

ORDINANCE NO. 2723

AN ORDINANCE OF THE CITY OF LAKE OSWEGO AMENDING THE COMMUNITY DEVELOPMENT CODE TO STREAMLINE AND UPDATE THE USE TABLES (LOC TABLES 50.03.002-1 AND 50.03.002-2) AND IMPLEMENT USE-RELATED AMENDMENTS RECOMMENDED BY THE SOUTHWEST EMPLOYMENT AREA PLAN (LU 15-0035).

WHEREAS, notice of the public hearing for consideration of this Ordinance was duly given in the manner required by law; and

WHEREAS, a public hearing before the Planning Commission was held on July 25, 2016, at which the staff report, testimony, and evidence were received and considered; and

WHEREAS, the Planning Commission has recommended that LU 15-0035 be approved by the City Council; and

WHEREAS, the Council finds that amendments to the Community Development Code should be made to create a more inclusive, predictable, and adaptable list of uses, to assure the revised list of uses and the zone purpose statements in the CDC are consistent with the purpose and intent of the zone and overlay districts as envisioned in the Comprehensive Plan, and to simplify administration of the Code; and

WHEREAS, the amendments to the Community Development Code implement the use-related recommendations of the Southwest Employment Area Plan; and

WHEREAS, a public hearing on LU 15-0035 was held before the City Council of the City of Lake Oswego on October 4, 2016, at which the staff report, testimony, and evidence were received and considered.

The City of Lake Oswego ordains as follows:

Section 1. The City Council adopts the Findings and Conclusions (LU 15-0035), attached as Attachment A.

Section 2. The Lake Oswego Code is amended by adding the new text shown in **double underlined** type and deleting text shown in ~~strikethrough~~ type in Attachment B.

Section 3. Severability. The provisions of this ordinance are severable. If any portion of this ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 4. Effective Date. As provided in Section 35C of the Lake Oswego Charter, this ordinance shall take effect on the thirtieth (30th) day following enactment.

Enacted at the meeting of the Lake Oswego City Council of the City of Lake Oswego held on the 18th day of October 2016.


AYES: Mayor Studebaker, Gustafson, Collins, O'Neill, Manz, Buck, Gudman

NOES: None

ABSENT: None

ABSTAIN: None

EXCUSED: None



Kent Studebaker, Mayor

Dated: October 20, 2016

ATTEST:



Anne-Marie Simpson, City Recorder

APPROVED AS TO FORM:



David Powell
City Attorney

BEFORE THE CITY COUNCIL

OF THE CITY OF LAKE OSWEGO

A REQUEST FOR LEGISLATIVE TEXT
AMENDMENTS TO THE COMMUNITY
DEVELOPMENT CODE TO STREAMLINE AND
UPDATE THE COMMERCIAL, MIXED USE,
INDUSTRIAL AND SPECIAL USE TABLE

LU 15-0035
CITY OF LAKE OSWEGO
FINDINGS & CONCLUSIONS

NATURE OF PROCEEDINGS

This matter came before the Lake Oswego City Council on the recommendation of the Planning Commission for legislative amendments to the Community Development Code to streamline and update the Commercial Mixed Use, Industrial, and Special Use Table (LOC Table 50.03.002-2), ensure that commercial standards implement the updated Comprehensive Plan, and implement use-related amendments recommended by the Southwest Employment Area Plan. The affected sections are LOC 50.02, Base Zoning Districts; LOC 50.03, Use Regulations; 50.05, Overlay and Design; and LOC 50.10, Definitions.

HEARINGS

The Planning Commission held a public hearing and considered this application on July 25, 2016. The Commission adopted its Findings, Conclusions and Oder recommending approval of LU 15-0035 on September 12, 2016. The City Council held a public hearing and considered the Planning Commission’s recommendation on October 4, 2016.

CRITERIA AND STANDARDS

A. City of Lake Oswego Comprehensive Plan

Land Use Planning Goal:

Development (Community Development Code)

Policy A-1.b

Policy A-1.i

Policy A-5

Policy A-6

Land Use Administration

Policy D-1

1 **Community Culture Goal:**

2 **Civic Engagement**

3 Policy 1

4 Policy 9

5 **Economic Vitality Goal:**

6 **Economic Development**

7 Policy A-2

8 Policy A-3

9 Policy A-4

10 Policy A-5

11 Policy A-7

12 Policy A-9

13 **Community Health and Public Safety Goal:**

14 **Access to Local Food**

15 Policy 1

16 Policy 3

17 B. Metro Urban Growth Management Functional Plan

18 Title 4: Protection of Employment Areas, Metro Code Section 3.07.440

19 C. Transportation Planning Rule

20 OAR 660-012-0060 Plan and Land Use Regulation Amendments

21 D. City of Lake Oswego Community Development Code

22 LOC 50.07.003.3.c. Published Notice for Legislative Hearing

23 LOC 50.07.003.16a Legislative Decisions Defined

24 LOC 50.07.003.16b Criteria for Legislative Decision

25 LOC 50.07.003.16c Required Notice to DLCD

26 LOC 50.07.003.16.d.iii Planning Commission Recommendation Required

27 LOC 50.07.003.16.e City Council Review and Decision

28 **FINDINGS AND REASONS**

29 The City Council incorporates the staff report dated July 14, 2016, and the Council
30 Report dated September 26, 2016, with all exhibits, together with the Findings, Conclusions &
31 Order of the Planning Commission, as support for its decision, supplemented by the following
32 findings and conclusions of the Council. In the event of any conflict or inconsistency between
33 the incorporated matters and the Council’s supplemental findings, the supplemental findings

1 shall control.

2 Following are the supplemental findings and conclusions of this Council:

3 The City Council concurs with the staff recommendation that, in order to avoid a conflict
4 with the Comprehensive Plan definition of “public facilities,” and to avoid allowing new
5 telecommunication facilities in more zones than currently permitted, the Planning
6 Commission’s recommended Code changes should be modified to retain “telecommunication
7 facilities” as a separate use listing. The Council also concurs with the staff proposal to divide
8 telecommunication use into two use types in the Code, new facilities and collocated facilities,
9 to more clearly convey where each type is allowed, while ensuring that the existing conditional
10 use permit requirements for new telecommunication towers are maintained.

11 Because the WLG RLW zone has never been designated on the Comprehensive Plan
12 Map or Zoning Map, the dimensional standards for WLG RLW found in LOC 50.04.001.4.b.ii
13 should be deleted, consistent with the Commission’s proposed deletion of WLG RLW references
14 from LOC Table 50.03.003.2.-2 and elsewhere in the Code.

15 There also is no need to delete former LOC 50.05.008 (Industrial Park Overlay District) as
16 part of LU 15-0035, as that former Code language has been replaced with the Southwest
17 Overlay District Standards by Ordinance 2706.

18 The Planning Commission adopted its recommendations for this proposal (LU 15-0035)
19 on September 12, 2016. Those recommendations include amendments to the standards in LOC
20 50.02.002.2.b.iii (3) for Industrial and Industrial Park Zones to modify the prohibition against
21 noise, smoke, glare vibration, fumes, and other adverse environmental effects for certain listed
22 uses, so as to not specify those uses (thereby applying the restrictions to all uses in those zones)
23 and to provide that such effects must be mitigated “to the greatest extent practicable.” On
24 September 20, 2016, the City Council enacted Ordinance 2713, implementing LU 16-0009
25 (Marijuana Facility Time, Place and Manner Regulations), including amendments to the current
26 version of LOC 50.02.002.2.b.iii (3) to add “wholesale” to the uses covered by the current
prohibitions, and to specify that the prohibitions apply in the Industrial as well as IP Zones. The

1 City Council finds that the Planning Commission’s recommended changes to LOC
2 50.02.002.2.b.iii in the current proceedings (LU 15-0035) are appropriate, but should be
3 modified to show the requisite adjustments to that Code section as it exists following the
4 enactment of Ordinance 2713.

5 The proposed re-numbering of the Home Occupation standards from LOC 50.03.003.3.a.
6 to 50.03.004.1.b.ii should also be modified to include the prohibition against marijuana facilities
7 as home occupations that was enacted by Ordinance 2713.

8 The City Council received testimony urging that auto and light vehicle sales or rentals
9 should be allowed in the IP zone as an entirely indoor activity (with no outdoor vehicle display
10 or storage areas). It was pointed out that other uses with similar impacts would be allowed
11 under the proposed amendments, such as boat sales, general storage including boats and
12 recreational vehicles, and wholesale distribution. The Council finds that “Auto and Light Vehicle
13 Sales” should be allowed in the IP Zone, so long as the Code includes the following restriction
14 for that use category: “in the IP zone, the storage and display of vehicles shall be within fully
15 enclosed buildings.” It would not be appropriate to allow car rental agencies in the IP Zone,
16 even if indoor, as the off-site impacts are significantly greater than for car sales. The definition
17 in LOC 50.10.003.2 of “Auto and Light Vehicle Rental,” which is not allowed in the IP Zone,
18 should be modified to specify that the category covers “short-term” rentals, to distinguish that
19 use from long-term auto leasing, which is appropriately treated the same as auto “sales” by
20 practice and interpretation.

21 The City Council also received testimony from the Lake Forest Neighborhood Association
22 and the Lake Oswego Neighborhood Action Coalition opposing the proposed amendments
23 allowing retail uses in the WLG-RMU zone. The Council respects the Planning Commission’s
24 findings that adding general retail sales will help reduce barriers to redevelopment. However,
25 the Council agrees with the opposition testimony that adding retail will negatively impact
26 nearby residential uses through additional customer traffic, noise, lighting and other
environmental impacts, especially on weekends and during evening hours. The Council finds

1 that, on balance, these negative impacts outweigh the enhanced redevelopment opportunities.
2 Further, the proposed changes would be inconsistent with the original, still-valid objective in
3 the West Lake Grove Design District of providing for lower-impact commercial uses as a
4 transition to the residential areas.

5 **CONCLUSIONS**

6 The City Council concludes that LU 15-0035, as modified to be consistent with these
7 findings, complies with all applicable criteria and should be approved. The Council also
8 concludes that proposed Ordinance 2723, which implements LU 15-0035 as modified, should be
9 enacted.

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LOC CHAPTER 50

LOC 50.01: GENERAL PROVISIONS

50.01.004 ZONING DESIGNATIONS, BOUNDARIES, MAPS AND ANNEXATION

1. ZONING DISTRICTS

The City is divided into the following zoning designations:

TABLE 50.01.004-1: Zoning Designations	
Zone District Category	Map Designation
Residential	
Residential – Low Density	R-15
Residential – Low Density	R-10
Residential – Low Density	R-7.5
Residential – Medium Density (FAN)	R-6
Residential – Medium Density	R-5
Residential – Design District (Old Town)	R-DD
Residential – High Density	R-3
Residential – High Density	R-2
Residential – High Density	R-0
Residential – Waterfront Cabanas	R-W
Commercial	
Neighborhood Commercial	NC
General Commercial	GC
Highway Commercial	HC
Office Campus	OC
East End General Commercial	EC
Campus Research and Development	CR&D
Mixed Use	
Foothills Mixed Use	FMU

TABLE 50.01.004-1: Zoning Designations	
Zone District Category	Map Designation
Mixed Commerce	MC
West Lake Grove Districts	
WLG Townhome Residential	WLG R-2.5
WLG Residential Live/Work	WLG RLW
WLG Residential Mixed Use	WLG RMU
WLG Office Commercial	WLG OC
Industrial	
Industrial	I
Industrial Park	IP
Special Purpose Districts	
Campus Institutional	CI
Public Functions	PF
Park and Natural Areas	PNA
Overlay Districts – Area Specific	
Glenmorrie R-15 Overlay District	GO
Evergreen R-7.5 Overlay District	EO
Lake Grove R-7.5/R-10 Overlay District	LGO
Downtown Redevelopment Design District	DRD
West Lake Grove Design District	WLG
Old Town Neighborhood Design	OTN
Lake Grove Village Center Overlay District	LGVCO
Industrial Park Overlay District	IPD
Overlay Districts – Resource Specific	
Greenway Management Overlay District	GM
Sensitive Lands Overlay	
Resource Conservation (Tree Groves)	RC
Resource Protection (Streams and Wetlands)	RP
Habitat Benefit Area (Tree Groves)	HBA
Flood Management Area	FMA

LOC 50.02: BASE ZONING DISTRICTS

50.02.002 COMMERCIAL, INDUSTRIAL, MIXED USE ZONES

1. PURPOSES

a. Neighborhood Commercial (NC)

To provide land near or within residential areas for lower intensity commercial activities that primarily serve the surrounding neighborhood, smaller public facility uses, and residential uses. The uses listed for the Neighborhood Commercial zone in Table 50.03.002-2, Commercial, Mixed Use, Industrial, and Special Purpose Districts Use Table, have been determined to implement the Neighborhood Commercial policies of the Comprehensive Plan.

b. General Commercial (GC)

To provide lands for a mix of higher intensity commercial activities supplying a broad range of goods and services to a market area which includes the approximately equal to the planning area identified in the Comprehensive Plan, as well as residential, public facilities, and cultural uses.

c. Highway Commercial (HC)

To provide lands for commercial activities which meet the needs of the traveling public as well as other highway-oriented retail uses which require access to a market area larger than the General Commercial zone. This district zone is not intended for regional shopping centers.

d. Mixed Commerce (MC)

To provide for a mix of uses requiring highway access and which provide a strong visual identity. Intended uses include local and regional convention type facilities, office uses and supporting retail uses.

e. Office Campus (OC)

To provide lands for major concentrations of regionally-oriented offices and employment opportunities for a market area larger than the planning area.

f. Campus Research and Development (CR&D)

To provide a mix of clean, employee-intensive industries, offices and high-density housing with associated services and retail commercial uses in locations supportive of mass transit and the regional transportation network.

g. East End General Commercial (EC)

To implement Comprehensive Plan policies applicable to the Downtown Town Center and directing revitalization of the East End Business District to provide land for a mix of higher intensity commercial, residential, and cultural uses and public facilities that support a traditional downtown commercial core. The district should guide and encourage development and redevelopment of the East End Business District.

h. West Lake Grove Zones

i. Districts

The West Lake Grove zone districts are: Townhome Residential (WLG R-2.5), Residential Live Work (WLG RLW), Residential Mixed Use (WLG RMU), and Office-Commercial (WLG OC).

ii. Purposes

~~[Reserved]~~ To provide zoning for townhome residential, commercial, and mixed-use development in the West Lake Grove District that accommodates lower intensity commercial, public facility and residential uses; and to provide a transition between the Lake Grove Village Center and adjacent residential neighborhoods. These districts are intended to supply services to a market area that is comprised of adjacent neighborhoods.

i. Industrial Zone (I)

The purpose of the industrial ~~district~~ zone is to provide land where general industrial development can be located.

j. Industrial Park Zone (IP)

To provide lands where primarily light industrial, and employment, ~~and accessory~~ uses can occur in a campus-like setting under controls to make activities mutually compatible and also compatible with existing uses bordering the ~~district~~ zone.

k. Foothills Mixed Use (FMU)

To foster a mix of housing, retail and office uses in a central location proximate to downtown and along the Willamette River. Commercial uses are allowed but are not intended to dominate the character of the area. Retail uses are limited in size to complement the downtown core and facilitate the development of neighborhood-focused retail served by transit. The design and development standards are intended to create a unique Lake Oswego community. The emphasis of the zone is on residentially related uses.

The Foothills District **Mixed Use** code provisions are intended to:

- i. Connect the district **FMU** area with downtown, Tryon Creek, Old Town, the Willamette River and Oswego Lake;
- ii. Create a sustainable walkable neighborhood that possesses a thriving, active, and comfortable pedestrian environment;
- iii. Create visual interest through varied building heights that are urban in character, yet include detailed amenities at the ground floor that enhance the pedestrian environment;
- iv. Create high quality buildings, of long lasting materials, to promote the permanence of the community;
- v. Allow for a mix of residential uses, with urban density, and neighborhood scale retail and office development; and
- vi. Establish a standard of design that reinforces Lake Oswego's sense of place.

