewed as a Type II application pursuant to Section 1307, to ensure consistency with the purposes stated in Subsection 705.01. Commercial forest activities and harvesting practices shall provide for vegetation buffers and the intended shading, soil stabilizing, and water filtering effects required by the OFPA.

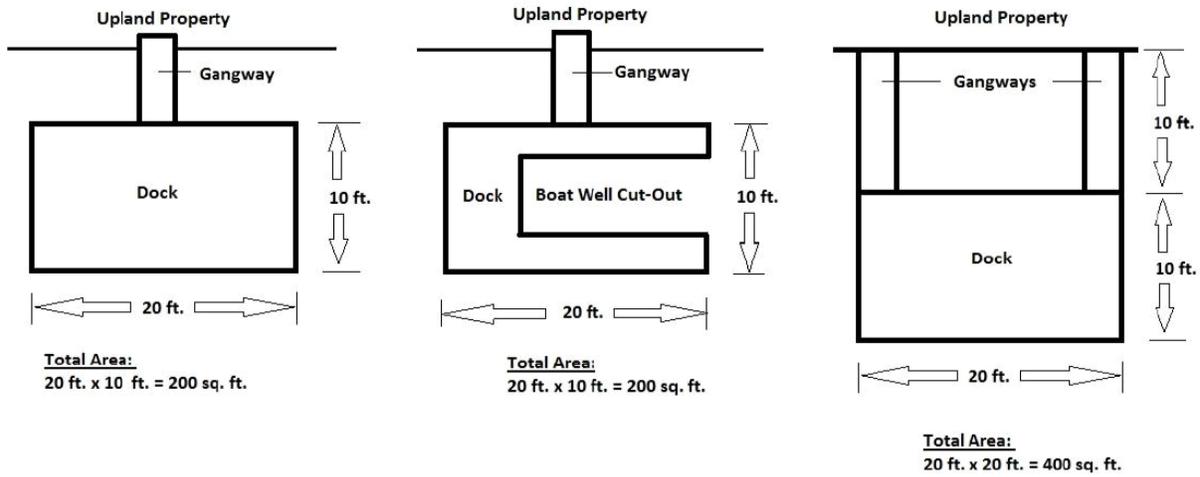
705.04 STANDARDS FOR INTENSIFICATION, CHANGE OF USE, OR DEVELOPMENT WITHIN THE WILLAMETTE RIVER GREENWAY

All intensification, change of use, or development shall require a Willamette River Greenway (WRG) permit. A WRG permit requires review as a Type II application pursuant to Section 1307 and shall be subject to the following standards and criteria:

- A. The request is consistent with the purposes stated in Subsection 705.01.
- B. Where necessary, public access has been provided by appropriate legal means to and along the river.
- C. The request will provide the maximum possible landscaped area, open space, or vegetation between the activity and the river. The depth of this area need not exceed 150 feet.

- D. The request will result in the preservation of a buffer or filter strip of natural vegetation along the river bank. The depth of this vegetative buffer or filter strip need not exceed 150 feet, and shall be determined by consideration of the following:
1. The character of the use or development;
 2. The width of the river;
 3. Steepness of the terrain;
 4. Type and stability of the soil; and
 5. The type and density of the existing vegetation.
- E. Structures shall observe a minimum setback between 100 and 150 feet from the mean low water level. The setback shall be determined by evaluation of the criteria stated in Subsection 705.04. Residential lots of record and water-dependent uses unable to meet this requirement shall be exempt from this setback.
- F. The maximum height of a dwelling or a structure accessory to a dwelling shall be 35 feet, except in the HDR District where there is no height limit.
- G. Private noncommercial docks and boathouses shall be subject to the following standards, in addition to the other standards in Subsection 705.04:
1. General Provisions:
 - a. Private noncommercial docks, boathouses, and pilings shall either be dark natural wood colors, or painted dark earth tones (dark brown or green).
 - b. The square footage of docks and boathouses is measured as the length times the width of the outer edge of the structure. The area of the gangway, pilings and debris booms are not included in the square footage calculations. The area of the boat well cut-out shall be included in the square footage calculations. (See Figure 705-1).
 - c. The length-to-width ratio of a private noncommercial dock shall not exceed 3:1.
 - d. Only one dock and boathouse is allowed per riverfront lot of record.

