

Summary of Key Elements of Proposed Amendments to the Business Park Zoning District

Primary Uses

- Repeal “compatible use determination” process, which requires the filing of a land use application, in favor of explicitly listing more permitted uses. “Authorization of similar use” process (applies in all commercial and industrial zones) will remain in place.
- Identify **Construction and Maintenance Contractors** as a primary use. Currently would require “compatible use determination”.
- Identify **Heavy Truck and Heavy Equipment Uses** as a primary use. Currently would require “compatible use determination”.
- Add dance facilities to the list of **Indoor Recreational Facilities** permitted as a primary use for instruction, practice and competitions
- Change reference from “business or vocational schools and college or university extension facilities” to **Industrial Trade Schools** with an expanded description of same. Change from a conditional use to a primary use.
- Identify **Information Services** as a primary use. Currently would require “compatible use determination” unless it qualified as a permitted office use.
- Identify **Miscellaneous Industrial Uses** as a primary use. Currently would require “compatible use determination” for most of these uses. “Wrecking and salvage yards for building materials, autos, trucks, and other equipment” and “petroleum, coal, or other fuel storage, refining, reclaiming, distribution, and wholesale trade” currently are prohibited.
- Identify **Repair and Servicing Uses** as a primary use. Currently would require “compatible use determination”.
- Allow **Retail and Professional Services that Cater to Daily Customers/Retail Commercial Uses** as a primary use with limits on floor area and prohibitions on sale of motor vehicle fuels, drive-thrus and outdoor operations. Currently these uses are prohibited, except that employment agencies, real estate offices specializing in commercial or industrial properties, and delicatessens, pastry shops, cafes, and takeout food services offering breakfast and/or lunch items are accessory uses and daycare facilities, destination restaurants that provide lunch service, and “hotels and associated convention facilities, gift shops, and restaurants” are conditional uses.

Also, uses similar to the listed ones could be authorized through a land use application.

- Identify **Transportation and Distribution, Warehousing, and Wholesale Trade** as primary uses. Currently warehouse or storage structures are an accessory use in the BP zone, subject to stringent limitations but it is not clear what the scope of the allowed use is. Also, there is no clear allowance for wholesale services.
- Change **Utility Carrier Cabinets** from an accessory use to a primary use
- Change **Temporary Signs** from an accessory use to a primary use

Accessory Uses

- Allow **Uses Accessory to a Single-Family Dwelling**, if a single-family dwelling lawfully exists on the property
- Allow **Cogeneration Facilities**
- Expand the list of **Employee Amenities** allowed as an accessory use
- Allow **Parking, Storage, Repair, and Servicing of Fleet Vehicles**
- Change **Temporary Signs** from an accessory use to a primary use and repeal special allowance for signs identifying the developer, contractor, or real estate agency, due to free speech concerns
- Allow **Warehouse Event Sales**
- Repeal the accessory use category of **Indoor Areas for Display and Sale**. Instead, wholesale display/sale would be a primary use without building floor area limits and retail display/sale would be a primary use with building floor area limits

Conditional Uses

- Add **Exhibition Halls**. Arenas and stadiums already are conditional uses.
- Repeal requirement to obtain a conditional use permit to **store or use hazardous materials** in quantities classified under Group H, Division 1 or Division 2 Occupancies under the Oregon Structural Specialty Code
- Daycare facilities, destination restaurants and hotels/associated facilities would be primary uses instead of conditional uses
- Repeal requirement to obtain a conditional use permit for **railroad right-of-way**
- Repeal “**multi-use developments**, subject to Section 1016” because 1016 does not apply to the BP zone and there is no way to review/regulate one of these developments without Section 1016 provisions
- Repeal the zone-specific conditional use criteria. Section 1203 includes conditional use criteria that apply in this zone.

Prohibited Uses

- **Military Reservations and Associated Uses** are currently explicitly prohibited but would be a conditional use under the category of **Government and Special District Uses**

Dimensional Standards

- Repeal three-acre minimum development site area standard, in order to allow existing undersized lots of record to develop without consolidation with adjacent underdeveloped properties
- Reduce minimum front setback from 30 feet, with increases for building height, to 20 feet and align minimum side and rear yard setbacks with LI zone standards
- Repeal 20-foot minimum separation between buildings on a single site and between buildings and internal driveways
- Repeal street frontage requirement because adequate access via private road is addressed through Section 1007 and the County Roadway Standards
- Reduce minimum landscaping area from 20 percent of the lot to 15 percent of the lot, the same as currently applies in the LI and GI zones
- Repeal maximum building height standard of 55 feet. No height limit applies in the LI or GI zones.