2. SPECIFIC STANDARDS FOR COMMERCIAL, MIXED USE, AND INDUSTRIAL ZONES

b. Standards Applicable in Specific Zones

iii. Specific Standards in the Industrial and Industrial Park Zones

- ~~(1)~~ Each industrial area identified on the City's Comprehensive Plan Map also is described in LOC 50.11.002: Appendix B. The specific conditions for each area are by this reference made a part of this Code and are conditions and limitations of each zone.
- ~~(2)~~ Manufacturing, repairing, compounding, processing or storage uses permitted in the I zone shall operate in continuing compliance with the requirements of Oregon Administrative Rules Chapter 340 and City Codes and regulations.
- ~~(13)~~ Research facilities, testing laboratories, manufacturing, processing or assembling of products, ~~wholesale~~, and incidental retail ~~u~~Uses, ~~as permitted~~ in the IP and I zones shall ~~not emitting~~ noise, smoke, glare, vibration, ~~or~~ fumes, or ~~having similar~~ other environmental effects, shall mitigate for those effects such that their impacts on people, property and uses beyond the property lines of the subject site are avoided or minimized to the greatest extent practicable, which adversely affect people, property or uses beyond the property lines of the ~~subject~~ IP or I site.
- ~~(24)~~ Incidental **Accessory** retail uses in IP sites within 200 ft. of residentially zoned property may be open from 8:00 a.m. to 10:00 p.m. Sunday through Thursday and 8:00 a.m. to 12:00 a.m. on Friday and Saturday.

c. Standards Applicable to Specific Locations

iv. ~~Boones Ferry Road/Jean Road Site~~

~~The following restrictions and requirements shall apply to the approximately 4.45-acre parcel located at the intersection of Boones Ferry Road and Jean Road (Tax Lot 2400 of Tax Map 2 1E 18BD). The intent of these restrictions and requirements is to create an aesthetically pleasing entry into Lake Oswego. The site and building design shall create an aesthetically pleasing entry by creating a distinct design with features that celebrate entry to the community. The design elements should signal the transition from the city of Tualatin and shall create a sense of separation. Building design elements and landscaping shall communicate a sense of quality, vitality and community. This may be accomplished through the use of visually identifying elements such as building shapes and features, colors, kiosks, flagpoles, signs, landscaping, parking and other design details. Berms and existing mature trees shall be incorporated into the design.~~

~~The following specific restrictions and requirements shall apply to the site:~~

~~(1) The uses allowed shall be those allowed in the NC zone, plus the following: adjustment and collection agencies; advertising agencies (including commercial artists); credit agencies; duplicating, addressing, blueprinting, photocopying, mailing and stenographic services; employment agencies; office equipment rental and repair; equipment services and repair places (appliances, small engines); services to building (cleaning, exterminating); financial and banking; regional offices, corporate headquarters; offices of all types of service and membership organizations.~~

~~(2) The retail use building area to be located on the east side of Jean Road (i.e., on the parcel consisting of approximately 1.9 acres) shall not exceed 23,000 sq. ft. The retail use building area to be located on the west side of Jean Road (i.e., on the parcel consisting of approximately 2.5 acres) shall not exceed 31,000 sq. ft., and no one user shall exceed 26,500 sq. ft.~~

~~(3) No building or parking shall be located within 25 ft. of Boones Ferry Road right-of-way or within 15 ft. of the Jean Road right-of-way. In addition, any loading area located to the west of Jean Road shall not be located within ten ft. of Jean Road.~~

~~(4) Signs shall be limited to monument and wall signs (excluding signs on awnings) only. Monument signs may be located within the 25-ft. setback along Boones Ferry Road and within the 15-ft. setback along Jean Road.~~

~~(5) A minimum of 20% of the net developable acre shall be devoted to landscaping.~~

~~(6) All utilities shall be located underground.~~

~~(7) The main access points for the site shall be from Jean Road. A "right-in" only secondary access may be provided from Boones Ferry Road for the west portion of the site (i.e., the approximately 2.5-acre parcel).~~

~~(8) Any evergreen tree with a trunk diameter of more than five in. which is removed pursuant to development of the site shall be replaced by a specimen tree of the same variety. The replacement tree shall be of similar size as the tree removed. If a replacement tree of the size of the tree cut is not reasonably available on the local market or would not be viable, replacement may be provided with more than one tree with no individual tree less than four in. in diameter. The number of replacement trees required shall be determined by dividing the caliper of the tree cut by the caliper of viable replacement trees.~~

~~v. Jean Way Site~~

~~The following restrictions and requirements shall apply to the approximately 0.34-acre parcel and the approximately 0.65-acre parcel located at the northeast corner of the intersection of Jean Road and Jean Way. The intent of these restrictions and requirements is to create an aesthetically pleasing entry into Lake Oswego. The sites and building designs shall create an aesthetically pleasing entry by creating a distinct design with features that celebrate entry to the community. The design elements should signal the transition from the city of Tualatin and shall communicate a sense of quality, vitality and community. This may be accomplished through the use of visually identifying elements such as building shapes and features, colors, kiosks, flagpoles, signs, landscaping, parking and other design details. Berms and existing mature trees shall be incorporated into the design.~~

~~The following specific restrictions and requirements shall apply to the sites:~~

~~(1) The uses allowed shall be those allowed in the NC zone, plus the following: adjustment and collection agencies; advertising agencies (including commercial artists); credit agencies; duplicating, addressing, blueprinting, photocopying, mailing and stenographic services; employment agencies; office equipment rental and repair; equipment services and repair places (appliances, small engines); financial and banking; regional offices, corporate headquarters; offices of all types of service and membership organizations.~~

~~(2) The retail use building area to be located on Jean Way shall not exceed 4,200 sq. ft. for each parcel, or a combined 8,400 sq. ft. for development contained on both parcels.~~

~~(3) No building or parking shall be located within 15 ft. of the Jean Way right-of-way.~~

~~(4) Signs shall be limited to monument and wall signs (excluding signs on awnings) only. Monument signs may be located within the 15-ft. setback along Jean Way.~~

~~(5) A minimum of 20% of the net developable acre shall be devoted to landscaping.~~

~~(6) All utilities shall be located underground.~~

~~(7) Regardless of the sequence of development of the 0.34-acre or 0.65-acre parcels, vehicular connectivity shall be provided between the 1.9-acre site to the north, and the development on the 0.34-acre and 0.65-acre parcels. A single, shared point of access shall be provided from Jean Way to serve the 0.34-acre and 0.65-acre parcels.~~

~~(8) Any evergreen tree with a trunk diameter of more than five in. which is removed pursuant to the development of the site shall be replaced by a specimen tree of the same variety. The replacement tree shall be of similar size as the tree removed. If a replacement tree of the size of the tree cut is not reasonably available on the local market or would not be viable, replacement may be provided with more than one tree with no individual tree less than four in. in diameter. The number of replacement trees required shall be determined by dividing the caliper of the tree cut by the caliper of viable replacement trees.~~

~~vi. **Boones Ferry Road/Opposite Jean Way Site**~~

~~The following restrictions and requirements shall apply to the approximately 2.84-acre parcel located at the intersection of Boones Ferry Road and Jean Way (Tax Lot 600 of Tax Map 21E18BD). The intent of these restrictions and requirements is to create an aesthetically pleasing entry into Lake Oswego. The site and building design shall create an aesthetically pleasing entry by creating a distinct design with features that celebrate entry to the community. The design elements should signal the transition from the city of Tualatin and shall communicate a sense of separation. Building design elements and landscaping shall communicate a sense of quality, vitality and community. This may be accomplished through the use of visually identifying elements such as building materials and features, colors,~~

~~flagpoles, signs, landscaping, parking and other design details. Existing mature trees may be incorporated into the design.~~

~~The following specific restrictions and requirements shall apply to the site:~~

~~(1) The uses allowed shall be those allowed in the NC zone, plus the following: adjustment and collection agencies; advertising agencies (including commercial artists); credit agencies; duplicating, addressing, blueprinting, photocopying, mailing and stenographic services; employment agencies; office equipment rental and repair; equipment services and repair places (appliances, small engines); services to building (cleaning, exterminating); financial and banking; regional offices, corporate headquarters; offices of all types of service and membership organizations.~~

~~(2) The total building area to be located on the site shall not exceed 21,850 sq. ft.~~

~~(3) No building or parking shall be located within 25 ft. of the Boones Ferry Road right-of-way.~~

~~(4) Signs shall be limited to monument and wall signs (excluding signs on awnings). Monument signs may be located within the 25-ft. setback along Boones Ferry Road.~~

~~(5) A minimum of 20% of the net developable acre shall be devoted to landscaping.~~

~~(6) All utilities serving any new on-site development shall be located underground.~~

~~(7) There shall be two main access points for the site from Boones Ferry Road. One shall be directly across from Jean Way and the other shall be northeast of the wetland. The northeast access may be a shared access with the adjacent property. An applicant for development of the northeast portion shall make a good faith effort to obtain a joint access prior to proposing a separate access. If such an effort is unsuccessful, however, a separate access may be approved.~~

~~(8) Any evergreen tree with a trunk diameter of more than five in. which is removed pursuant to the development of the site shall be replaced by a specimen tree of the same variety. The replacement tree shall be of similar size as the tree removed. If a replacement tree of the size of the tree cut is not reasonably available on the local market or would not be viable, replacement may be provided with more than one tree with no individual tree less than four in. in diameter. The number of replacement trees~~

~~required shall be determined by dividing the caliper of the tree cut by the caliper of viable replacement trees.~~

LOC 50.03: USE REGULATIONS AND CONDITIONS

50.03.002 USE TABLE

1. HOW TO USE

a. Permitted Uses

A "P" in a cell of a use table indicates that the land use is allowed by right in that base or overlay zone ~~district~~, subject to compliance with the use-specific standards referenced in the final column of the use table. Permitted uses are subject to all other applicable requirements of this Code, including those set forth in LOC 50.06, Development Standards. Uses accessory to a permitted use are allowed regardless of whether they are listed separately in the use table.

b. Conditional Uses

A "C" in a cell of a use table indicates that the land use is allowed in that base or overlay zone ~~district~~-only upon approval of a conditional use permit as described in LOC 50.07.005, Conditional Use Permits, including the specific conditions listed in LOC 50.07.005.3, and compliance with any use-specific standards referenced in the use table. Uses subject to a conditional use permit are subject to all other applicable requirements of this Code, including those set forth in LOC 50.06, Development Standards. Uses accessory to a conditional use are allowed regardless of whether they are listed separately in the use table.

c. Accessory Uses

An "A" in a cell of a use table indicates that the land use is expressly allowed in that base or overlay zone as an accessory use to a permitted use or an approved conditional use. In addition to those expressly listed, all uses that are secondary and subordinate to a permitted or approved conditional use, and are frequently found in connection with that permitted or approved conditional use, are allowed as accessory uses. A use is "accessory," when the use is (1) Generally accepted as accessory to a primary use based on state of the industry, (2) The accessory use is secondary to the primary use, (3) The impacts of the accessory use do not significantly alter the impacts of the primary use (e.g., traffic volume), and (4) The accessory use is not the same size or scale as would be found for a primary use elsewhere.

de. Prohibited Uses

ed. Overlay Districts Provisions Govern

fe. Use-Specific Standards and Table Notes

There may be additional standards that apply to specific permitted or conditional uses. Those additional standards are either identified in a table note at the end of the table or cross-referenced under the “use specific standards” column in the use table. The cross-referenced standards appear in LOC 50.03.003, Use-Specific Standards, immediately following the use table.

gf. Authorization for Similar Uses

2. RESIDENTIAL USE TABLE

TABLE 50.03.002-1: RESIDENTIAL DISTRICTS USE TABLE													
P = Permitted Use Blank = Not Permitted C = Conditional Use A = Accessory Use													
[x] Table notes located at the end of the table													
Use Category	Use Type	Residential										Use-Specific Standards	
		R-15	R-10	R-7.5	R-6	R-5	R-DD	R-W	R-3 [38]	R-2	R-0 [38] [49]		
RESIDENTIAL USES													
Household Living	Dwelling, s Single-family detached dwelling <u>[one per lot]</u>	P <u>[one per lot]</u>	<u>P</u>	<u>P</u>	<u>P</u>	P	P	P	<u>P</u> [1]	P	P	P	50.03.003.1
	Single-family dwellings erected on piling over the water of Lake Oswego								P				
	Dwelling, z Zero lot line dwelling <u>[one per lot]</u>	P	P	P	P	P	P		P	P	P		
	Dwelling, duplex <u>[one per lot]</u>					P	P		P	P	P		
	Dwelling, row house <u>attached townhome [one per lot]</u>					P	P		P	P	P		
	Dwelling, m Multi-family dwelling					P	P		P		P		
	Manufactured homes (individual <u>one per lot)</u>	P	P	P	P	P	P	P	P	P	P		50.03.003.1.b
	Manufactured home parks and or subdivisions					P			P		P		50.03.003.1.c

TABLE 50.03.002-1: RESIDENTIAL DISTRICTS USE TABLE

P = Permitted Use | Blank = Not Permitted | C = Conditional Use | A = Accessory Use

[x] Table notes located at the end of the table

Use Category	Use Type	Residential										Use-Specific Standards
		R-15	R-10	R-7.5	R-6	R-5	R-DD	R-W	R-3 [38]	R-2	R-0 [38] [49]	
	Secondary dwelling unit	P	P	P	P	P	P		P	P	P	50.03.003.1.e
Group and Institutional Housing	Congregate housing	C	C	C		P			P	P	P	50.03.003.24.a; 50.03.003.4.b; R-2 zone: 50.03.003.3
	Skilled nursing facility					C	C		C	C [†]	C	50.03.003.2
	Elder care											
	Group care home	P	P	P	P	P	P		P	P	P	
	Residential care housing	C	C	C		P			P	P	P	50.03.003.2.4.a; 50.03.003.4.b; R-2 zone: 50.03.003.3
	Skilled nursing facility					C	C		C	C	C	50.03.003.2.4.c; R-2 zone: 50.03.003.3
PUBLIC, INSTITUTIONAL, AND CIVIC USES												50.03.003.5
Day Care	Family day care facility <u>Certified or registered family child care home</u>	P	P	P	P	P	P	P	P	P	P	
Education/Recreation	Nonprofit social, recreational, educational, or cultural facilities and uses [2]					P			P	P	P	
Institutional Uses		C	C	C	C [†]	C	C		C	C [†]	C	50.03.003.4.5; R-2 and R-6 zones: 50.03.003.3
Utilities/ Public facilities/ Utilities	Major	C	C	C	C [†]	C	C		C	C [†]	C	50.03.003.4.5.c; R-2 and R-6 zones: 50.03.003.3
	Minor [3]	P	P	P	P	P	P	P	P	P	P	50.03.003.1.5.b
	Telecommunications facility, new	C	C	C	C [†]	C	C		C	C [†]	C	50.03.003.2.5.g; R-2 and R-6 zones: 50.03.003.3

TABLE 50.03.002-1: RESIDENTIAL DISTRICTS USE TABLE

P = Permitted Use | Blank = Not Permitted | C = Conditional Use | A = Accessory Use

[x] Table notes located at the end of the table

Use Category	Use Type	Residential										Use-Specific Standards
		R-15	R-10	R-7.5	R-6	R-5	R-DD	R-W	R-3 [38]	R-2	R-0 [38] [49]	
	<u>Telecommunications facility, collocated</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>50.03.003.5.g</u>
NONRESIDENTIAL USES												
Agricultural	Raising of produce <u>Community Garden</u> [4]	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>	<u>P/C</u>					<u>50.03.003.6.j; R-6 zone: 50.03.003.3</u>
	Large animals kept for owner's use [5]	<u>P</u>	<u>P</u>	-	-	-	-	-	-	-	-	<u>50.03.003.3.e</u>
	Animals kept for owner's use [5]				<u>P</u>							
Office, Business, or Professional Office uses	Home occupation	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>50.03.003.e</u>
	<u>Office, Business, or Professional Office uses</u> (in structures on City's Landmark Designation List) [6]	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u> [†]	<u>C</u>	<u>C</u>		<u>C</u>	<u>C</u> [†]	<u>C</u>	<u>50.03.003.4.6.p; R-2 and R-6 zones: 50.03.003.3</u>
Recreation/ and entertainment	Golf course, hunt club, or similar open land private recreational uses	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u> [†]							<u>R-6 zone: 50.03.003.3</u>
	Social, recreational, or cultural facilities, <u>nonprofit</u> [7]					<u>P/C</u>			<u>P/C</u>	<u>P/C</u> [†]	<u>P/C</u>	<u>50.03.003.6.y; R-2 zone: 50.03.003.3</u>
ACCESSORY USES												
Accessory uses	<u>Community garden</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>50.03.003.6.j</u>
	<u>Home Occupation</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>50.03.004.1.b.ii</u>
	<u>Large animals kept for owner's personal use</u>	<u>A</u>	<u>A</u>									<u>50.03.004.1.b.iii</u>
	<u>Small animals kept for owner's personal use</u> [2]	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	
	<u>Secondary dwelling unit</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>		<u>A</u>	<u>A</u>	<u>A</u>	<u>50.03.004.1.b.vi</u>