Figure 705-1: Dock Square Footage Calculations



2. Oregon City Falls to Multnomah County line:
 - a. Private noncommercial docks shall not exceed 400 square feet.
 - b. Private boathouses are prohibited.
3. Oregon City Falls to Marion County line:
 - a. Private noncommercial docks shall not exceed 700 square feet.
 - b. Private noncommercial boathouses shall not exceed 500 square feet.
 - c. Private noncommercial boathouses shall not exceed 12 feet in height, measured from the platform of the dock to the roof peak.
4. All docks located on state-owned submerged and/or submersible land must be leased or registered with the Oregon Division of State Lands, according to state law.

705.05 PROHIBITED USES

The following uses are prohibited in the Willamette River Greenway (WRG):

- A. Low head hydroelectric dam facilities, which adversely impact fisheries or the scenic and water quality of the river. ~~;~~ and

~~B. Private noncommercial docks and moorages in the limited use rural portions of the WRG identified on Comprehensive Plan Map III-1e, Willamette River Greenway Design Plan.~~

705.06 SUBMITTAL REQUIREMENTS

In addition to the submittal requirements identified in Subsection 1307.07(C), an application for a Willamette River Greenway permit shall include:

- A. A site plan showing existing vegetation and development, and locations of proposed development or activity;
- B. Elevations of any proposed structures;
- C. Exterior materials list for any proposed structures, including type and colors of siding and roofing; and
- D. Cross section of any area within the vegetative buffer or filter strip where grading, filling, or excavating will occur.

705.07 APPROVAL PERIOD AND TIME EXTENSION

- A. Approval of a WRG permit is valid for four years from the date of the final written decision. If the County’s final written decision is appealed, the approval period shall commence on the date of the final appellate decision. During this four-year period, the approval shall be implemented, or the approval will become void.
 - 1. “Implemented” means all major development permits shall be obtained and maintained, or if no major development permits are required to complete the development contemplated by the approved WRG permit, “implemented” means all other necessary County development permits (e.g. grading permit, building permit for an accessory structure) shall be obtained and maintained. A “major development permit” is:
 - a. A building or manufactured dwelling placement permit for a new primary structure that was part of the WRG permit approval; or
 - b. A permit issued by the County Engineering Division for parking lot or road improvements that were part of the WRG permit approval.
- B. If the approval of a WRG permit is not implemented within the initial approval period established by Subsection 705.07(B), a two-year time extension may be approved pursuant to Section 1310.

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[Amended by Ord. ZDO-230, 9/26/11; Amended by Ord. ZDO-248, 10/13/14]

1015 PARKING AND LOADING

1015.01 GENERAL STANDARDS

- A. Inside the Portland Metropolitan Urban Growth Boundary (UGB), parking, loading, and maneuvering areas shall be hard-surfaced, unless a permeable surface is required for surface water management pursuant to the regulations of the surface water management authority or in order to comply with Subsection 1006.06.
- B. Outside the UGB, areas used for parking, loading, and maneuvering of vehicles shall be surfaced with screened gravel or better, and shall provide for suitable drainage.
- C. Parking and loading requirements for uses and structures not specifically listed in Tables 1015-1, *Automobile Parking Space Requirements*; 1015-2, *Minimum Automobile Parking Space Requirements for Dwellings*; 1015-3, *Minimum Required Bicycle Parking Spaces*; and 1015-4, *Minimum Required Off-Street Loading Berths* shall be subject to the requirements for the most similar use.
- D. Motor vehicle parking, bicycle parking, and loading areas shall be separated from one another.
- E. Required parking spaces and loading berths shall not be:
 - a. Rented, leased, or assigned to any other person or organization, except as provided for under Subsection 1015.02(D)(3)(a) for shared parking or Subsection 1015.04(C) for shared loading berths.
 - b. Used for storing or accumulating goods or storing a commercial or recreational vehicle, camper, or boat, rendering the space(s) useless for parking or loading operations.
 - c. Occupied by the conducting of any business activity, except for permitted temporary uses (e.g., farmers' markets).