Summary of Key Elements of Proposed Amendments to the Light Industrial Zoning District

Primary Uses

- Repeal “compatible use determination” process, which requires the filing of a land use application, in favor of explicitly listing more permitted uses. “Authorization of similar use” process (applies in all commercial and industrial zones) will remain in place.
- Identify **Construction and Maintenance Contractors** as a primary use. Currently would require “compatible use determination”.
- Identify **Heavy Truck and Heavy Equipment Uses** as a primary use. Currently would require “compatible use determination”.
- Add dance facilities to the list of **Indoor Recreational Facilities** permitted as a primary use for instruction, practice and competitions
- Change reference from “business or vocational schools and college or university extension facilities” to **Industrial Trade Schools** with an expanded description of same. Change from a conditional use to a primary use.
- Identify **Information Services** as a primary use. Currently would require “compatible use determination” unless it qualified as a permitted office use.
- Identify **Miscellaneous Industrial Uses** as a primary use. Currently would require “compatible use determination” for most of these uses. “Wrecking and salvage yards for building materials, autos, trucks, and other equipment” and “petroleum, coal, or other fuel storage, refining, reclaiming, distribution, and wholesale trade” currently are prohibited.
- Identify **Repair and Servicing Uses** as a primary use. Currently would require “compatible use determination”.
- Allow **Retail and Professional Services that Cater to Daily Customers/Retail Commercial Uses** as a primary use with limits on floor area and prohibitions on sale of motor vehicle fuels, drive-thrus and outdoor operations. Currently these uses are prohibited, except that daycare facilities are conditional uses.
- Identify **Transportation and Distribution, Warehousing, and Wholesale Trade** as primary uses. Currently “warehouse and distribution facilities” are a primary use, but it is not clear what the scope of the allowed use is. Also, there is no clear allowance for wholesale services.
- Change **Utility Carrier Cabinets** from an accessory use to a primary use
- Change **Temporary Signs** from an accessory use to a primary use

Accessory Uses

- Allow **Uses Accessory to a Single-Family Dwelling**, if a single-family dwelling lawfully exists on the property
- Expand the list of **Employee Amenities** allowed as an accessory use
- Allow **Parking, Storage, Repair, and Servicing of Fleet Vehicles** as an accessory use
- Change **Temporary Signs** from an accessory use to a primary use and repeal special allowance for signs identifying the developer, contractor, or real estate agency, due to free speech concerns
- Repeal two accessory use categories of **Indoor Areas for Display and Sale**. Instead, wholesale display/sale would be a primary use without building floor area limits and retail display/sale would be a primary use with building floor area limits

Conditional Uses

- Add **Exhibition Halls** as a conditional use. Arenas and stadiums already are conditional uses.
- Repeal requirement to obtain a conditional use permit to **store or use hazardous materials** in quantities classified under Group H, Division 1 or Division 2 Occupancies under the Oregon Structural Specialty Code
- Daycare facilities would be primary uses instead of conditional uses, subject to building floor area limits
- Repeal requirement to obtain a conditional use permit for **railroad right-of-way**
- Repeal the zone-specific conditional use criteria. Section 1203 includes conditional use criteria that apply in this zone.

Prohibited Uses

- **Military Reservations and Associated Uses** are currently explicitly prohibited but would be a conditional use under the category of **Government and Special District Uses**
- Under the revised format, **New Dwelling Units** would no longer be listed as a prohibited use, because uses that are not explicitly allowed in any of the three zones are not listed. Instead there is a general statement that a use is allowed only if listed in the table or approved as a “similar use” under a land use application process.
- In Regionally Significant Industrial Areas, prohibit places of public assembly greater than 20,000 square feet, parks—intended to serve people other than those working or residing in the RSIA—and schools

Dimensional Standards

- Repeal minimum 20-foot side and rear yard setback adjacent to Business Park zone. Note that currently the LI zone abuts the BP zone only where property is separated by I-205, Lawnfield Road, or a railroad right-of-way.
- Repeal street frontage requirement because adequate access via private road is addressed through Section 1007 and the County Roadway Standards

Summary of Key Elements of Proposed Amendments to the General Industrial Zoning District