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Use Category	Use Type	Residential										Use-Specific Standards
		R-15	R-10	R-7.5	R-6	R-5	R-DD	R-W	R-3 [38]	R-2	R-0 [38] [49]	
Notes:	<p>[1] Erected on pilings over the water of Oswego Lake.</p> <p>[1] Conditional uses in R-2 and R-6 see LOC 50.03.003.2.d.</p> <p>[2] Such as open space, recreational sites, view points, community centers, swimming pools, tennis courts, and similar uses associated with a planned development, designed and intended for use by residents of the development.</p> <p>[3] Includes collocated telecommunications facilities but excludes new telecommunications facilities.</p> <p>[4] Provided no retail sales office is maintained on the lot.</p> <p>[25] No commercial activity allowed.</p> <p>[6] The structure shall be located on an arterial street. For the purposes of this section, "office uses" include businesses and management services, except for medical or dental offices.</p> <p>[7] Such as swimming pools, recreation centers, or community centers, operated by a nonprofit organization made up of a homeowners association or associations, neighborhood groups or an association of such groups or neighbors.</p> <p>[38] If lot has multiple zones, e.g., R-0/EC, see LOC 50.02.002.2.e.</p> <p>[49] Site-specific use limitations, see LOC 50.02.002.2.c.</p>											

3. COMMERCIAL, MIXED USE, INDUSTRIAL, AND SPECIAL PURPOSE DISTRICTS USE TABLE

TABLE 50.03.002-2: COMMERCIAL, MIXED USE, INDUSTRIAL AND SPECIAL PURPOSE DISTRICTS USE TABLE

P = Permitted Use | Blank = Not Permitted | C = Conditional Use | A = Accessory Use

[x] Table notes located at the end of the table

Use Category	Use Type	Commercial, Mixed Use, Industrial												Special Purpose			Use-Specific Standards								
		NC [8 47], [9] [49]	GC [9] [49], [10] [49]	HC [9] [49]	OC [8 47]	EC [8 47]	CR&D	MC	WLG [432]				FMU [432], [7] [46]	I	IP [5]	IPD [37]		CI	PF [3]	PNA					
									OC	RMU	R-2.5	RLW													
RESIDENTIAL USES																									
Household living	Residential use at R-5 density or greater	P	P [10] 1	P	P	P	P					P [1]	P [2]	P										<u>WLG zones: 50.03.003.1.a; NC, GC and EC zones: 50.03.003.2</u>	
	Residential use at R-0 density	C	P	P	P	P	P							P										NC, GC and EC zones: 50.03.003.1.d	
	Residential use at R-3 and R-5 density	C	P	P	P		P																	NC and GC zones: 50.03.003.1.d.i(1)	
	Residential use at R-7.5, R-10 and R-15 density	P	P	P	P																			NC and GC zones: 50.03.003.1.d.i(2)	
	Attached, residential townhome uses											P	P	P	P									50.03.003.1	
	Dwelling for a caretaker or watchman working on the property															P	P	P							
	<u>Dwelling, live-work</u>	P	P [10] 1	P	P	P	P								P										
Group and institutional housing	Congregate housing	C	C [10] 1				C							P				P						50.03.003.2.4.a	
	Continuing care retirement community (CCRCB)																	P						50.03.003.2	
	Skilled nursing facility											P						P						50.03.003.2	
	Elder care											P													
	Group care home													P				P							
	Facilities for																	P							

TABLE 50.03.002-2: COMMERCIAL, MIXED USE, INDUSTRIAL AND SPECIAL PURPOSE DISTRICTS USE TABLE

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									OC	RMU	R-2.5	RL W									
	residence and care of the socially, mentally or physically handicapped or other special care needs																				
	Residential care housing	C	C [10] ↓			C						P						P		50.03.003.24.a	
	<u>Skilled nursing facility</u>											<u>P</u>						<u>P</u>			
PUBLIC, INSTITUTIONAL, AND CIVIC USES																				50.03.003.45	
Community and cultural facilities	Cemetery																	C			
	Libraries [35]																		€		
	Membership organizations—business and professional, charitable, labor, political, and religious (not including churches).		P	P	P	P	P	P					P								
	Membership organizations—civic, social, fraternal		P	P	P	P	P	P					P								
	Public buildings [2] [35]												P						€		
	<u>Community garden</u>	<u>P/C</u>	<u>P/C</u> [10] ↓																		50.03.003.6.j
	<u>Community institutions</u> Religious agency structures and related accessory uses		<u>P</u> [10] ↓	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>				P		[5]				P		50.03.003.45.a
Day care	Nursery, Day	P	P	P	P	P	P	P	P				P								WLG-OC zone-

TABLE 50.03.002-2: COMMERCIAL, MIXED USE, INDUSTRIAL AND SPECIAL PURPOSE DISTRICTS USE TABLE

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									OC	RMU	R-2.5	RL W										
Parks and Open Space	Natural areas																			P		
	Park uses existing as of December 1, 2011																				P	
	Use authorized in master plan [33]																				P	
	Minor park improvements																				P	
	Major park improvements																				C	
Utilities/Public Facilities/Utilities	Major [35]	C	P	P	P	P	P	P	C	C	C		P	P	P	P	C	C	C		<u>50.03.003.5.c</u>	
	Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		Including collocated telecom. facilities but not new facilities. <u>50.03.003.3</u> <u>50.03.003.5.b;</u>	
	Telecommunications facilities, new [35]								C	C	C	C						C	C		<u>50.03.003.5.g</u>	
	Telecommunications facilities, collocated	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>50.03.003.5.g</u>	
	Temporary private uses of public properties [35]																			C		
COMMERCIAL USES													[45] [6]								<u>50.03.003.6</u> <u>50.03.003.7</u>	
Agricultural	Agricultural use																P			<u>P</u>	<u>50.03.003.6.b</u>	
	Farm Stand	P/A	P/A	A	P/A	A							A								<u>50.03.003.3.e.4.1. b.i</u>	
	Horticulture, farming, silviculture																			P		
Animal and Related Services	Equestrian facilities																			C		
	<u>Kennel Animal boarding</u>													C	C	C						

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									OC	RMU	R-2.5	RL W												
	facilities																							
	Pet <u>day</u> care, daily, fully-conducted-within building	C	P/C	P/C	C	P/C	C	C						P/C	P/C	P/C [5]	P							50.03.003.6.s
	Pet care, daily, partially-conducted-outside building	C	C					C									C							
	Raising of livestock																					C		
	Veterinary <u>clinician's</u> facilities, totally-enclosed		P/C			P/C								P/C	P/C	P/C	P							50.03.003.6.z
	Other veterinarian facilities		P												P									
Financial Institutions	Financial and banking institutions (includes credit agencies)		P [5]	P	P [5]	P	P	P						P			P							
	Business services, including auctioneers, bail bonds, drafting, detective agencies, notary public and other like services	P	P	P	P	P	P	P						P			P							
	Clothing rental	P	P			P								P			P							
	<u>Commercial education</u>	C	P	P	P	P	P	P						P	P	P								50.03.003.5.f
	Commercial photographic studios	P	P	P	P	P	P	P						P			P							
	Computer services	P	P	P	P	P	P	P						P										
Commercial	Crematorium														P	P								

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									OC	RMU	R-2.5	RLW									
services	Duplicating, addressing, blueprinting, photocopying, mailing and stenographic services		P	P	P	P	P	P						P	P	P	P				
	Equipment rental		P											P							
	Equipment service and repair places, appliance-small engine		P			P								P	P						
	Home-appliance-repair shop	P	P			P								P			P				
	Laundries and cleaning places	P	P	P		P	P [9]	P [9]						P	P [14]	P [15]	P [15]				
	Mortuaries		P/C [10]			P/C															Conditional use with accessory crematoriums <u>50.03.003.6.o</u>
	Office-equipment-rental and repair agencies		P	P	P	P	P	P						P			P				
	Personal services (such as hair salons and personal care)	P	P	P	P	P	P [9]	P [9]	P [16]			P			P	[5]	P	P [25]			<u>WLG OC and CI zones: 50.03.003.6.r</u> <u>WLG RLW zone: 50.04.001.4.b.ii(1)</u>
	Printing, publishing and lithographic shop		P	P	P	P	P	P						P	P	P	P				
	Radio and television-repair shop	P	P			P								P			P				
	<u>Repair, rental, and service</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>						<u>P</u>	<u>P</u>	<u>P</u>					<u>50.03.003.6.t</u>
Services to buildings		P	P		P		P						P	P	P	P					

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		NC [8 47], [9] [49]	GC [9] [49] [10]	HC [9] [49]	OC [8 47]	EC [8 47]	CR & D	MC	WLG [432]				FMU [432 , [7] [46]	I	IP [5]	IPO- [37]		CI	PF [3]	PNA
									OC	RMU	R-2.5	RL W								
	(including dwellings), cleaning and exterminating																			
	Tailor shops and related services	P	P			P	P- [9]	P- [9]					P							
	Telephone answering service	P	P	P	P	P	P	P					P							
	Upholstery shop	P	P			P							P	P	P [3]	P				
	Bakery								P										Seating area 700-sq. ft. or less	
Food and beverage services [8], [9]	Bakery, baked foods manufactured elsewhere sold on premises	P	P	P	P	P	P	P	<u>P</u>				P						50.03.003.6.g CR&D and MC zones: Not to exceed 20,000 sq. ft. floor area	
	Bakery, manufacturing — where on-site baked foods are sold within the building, <5,000 sq. ft.	P	P	P		P	P	P					P							
	Bakery, manufacturing — where on-site baked foods are sold within the building, >5,000 sq. ft.		P			P			P				P							
	Bar or cocktail lounge, no restaurant, use with retail malt beverage license		P [10] [1]	P		P		P					P						MC zone: Not to exceed 20,000 sq. ft. floor area 50.03.003.6.h	
	Concession facilities																	P		
	Delicatessen (table service permitted)												P			P [38]			IPO zone: Not to exceed 2,000 sq. ft. floor area	

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									OC	RMU	R-2.5	RL W													
	Delicatessen, no table service	P	P	P	P	P	P	P	P					P										CR&D and MC zones: Not to exceed 20,000 sq. ft. floor area	
	Food markets, under ≤ 25,000 sq. ft. gross floor area	P	P	P		P		P						P											
	Food markets, over 25,000 sq. ft. gross floor area or more		P/C [7]	P		P		P						P/C [44]											<u>50.03.003.6.i</u>
	Restaurant with or without associated lounge	P	P/C [10]	P	P	P	P	P	P					P											CR&D and MC zones: Not to exceed 20,000 sq. ft. floor area <u>50.03.003.6.u</u>
	Restaurant without associated lounge													P											IPO zone: Not to exceed 2,000 sq. ft.
	Restaurant, take-out only, or which includes a drive-in window		C [11]	P										P											
	Specialized food stores (such as coffee shop or juice bar)	P	P	P	P [48]	P [48]	P [48]	P	P					P											MC zone: Not to exceed 20,000 sq. ft. floor area IPO zone: Not to exceed 2,000 sq. ft. in floor area
Lodging facilities		P [10]	P		P		P						P												

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									OC	RMU	R-2.5	RL W								
Office, Business, or Professional Services	Accounting, auditing and bookkeeping	P	P	P	P	P	P	P					P			P				
	Adjustment and collection agencies		P	P	P	P	P	P					P			P [40]				
	Advertising agencies, including commercial artists		P	P	P	P	P	P					P			P				
	Artist's studios, including those that use industrial tools	P	P	P	P	P	P	P					P	P	P	P				
	Business and management services	P	P	P	P	P	P	P					P			P				
	Employment agencies		P	P	P	P	P	P					P			P				
	Insurance and bond carriers, agents, brokers and services	P	P	P	P	P	P	P					P			P				
	Regional offices and corporate headquarters		P	P	P	P	P	P					P			P				
	Commercial office space in buildings existing on 12-16-1982																P			
	Office—employment and secretarial services for industrial park/industrial users													P	P	P				

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									OC	RMU	R-2.5	RLW								
	Professional office (meeting the guidelines in Industrial Park guidelines in Appendix B)														€	€				
	Offices accessory to any use permitted in the IP zone, excluding offices accessory to professional office space														P	P				
	Offices providing special services to businesses	P	P	P	P	P	P					P				P				
	Private social service agency structures and related accessory uses																P			
	Office, Business or Professional offices [13]	P	P	P	P	P	P	P [26]	P			P	P	P	P	P	P			
	Research and development testing facilities and laboratories		P	P	P	P	P					P	P	P	P					
	Real estate brokers, agents and services	P	P	P	P	P	P					P				P				
	Studios and offices for use in conjunction with											P				C				

WLG and IP zones:
50.03.003.3.e
WLG RLW zone:
50.04.001.4.b.ii(1)
50.03.003.6.p

TABLE 50.03.002-2: COMMERCIAL, MIXED USE, INDUSTRIAL AND SPECIAL PURPOSE DISTRICTS USE TABLE

P = Permitted Use | Blank = Not Permitted | C = Conditional Use | A = Accessory Use

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Use Category	Use Type	Commercial, Mixed Use, Industrial												Special Purpose			Use-Specific Standards			
		NC [8 47], [9] [49]	GC [9] [49]	HC [9] [49]	OC [8 47]	EC [8 47]	CR & D	MC	WLG [432]				FMU [432], [7] [46]	I	IP [5]	IPO [37]		CI	PF [3]	PNA
									OC	RMU	R-2.5	RLW								
	authorized on-site radio-transmission and receiving towers and earth stations																			
Recreation and entertainment	Art galleries	C	P			P		P					P							
	Arcade, gaming (video, pinball, etc.) for amusement purposes [17]	P/C	P			P							P						50.03.003.6.c	
	Commercial recreational facility < 5,000 sq. ft. gross floor area		<u>P</u> [10] ↓	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>					P	<u>P</u> [18] ↓	<u>C</u> [5]	<u>P</u>				
	Commercial recreational facility ≥ 5,000 sq. ft. and < 20,000 sq. ft. gross floor area		<u>P</u> [10] ↓	<u>C</u>			<u>P</u>	<u>C</u>	<u>C</u>				<u>C</u>	<u>P</u> [18] ↓	<u>C</u>	<u>C</u>				
	<u>Commercial recreational facility ≥ 20,000 sq. ft. gross floor area</u>		<u>P</u> [10] ↓										<u>C</u>							
	Fitness <u>and</u> exercise and sports facilities, < 5,000 sq. ft. gross floor area [19]	P	P	P	P	P	P	P					P		P	P				
	Fitness <u>and</u> exercise and sports facilities, ≥ 5,000 sq. ft. and < 20,000 sq. ft. gross floor area [19]	C	P	C	C	C	P	P					C		P	P				

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									OC	RMU	R-2.5	RLW											
	Fitness and exercise and sports facilities, ≥ 20,000 sq. ft. gross floor area [19]		P	C	C		C	P						C									
	Theaters, indoor		P [10]	P		P		P						P									
Retail sales [8], [9]	Incidental retail uses														P	P						Max. 3,000 sq. ft. total per site; 50.02.002.2.b.iv(4) and (5)	
	Retail Under < 10,000 sq. ft. gross floor area	P [20]	P [20]	P [20]	P [20]	P [20]	P [20]	P [20]	P [20]	P [20]				P [20]	C [5]	P [39]						50.03.003.6.v	
	Retail ≥ 10,000 and < 20,000 sq. ft. gross floor area [20]		P	P		P	P	P						P	C [5]							50.03.003.6.w	
	Retail Over ≥ 20,000 sq. ft. gross floor area [20]		P/C [21]			P		P						P [8a]	[5]								50.03.003.6.x
	General retail sales, under 5,000 sq. ft. in WLG-OC zone								P [24]														
	Orthopedic equipment and supplies, rental, sale and service		P				P	P	P						P		P						IPO zone: Less than 20,000 sq. ft. floor area
	Retail establishments [25]															€	€						IPO zone: Not to exceed 20,000 sq. ft. of floor area
	Specialty retail (antique stores, art galleries, jewelers) in WLG								P [34]				P	P								WLG-RLW zone: 50.04.001.4.b.ii	

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									OC	RMU	R-2.5	RL W									
	Sign shop		P			P								P	P [3]	P [3]					
Vehicle/ and Equipment Sales and Services	Auto and light vehicle rental [27]		P [10] ↓	P	P	P	P	P						P						<u>50.03.003.6.d</u>	
	Auto and light vehicle sales		P [10] ↓			P								<u>P</u>	<u>P</u>					Not permitted in LGVCO <u>50.03.003.6.e</u>	
	Auto service station and light vehicle repair (primary use only)	<u>C</u>	P/C [28] ↓ [10] ↓	P		P								P	<u>P</u>					C in LGVCO <u>50.03.003.6.f</u>	
	Boat sales, and boat repair													P	P						
	Boat storage													P	P						
	Car wash		C [30] ↓ [10] ↓	P		C								P							<u>50.03.003.6.i</u>
	Heavy vehicle repair														<u>P</u>						<u>50.03.003.6.m</u>
	Parking Facilities, Off-Street (primary use on the site, garage and/or surface parking lot)	C	P [10] ↓				P	P	P					P							NC zone: LOC <u>50.03.003.3.f</u> <u>50.03.003.6.g</u>
	Towing service and tow yard														<u>P</u>						
	Retail sales of tires, batteries and motor vehicle accessories														C	P					IP and IPO zone: Not to exceed 20,000 sq. ft. of floor area
Truck and trailer rental and sales of accessories			P											P							