1015.02 MOTOR VEHICLE PARKING AREA STANDARDS

- A. Off-street parking areas shall be designed to meet the following requirements:
 - 1. Off-street motor vehicle parking areas shall be provided in defined areas of the subject property. No area shall be considered a parking space unless it can be shown that the area is accessible and usable for that purpose and has required maneuvering area for vehicles. Required backing and maneuvering areas shall be located entirely onsite.

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2. Automobile parking spaces shall be a minimum of 8.5 feet wide and 16 feet long, except that parallel spaces shall be a minimum of 8.5 feet wide and 22 feet long.
3. A minimum of 25 percent of required parking spaces shall be no larger than 8.5 feet wide and 16 feet long. If no parking spaces are required, a minimum of 25 percent of provided parking spaces shall meet this standard.
4. Parking areas shall comply with minimum dimensions for curb length, stall depth, and aisle width established by the Clackamas County Roadway Standards; these dimensions are based on the orientation (e.g., 45-degree, 90-degree), length, and width of the spaces.
5. Double-loaded, 90-degree angle parking bays shall be utilized where possible.
6. A minimum of one parking space or five percent of the required spaces, whichever is greater, shall be marked and signed for use as carpool/vanpool spaces. These spaces shall be the closest employee automobile parking spaces to the building entrances normally used by employees, but shall not take priority over any spaces required for individuals with disabilities. If no parking spaces are required but parking spaces are provided, a minimum of one parking space or five percent of the provided parking spaces, whichever is greater, shall comply with these standards.
7. In parking lots greater than one acre, major onsite circulation drive aisles and lanes crossing to adjacent developments shall not have parking spaces accessing directly onto them.
8. Where feasible, shared driveway entrances, shared parking and maneuvering areas, and interior driveways between adjacent parking lots shall be required.
9. Except for parallel spaces, parking spaces heading into landscaped areas or along the perimeter of a parking lot shall be provided with a sturdy tire stop at least four inches high and located two feet within the space to prevent any portion of a car within the lot from extending over the property line.
10. For parking spaces heading into a landscaped area, the area in front of the tire stop that is included in the parking space dimension may be landscaped instead of paved or graveled according to the following standards:
 - a. Landscaping shall be ground cover plants only;
 - b. The area in front of the tire stop that is included in the parking space dimension shall be in addition to the required minimum dimension for a landscape planter; and

- c. The landscaped area in front of the tire stop may count toward overall site landscaping requirements established in Table 1009-1, *Minimum Landscaped Area*. However, it may not count toward perimeter landscaping requirements established in Subsection 1009.03(B)(1).

11. A development that includes more than one-half acre of new off-street surface parking shall include the following. A new parking area shall be measured based on the perimeter of all new off-street parking spaces, maneuvering lanes, and maneuvering areas, including driveways and drive aisles.

a. Climate mitigation action, which shall include at least one of the following:

i. Installation of solar panels with a generation capacity of at least 0.5 kilowatt per new off-street parking space. Panels may be located anywhere on the property;

ii. Tree canopy covering at least 40 percent of the new parking lot area at maturity but no more than 15 years after planting; or

iii. A mixture of actions under i and ii that the County deems to meet the purpose of this section.

b. Tree canopy. Developments shall provide either trees along driveways or a minimum of 30 percent tree canopy coverage over new parking areas. Developments are not required to provide trees along drive aisles. The tree spacing and species planted shall be designed to maintain a continuous canopy except when interrupted by driveways, drive aisles, and other site design considerations. Developments providing 40 percent tree canopy to comply with Subsection 1015.02(11)(a) comply with this subsection.

c. Developments shall provide pedestrian connections throughout the parking lot, connecting at minimum the following, except where not practical due to site-specific conditions:

i. Building entrances;

ii. Existing or planned pedestrian facilities in the adjacent public rights-of-way;

iii. Transit stops; and

iv. Accessible parking spaces.

d. Development of a tree canopy plan under this section shall be done in coordination with the local electric utility, including pre-design, design, building, and maintenance phases.

c. In providing trees under subsections (a) and (b), the following standards shall be met. Trees shall be planted and maintained to maximize their root health and chances for survival, including having ample high-quality soil, space for root growth, and reliable irrigation according to the needs of the species. Trees should be planted in continuous trenches where possible. The city or county shall have minimum standards for tree planting no lower than the 2021 American National Standards Institute A300 standards.