Primary Uses

- Repeal “compatible use determination” process, which requires the filing of a land use application, in favor of explicitly listing more permitted uses. “Authorization of similar use” process (applies in all commercial and industrial zones) will remain in place.
- Identify **Construction and Maintenance Contractors** as a primary use. Currently would require “compatible use determination”.
- Identify **Heavy Truck and Heavy Equipment Uses** as a primary use. Currently would require “compatible use determination”, except for truck repair, maintenance, and fueling services, which are a primary use.
- Add dance facilities to the list of **Indoor Recreational Facilities** permitted as a primary use for instruction, practice and competitions
- Change reference from “business or vocational schools and college or university extension facilities” to **Industrial Trade Schools** with an expanded description of same. Change from a conditional use to a primary use.
- Identify **Information Services** as a primary use. Currently would require “compatible use determination” unless it qualified as a permitted office use.
- Identify **Miscellaneous Industrial Uses** as a primary use. Currently would require “compatible use determination” for most of these uses. “Wrecking and salvage yards for building materials, autos, trucks, and other equipment” and “petroleum, coal, or other fuel storage, refining, reclaiming, distribution, and wholesale trade” currently are conditional uses.
- Identify **Repair and Servicing Uses** as a primary use. Currently would require “compatible use determination”.
- Allow **Retail and Professional Services that Cater to Daily Customers/Retail Commercial Uses** as a primary use with limits on floor area and prohibitions on sale of motor vehicle fuels, drive-thrus and outdoor operations. Currently these uses are prohibited, except that “auto repairing, overhauling, painting, washing, body and fender work, and reconditioning” are conditional uses.
- Identify **Transportation and Distribution, Warehousing, and Wholesale Trade** as primary uses. Currently “warehouse and distribution facilities” are a primary use, but it is not clear what the scope of the allowed use is. Also, there is no clear allowance for wholesale services.
- Change **Utility Carrier Cabinets** from an accessory use to a primary use
- Change **Temporary Signs** from an accessory use to a primary use

Accessory Uses

- Allow **Uses Accessory to a Single-Family Dwelling**, if a single-family dwelling lawfully exists on the property
- Expand the list of **Employee Amenities** allowed as an accessory use
- Allow **Parking, Storage, Repair, and Servicing of Fleet Vehicles** as an accessory use
- Change **Temporary Signs** from an accessory use to a primary use and repeal special allowance for signs identifying the developer, contractor, or real estate agency, due to free speech concerns
- Repeal two accessory use categories of **Indoor Areas for Display and Sale**. Instead, wholesale display/sale would be a primary use without building floor area limits and retail display/sale would be a primary use with building floor area limits

Conditional Uses

- Add **Exhibition Halls** as a conditional use. Arenas and stadiums already are conditional uses.
- Repeal requirement to obtain a conditional use permit to **store or use hazardous materials** in quantities classified under Group H, Division 1 or Division 2 Occupancies under the Oregon Structural Specialty Code
- Repeal requirement to obtain a conditional use permit for **railroad right-of-way**
- **“Auto repairing, overhauling, painting, washing, body and fender work, and reconditioning”** would be a primary use but if offered as a service to the general public, it would have building floor area limits and a prohibition on outdoor operations.
- **Military Reservations and Associated Uses** would be included under the category of **Government and Special District Uses** rather than being listed separately
- Repeal the zone-specific conditional use criteria. Section 1203 includes conditional use criteria that apply in this zone.

Prohibited Uses

- Under the revised format, **New Dwelling Units** would no longer be listed as a prohibited use, because uses that are not explicitly allowed in any of the three zones are not listed. Instead there is a general statement that a use is allowed only if listed in the table or approved as a “similar use” under a land use application process.

- In Regionally Significant Industrial Areas, prohibit places of public assembly greater than 20,000 square feet, parks—intended to serve people other than those working or residing in the RSIA—and schools.

Dimensional Standards

- Repeal minimum 35-foot side and rear yard setback, with increases for greater building height, adjacent to Business Park zone. Note that currently the GI zone does not abut the BP zone.
- Reduce minimum side and rear yard setback adjacent to commercial or mixed use zone from 35 feet, with increases for greater building height, to 15 feet
- Cap minimum side and rear yard setback at 35 feet adjacent to residential and open space zones, rather than adding additional setback for building height over 35 feet
- Notwithstanding previous three bullet points, current setback requirements for silos, towers or other specialized storage or processing structures located outside buildings would remain
- Repeal street frontage requirement because adequate access via private road is addressed through Section 1007 and the County Roadway Standards

Hazardous Uses in the Clackamas River Principal River Conservation Area

- Repeal requirement for Hazardous Substances Containment Review by Water Environment Services for the following uses:
 - Petroleum storage containers for the exclusive use of on-site fleet vehicle fueling and maintenance and emergency generators;
 - Uses that roll, draw, extrude, cast, forge, heat treat, electroplate, plate, anodize, or color ferrous and non-ferrous metals;
 - Manufacture and production of paving, roofing, and other construction materials, using asphaltic and petroleum-based coatings and preserving materials; and
 - Uses that utilize hazardous substances in less than bulk plant quantities. WES does not have this review process in place, or rules for implementing such a review.
- Repeal prohibition on the following uses:
 - Manufacture and production of hazardous materials (chemicals listed in SARA TITLE III) and nuclear and radioactive materials;
 - Uses which use hazardous materials at the bulk plant quantity level;
 - Uses in the waste-related category and waste collection and transfer facilities that involve hazardous materials;