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								OC	RMU	R-2.5	RL W												
	Vehicle repair shops		P/C			P									P								C in VTAs in LGVCO [29]; 50.02.002.2.b.iv
	Vehicle sales and rental														P								
INDUSTRIAL/MANUFACTURING USES																							50.03.003.7
Industrial service and storage	<u>Dry cleaning or laundry plant</u>														<u>P</u>	<u>P</u>							<u>50.03.003.7.b</u>
	<u>General storage</u>														<u>P</u>	<u>P</u>							
	Lumber yard														P								
	Nursery stock production and wholesale														P								
	<u>Wholesale distribution</u>														<u>P</u>	<u>P</u>							
Manufacturing	Light manufacturing; processing, or assembly of product [31]		C	C			P	C							<u>P</u>	<u>P</u>							50.03.003.57.a
	Manufacturing						P																
	<u>Heavy manufacturing, repairing, compounding, processing or storage and accessory office use</u>														P								50.02.002.2.b.iv; 50.03.003.57.a
	Facilities for the manufacturing, warehousing, processing or assembling of products															P	P						50.02.002.2.b.iv; 50.03.003.5
	Remanufacturing or repair of vehicle engines and electrical systems															P	P						50.02.002.2.b.iv; 50.03.003.5
Storage	Recreational														P	P	P						50.02.002.2.b.iv;

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									OC	RMU	R-2.5	RL W								
	vehicle storage																			50.03.003.5
	Commercial self-storage facility													P		C [37]				
Transportation	Commercial transportation facilities															C	C			
	Railroad tracks and facilities (switching yards spur or holding tracks, freight depots)													P						
	Transportation depot facilities													P		C				
	Towing service and tow yard													P						
	Wholesale distributor or outlet													P						
ACCESSORY USES																				General Standards: 50.03.004.1.a
	<u>Community garden</u>	A	A			A											A	A	A	50.03.003.6.j
	<u>Dwelling, caretaker or watchperson</u>													A	A					
	<u>Farm Stand</u>	A	A			A	A	A						A						50.03.004.1.b.i
	<u>Food services concessions</u>																		A	
	<u>Minor park improvements</u>																		A	
	<u>Retail</u>	A	A	A	A	A	A	A						A	A	A				50.03.004.1.b.v
	<u>Restaurant</u>															A				50.03.004.1.b.iv
TEMPORARY USES																				
	<u>Temporary private uses of public properties</u>																		C	
	Notes:	<p>[1] At a net site density of 2,500 sq. ft./lot area per unit area allowed in conjunction with office uses in the same building. [2] Attached townhomes only. [3] Wholly conducted within an enclosed structure. [4] No drive-through businesses are allowed in the West Lake Grove Design District or FMU zone. [5] In the portion of the IP zone depicted on Figure 50.03.003-B, additional Permitted Uses are: Community Institution, Personal Services, Commercial recreational facility < 5,000 sq. ft. gross floor area, and Retail ≤ 35,000 sq. ft. gross floor area subject to use-specific limitations in LOC.</p>																		

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Use Category	Use Type	Commercial, Mixed Use, Industrial											Special Purpose			Use-Specific Standards				
		NC	GC	HC	OC	EC	CR & D	MC	WLG [432]				FMU	I	IP		IPO	CI	PF	PNA
		[8 47], [9] [49]	[9] [49], [10]	[9] [49]	[8 47]	[8 47]			OC	RMU	R-2.5	RL W	[432 , [7] [46]		[5]		[37]		[3]	
		<p>50.03.003.6. Additional Conditional Uses are: Pet day care partially conducted outside during daytime hours.</p> <p>[6] Outright permitted use if the gross floor area and exterior display area is 5,000 sq. ft. or less; conditional use if the gross floor area and exterior display is more than 5,000 sq. ft.</p> <p>[7] FMU uses allowed only if the primary building on site was constructed after January 17, 2013.</p> <p>[8] If lot has multiple zones, e.g., R-0/EC, see LOC 50.02.002.2.e.</p> <p>[9] Site-specific use limitations, see LOC 50.02.002.2.c.</p> <p>[10] In the GC-zoned area in the vicinity of Jean Way and Boones Ferry Road, as depicted on Figure 50.03.003-C, the following uses are not permitted: residential, congregate housing, community institution, residential care housing, community garden, hospitals, mortuaries, bars, drive-through restaurants, hotels, commercial recreational facilities, theaters, auto and light vehicle rental and sales, auto service station, car wash, and parking facilities (primary use).</p> <p>[2] Including fire stations, community centers, police stations, City administrative or other City office buildings, and City motor pools or maintenance buildings.</p> <p>[3] < 5,000 sq. ft. in floor area, totally enclosed within a building.</p> <p>[4] Reserved</p> <p>[5] In the GC and OC zones in the Lake Grove Village Center Overlay District, financial and banking institutions with drive-through facilities are allowed only when no more than one access to the site from a public street is provided on the parcel. Additional access through abutting parcels is permitted. Financial and banking institutions with drive-through facilities are prohibited in Village Transition Areas.</p> <p>[6] No table service and minimal on-site cooking of food.</p> <p>[7] Permitted: Not to exceed 35,000 sq. ft. Conditional: Exceeding 35,000 sq. ft. and not to exceed 45,000 sq. ft.</p> <p>[8] In the EC zone, the cumulative square footage of a single commercial business on a site shall not exceed 35,000 sq. ft.</p> <p>[8a] Not to exceed 35,000 sq. ft. per business.</p> <p>[9] In the MC zone, the cumulative square footage of retail business(es) or building(s) on a site shall not exceed 60,000 sq. ft. (i) on a single lot or parcel, or (ii) on adjacent lots or parcels.</p> <p>In the CR&D zone, cumulative retail uses shall not exceed 20,000 sq. ft. or 20% of the total building floor area per lot, whichever is less. However, where a development was applied for prior to September 12, 2013, the 20,000 sq. ft. limitation does not apply; the maximum numerical limitation on cumulative retail uses shall not exceed the retail square footage amount approved for the site.</p> <p>[10] Service of food and beverages shall be primarily to persons seated within the building and designated outdoor areas. The total size of seating area, both indoors and outdoors, of any restaurant allowed in this zone shall be limited to 1,500 sq. ft.</p> <p>[11] In the GC zone in the Lake Grove Village Center Overlay District, no more than two restaurants with drive-in service windows are permitted. Drive-in restaurant use is prohibited in Village Transition Areas.</p> <p>[12] Nonprofit office uses in structures on the City's Historic Landmarks List see 50.03.003.4.h.</p> <p>[13] NC, GC, HC, OC, EC, CR&D, MC, and IPO: Professional offices examples: Architectural, artists' studios, engineering (including surveying), law, landscape architecture, other professionals.</p> <p>[14] Greater than 3,000 sq. ft. in floor area.</p> <p>[15] Less than 5,000 sq. ft. in floor area.</p> <p>[16] Limited to 1,000 sq. ft. or less in area. Includes massage, pedicure and manicure.</p> <p>[17] GC, EC: Any size permitted. NC: Permitted if < 2,000 sq. ft. floor area and conditional if ≥ 2,000 sq. ft. floor area.</p> <p>[18] Wholly conducted within an enclosed structure.</p> <p>[19] Including clubs and studios, and other individual and group exercise/fitness facilities; e.g., studios, dance studios and schools, gyms, and martial arts schools; indoor or outdoor pool; athletic fields for organized competitive games; billiard and pool parlors; bowling alleys; and skating rinks, ice and/or roller.</p> <p>[20] Including apparel and accessory, department stores, building supply, garden, sporting goods, furniture,</p>																		

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		NC	GC	HC	OC	EC	CR & D	MC	WLG [432]				FMU	I	IP		IPO	CI	PF	PNA
		[8 47], [9] [49]	[9] [49], [10]	[9] [49]	[8 47]	[8 47]			OC	RMU	R-2.5	RL W	[432 , [7] [46]		[5]		[37]		[3]	
		<p>etc.</p> <p>[21] Permitted: Not to exceed 35,000 sq. ft.; conditional use: exceeding 35,000 sq. ft. but not to exceed 45,000 sq. ft.</p> <p>[22] [Reserved].</p> <p>[23] [Reserved].</p> <p>[24] Such as apparel and accessories, small hardware store, nursery, florist, furniture and appliance stores, and office supplies.</p> <p>[25] Which directly and primarily provide goods and services to persons employed in the zone.</p> <p>[26] A single building which provides for any of the professional office permitted uses shall be limited to a maximum building footprint of 5,000 sq. ft.</p> <p>[27] CR&D, MC, EC, GC, FMU: Vehicle storage off site.</p> <p>[28] Conditional use is permitted as follows: No auto service station shall be closer than 1,000 linear ft. to another auto service station. No more than two auto service stations shall be located within a distance of 5,000 linear ft. The number of auto fueling devices shall not exceed eight at any single auto service station. Use prohibited in Village Transition Areas.</p> <p>[29] I zone: Screened by sight obscuring fence from public right of way. In Village Transition Areas (VTA) of the Lake Grove Village Center Overlay (LGVCO) District, conditional use is permitted as follows: The use shall be an expansion of an existing vehicle repair use. Retail or office uses and a storefront appearance shall be provided along fronting collector and local streets. No direct vehicle access shall be provided from streets adjacent to residential zones. No operational repair by doors shall face collector or local streets.</p> <p>[30] In the GC zone in the Lake Grove Village Center Overlay District, car wash facilities shall not exceed a total combined area of 4,200 sq. ft. Use prohibited in Village Transition Areas.</p> <p>[31] Light manufacturing is the process when manufacturing is conducted within an enclosed building.</p> <p>[32] No drive through businesses are allowed in the West Lake Grove Design District or FMU zone.</p> <p>[33] Consistent with the purpose of the PNA zone or a modification that complies with LOC 50.02.003.3.b.</p> <p>[34] 5,000 sq. ft. or less.</p> <p>[35] Uses that are accessory and incidental to conditional uses in the PF zone are permitted.</p> <p>[36] [Reserved].</p> <p>[37] Cross-Reference: (a) Italicized IPO uses added to table for reader's convenience. See LOC 50.05.008.3 and 50.05.008.4 for text listing of uses in overlay zone; (b) All special requirements of LOC 50.02.002.2.b.iv apply, per LOC 50.05.008.5, except for retail and commercial storage uses; (c) See LOC 50.05.008.5 for special requirements for retail uses (retail goods and services) and commercial self storage.</p> <p>[38] Collocated within a building with another permitted use; no drive through service.</p> <p>[39] Limited to office equipment, apparel and accessory, building supply (including paint), garden supply, florist, and furniture (including antique and refinished furniture).</p> <p>[40] Excludes impound yards.</p> <p>[41] Primarily serving employees within the IP zone.</p> <p>[42] Exterior display of goods permitted (exterior storage of goods not permitted).</p> <p>[43] Maximum floor area plus the exterior display is 5,000 sq. ft. per use.</p> <p>[44] Outright permitted use if floor area is 35,000 sq. ft. or less; conditional use if floor area is more than 35,000 sq. ft.</p> <p>[45] Outright permitted use if floor area and exterior display area is 5,000 sq. ft. or less; conditional use if floor area and exterior display is more than 5,000 sq. ft.</p> <p>[46] FMU uses allowed only if the primary building on site was constructed after January 17, 2013.</p> <p>[47] If lot has multiple zones, e.g., R-0/EC, see LOC 50.02.002.2.e.</p> <p>[48] Not to exceed 5,000 sq. ft. of floor area and no drive in service windows are permitted.</p> <p>[49] Site specific use limitations, see LOC 50.02.002.2.c.</p>																		

50.03.003 USE-SPECIFIC STANDARDS

1. RESIDENTIAL – PERMITTED USES

a. Attached, Residential Townhome Uses in West Lake Grove

~~iv.~~ Within the WLG RLW zone:

~~Attached for sale residential townhomes:~~

~~(1) The required density shall be 1,700 sq. ft. of lot area per unit; and~~

~~(2) The minimum required lot width shall be 17 ft. The maximum lot coverage shall be 75% excluding parking.~~

2d. ~~Residential Uses in Commercial Zones~~ RESIDENTIAL USES IN COMMERCIAL ZONES

ai. GC and NC

~~(1) At R-0, R-3 and R-5 Density~~ Except as specifically allowed in LOC 50.02.002.2, Specific Standards for Commercial, Mixed Use, and Industrial Zones, a residential use may occupy the ground floor in the GC or NC zones only if a commercial use is located along the street frontage and the residential use is located behind the commercial use with the following exceptions:

~~(ia)~~ A residential use may occupy the ground floor in the GC zone at street frontage designated Park Lane, Crossroads Gateway or Campus Woods within the Lake Grove Village Center Overlay District (see Village Character Map, LOC Figure 50.05.007-D).

~~(iib)~~ On a corner site, the residential use is behind the commercial use as viewed from the higher classification street.

~~(2) At R-7.5, R-10, and R-15 Density~~

~~A residential use may occupy the ground floor in the GC or NC zones only if a commercial use is located along the street frontage and the residential use is located behind the commercial use.~~

bii. EC Zone

~~At R-0 density.~~ With a maximum 3.0:1 FAR (four unit minimum) on parcels > 6,000 sq. ft. in size. For parcels ≤ 6,000 sq. ft. in size, there is no minimum unit requirement. Use not allowed on ground floor within the area depicted on Figure 50.03.003-A: Area of Residential Use Prohibition in EC District.

Figure 50.03.003-A: Area of Ground Floor Residential Use Prohibition in EC District



e. ~~Secondary Dwelling Unit~~

i. ~~Generally Applicable Standards~~

~~A secondary dwelling unit may be allowed in conjunction with a single-family dwelling by conversion of existing space, by means of an addition, or as an accessory structure on the same lot with an existing dwelling, when the following conditions are met:~~

- ~~(1) The site is large enough to allow one off-street parking space for the secondary unit in addition to the required parking for the primary dwelling.~~
- ~~(2) Public services are to serve both dwelling units.~~
- ~~(3) The maximum size of the secondary dwelling unit is limited to 800 sq. ft.~~
- ~~(4) No more than one additional unit is allowed.~~
- ~~(5) The unit is in conformance with the site development requirements of the underlying zone, including any adjustments and additions listed in the base zone, is located within a lawful nonconforming structure, or the zone requirements have been varied or excepted pursuant to LOC Article 50.08~~

~~(provided, however, that any variance for the structure was not obtained solely to locate a secondary dwelling unit on the site; the inability to site a secondary dwelling unit on a parcel is not an unnecessary hardship).~~

~~(6) One unit shall be occupied by the property owner. The owner shall be required to record a declaration of restrictive use in the appropriate County Clerk deed records prior to issuance of a building permit for the secondary dwelling unit on the lot. The declaration shall state that use of the parcel is subject to compliance with the City of Lake Oswego's secondary dwelling unit requirements, including the requirement that one of the dwellings on the lot be occupied by the property owner to permit usage of a secondary dwelling unit on the lot.~~

~~(7) The reviewing authority may impose conditions regarding height modifications, landscaping, buffering and orientation of the secondary unit to protect privacy of the neighbors.~~

~~ii. R-5, R-3, R-2, and R-0 Zones~~

~~Shall be associated with a detached single-family unit only.~~

~~iii. R-15, R-10, R-7.5, R-6, R-DD~~

~~One per lot.~~

~~f. Telecommunications Facilities~~

~~i. See LOC 50.03.003.4.e.iii, Approval Criteria for Collocated Facilities, for requirements relating to permitted telecommunications facilities.~~

3. Conditional Uses in the R-2 and R-6 Zones

In addition to the criteria contained in LOC 50.07.005, Conditional Use Permits, an application to establish a new conditional use in the R-2 or R-6 zones must comply with the following criteria:

a. A new conditional use shall not be located on a street with a traffic level that exceeds the functional classification of the street as set forth in the Lake Oswego Comprehensive Plan Connected Community chapter.

b. If the street upon which the new use will be located is an arterial or collector and is currently operating within the parameters of its functional classification as set forth in the Lake Oswego Comprehensive Plan Connected Community chapter, the use shall not cause the street to exceed the allowable amount of traffic for its functional classification.

c. If the street upon which the new use will be located is a local street and is currently operating within the parameters of its functional classification as set forth in the Lake Oswego Comprehensive Plan Connected Community chapter, the use shall not have a Traffic Impact (TI) of greater than 10. Traffic Impact is based on the increase in Average Daily Trips (ADT) and is calculated as follows:

In the R-2 Zone: $TI = ADT \text{ Increase} / (\text{lot size} / 2,000)$;

In the R-6 Zone: $TI = ADT \text{ Increase} / (\text{lot size} / 6,000)$.

d. Where available, a conditional use shall take access from collector or arterial streets and not from local streets.