B. Parking Minimums: The minimum number of parking spaces listed in Tables 1015-1, *Automobile Parking Space Requirements*, and 1015-2, *Minimum Automobile Parking Space Requirements for Dwellings*, applies unless modified in Subsection 1015.02(D).

1. In case of expansion of a building or use that, prior to the expansion, does not meet the minimum parking space requirements in Table 1015-1 or 1015-2, the following provisions shall apply:
 - a. The minimum number of additional parking spaces required shall be based only on the floor area or capacity added and not the area or capacity existing prior to the expansion.
 - b. If the enlargement covers any of the pre-expansion parking spaces, lost parking spaces shall be replaced, in addition to any required additional spaces.
2. In the event more than one use occupies a single structure or parcel, the total minimum requirement for parking shall be the sum of the minimum requirements of the several uses computed separately.

C. Parking Maximums:

1. Within the UGB, the parking maximums listed for Urban Zone A in Table 1015-1 and Note 4 of Table 1015-2 apply within the Clackamas Regional Center and to properties within three-quarters of a mile walking distance of a light rail stop or within one-half of a mile walking distance of a corridor with transit service arriving with a scheduled frequency of at least four times an hour during peak service. ~~when an area has 20-minute peak-hour transit service within one-quarter mile walking distance for bus transit or one-half mile walking distance for light rail transit.~~
2. Within the UGB, areas not meeting the requirements of Subsection 1015.02(C)(1), are subject to the parking maximums listed in Table 1015-1, Urban Zone B.
3. In case of expansion of a building or use with more parking spaces than the maximum allowed by Table 1015-1:

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- a. Existing parking spaces may be retained, replaced, or eliminated, provided that after the expansion, the total number of remaining spaces complies with the minimum parking space requirement of Table 1015-1 for the entire development; and
- b. Additional parking spaces are allowed only if required to comply with the minimum parking space requirement of Table 1015-1 for the entire development after the expansion.

Table 1015-1: Automobile Parking Space Requirements¹

Land Use Category	Minimum Parking Spaces ²	Maximum Parking Spaces (Urban Zone A)	Maximum Parking Spaces (Urban Zone B)
Amusement Parks, Riding Academies, and Camps (per 1000 square feet of serving area)	0.8	None	None
Bank with Drive-in	4.3	5.45.0	6.5
Bed and Breakfast Residences and Inns	1 for each guest room and 1 for the operator	None	None
Bowling Alleys (per alley)	3	None	None
Child Care Facilities Centers	0.5 In addition, a passenger-loading area shall be provided on the site.	None	None
Dwellings (see Table 1015-2)			
Home Occupations for Canine Skills Training	1 per canine handler, based on the maximum number of handlers permitted for any single training session. An additional space shall be provided for each employee.	None	None

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Land Use Category	Minimum Parking Spaces²	Maximum Parking Spaces (Urban Zone A)	Maximum Parking Spaces (Urban Zone B)
Home Occupations to Host Events	1 space per 3 guests based on the maximum number of guests permitted for any single event. An additional space shall be provided for each employee.	None	None
Hospitals	0.5	None	None
Hotels and Motels (per unit)	1	None	None
Industrial, Manufacturing, and Processing Facilities			
Zero to 24,999 square feet	1.5	None	None
25,000 to 49,999 square feet	1.42	None	None
50,000 to 79,999 square feet	1.25	None	None
80,000 square feet and greater	1	None	None
Medical and Dental Clinics	3.5	4.9	5.9
Movie Theaters (per seat)	0.3	0.4	0.5
Nursing Homes, Welfare or Correctional Institutions, and Institutions for Children (per bed)	0.2	None	None
Office Uses (includes Office Park, “Flex-Space”, Government Office and Miscellaneous Services)	2.7	3.4	4.1