- Salvage and wrecking yards for building materials, autos, trucks, and other equipment;
- Wood processing/treatment and composites that include chemical treatment including sap staining (Chromium-Copper-Arsenate [CCA], Creosote, pentachlorophenol [PENTA], furniture stripping or refinishing, and related chemicals;
- Battery recycling or reprocessing operations;
- Operations that process, reprocess, collect, or store oils containing polychlorinated biphenyls (PCB);
- Manufacture/production of petroleum base construction materials (tars, creosote);
- Outdoor vehicle salvage, drum container recycling and cleaning, or cleaning operations for commercial truck tankers or rail tankers;
- Industrial and commercial dry cleaning plants that use solvents; and
- Sewage treatment plants.

Summary of Key Elements of Proposed Amendments to the Rural Industrial Zoning District

Primary Uses

- Expand list of permitted **Construction and Maintenance Contractors** rather than relying on interpretation of “similar rural activities”
- Add dance facilities to the list of **Indoor Recreational Facilities** permitted as a primary use for instruction, practice and competitions
- Remove “small-scale” from the **Light Metal and Fiberglass Fabrication** category. Otherwise, an interpretation through a land use application is required to determine the meaning of “small-scale”, if such a business is proposed.
- Add **Manufacturing, Warehousing and Distribution, and Wholesale Trade** with more detailed descriptions and no limit on the type of product, except where specifically listed as a conditional use. Currently only the following are explicitly allowed, and uses involving other products would require a land use application for Authorization of a Similar Use:
 - Primary processing, packaging, treatment, bulk storage, and wholesale distribution of agricultural products, including foodstuffs, animal and fish products, and animal feeds; ornamental horticultural products; softwood and hardwood products; and sand, gravel, clay, and other mineral products;
 - Cabinet making, carpentry, and other woodcraft manufacturing, storage, and wholesale distribution;
 - Ceramics, pottery, stained glass, leatherwork, jewelry, and similar crafts manufacturing, storage, and wholesale distribution;
 - Wholesale lumber and building materials sales; and
 - Production of renewable fuel resources such as alcohol, methanol, and biomass for wholesale distribution.
- Allow **Repair of Motor Vehicles** rather than just repair of autos, motorcycles and trucks. Currently repair of other motor vehicles would require a land use application for Authorization of a Similar Use
- Add “rental” to the category of **Sales, Rental, Storage, Repair, and Servicing** of equipment and materials associated with farm and forest uses, road maintenance, mineral extraction, construction, and similar rural activities
- Change **Utility Carrier Cabinets** from an accessory use to a primary use
- Change **Temporary Signs** from an accessory use to a primary use

Accessory Uses

- Allow **Uses Accessory to a Single-Family Dwelling**, if a single-family dwelling lawfully exists on the property
- Change “electric” cogeneration facilities to **Cogeneration Facilities**

- Allow **Employee Amenities**, such as clinics, daycare facilities, lounges, cafeterias, and recreational facilities
- Allow **Parking, Storage, Repair, and Servicing of Fleet Vehicles**
- Allow **Retail Sales** of products that are manufactured on the subject property, distributed from the subject property, warehoused on the subject property, or sold on a wholesale basis from the subject property. The existing text— “Incidental retail sales of products that are allowed, as a primary or conditional use, to be assembled, stored, manufactured, and distributed on a wholesale basis”—is confusing and its intent unclear.
- Allow **Satellite Dishes**
- Repeal **Uses and structures customarily accessory and incidental to a primary or conditional use** because the exercise of discretion in making that determination requires a land use application, also provided for under Authorization of Similar Uses

Conditional Uses

- Allow **Heliports**
- Allow manufacturing, transportation, distribution, warehousing, and wholesale trade (the standard terms used in the primary use category and in the proposed amendments to the other industrial zones) of explosive materials and devices, fertilizer, natural gas, pesticides, petroleum, and petroleum products. Currently the permitted uses are listed as follows:
 - Compost, fertilizer, and pesticides manufacturing, processing, packaging, bulk storage, and wholesale distribution
 - Storage and processing of explosive materials and devices
 - Petroleum, petroleum products, and natural gas storage and wholesale distribution

Due to the proposed changes to the primary uses related to manufacturing, etc., it is important to list each term here as well, or those activities will become primary uses for these products.
- Repeal the zone-specific conditional use criteria. Section 1203 includes conditional use criteria that apply in this zone.

Dimensional Standards

- Repeal street frontage requirement because adequate access via private road is addressed through Section 1007 and the County Roadway Standards
- Repeal the maximum building floor area per use (40,000 square feet) inside unincorporated communities, to the degree allowed by state law