Exception: A conditional use may take access from a local street if a professional traffic analysis indicates that access to the local street would improve public safety or traffic management when compared to access from the available collector or arterial.

42. RESIDENTIAL – CONDITIONAL USES STANDARDS FOR GROUP AND INSTITUTIONAL HOUSING

d. Conditional Uses in the R-2 and R-6 Zones

~~In addition to the criteria contained in LOC 50.07.005, Conditional Use Permits, an application to establish a new conditional use in the R-2 or R-6 zones must comply with the following criteria:~~

- ~~i. A new conditional use shall not be located on a street with a traffic level that exceeds the functional classification of the street as set forth in the Lake Oswego Comprehensive Plan Connected Community chapter.~~
- ~~ii. If the street upon which the new use will be located is an arterial or collector and is currently operating within the parameters of its functional classification as set forth in the Lake Oswego Comprehensive Plan Connected Community chapter, the use shall not cause the street to exceed the allowable amount of traffic for its functional classification.~~
- ~~iii. If the street upon which the new use will be located is a local street and is currently operating within the parameters of its functional classification as set forth in the Lake Oswego Comprehensive Plan Connected Community chapter, the use shall not generate more than ten additional Average Daily Traffic (ADT) trips when the projected ADT or increased ADT of the proposed conditional use is divided by a figure equal to the~~

~~square footage of the lot or parcel on which the conditional use will be located divided by 2,000 in the R-2 zone or 6,000 in the R-6 zone.~~

- ~~iv. Where available, a conditional use shall take access from collector or arterial streets and not from local streets. Exception: A conditional use may take access from a local street if a professional traffic analysis indicates that access to the local street would improve public safety or traffic management when compared to access from the available collector or arterial.~~

~~**e. Telecommunications Facilities**~~

- ~~i. See LOC 50.03.003.4.e, Telecommunications Facilities, for requirements relating to new telecommunications facilities.~~

~~**3. COMMERCIAL – PERMITTED USES**~~

~~**a. Home Occupations**~~

~~A home occupation may be conducted where allowed by other provisions of this Code if the following conditions are continuously complied with:~~

- ~~i. The use does not alter the residential character of the neighborhood nor infringe upon the right of residents in the vicinity to the peaceful enjoyment of the neighborhood.~~
- ~~ii. A current and valid business license is maintained.~~
- ~~iii. No employees other than family members who reside at the dwelling.~~
- ~~iv. No outside storage of goods or materials other than vegetation.~~
- ~~v. No more than 25% of the dwelling is devoted to nonresidential use.~~

~~**b. Large Animals Kept for Owner's Use**~~

~~This use may be permitted with no commercial activity under the following conditions:~~

- ~~i. The lot area shall be a minimum of one acre. The total number of large animals allowed on a specific property shall be determined by dividing the total area of the property by 15,000 sq. ft. per animal over the age of six months.~~
- ~~ii. Animal runs or barns shall not be closer than 70 ft. from the front property line and not closer than 35 ft. from a side or rear property line.~~

~~iii. Animals shall be properly housed and proper sanitation shall be maintained with food, other than hay or fodder, stored in metal or other rodent-proof receptacles.~~

e. Professional Offices

~~i. WLG RMU Zone~~

~~(1) Offices with limited customer or client traffic intended to attract and serve customers or clients on premises, such as: attorneys, physicians, dentists, counselors, insurance, travel agents, investment and financial services, real estate, studios (photography, commercial art, advertising), architects, landscape architects, engineers or other design businesses, research, software development, corporate offices, medical testing laboratories, specialty medical services.~~

~~(2) Professional Office Uses and Minor Public Facilities. A single building which provides for professional office uses or minor public facilities shall be limited to a total floor area of 8,000 sq. ft. in a multi-story building, with no more than 5,000 sq. ft. on any floor.~~

~~ii. WLG OC Zone~~

~~(1) Offices with limited customer or client traffic intended to attract and serve customers or clients on premises, such as: attorneys, physicians, dentists, counselors, insurance, travel agents, investment and financial services, real estate, studios (photography, commercial art, advertising), architects, landscape architects, engineers or other design businesses, research, software development, corporate offices, medical testing laboratories, specialty medical services.~~

~~(2) A single building which provides for any of the permitted uses shall be limited to a maximum building footprint of 5,000 sq. ft.~~

~~iii. WLG RLW Zone~~

~~Offices with limited customer or client traffic intended to attract and serve customers or clients on premises, such as: sole practitioner attorneys, counselors, investment and financial services, studios such as photography, artists, commercial software development and information technology services. (Such uses are subject to conditions for commercial use set forth in LOC 50.04.001.4.b.ii(1).)~~

~~iv. IP Zone~~

~~Not to exceed 15% of gross site area.~~

~~d. Telecommunications Facilities~~

- ~~i. See LOC 50.03.003.4.e.iii, Approval Criteria for Collocated Facilities, for requirements relating to permitted telecommunications facilities.~~

~~e. Farm Stands~~

- ~~i. As an accessory use, farm stands are limited to one per site with a maximum size limit of 800 sq. ft. floor area.~~

~~f. Public Parking Facilities in the NC Zone – Conditional Use~~

- ~~i. A publicly-owned (City or LORA) surface parking facility is conditionally allowed as the sole use on a lot in the NC zone, only within the Lake Grove Village Center Overlay (LGVCO) District and only as specifically identified in Figure 50.05.007-U: Parking Facilities and Access-Coordination Map. Public garages are not a similarly allowed use to a public surface parking facility.~~

54. OTHER – CONDITIONAL USES STANDARDS FOR PUBLIC, INSTITUTIONAL AND CIVIC USES

~~a. Churches, Convent and Related Facility~~ Community Institution

- ~~i. Access streets have capacity to carry the projected traffic volumes.~~
- ~~ii. The site has adequate area for proposed parking needs.~~
- ~~iii. The structure may exceed the maximum height limitation of the zone, to a structure height of no more than 50 ft.~~
- ~~iiiv. The lot is sufficient size to allow all required yards to be equal to at least two-thirds the height of the principal structure.~~
- ~~v. Public services are adequate to serve the facility.~~

b. Minor Public Facilities

- i. In the WLG RMU zone, a minor public facility building shall be limited to a total Floor Area of 8,000 sq. ft. in a multi-story building, with no more than 5,000 sq. ft. on any floor.**

cb. Major Public Facilities and Institutional Uses Not Covered by Other Specific Standards

d. Park, Public

i. Parks are a permitted use in the PNA zone, except activities defined as 'major park improvements' shall be allowed by conditional use only.

ee. Nonprofit Conditional Uses in Certain Zones Social, Recreational, or Cultural Facilities, Non-profit

In the R-0, R-3, and R-5 zones, Aan application for a conditional use permit to locate a nonprofit social, recreational, ~~educational,~~ or cultural facility ~~or use such as recreational sites, community centers, swimming pools, tennis courts and similar uses, in the R-0, R-3 or R-5 zone shall comply with the following standards.~~

- i.** The proposed facility or use shall be located on property adjacent on at least one side to a property of equal or larger size that is already developed with a nonprofit use permitted outright or as a conditional use in the zone.
- ii.** Members of the organization proposing and which will use the nonprofit facility or use shall reside in adjacent planned developments or within one-fourth mile of a planned development with participating residents and shall not be separated from the proposed development or each other by a freeway, a major or minor arterial or the urban service boundary of the City of Lake Oswego.
- iii.** Adequate utilities, streets or other improvements shall be provided by the developer of the facility or use.
- iv.** When located in a residential zone, lot area shall be sufficient to comply with the lot coverage, setbacks and yards required by the zone.
- v.** Sound barriers, buffers or reduction techniques shall be required for noise generating activities, facilities or equipment located on properties adjacent to residential areas.
- vi.** Lighting shall be designed to avoid glare on adjacent residential uses.
- vii.** The time, manner or nature of operation shall be adjusted to avoid conflict with adjacent uses.

fd. Schools Educational Institution and Day Care Center Uses

i. All public, private or parochial, elementary, secondary, preschools, nursery schools, kindergartens **educational institutions** and day care centers shall provide the following: ~~(i) See LOC 50.06.003.3.b, On-site Circulation—Bikeways, Walkway, and Accessways as required by LOC 50.06.003.3.b, and walkways as required by LOC Chapter 42 for requirements relating to walkways., and safe loading, ingress, and egress on and to the site.~~

~~(ii) Safe loading and ingress and egress will be provided on and to the site.~~

ii. In the WLG OC zone, this use is limited to 5,000 sq. ft. of gross floor area.

ge. Telecommunications Facilities

iii. Approval Criteria for Collocated Facilities

(2) Facilities for Collocation

(b) Suitability of Facility for Collocation. To determine the suitability of the existing facility for the proposed collocation facility or structure, the applicant must show that:

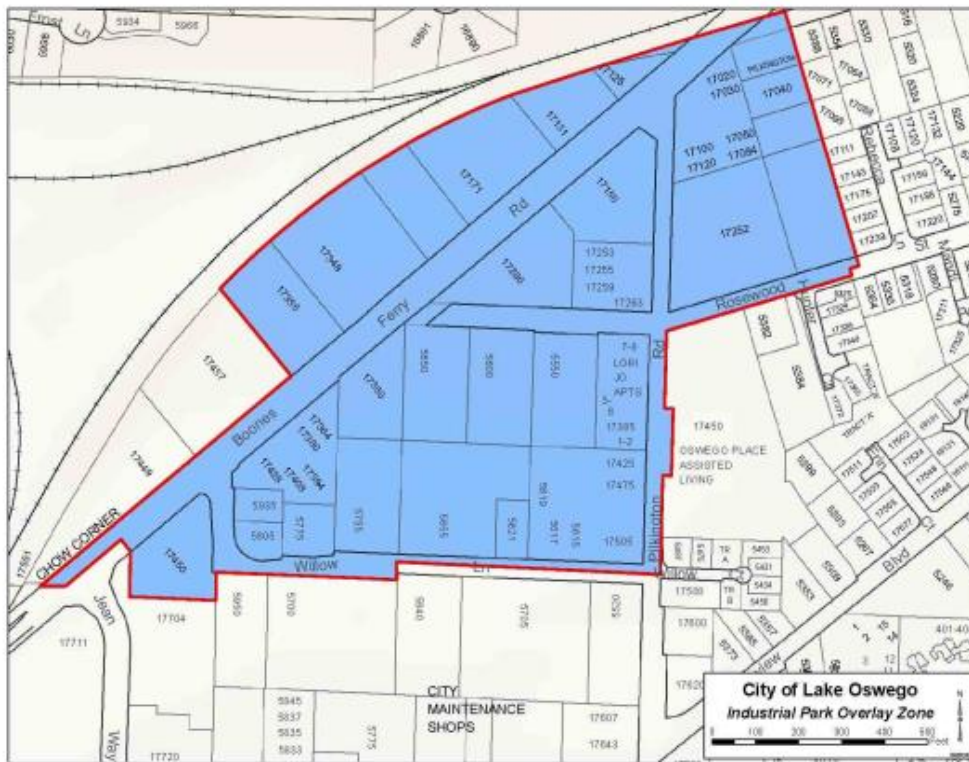
- (i)** There are no reasonably feasible telecommunication facilities in a higher classification under subsection **53.ge.iii(2)(a)** of this section that can meet the requirements of this subsection for a collocated facility and provide the necessary telecommunication service;
- (ii)** The addition of the antenna equipment will not interfere with the normal operation of utilities or existing transmission facilities and the collocated facility complies with the height limit in subsection **53.ge.iii(3)** of this section;
- (iii)** The collocation improvements must satisfy the standards for the underlying zone, except as provided by subsection **53.ge.iii(3)** of this section;
- (iv)** The existing structure, if structurally enhanced in order to permit collocation, does not result in a decrease of the setback of the reconstructed structure as described in subsection **53.ge.iii(1)** of this section and the height of the reconstructed facility complies with the height limit contained in subsection **53.ge.iii(3)** of this section as applied to the existing structure prior to replacement or reconstruction; and
- (v)** The collocation may not involve the removal of any previously approved landscaping/buffering.

hf. Telecommunications Facilities in Residential or Mixed Residential/Commercial Zones

In addition to compliance with the approval standards in LOC §50.03.003.54.g.iv and 50.07.004.12, and the general conditional use criteria in LOC 50.07.005, Conditional Use Permits, telecommunications facilities designated as a conditional use in residential or mixed residential/commercial zones shall comply with the following standards:

6. USE-SPECIFIC STANDARDS FOR COMMERCIAL USES

Figure 50.03.003-B: IP Zone Additional Use Area



parking for vehicles waiting to be serviced, and internal site circulation;
and

~~(5) Only one two-way access to the arterial is allowed. A one-way internal street with two access points located at least 100 ft. apart may be approved as an alternative.~~

~~**h. Office Uses in Structures on the City's Historical Landmarks List and Which Are Located on Arterial Streets**~~

~~i. Public services are adequate to serve the facility.~~

~~ii. Notwithstanding LOC 50.06.002.2, the required parking for office uses in historic landmarks shall be determined in the conditional use approval. In applying the general conditional use criteria under LOC 50.07.005.3.a.iii and iv, the on-site parking may be reduced to protect the historic character of the landmark.~~

~~iii. Access should be located on an arterial street, if practicable. If access is to a local residential street, consideration of a request shall include an analysis of the projected average daily trips to be generated by the proposed use and their distribution pattern, and the impact of the traffic on the capacity of the street system which would serve the use. A traffic study will be required of the applicant to identify the projected average daily trips to be generated and their distribution pattern. Uses which are estimated to generate fewer than 20 trips per week shall be exempted from the requirements of this subsection.~~

~~iv. Noise generating equipment shall be sound buffered when abutting a residential use.~~

~~v. Exterior lighting and signage shall be designated to avoid glare onto adjacent residential uses.~~

~~vi. Levels of operations shall be adjusted to avoid conflict with adjacent uses, where practicable.~~

~~vii. The historical designation of the property shall be maintained throughout the period of the conditional use. The property owner shall provide a deed restriction with the application which ensures that the property owner will not remove the property from the City's Historical Landmark List for the duration of the conditional use permit. Request for removal from the list shall void the conditional use permit.~~

b. Agriculture

The raising of livestock requires approval of a conditional use permit.

c. Arcade, Gaming

In the NC Zone, uses exceeding 2,000 sq. ft. in gross floor area require approval of a conditional use permit.

d. Auto and Light Vehicle Rental

In the GC, EC, CR&D, MC and FMU zones, all vehicle storage shall be off site.

e. Auto and Light Vehicle Sales

i. This use is not permitted on properties located in the Lake Grove Village Center Overlay district.

ii. In the IP zone, the storage and display of vehicles shall be within fully enclosed buildings.

f. Auto Service Station and Vehicle Repair

i. If the primary use is an auto service station with vehicle repair as an accessory use, the use is only permitted in the Lake Grove Village Center Overlay (LGVCO) district with the approval of a conditional use permit and if the following additional criteria are met:

- (1) The use is located no closer than 1,000 linear ft. to another auto service station;**
- (2) No more than two auto service stations are located within a distance of 5,000 linear ft.;**
- (3) The use does not include more than eight auto fueling devices; and**
- (4) The use is not located in a Village Transition Area.**

ii. If the primary use is for vehicle repair with no auto fuel sales, or fuel sales as an accessory activity, the use is only permitted in the Village Transition Areas (VTA) of the LGVCO district with the approval of a conditional use permit, and if the following additional criteria are met:

- (1) The use is an expansion of an existing vehicle repair use;**
- (2) The facility includes a retail or office use and a storefront appearance along fronting collector and local streets;**
- (3) No direct vehicle access is provided from streets adjacent to residential zones; and**

- (4) No operational repair doors face any collector or local street.
- iii. In the GC and EC zones, vehicle repair activities shall be conducted wholly within an enclosed structure.
- iv. In the I zone, vehicle repair activities shall be screened by sight-obscuring fence from public rights-of-way.
- v. In the IP zone, light vehicle repair is only a permitted use without an associated auto service station.

g. Bakery

- i. In the WLG OC zone, the seating area shall not exceed 700 sq. ft. of gross floor area.
- ii. Where on-site baked goods are sold within the building in the NC, HC, OC, CR&D, MC, and WLG OC zones, the business shall not exceed 5,000 sq. ft. gross floor area.
- iii. Where the baked goods that are sold are manufactured elsewhere the cumulative square footage of retail businesses or buildings on a site shall not exceed 60,000 sq. ft. gross floor area on a single lot or parcel or on adjacent lots or parcels in the MC zone. In the CR&D zone, cumulative retail uses shall not exceed 20,000 sq. ft. gross floor area or 20% of the total building floor area per lot, whichever is less. The maximum numerical limitation on cumulative retail uses shall not exceed the retail square footage amount approved for the site.

h. Bar

- i. In the MC zone, bars shall not exceed 20,000 sq. ft. in gross floor area and the cumulative square footage of retail businesses or buildings on a site shall not exceed 60,000 sq. ft. gross floor area on a single lot or parcel or on adjacent lots or parcels.

i. Car Wash

Car Washes in the GC zone in the Lake Grove Village Center Overlay District shall not exceed a total combined area of 4,200 sq. ft. in gross floor area and shall not be located in Village Transition Areas.

j. Community Garden

- i. Community gardens are allowed as a permitted or accessory use if the total planting area is <4,000 sq. ft. Community gardens with greater than 4,000 sq. ft. of planting area require a conditional use permit.