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Land Use Category	Minimum Parking Spaces ²	Maximum Parking Spaces (Urban Zone A)	Maximum Parking Spaces (Urban Zone B)
<p>Places of Worship (per seat located in main assembly room, or 1 per 100 sq. ft. in main assembly room, exclusive of chancel or stage).</p> <p>If a school, child care facility, or similar facility is proposed in conjunction with primary use, it shall have separate parking requirement.</p>	0.25	0.6	0.8
Produce Stands (per stand)	4	None	None
Recreational Vehicle Camping Facilities	1 per campsite (in addition to the space required for parking the recreational vehicle) and 1 per employee at peak employment period	None	None
Restaurants: Fast Food with drive-thru window service	9.0	12.4	14.9
Restaurants: With no drive-thru window service, Taverns	15.0	19.1	23
Retail/Commercial, including shopping centers	4.1, except in the Clackamas Regional Center Area, 3.0	5.1 <u>5.0</u>	6.2
Retail stores with bulky merchandise, such as furniture, appliances, automobiles, service/repair shops	2	5.1 <u>5.0</u>	6.2
Schools: Colleges, Universities, and High Schools (per student or staff member)	0.2	0.3	0.3

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Land Use Category	Minimum Parking Spaces ²	Maximum Parking Spaces (Urban Zone A)	Maximum Parking Spaces (Urban Zone B)
Schools: Elementary and Junior High Schools (per school)	15, or 2 per classroom, whichever is less	None	None
Service Stations (per employee at peak employment period)	1	None	None
Sports Clubs/Recreation Facilities	4.3	5.4	6.5
Surface Mining	On-site vehicular parking for employees, customers and visitors, determined through Conditional Use process.	None	None
Tennis and Racquetball Courts	1	1.3	1.5
Theaters, Dance Halls, Community Clubs, Skating Rinks, Public Meeting Places (per seat, or 1 per 100 sq. ft. exclusive of stage)	0.25	None	None
Warehouse and Storage Distribution, and Terminals (air, rail, truck, water, etc.) **Maximum parking requirements apply only to warehouses 150,000 gross square feet or greater.			
Zero to 49,999 square feet	0.3	None	None
50,000 square feet and over	0.2	0.4**	0.5**

¹ Parking requirements are expressed as number of spaces per 1,000 square feet of gross leasable area, unless otherwise stated.

² No minimum off-street parking is required for any development in any urban zoning district within the Portland Metropolitan Urban Growth Boundary.

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Table 1015-2: Minimum Automobile Parking Space Requirements for Dwellings¹

Dwelling Type	Zoning District								
	R-5— R-30	VR-4/5 & VR-5/7	VTH	MR-1 & MR-2	SCMU/All Urban Zoning Districts within the Portland Metropolitan Urban Growth Boundary^{2,3}	HR²	MRR	RA-1 & RA-2	All Other Zoning Districts
Accessory Dwelling Unit	0	0	0	N/A	<u>N/A_0</u>	1	1	0	0
Accessory Historic Dwelling	N/A	N/A	N/A	N/A	<u>N/A_0</u>	N/A	N/A	0	0
Congregate Housing Facility (per resident)	N/A	N/A	0.25	0.25	<u>0.25_0</u>	N/A	0.25	N/A	0.25
Cottage Cluster	1	1	N/A	N/A	<u>N/A_0</u>	N/A	N/A	N/A	0
Detached Single-Family Dwelling or Manufactured Dwelling (located on an individual lot)	1, located behind the front setback line	1, located behind the front setback line	N/A	N/A	<u>N/A_0</u>	1 per dwelling unit 800 square feet or less 2 per dwelling unit greater than 800 square feet	1 per 600 square feet of residential building area	1, located behind the front setback line	0
Duplex or Triplex	1³	1³	1.5	1.5	<u>1.5_0</u>	N/A	1 per 600 square feet of residential building area	Duplex in RA-1: 1.5 All others: N/A	1.5

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Dwelling Type	Zoning District								
	R-5 R-30	VR-4/5 & VR-5/7	VTH	MR-1 & MR-2	SCMU <u>All Urban Zoning Districts within the Portland Metropolitan Urban Growth Boundary</u> ^{2,3}	HR ²	MRR	RA-1 & RA-2	All Other Zoning Districts
Manufactured Dwelling (located in a manufactured dwelling park)	2	N/A	N/A	2, if located in MR-1 N/A, if located in MR-2	N/A <u>0</u>	N/A	2	N/A	2
Multifamily Dwelling: Per studio/zero-bedroom or one-bedroom dwelling unit	N/A	N/A	N/A	1	1 <u>0</u>	N/A	1	N/A	1
Per two-bedroom dwelling unit	N/A	N/A	N/A	1.25	1.25 <u>0</u>	N/A	1.25	N/A	1.25
Per three-bedroom dwelling unit	N/A	N/A	N/A	1.5	1.5 <u>0</u>	N/A	1.5	N/A	1.5
Quadplex	1 ³	1 ³	Same as multifamily dwelling in all other zoning districts	Same as multifamily dwelling	Same as multifamily dwelling <u>0</u>	N/A	Same as multifamily dwelling	N/A	Same as multifamily dwelling

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Dwelling Type	Zoning District								
	R-5 R-30	VR-4/5 & VR-5/7	VTH	MR-1 & MR-2	SCMU <u>All Urban Zoning Districts within the Portland Metropolitan Urban Growth Boundary</u> ^{2,3}	HR ²	MRR	RA-1 & RA-2	All Other Zoning Districts
Townhouse	1	1	1, located in a garage	2	0 ⁴	1 per dwelling unit 800 square feet or less 2 per dwelling unit greater than 800 square feet	1 per 600 square feet of residential building area	N/A	1 ⁵

¹ Minimum parking requirement is expressed as number of spaces per dwelling unit, unless otherwise stated. N/A means the dwelling type is not allowed in the applicable zoning district.

² ~~List urban zones here~~ Urban zoning districts are those regulated by Sections 315, 510, 511, 602, and 702.

³ ~~Maximum parking for multifamily housing in the Clackamas Regional Center is 1.2 off-street spaces per studio unit and two off-street parking spaces per non-studio dwelling unit.~~

⁴ On land above 3,500 feet in elevation, covered parking shall be provided for structures containing three or more dwelling units.

³ ~~No additional parking spaces shall be required for conversion of a detached single family dwelling to middle housing.~~

⁵ ~~The parking exception in Subsection 1015.02(D)(3)(b) does not apply to townhouses.~~ Maximum parking for townhouses in Urban Zone A is two spaces per townhouse.

⁵ ~~In the R-2.5 District, the required parking shall be located behind the front setback line.~~

D. Exceptions to Parking Requirements:

1. Parking maximums in Table 1015-1 and Note 4 to Table 1015-2 may be increased for the following:

- a. Parking spaces in parking structures;
- b. Fleet parking spaces;
- c. Designated employee carpool spaces;
- d. User-paid spaces; and
- e. Parking spaces for vehicles for sale, lease, or rent.

~~2. Parking minimums in Table 1015-2 may be reduced by 40 percent for multifamily dwelling units on sites within a one-quarter mile walking distance of a light rail station. Walking distance is measured along public roads, walkways, or accessways.~~

~~3-2.~~ Parking minimums in Tables 1015-1 and 1015-2, or as calculated pursuant to Subsection 1015.02(D)(2), may be reduced for the following:

- a. The total minimum requirement for parking spaces may be reduced up to 20 percent per use when shared parking is utilized.
- b. In commercial and industrial zoning districts, available permitted on-street parking spaces on a development's street frontage may be counted toward required parking. To count as an on-street parking space, the space must comply with the minimum dimensions for a parking space established by Subsections 1015.02(A)(2) and (4).
- c. Motorcycle parking may substitute for required automobile parking spaces as follows:
 - i. Up to five spaces or five percent of required automobile parking, whichever is less, may be utilized.
 - ii. For every four motorcycle parking spaces provided, the automobile parking requirement is reduced by one space.
 - iii. Each motorcycle space must be at least four feet wide and eight feet deep.
- d. Electric vehicle charging stations may be installed according to the following standards:

- i. Two spaces or five percent of the minimum required parking spaces, whichever is greater, may be utilized for electric vehicle charging stations and identified exclusively for such use.
 - ii. Additional parking spaces of the minimum required parking may be utilized for electric vehicle charging stations, provided they are not identified exclusively for such use.
 - iii. Any portion of parking spaces provided that are beyond the required minimum number of parking spaces may be utilized for electric vehicle charging stations, regardless of whether they are identified exclusively for such use.
4. A parking cap applies in the SCMU District. The total number of parking spaces provided for nonresidential development (either onsite or offsite) shall not exceed the parking cap, regardless of the number of pre-existing parking spaces. Parking maximums and minimums established by Tables 1015-1 and 1015-2 shall be adjusted to the extent necessary to comply with the parking cap. The parking cap shall be calculated by the following formula:

$\text{Parking Cap} = \text{Gross Acres of the Development Site} \times 67 \text{ Parking Spaces}$
--

1015.03 BICYCLE PARKING STANDARDS

A. Bicycle parking areas shall meet the following on-site locational requirements:

1. Bicycle parking racks shall be located in proximity to an entrance but shall not conflict with pedestrian needs.
2. At least 75 percent of the bicycle parking spaces shall be located within 50 feet of a public entrance to the building.
3. Bicycle parking may be provided within a building, if the location is easily accessible for bicycles.
4. Bicycle parking for multiple uses, or a facility with multiple structures, may be clustered in one or several locations within 50 feet of each building's entrance.
5. If the bicycle parking is not easily visible from the street or main building entrance, then a sign must be posted near the building entrance indicating the location of the parking facilities.

- B. Bicycle parking shall be designed to meet the following requirements:
1. When more than seven bicycle parking spaces are required, a minimum of 50 percent of the spaces shall be covered. All of the required bicycle spaces for schools, park-and-ride lots, congregate housing facilities, quadplexes, and multifamily dwellings shall be covered.
 2. Cover for bicycle parking may be provided by building or roof overhangs, awnings, bicycle lockers, bicycle storage within buildings, or freestanding shelters.
 3. When more than 15 covered bicycle parking spaces are required, 50 percent of the required covered spaces shall be enclosed and offer a high level of security, e.g., bicycle lockers or a locked cage or room with locking facilities inside, to provide safe long-term parking.
 4. Required bicycle parking spaces shall be illuminated.
 5. Required bicycle parking areas shall be clearly marked and reserved for bicycle parking only.
 6. Bicycle parking space dimensions and standards:
 - a. Bicycle parking spaces must be at least six feet long and two feet wide, and in covered situations the overhead clearance must be at least seven feet.
 - b. An aisle a minimum of five feet wide must be provided for bicycle maneuvering.
 - c. Bicycle racks must hold bicycles securely by the frame and be securely anchored.
 - d. Hanging bicycle racks and/or enclosed, stackable bike lockers may be substituted for surface racks if comparable dimensions, maneuvering, and clearance are provided to the user.
 - e. Bicycle racks must accommodate both:
 - i. Locking the frame and one wheel to the rack with a high-security U-shaped shackle lock; and
 - ii. Locking the frame and both wheels without removal of wheels to the rack with a chain or cable not longer than six feet.

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7. The minimum number of bicycle parking spaces listed in Table 1015-3, *Minimum Required Bicycle Parking Spaces*, are required. If a listed use is located with the Portland Metropolitan Urban Growth Boundary (UGB), it shall have a minimum of two bicycle parking spaces or the number required by Table 1015-3, whichever is greater.
8. Within the UGB, quadplexes not developed pursuant to Section 845, *Triplexes, Quadplexes, Townhouses, and Cottage Clusters*, and multifamily residential, commercial, and institutional developments shall designate short-term bicycle parking (less than four hours) and long-term bicycle parking (four or more hours) spaces as needed for the development.

Table 1015-3: Minimum Required Bicycle Parking Spaces

Land Use Category	Minimum Bicycle Parking Spaces ¹
Elementary Schools, Junior High Schools, Middle Schools, Senior High Schools, and Colleges (per classroom)	2 (maximum required spaces – 100)
Quadplexes not approved pursuant to Section 845 and Multifamily Dwellings (per dwelling unit)	0.5
Park-and-Ride Lots, Transit Centers, and Community Parks (per acre)	5
Preschools	4
Residential Care Facilities, Nursing Homes, and Hospitals (per 8 beds)	1
Retail and Commercial including offices and clinics	
Per 2,500 square feet, up to 50,000 square feet	1
Per each additional 5,000 square feet	1
Theaters, Places of Worship, Auditoriums, Dance Halls and other Public Assembly Places (per 40 seats or per 40 persons of design capacity, whichever is greater)	1
Warehouses and industrial buildings without attached offices, automotive service uses such as service stations and tire stores, and businesses selling large items such as major appliances, furniture, cars, or boats (per 10,000 square feet of building area)	1

¹ Minimums outside the UGB are 20 percent of the requirement listed in Table 1015-3.