- ii. The accessory sales of crops by a public entity or non-profit organization is allowed between the hours between 7 a.m. to 8 p.m.
- iii. Community gardens with a planting area < 4,000 sq. ft. are exempt from parking requirements. Parking requirements for gardens larger than 4,000 sq. ft. shall be determined by the conditional use permit.
- iv. Fencing is required and shall be no greater than six feet in height and no more than 40 percent opacity.
- v. Composting areas shall be actively managed to control odors, pests, and all other potential nuisances to neighbors. Use of Best Management Practices (BMP), as established by the Parks and Recreation Department, is recommended.
- vi. Accessory community garden structures are permitted pursuant to the standards in this Code, but shall not exceed 500 sq. ft. cumulatively.

k. [Reserved]

l. Food Market

- i. In the CR&D zone, cumulative retail uses shall not exceed 20,000 sq. ft. or 20% of the total building Floor Area per lot, whichever is less. The maximum numerical limitation on cumulative retail uses shall not exceed the retail square footage amount approved for the site.
- ii. For food markets over 25,000 sq. ft. in gross floor area, the use may not exceed 35,000 sq. ft. of gross floor area per business, except that:
 - (1) In the GC zone, uses over 35,000 sq. ft. and up to 45,000 sq. ft. of gross floor area require a conditional use permit.
 - (2) In the MC zone, the cumulative square-footage of retail businesses or buildings on a site shall not exceed 60,000 sq. ft. on a single lot or parcel or on adjacent lots or parcels.
 - (3) In the FMU zone, a use larger than 35,000 sq. ft. of gross floor requires a conditional use permit.

m. Heavy Vehicle Repair

This use is subject to the following conditions:

- i. The use is limited to 18 or less service bays.
- ii. The use is located in an enclosed building.
- iii. No outdoor storage of parts, materials, or partially or totally dismantled vehicles is allowed.

iv. The use shall not emit noise, smoke, glare, vibration, fumes or other environmental effects which adversely affect people, property or uses beyond the property lines of the IP site.

n. Medical Clinic

In the area depicted on Figure 50.03.003-B, this use shall be limited to less than 20,000 sq. ft. in floor area.

o. Mortuary

In the GC and EC zones, on-site cremation requires a conditional use permit.

p. Office

i. In the R-15, R-10, R-7.5, R-6, R-5, R-DD, R-3, R-2, and R-0 zones, the following standards apply.

- (1) Office use is only permitted in structures that are on the City's Historic Landmark list and are located on an arterial street.
- (2) Public services are adequate to serve the facility.
- (3) Notwithstanding LOC 50.06.002.2, the required parking for office uses in historic landmarks shall be determined in the conditional use approval. In applying the general conditional use criteria under LOC 50.07.005.3.a.iii and iv, the on-site parking may be reduced to protect the historic character of the landmark.
- (4) Access should be located on an arterial street, if practicable. If access is to a local residential street, the applicant shall include an analysis of the projected average daily trips to be generated by the proposed use and their distribution pattern, and the impact of the traffic on the capacity of the street system that would serve the use. A traffic study will be required to identify the projected average daily trips to be generated and their distribution pattern. Uses that are estimated to generate fewer than 20 trips per week shall be exempted from the requirements of this subsection.
- (5) Noise generating equipment shall be sound buffered when abutting a residential use.
- (6) Exterior lighting and lighted signage shall be designated to avoid glare onto adjacent residential uses.
- (7) Levels of operations shall avoid conflict with adjacent uses, where practicable.
- (8) The historical designation of the property shall be maintained throughout the period of the conditional use. The property owner shall record a deed restriction that ensures that the

property shall not be removed from the Historical Landmark List for the duration of the conditional use permit. Request for removal from the List shall void the conditional use permit.

ii. In the WLG OC and WLG RMU zones, the following standards apply:

(1) Office uses shall be limited to those with limited customer or client traffic intended to attract and serve customers or clients on premises, such as: attorneys, physicians, dentists, counselors, insurance, travel agents, investment and financial services, real estate, studios (photography, commercial art, advertising), architects, landscape architects, engineers or other design businesses, research, software development, corporate offices, medical testing laboratories, specialty medical services.

(2) A single building with office use shall be limited to a maximum 5,000 sq. ft. footprint and in the WLG RMU zone, the total Floor Area shall be limited to 8,000 sq. ft.

iii. In the GC and OC zones in the Lake Grove Village Center Overlay district, the following standards apply:

(1) Financial and banking institutions with drive-through facilities are allowed only when no more than one access to the site from a public street is provided on the parcel. Additional access through abutting parcels is permitted.

(2) Financial and banking institutions with drive-through facilities are prohibited in Village Transition Areas.

iv. In the CI zone, this use is limited to commercial office space in buildings existing on December 16, 1982.

v. In the PF zone, this use is limited to uses related to public or quasi-public facilities.

g. Public Parking Facilities in the NC Zone – Conditional Use

i. A publicly-owned (City or LORA) surface parking facility is conditionally allowed as the sole use on a lot in the NC zone, only within the Lake Grove Village Center Overlay (LGVCO) District and only as specifically identified in Figure 50.05.007-U: Parking Facilities and Access Coordination Map. Public garages are not a similarly allowed use to a public surface parking facility.

r. Personal Services

i. In the WLG OC zone, this use is limited to 1,000 sq. ft. or less in gross floor area.

ii. In the CI zone, this use shall directly and primarily provide goods and services to persons employed in the CI zone.

s. Pet Day Care

This use must be conducted in a fully enclosed building, except that in the NC, GC, and MC zones, and the portion of IP zone depicted on Figure 50.03.003-B, pets may be kept outside during daytime hours with a conditional use permit.

t. Repair, Rental, Service

In the NC zone, this use is limited to 5,000 sq. ft. of gross floor area.

u. Restaurant

i. Drive-through service is only allowed in the following:

(1) In the HC and FMU zones.

(2) In the GC zone, outside of the Lake Grove Village Center, after approval of a conditional use permit.

(3) In the Lake Grove Village Center Overlay district, a maximum of two restaurants with drive-through service windows are permitted with a conditional use permit, but no restaurant with drive-through service may be located in a Village Transition Area.

ii. In the WLG OC zone, service of food and beverages shall be primarily for consumption on the premises. The total size of indoor and outdoor seating areas of any restaurant shall be limited to 1,500 sq. ft. of gross floor area.

iii. In the CR&D and MC zones, this use shall not exceed 20,000 sq. ft. gross floor area. In the MC zone, the cumulative square footage of retail businesses or buildings on a site shall not exceed 60,000 sq. ft. on a single lot or parcel or on adjacent lots or parcels. In the CR&D zone, cumulative retail uses shall not exceed 20,000 sq. ft. or 20% of the total building Floor Area per lot, whichever is less. The maximum numerical limitation on cumulative retail uses shall not exceed the retail square footage amount approved for the site.

iv. In the OC and CR&D zones, specialty food stores, e.g., coffee shops and juice bars, shall not exceed 5,000 sq. ft. of gross floor area.

v. Retail, Under 10,000 Sq. Ft. Gross Floor Area

i. In the WLG OC zone, this use is limited to 5,000 sq. ft. or less in gross floor area.

- ii. For conditional uses in the IP zone, this use is limited to those that directly and primarily provide goods and services to persons employed in the IP zone.

w. Retail, 10,000 - 20,000 Sq. Ft. Gross Floor Area

- i. For conditional uses in the IP zone, this use is limited to those that directly and primarily provide goods and services to persons employed in the zone.

x. Retail, Over 20,000 Sq. Ft. Gross Floor Area

This use may not exceed 35,000 sq. ft. of gross floor area per business, except that:

- i. In the GC-zoned area in the vicinity of Jean Way and Boones Ferry Road, as depicted on Figure 50.03.003-C, retail use up to 45,000 sq. ft. is permitted, except as limited by LOC 50.03.003.6.w.iv, below.
- ii. In the GC zone, except as provided in subsection i, above, a business over 35,000 sq. ft. and up to 45,000 sq. ft. of gross floor area requires a conditional use permit.
- iii. In the EC zone, the cumulative square footage of a single commercial business on a site shall not exceed 35,000 sq. ft.
- iv. In the MC zone, the portion of IP zone depicted on Figure 50.03.003-B, and the GC-zoned area in the vicinity of Jean Way and Boones Ferry Road, as depicted on Figure 50.03.003-C, the cumulative square footage of retail businesses or buildings shall not exceed 60,000 sq. ft. on a single lot or parcel or on adjacent lots or parcels.
- v. In the CR&D zone, cumulative retail uses shall not exceed 20,000 sq. ft. or 20% of the total building Floor Area per lot, whichever is less. The maximum numerical limitation on cumulative retail uses shall not exceed the retail square footage amount approved for the site.

y. Social, Recreational, or Cultural Facilities, Non-profit

This use is permitted if associated with a planned development and designed for use by residents of that development. If not associated with a planned development, this use requires a conditional use permit.

z. Veterinary Clinic

- i. This use must be conducted within a fully enclosed building, except that an outdoor run is permitted outright if the standards below are met. A larger outdoor run or other outdoor facilities may be approved with a conditional use permit. This does not preclude incidental activities such as dog walking.**
- (1) An outdoor run shall be limited to 200 sq. ft. in area or five percent of lot area, whichever is greater;**
- (2) An outdoor run shall be enclosed by a 6-foot tall sight-obscuring fence for the portions facing the exterior site boundaries. A see-through fence may be permitted facing the building(s) on the site;**
- (3) Active use of the outdoor run (training, play, etc.) shall be limited to the hours between 8:00 am and 6:00 pm. Use of the run to allow a dog to relieve itself outside of these hours is permitted;**
- (4) Animals in the outdoor run shall be supervised by staff of the facility at all times;**
- (5) The outdoor run shall be cleared of waste daily; and**
- (6) It shall be a violation to permit unreasonable annoyance, alarm or noise disturbance at any time of the day or night by repeated barking, whining, screeching, howling, braying or other like sounds which may be heard beyond the boundary of the veterinary clinic property.**

75. INDUSTRIAL/MANUFACTURING USES

a. Remanufacturing or Repair of Vehicle Engines and Electrical Systems

Provided that:

- i. The use is limited to 18 or less service bays.**
- ii. The use is located in an enclosed building.**
- iii. No outdoor storage of parts, materials, or partially or totally dismantled vehicles is allowed.**
- iv. The use shall not emit noise, smoke, glare, vibration, fumes or other environmental effects which adversely affect people, property or uses beyond the property lines of the IP site.**

ab. Prohibited Uses in Any Industrial Zone

Uses whose where the primary function is the storing, utilizing or manufacturing of explosive materials are prohibited in the I and IP zones.

b. Dry Cleaning or Laundry Plant

i. In the I zone, this use shall be a minimum of 3,000 sq. ft. of gross floor area.

ii. In the IP zone, this use shall contain less than 5,000 sq. ft. in gross floor area.

50.03.004 ACCESSORY STRUCTURES AND USES

1. ACCESSORY USES

a. General Standards

ia. Accessory uses are allowed in conjunction with the principal use and shall comply with the requirements of this section and all requirements for the principal use, except where specifically modified by this Code.

ii. A greenhouse or hothouse may be maintained accessory to a dwelling only if there are no sales.

iii. A guesthouse.

b. Standards for Specific Uses

i. Farm Stand

As an accessory use, farm stands are limited to one per site with a maximum size of 800 sq. ft. Floor Area.

ii. Home Occupation

A home occupation may be conducted where allowed by other provisions of this Code if the following conditions are continuously complied with:

(1) The use does not alter the residential character of the neighborhood nor infringe upon the right of residents in the vicinity to the peaceful enjoyment of the neighborhood.

(2) A current and valid business license is maintained.

(3) No employees other than family members who reside at the dwelling.

(4) No outside storage of goods or materials other than vegetation.

(5) No more than 25% of the dwelling floor area (exclusive of accessory structures) is devoted to nonresidential use; an accessory structure may be used provided the provisions of this subsection are met.

(6) Marijuana facilities are prohibited.

iii. Large Animals Kept for Owner's Personal Use

This use may be permitted with no commercial activity under the following conditions:

- (1) The lot area shall be a minimum of one acre. The total number of large animals allowed on a specific property shall be determined by dividing the total area of the property by 15,000 sq. ft. per animal over the age of six months.**
- (2) Animal runs or barns shall not be closer than 70 ft. from the front property line and not closer than 35 ft. from a side or rear property line.**
- (3) Animals shall be properly housed and proper sanitation shall be maintained with food, other than hay or fodder, stored in metal or other rodent-proof receptacles.**

iv. Restaurant

In the IP zone, this use shall not exceed 2,000 sq. ft. in gross floor area and shall be co-located within a building with another permitted use. No drive-through service allowed.

v. Retail

In the IP zone, this use is limited to 25% of gross floor area, not to exceed 5,000 sq. ft. per business.

vi. Secondary Dwelling Unit

(1) Generally Applicable Standards

A secondary dwelling unit may be allowed in conjunction with a single-family dwelling by conversion of existing space, by means of an addition, or as an accessory structure on the same lot with an existing dwelling, when the following conditions are met:

- (i) The site is large enough to allow one off-street parking space for the secondary unit in addition to the required parking for the primary dwelling.**
- (ii) Public services are to serve both dwelling units.**
- (iii) The maximum size of the secondary dwelling unit is limited to 800 sq. ft. of gross floor area.**
- (iv) No more than one additional unit is allowed.**
- (v) The unit is in conformance with the site development requirements of the underlying zone, including any adjustments and additions listed in the base zone, is located within a lawful**

nonconforming structure, or the zone requirements have been varied or excepted pursuant to LOC Article 50.08 (provided, however, that any variance for the structure was not obtained solely to locate a secondary dwelling unit on the site; the inability to site a secondary dwelling unit on a parcel is not an unnecessary hardship).

(vi) One unit shall be occupied by the property owner. The owner shall be required to record a declaration of restrictive use in the appropriate County Clerk deed records prior to issuance of a building permit for the secondary dwelling unit on the lot. The declaration shall state that use of the parcel is subject to compliance with the City of Lake Oswego's secondary dwelling unit requirements, including the requirement that one of the dwellings on the lot be occupied by the property owner to permit usage of a secondary dwelling unit on the lot.

(vii) The reviewing authority may impose conditions regarding height modifications, landscaping, buffering and orientation of the secondary unit to protect privacy of the neighbors.

(2) Standards for Specific Zones

(i) In the R-5, R-3, R-2, and R-0 Zones this use shall be associated with a detached single-family unit only.

(ii) In the R-15, R-10, R-7.5, R-6, and R-DD zones this use is limited to one per lot.

50.03.005 TEMPORARY STRUCTURES AND USES

5. IN COMMERCIAL, INDUSTRIAL, AND PF/PNA ZONES

The following temporary uses are permitted in commercial, industrial, and PF/PNA zones. Business licenses are required for all temporary commercial activities.

- a. "Saturday Market" type sales of produce from temporary sales shelters (including vehicles) from 8:00 a.m. to 4:00 p.m. on Saturdays and 1:00 p.m. to 5:00 p.m. on Sundays subject to obtaining a special event permit pursuant to LO. The type of products sold may include additional products, such as art, crafts, and food for consumption at the market, so long as such nonproduce sales are secondary to the market's sale of produce. Such market sales may locate in only one location each in the East End Commercial District (see Figure 50.03.005-A), West End Commercial District (see Figure 50.03.005-B), and ~~Lake Grove Industrial Park District (see Figure 50.04.001-D)~~ **IP zone** and shall have sufficient parking on site or shall arrange to utilize the parking areas of an adjacent business which does not normally operate on weekends. All produce and debris will be removed at the end of the business day.

LOC 50.04: DIMENSIONAL STANDARDS

50.04.001 DIMENSIONAL TABLE

4. COMMERCIAL, MIXED USE, AND INDUSTRIAL ZONES

a. Dimensions

Development in the commercial, mixed use, and industrial zones shall conform to the following dimensional standards except as modified below:

TABLE 50.04.001-14: COMMERCIAL, MIXED USE, AND INDUSTRIAL DIMENSIONS											
Standard [1]	NC [2019]	GC [2019]	HC [2019]	OC	EC	FMU	WLG See 50.04.001.4. b	CR&D	MC	I	IP
	<i>If a dimension or requirement is not shown it means there is no minimum or maximum, but that a requirement may be established at the time of Development Review Commission review.</i>										
FLOOR AREA RATIO											
Maximum	0.25: 1 [2]	—	—	0.30: 1	3.0:1	4.0:1 [16], [17]			—	1.0:1	1.0:1 [19]
Minimum	—	—	—	—	—	1.0:1 [15], [17]			—	—	—
LOT COVERAG E (%)											
Maximum	100	50	50	25	100	100		55 [5]	100	—	—
Minimum	None	None	None	None	None	50	None	None	None	None	None
SETBACK (FT.)											
Front	—	—	—	—	—	[14]			15 [12]	15 [6]	20 min. Front and any

TABLE 50.04.001-14: COMMERCIAL, MIXED USE, AND INDUSTRIAL DIMENSIONS											
Standard [1]	NC [2019]	GC [2019]	HC [2019]	OC	EC	FMU	WLG See 50.04.001.4.b	CR&D	MC	I	IP
										adj. to R zone; see LOC Article 45, Building Code [10]	yard with street frontage: 20 [10]
Side	—	—	—	—	—			15 [4][12]	0 [7]		10 [9]
Rear	—	—	—	—	—			15 [4][12]	0 [7]		10 [9]
Location – From Lot Line to:						See 50.06.001.6					
When Adjacent to R-DD, R-5, R-6, R-7.5, R-10 or R-15											
Structure	25	25	25	25	25			—	—	—	
Surface Parking	10	10	10	10	10			—	—	—	
Vehicular Accessway	5	5	5	5	5			—	—	—	
When Adjacent to R-0, R-2 or R-3 Zone											
Structure	10	10	10	10	10			—	—	—	
Surface Parking	10	10	10	10	10			—	—	—	
Vehicular Accessway	5	5	5	5	5			—	—	—	
When Not Adjacent to Residential Zone											
All Setbacks	0	0	0	0	0			—	—	—	
HEIGHT (FT.)								See 50.04.001.4.			

TABLE 50.04.001-14: COMMERCIAL, MIXED USE, AND INDUSTRIAL DIMENSIONS

Standard [1]	NC [2019]	GC [2019]	HC [2019]	OC	EC	FMU	WLG See 50.04.001.4. b	CR&D	MC	I	IP	
								c, Additional Standards and Exceptions				
Max. Height	35 [3]	45 [3]	60 [3]	45 [3]	50.04.001.4. c.i	45 [18]; 90		[11]	95 [13]	60 [8]	45	
Accessory Structures						24		60				

[1] Standards in this table may be modified by the Lake Grove Village Center Overlay District.

[2] Except for the SE quadrant of Grimm’s Corner, as determined by the Comprehensive Plan (see Figure 50.04.001-C: Grimm’s Corner Neighborhood Commercial and Appendix E, Commercial Land Use Policies).

[3] Structures placed closer than 60 ft. to the property line of a lot which carries any residential zone designation have a maximum height of 28 ft. or 40 ft. minus one ft. for each ft. less than 60 ft. the portion of the structure is from the residential zone, whichever is greater.

[4] Except along interior lot lines on a unified site.

[5] Percent of the net site area after any required dedications for roadway purposes. A minimum of 25% of the site area shall be used for landscaping, natural areas, or outdoor recreational use areas.

[6] Structures on corner lots shall observe the minimum setback on both streets.

[7] When a side or rear yard abuts a more restrictive zone setbacks shall be 15 ft. Ten ft. shall be added to the side or rear yard setback for each ten-ft. increment in building height over 35 ft.

[8] Structures placed closer than 60 ft. from the property line of a lot which carries any residential zone designation shall have a maximum height of 40 ft. minus one ft. for each ft. less than 60 ft. the structure is from the residential zone.

[9] Zero for common wall development.

[10] Front lot lines on corner lots may face either street. The City Manager shall determine the front lot line after taking into consideration the orientation of structures on the site and nearby lots, the ability to meet setbacks without variances, and physical site or solar access limitations. Street access should be to local streets.

[11] See LOC 50.04.001.4.c.ii.

[12] See LOC 50.04.001.4.c.iii.

[13] See LOC 50.04.001.4.c.iv.

[14] Oswego Pointe Setback. Structures in the FMU zone shall maintain the following minimum setback measured from the structure listed below (as they existed on January 17, 2013):

- a. Habitable structures – 85 ft.;
- b. Nonhabitable structures – ten ft.

TABLE 50.04.001-14: COMMERCIAL, MIXED USE, AND INDUSTRIAL DIMENSIONS											
Standard [1]	NC [2019]]	GC [2019]]	HC [2019]]	OC	EC	FMU	WLG See 50.04.001.4. b	CR&D	MC	I	IP
<p>[15] Applies only to sites abutting a primary street.</p> <p>[16] FMU FAR Transfer. FAR may be transferred from any site zoned FMU to another site zoned FMU as follows:</p> <ul style="list-style-type: none"> a. The total FAR averaged between transfer sites shall not exceed 4.0:1. b. The FAR shall not be less than 1.0:1 on any site abutting a primary street. c. The property owner(s) shall execute and record a covenant with the City on all sites reflecting the respective increase and decrease of the FAR. <p>[17] In the FMU, "Floor Area": (1) Includes the area devoted to structured parking that is above ground level; (2) Does not include areas where the elevation of the floor is four ft. or more below the lowest elevation of an adjacent right-of-way.</p> <p>[18] FMU State Street Height. For any area of a site that is located within 100 ft. of the centerline of State Street, the maximum height is 45 ft.</p> <p>[19] In the IPO, the minimum FAR for commercial self-storage is 1.5:1.</p> <p>[2019] Site-specific dimensional standards, see LOC 50.02.002.2.c.</p>											

b. West Lake Grove Zones

~~ii. WLG Residential Live/Work Zone (WLG RLW)~~

~~(1) Conditions for Commercial Use~~

~~(a) A person who conducts business within the WLG RLW zone must also reside within the same building. No more than one additional employee is allowed.~~

~~(b) The business must be conducted in a specifically delineated area on the first floor of the structure and occupy no more than 700 sq. ft.~~

~~(2) Site Development Limitations~~

~~(a) Yard Setbacks~~

~~The following exterior wall setbacks are required within the WLG RLW zone, except as modified by LOC 50.04.003.1, Additional Dimensional Exceptions.~~

TABLE 50.04.001-16: WLG RLW YARD SETBACKS		
Structure Type	Yard Type	Setback Distance
Primary Use	Front (from property line)	10 ft.
	Rear and Side (abutting a single-family residential zone)	25 ft.
	Rear and Side (not abutting a single-family residential zone)	10 ft.
Accessory Structures—Not Abutting Residential Zones	Front	10 ft.
	Rear	0 ft.
	Side	0 ft.
Accessory Structures—Abutting Residential Zones	Front	15 ft.
	Rear	15 ft.
	Side	15 ft.

(b) Height of Structures

(i)—The maximum height is 35 ft., except that the primary building height may be increased by one ft. for every five additional ft. in yard setback on all sides, beyond the minimum code standards for the zone.

(ii) Accessory Structures. The height of the roof form of the primary structure or 24 ft., whichever is less.

iii. WLG Residential Mixed Use (WLG RMU)

iiiv. WLG Office Commercial (WLG OC)

LOC 50.05: OVERLAY AND DESIGN DISTRICTS

50.05.005 WEST LAKE GROVE DESIGN DISTRICT

2. APPLICABILITY

This section applies to all land within the West Lake Grove Design District, as shown on Figure 50.05.005-A, which consists of ~~four~~ three zones:

- a. Residential Mixed Use (WLG RMU),
- b. Office Commercial (WLG OC), and
- c. Residential Townhome (WLG R-2.5), and
- d. ~~Residential Live/Work (WLG RLW), as described in LOC 50.02.002.1, Commercial, Industrial, and Mixed Use Zones, Purposes.~~

To the extent that any requirement of this overlay imposes a regulation relating to the same matter as the use, dimensional, or development regulations in this Code, this section shall prevail.

3. WEST LAKE GROVE DESIGN STANDARDS EXPLAINED

This section provides for two levels of design and development standards to implement the West Lake Grove Design District. The first level are those overall design and development standards which apply to the entire district found in LOC 50.05.005.4, Standards Applicable to the Entire WLG Design District. The second are those standards which apply specifically to the individual West Lake Grove zones found in LOC 50.05.005.5, 50.05.005.6, and 50.05.005.7, ~~and 50.05.005.8.~~

~~8. DESIGN STANDARDS FOR THE RESIDENTIAL LIVE/WORK (WLG RLW) ZONE~~

~~a. Purpose~~

~~The purpose of this district is to provide an opportunity for persons to operate a business out of their residence consistent with the range of professional office, retail and service uses allowed within the WLG OC zone.~~

~~b. Required Design Elements~~

- ~~i. The design theme of the WLG RLW zone is intended to reflect the residential character and scale of the surrounding WLG RMU and WLG R-2.5 zones.~~

~~Buildings shall also incorporate design elements which reflect the storefront character of the adjacent WLG OC zone.~~

~~ii. The residential character and theme shall be reinforced through the application of design elements and features listed in LOC 50.05.005.5 and 50.05.005.7, Design Standards for the Residential Mixed Use (WLG RMU) Zone and Design Standards for the Residential Townhome (WLG R-2.5) Zone, and supplemented by the following:~~

~~(1) Building walls shall create a visual relationship between activities within the building and the streetscape by:~~

~~(a) The use of transparent windows and doorways which allow views into and from the portion of a building that is used as a business, and~~

~~(b) Awnings, fixed overhangs, arcades and recessed entries to provide dimension and a sheltered transition between the sidewalk and buildings.~~

~~(2) On-street parking and regularly spaced street trees shall be provided to separate the pedestrian and sidewalk activities from moving traffic and create a well-defined pedestrian corridor.~~

~~(3) The architecture of buildings within the zone shall establish a clear design relationship to one another to create a visually compatible ensemble.~~

~~(4) A strong visual distinction shall be made between the pedestrian-oriented ground floor and upper stories through the use of an ample cornice above the first floor, a change of building materials, a row of clerestory windows and an arcade or overhang.~~

~~(5) Main public entrances shall be oriented toward a public street. Entries shall be sheltered and emphasized through the use of canopies or overhangs.~~

9. CLEAR AND OBJECTIVE HOUSING STANDARDS FOR APPROVAL

b. Clear and Objective Track 2 Alternative Applicability

i. A development in the West Lake Grove Design District (shown in Figure 50.05.005-N) that involves a structure for residential mixed use, multi-family residential, or attached single-family (three or more units) housing that creates new dwelling units may comply with this article in lieu of compliance with LOC 50.05.005.1 through 50.05.005.7:

- ii. To the extent that any requirement of this overlay imposes a regulation relating to the same matter as the use, dimensional, or development regulations in this Code, this section shall prevail.

LOC 50.06: DEVELOPMENT STANDARDS

50.06.001 BUILDING DESIGN

5. COMMERCIAL, INDUSTRIAL, AND MULTI-FAMILY DEVELOPMENT NOT LOCATED IN THE FMU ZONE, AND MINOR DEVELOPMENT IN THE R-DD ZONE STANDARDS FOR APPROVAL

a. Applicability

This standard is applicable in all zones except the FMU zone to:

- i. Ministerial development: development involving mechanical equipment, limited to LOC 50.06.001.5.b.viii (mechanical equipment screening); and
- ii. Minor and major development: development involving a structure for commercial, industrial, institutional, public use (including major public facilities and minor public facilities), private recreational use, multi-family residential, attached single-family (three or more units) residential development, and to all minor development within the R-DD zone. This standard is also applicable to exterior modifications of a structure which does not qualify as a ministerial development pursuant to LOC 50.07.003.13.a.ii(3).

50.06.004 SITE DESIGN

1. LANDSCAPING, SCREENING, AND BUFFERING

a. Applicability

- i. Except as provided in subsection 1.a.ii of this section, this section is applicable to:
 - (1) All major development;
 - (2) Multi-family dwelling;
 - (3) Major public facilities;
 - (4) Commercial development;
 - (5) Institutional development;

(6) Private recreational development;

(76) Industrial development;

(87) Subdivisions;

(98) Partitions involving the creation of a street; and

(109) Change of use that increases the number of required parking spaces by more than 25%.

3. LIGHTING STANDARDS

b. Standards for Approval

v. Street Lighting

(1) Street lighting installations shall achieve criterion values listed in Table 50.06.004-6.

TABLE 50.06.004-6: CITY STANDARD CRITERIA FOR STREET AND ROADWAY LIGHTING (FOOT-CANDLES – FC)					
	PNA (Natural Area) Zone	R-3, R-5, R-7.5, R-6, R-10, and R-15, R-DD, PNA (Developed Park Area), PF and R-W Zones	R-0, R-2, WLG R-2.5, WLG RLW I, IP, and CR&D Zones	GC, NC, MC, EC, HC, OC, WLG OC, WLG RMU and CI Zones	Special Exception LOC 50.06.004.3.b.iv
LOCAL STREETS	Not permitted	Intersections only*			
Avg: Light Level	N/A	0.3 fc	0.3 fc	0.4 fc	0.4 fc
Avg: Min. Uniformity	N/A	6:1	6:1	6:1	6:1
Max: Min. Uniformity	N/A	40:1	40:1	40:1	40:1
NEIGHBORHOOD COLLECTORS	Not permitted	Intersections only*			
Avg: Light Level	N/A	0.3 fc	0.4 fc	0.6 fc	0.6 fc
Avg: Min. Uniformity	N/A	4:1	4:1	4:1	4:1
Max: Min. Uniformity	N/A	20:1	20:1	20:1	20:1
MAJOR COLLECTOR/MINOR ARTERIAL	Not permitted				
Avg: Light Level	N/A	0.3 fc	0.4 fc	0.6 fc	1.0 fc
Avg: Min. Uniformity	N/A	4:1	4:1	4:1	4:1
Max: Min. Uniformity	N/A	20:1	20:1	20:1	20:1
MAJOR ARTERIALS	Street lighting standards for major arterials shall be determined by the City Engineer, who may require an independent engineering study to determine the appropriate lighting system.				
* Luminaires only within 150 ft. of the center point of an intersection.					

50.06.005 PARK AND OPEN SPACE CONTRIBUTIONS

1. APPLICABILITY

- a. Except as provided in LOC 50.06.005.1.b, this section is applicable to all major development, and to the following minor developments:
 - i. Construction or alteration of multi-family dwelling;
 - ii. Construction or alteration of major public facilities;
 - iii. Construction or alteration of commercial development;
 - iv. Construction or alteration of institutional development;
 - v. Construction or alteration of private recreational development;**
 - vi. Construction or alteration of industrial development; and
 - vii. Major partitions and subdivisions.

LOC 50.07: REVIEW AND APPROVAL PROCEDURES

50.07.003 REVIEW PROCEDURES

14. MINOR DEVELOPMENT DECISIONS

a. Minor Development Classification

- ii. "Minor development" under subsection 14.a.i(1) of this section includes:

- (3) Involves a determination by the City Manager that a use not expressly permitted in the zone may be allowed pursuant to the considerations contained in LOC 50.03.002.1.f.g, Authorization for Similar Uses. In such case, the required notice shall include a description of the proposed use and the reasons for the City Manager’s determination.

50.07.004 ADDITIONAL SUBMITTAL REQUIREMENTS

12. TELECOMMUNICATION FACILITIES

a. New Facilities

- ii. Recognizing that technology in this field is changing rapidly, a demonstration that an alternative technology that does not require the use of new towers, such as a cable microcell network using multiple low-powered transmitters/receivers attached to a wireline system, or any other less visually obtrusive method, is unsuitable. For the purposes of this subsection, a "less visually obtrusive method" means a reasonably practicable alternative technology that will better accomplish the

purposes of this section as set forth in LOC 50.03.003.45.eg.i, Purpose. Costs of alternative technology that exceed new tower or antenna development shall not be presumed to render the technology unsuitable.

50.07.005 CONDITIONAL USE PERMITS

3. AUTHORIZATION TO PERMIT OR DENY CONDITIONAL USES

- a. An application for a conditional use shall be allowed if:
 - i. The requirements of the zone are met; and
 - ii. Special conditions found in LOC 50.03.003.32.d, 50.03.003.24.a through 50.03.003.24.c, 50.03.003.45.a, 50.03.003.5.c, 50.03.003.5.e through 50.03.003.45.ef, 50.03.003.45.fh, and 50.03.003.46.ga and 50.03.003.46.hp.i, if applicable, are met; and

LOC 50.10: DEFINITIONS AND RULES OF MEASUREMENT

50.10.003 DEFINITIONS

2. DEFINITION OF TERMS

The following terms shall mean:

Agriculture

Farming, including plowing, tillage, cropping, installation of best management practices, seeding, cultivating, and harvesting for the production of food and fiber products (except commercial logging and timber harvesting operations); the grazing and raising of livestock (except in feedlots); aquaculture; sod production; orchards; Christmas tree plantations; nurseries; and the cultivation of products as part of a recognized commercial enterprise.