1015.04 OFF-STREET LOADING STANDARDS

- A. No area shall be considered a loading berth unless it can be shown that the area is accessible and usable for that purpose, and has maneuvering area for vehicles.
- B. In cases of expansion of a building or use, that prior to the expansion, does not meet the minimum loading berth requirements in Table 1015-4, *Minimum Required Off-Street Loading Berths*, the following provisions shall apply:
 - 1. The minimum number of additional loading berths required shall be based only on the floor area or capacity added and not on the area or capacity existing prior to the expansion.
 - 2. If the expansion covers any pre-expansion loading berths, lost loading berths shall be replaced, in addition to any required additional berths.
- C. In the event several uses occupy a single structure or parcel of land and share the same loading berths, the total requirement for off-street loading shall be reduced by up to 25 percent of the sum of the requirements of the several uses computed separately.
- D. The minimum off-street loading berths listed in Table 1015-4 are required.

Table 1015-4: Minimum Required Off-Street Loading Berths

Land Use Category	Unit of Measurement	Number of Loading Berths	Minimum Required Dimension
Multifamily Dwellings	Number of Dwelling Units		25 feet x 12 feet x 14 feet high
	Below 50	None	
	50 to 100	1	
	101 to 200	2	
	201 or more	3	
Hotels and Motels	Square feet of floor area		35 feet x 12 feet x 14 feet high
	Under 5,000	None	
	5,000 to 50,000	1	
	50,001 to 150,000	2	
	150,001 to 300,000	3	
	300,001 to 500,000	4	
	For each additional 200,000	1 additional berth	

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Land Use Category	Unit of Measurement	Number of Loading Berths	Minimum Required Dimension
Institutional Uses			
Nursing Homes, Welfare or Correctional Institutions, and Institutions for Children	Number of beds		35 feet x 12 feet x 14 feet high
	Less than 25	0	
	More than 25	1	
Assisted Living Facilities	Square feet of floor area		
	Below 10,000	None	
	10,000 to 60,000	1	
	60,001 to 160,000	2	
	160,001 to 264,000	3	
	388,001 to 520,000	5	
	520,001 to 652,000	6	
	652,001 to 784,000	7	
	784,001 to 920,000	8	
	For each additional 140,000	1 additional berth	
Schools	Per each school bus	0.5	

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Land Use Category	Unit of Measurement	Number of Loading Berths	Minimum Required Dimension
Hospitals	Square feet of floor area		35 feet x 12 feet x 14 feet high
	Under 5,000	None	
	5,000 to 16,000	1	
	16,001 to 40,000	2	
	40,001 to 64,000	3	
	64,001 to 96,000	4	
	96,001 to 128,000	5	
	128,001 to 160,000	6	
	160,001 to 196,000	7	
	For each additional 36,000	1 additional berth	
Commercial Uses	Square feet of floor area		35 feet x 12 feet x 14 feet high
	Under 5,000	None	
	5,000 to 24,999	1	
	25,000 to 49,999	2	
	50,000 to 100,000	3	
	Each additional 50,000	1	

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Land Use Category	Unit of Measurement	Number of Loading Berths	Minimum Required Dimension
Industrial, Manufacturing, Warehousing, Storage, Processing, and Terminals	Square feet of floor area		60 feet x 12 feet x 14 feet high
	Under 5,000	None	
	5,000 to 16,000	1	
	16,001 to 40,000	2	
	40,001 to 64,000	3	
	64,001 to 96,000	4	
	96,001 to 128,000	5	
	128,001 to 160,000	6	
	160,001 to 196,000	7	
	For each additional 36,000	1 additional berth	

[Added by Ord. ZDO-224, 5/31/11; Amended by Ord. ZDO-231, 1/31/12; Amended by Ord. ZDO-243, 9/9/13; Amended by Ord. ZDO-246, 3/1/14; Amended by Ord. ZDO-250, 10/13/14; Amended by Ord. ZDO-252, 6/1/15; Amended by Ord. ZDO-266, 5/23/18; Amended by Ord. ZDO-269, 9/6/18; Amended by Ord. ZDO-268, 10/2/18; Amended by Ord. ZDO-276, 10/1/20; Amended by Ord. ZDO-277, 1/1/22; Amended by Ord. ZDO-282, 7/1/22; Amended by Ord. ZDO-287, 8/3/23]