Ambulance Services

Facility that stores and dispatches ambulances that provide emergency medical services to patients during their transport to a medical facility for medical treatment and care.

Arcade, Gaming

An establishment or room set aside in a retail or commercial business where three or more amusement devices are operated. An “amusement device” is a machine or device for the purpose of amusement or skill and for the playing of which a fee is charged, such as a video game or pinball machine.

Art Gallery

A room or series of rooms where works of art are publicly exhibited for display or sale.

Auto and Light Vehicle Rental

A business that uses a building or land area for the parking and **short-term** rental of automobiles, light trucks, snowmobiles, motorcycles, and other vehicles with a gross vehicle weight of under 10,000 pounds, including incidental storage,

maintenance, and servicing. This does not include sales of boats, which is listed as a separate use.

Auto and Light Vehicle Sales

A business that is primarily engaged in the retail sale of new and used automobiles, light trucks, snowmobiles, motorcycles, and other vehicles with a gross vehicle weight of under 10,000 pounds, including incidental storage, maintenance, and servicing of the vehicles offered for sale. This does not include sales of boats, which is listed as a separate use.

Auto Service Station and Light Vehicle Repair

A business primarily engaged in selling and installing vehicle parts, gasoline and lubricating oils, batteries, and tires, or servicing automobiles, boats, and other light vehicles. This use may include accessory sales or related goods. The use does not include vehicle painting, body work, tire recapping or mechanical car washing equipment capable of washing more than one car at a time.

Bakery

A facility for the production, distribution, or retail or wholesale sale of baked goods, primarily for consumption off site. The products may be prepared either on or off site. Such use may include incidental on-site food and beverage consumption that compliments consumption of baked products.

Bar

A business that primarily dispenses alcoholic beverages, such as beer, wine or liquor, and in which the sale of food products such as sandwiches and light snacks is secondary.

Boat Sales and Repair

A business primarily engaged in the retail sale and repair of new and used boats and boat accessories, including incidental storage and maintenance of boats offered for sale or to be repaired.

Car Wash

A structure, or portion of a structure, containing facilities for the commercial washing of motor vehicles by hand or by using production-line, automated or semi-automated methods for washing, whether or not employing a chain conveyor, blower, steam-cleaning or similar mechanical devices.

Commercial Education

A school that offers special training in specific trades or occupations, such as mechanics or technology, or in a particular art or skill, such as music or business skills, and that does not meet the definition of a Commercial Recreation Facility or an Educational Institution.

Commercial Recreational Facility

A facility that provides public amusement, or recreation, including swimming pools, water slides, athletic fields for organized competitive games, billiard and pool parlors, bowling alleys, ice or roller skating rinks, miniature golf, batting cages, skateboard parks, driving ranges, and go-kart tracks, that is operated primarily for financial gain.

Community Garden

An area for cultivation of food crops and/or ornamental plants operated by a public or non-profit entity for more than one person or family with plots allocated among the participants or members, but where crops are not sold commercially.

Community Institution

A building or buildings occupied as a place of worship or for a public or private cultural, fraternal, or civic institution, such as a church, museum, or rotary club, and operated by a public service organization, or a religious or charitable entity. It does not include governmental facilities or educational institutions unrelated to the institution.

Comprehensive Plan

Volume I of ~~t~~The Comprehensive Plan adopted by the City of Lake Oswego, July 1978 as it now exists or is hereafter amended.

Crematorium

A building with a furnace for cremating dead bodies, either animal or human, that may be located in a mortuary or as a separate use.

Day Care Center

A business providing care, protection and supervision for any number of children or adults on a regular basis away from their primary residence for less than 24 hours per day that does not meet the definition of a Certified Family Child Care Home or a Registered Family Child Care Home. This use includes preschools and adult day care facilities.

Dry Cleaning or Laundry Plant

A business where laundry or dry cleaning is performed in bulk and primarily for commercial and institutional customers. This use does not include self-serve laundromats or facilities where the public drops off or picks up dry cleaning or laundry that is cleaned off-site.

Dwelling, Attached Townhome

Two or more attached single-family dwelling units, with each unit located on its own lot, sharing side-by-side common wall(s), with no dwelling units sharing common horizontal surfaces. The common wall shall consist of a structural wall that is shared for at least 25% of the length of the side of each dwelling unit. An attached townhome is also called a rowhouse, townhouse, or a common-wall house.

Dwelling, Caretaker or Watchperson

A dwelling unit on a nonresidential property occupied by the person or family who oversees or guards the property.

Dwelling, Live-Work

A building that contains one or more commercial or office spaces on the first floor connected to residential units above or behind the commercial or office space, and the ownership of the building is not divided between the residential and commercial portions of the building.

Dwelling, Single-family, detached

A detached dwelling unit designed and used for that purpose, located on its own lot, that does not share walls with any other primary dwelling, or an attached dwelling unit, located on its own lot, that shares one or more common or abutting walls with one or more dwelling units. The common or abutting wall shall consist of a structural wall that is shared for at least 25% of the length of the side of the dwelling. An attached house does not share common floor/ceilings with other dwelling units. An attached house is also called a rowhouse, townhouse, or a common-wall house.

Educational Institution

Public or private institution at the kindergarten, primary, elementary, middle, high school, or post-secondary level that provides educational instruction to students, generally leading to a certificate or diploma based on a curriculum recognized by the State of Oregon, and that holds all required licenses from the State for the services it provides. This use does not include facilities meeting the definition of a 'day care center', 'commercial education' or 'commercial recreation facility.' Accessory uses may include play areas, cafeterias, recreational and

sport facilities, auditoriums, administrative office facilities, and before- or after-school day care.

Equestrian Facility

A facility designed and intended for boarding horses, educational programs, and the display of equestrian skills and the hosting of events including, but not limited to, show jumping, dressage, and similar events of other equestrian disciplines.

Family Child Care Home, Certified

A certified family child care home is a child care facility located in a building designed as a single family dwelling that has a valid certificate issued by the State of Oregon under OAR 414-350 to care for a defined maximum number of children at any one time.

Family Child Care Home, Registered

A registered family child care home is the residence of a child care provider who has a current Family Child Care Registration issued by the State of Oregon under OAR 414-205 at that address and who provides care in the family living quarters.

Family Day Care Facility

A day care facility which regularly accommodates 12 or fewer children regardless of full-time or part-time status, in the day care provider's home, including the children of the day care provider.

Fitness and Exercise Facility

A business providing facilities primarily used for personal exercise or fitness, including but not limited to gyms, dance studios, martial arts schools, weight or aerobic training rooms, and yoga centers, but not for amusement, and that is operated or carried on primarily for financial gain.

Floor Area Ratio (FAR)

The ratio of the fFloor aArea to the lot size. The greater the FAR, the greater the fFloor aArea relative to the size of the lot. For example, a building occupying one-fourth of the net site areas has a FAR of 0.25:1, or 0.25; adding a complete second floor to the same building increases the FAR to 0.50:1, or 0.5.

Food Market

A business engaged in retail sales of primarily food and beverages for off-site preparation and consumption that maintains an inventory of fresh fruits, vegetables, fresh-cut meats, or fresh seafood or specializes in the sale of one type of food item. In addition to the above, a Food Market may also sell personal convenience and small household goods.

Food Service Concession

A business that sells food, drink, and other consumable merchandise for the sole purpose of serving users of a park, natural area, school, or public facility and as approved by the operator of the designated park, natural area school, or public facility.

General Storage

An indoor facility or outdoor area for the storage of unoccupied light or heavy vehicles or boats, or an indoor area for commercial storage or warehousing, customarily for compensation. This use does not include self-service storage or mini-storage facilities.

Heavy Manufacturing

A business engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or manufacturing processes using hazardous, flammable or explosive materials, or manufacturing processes that potentially involve hazardous conditions, and is otherwise not considered to be a “light manufacturing” use. Use may involve outdoor operations.

Heavy Vehicle Repair

A facility that is engaged in the repair of heavy equipment including but not limited to tractors, recreational vehicles and semi-trucks and trailers, but not including boats. Includes remanufacturing of engines and electrical systems for heavy vehicles and equipment.

Hospital

A state licensed medical facility that provides in-patient accommodations, a wide range of medical and surgical care, and other in-patient health services for sick, ailing or injured persons, including such related facilities as laboratories, outpatient departments, training facilities, central services and staff offices and residences that are integral and accessory to the principal use of the establishment.

Hotel, or Motel

A building or group of buildings used for transient residential purposes containing rental units which are designed to be used, or which are used, rented or hired out for sleeping purposes, including associated retail uses within the hotel or motel intended to serve paying guests.

Incidental Retail Uses

Retail uses within an Industrial Park (IP) zone that are outright permitted retail uses in the Neighborhood Commercial (NC) zone, when such uses are directly related to the sales of products manufactured, processed, or assembled on the IP-zoned site.

Institutional Use

Private educational, cultural, religious or social welfare facilities. It does not include governmental facilities.

Kennel

A facility, public or private, where domesticated animals are temporarily boarded and/or sold for compensation, but not including a pet day care or veterinary clinic. This use also includes public facilities for the temporary impoundment of animals. Accessory uses may include grooming, obedience training, and retail.

Laundry or Dry Cleaning Service

A laundry, including coin-operated laundromat, and/or dry-cleaning outlet whose business consists primarily of serving retail customers, provided that any laundry and dry-cleaning processing that occurs on the premises is limited to items that are brought directly to the premises by the retail customer.

Light Manufacturing

The assembly, fabrication, or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot where such activity takes place, and where such processes are housed entirely within a building.

Live/Work Building

A building that contains one or more commercial or office spaces on the first floor connected to residential units above or behind the commercial or office space, and the ownership of the building is not divided between the residential and commercial portions of the building.

Lumber Yard

An area used for the storage, distribution, and wholesale or retail sale of finished or rough-cut lumber and lumber products, and other building materials, such as cement blocks, paneling, and roof materials. The limited processing of lumber is permitted as an accessory use.

Manufacturing

A business engaged in the manufacturing, processing, fabrication, packaging, or assembly of goods. Natural, man-made, raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on site, but if so, they are a subordinate part of sales.

Medical or Dental Clinic or Laboratory

A building or a portion of a building containing the offices and associated facilities or laboratories of one or more practitioners providing medical, dental, psychiatric, osteopathic, chiropractic, or other medical-related services for outpatients only, with or without shared or common spaces, equipment, or assistants. This use may include a facility for conducting medical, dental, or scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory. This definition also includes labs for the manufacture of dentures and prosthesis.

Motor Vehicle and Recreational Vehicle Sales Area

~~A lot used for display, sale or rental of new or used motor vehicles, recreational vehicles or trailers where no repair work is done except minor, incidental repairs or cleaning of motor vehicles, recreational vehicles or trailers to be displayed, sold or rented for use off the premises.~~

Mortuary

A business that prepares the body of deceased persons for burial. Viewing and funeral services are sometimes held. Cremation is an accessory use only.

Non-profit Use

A use operated by an organization, corporation or association that distributes no part of its income to its members, directors or officers.

Nursery Stock Production and Wholesale

A business that displays or sells plants, trees, and other nursery materials used in indoor or outdoor planting for wholesale sales in a building or open space, and which may include greenhouses. Accessory uses may include accessory retail trade in nursery stock and related goods.

Office, Business or Professional

A facility where business, professional or philanthropic activities are conducted in an office environment, but not involving the sale of merchandise, except as accessory to a permitted use. Examples include but are not limited to: administration of business, civic, religious, or charitable organizations, real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, design, engineering, accounting, financial institutions, and similar offices. Accessory uses may include cafeterias, coffee shops, health facilities, parking, or other amenities for the use of employees in the facility.

Parking Area, Private

~~Property, other than streets and alleys, unless subject to such parking use by grant of a revocable permit by the City, on which parking spaces are defined, designated or otherwise identified for use by the tenants, employees, patrons or owners of the property for which the parking area is required or allowed by this chapter and not open for use by the general public.~~

Parking Area, Public

~~Property other than streets or alleys on which parking spaces are defined, designated or otherwise identified for use by the general public, either free or for remuneration. Public parking areas may include parking lots which may be required for retail customers, patrons and clients.~~

Parking Facilities, Off-Street

A surface or structured facility for the parking of vehicles for use by the general public, either free or for remuneration. This use may be an accessory or primary use and does not include parking used for display or storage of vehicles that are owned by a licensed business on the site.

Personal Services

A business that primarily engages in providing services involving the care of the person or person's possessions, but not including uses meeting the definition of 'repair, rental or servicing'. Personal services may include, but are not limited to, barber shops, laundry services, beauty salons, personal trainers, tanning salons, portrait studios, manicure and pedicure services, and self-service or assisted photocopying, duplicating, and shipping of documents and packages for retail customers.

Pet Day Care, Daily

Business primarily engaged in providing pet care services (except veterinary), such as boarding, grooming (including pet clipping and pedicure services), pet day care services and training pets, and incidental retail sales of pet care products. Overnight

boarding shall not exceed 25% of animals provided daily pet care on site and shall occur in a fully enclosed structure.

Primary Use

The predominant use to which the lot or building is or may be devoted and to which all other uses are accessory. Generally, the primary use is the use to which the majority of the site or building area is devoted, or if no use occupies a majority of the site or building area, then the use that occupies the largest area of the building or site. Accessory uses are ones that occupy a small portion of the site or building area or exists primarily to serve occupants or residents engaged in uses that occupy a larger area of the building is not a primary use.

Public Facilities and Utilities

Any and all on-site and off-site improvements to be accepted for ownership, maintenance and operation by the City, including but not limited to **public parks,** sanitary sewers, pump stations, water lines and hydrants, storm drain systems, streets, alleys, street lights, street name signs, ~~and~~ traffic control signs and devices, **and telecommunications facilities.**

Public Facility or Utility, Major

Any public service improvement or structure developed by or for a public agency that is not defined as a minor public facility. **This use includes but is not limited to public schools, parks, libraries, fire stations, community centers, police stations, City administrative or other City office buildings, City motor pools or maintenance buildings.**

Public Facility or Utility, Minor

The following public service improvements or structures developed by or for a public agency:

- a. Minor utility structures, except substations, but including poles, lines, pipes, **collocated** telecommunications facilities or other such facilities.
- b. Sewer, storm drainage, or water system structures, including reconstruction of existing facilities, pump stations, manholes, valves, hydrants or other portions of the collection, treatment and distribution systems, except treatment plants, reservoirs, or above-ground trunk lines.
- c. Street improvements within existing development including sidewalks, curbs, gutters, catch basins, paving, signs and traffic control devices and street lights.
- d. Transit improvements, such as shelters or pedestrian and bicycle safety improvements, located within public right-of-way or on public property.
- e. School improvements which will not increase the capacity of the school nor create additional traffic or other impact on the surrounding neighborhood.
- f. Park improvements which will not create additional motor or foot traffic impact on the surrounding neighborhood.

Railroad Facilities

An area for storing or switching of freight and passenger trains. Necessary and allowed functions include but are not limited to the switching, storing, assembling, distributing, consolidating, repairing, weighing, or transferring of cars, trains, engines, and rolling railroad stock.

Repair, Rental, and Service

The maintenance, rehabilitation or rental of appliances or goods customarily used in the home including, but not limited to, washing and drying machines, shoes, televisions, musical instruments, clothing, refrigerators, computers, kitchen appliances, vacuum cleaners, and similar items, and services to homes and businesses, such as cleaning or extermination. This use does not include heavy equipment sales, servicing, or repair.

Research and Development Laboratory

A facility for conducting scientific research, investigation, testing, or experimentation, that includes or involves the use of dangerous or hazardous materials or procedures, but not including facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory. Typical uses include electronics research laboratories, environmental research and development firms, agricultural and forestry research labs, and pharmaceutical research labs.

Restaurant

A business engaged in the retail sale of prepared food and drinks for consumption on the premises or for carryout, and may or may not include the sale of alcohol. Examples include full-service dining, fast food, coffee shop, juice bar, delicatessen, and similar or more specialized establishments.

Retail

Private enterprises involved in the sale, lease, or rent of new or used products directly to the general public. This use includes but is not limited to retail sale of general merchandise, clothing and other apparel, flowers and household plants, dry goods, convenience foods, hardware and similar consumer goods. This use does not include retail sales of any good for which sales facilities are listed as a separate use in the permitted use tables (such as boats, restaurants, or light vehicles). This use does not include personal services, construction equipment rental, or recreation uses. Accessory uses may include offices, parking, storage of goods, assembly, repackaging, or repair of goods for on-site sale.

Self-Storage Facility

A business containing separate storage spaces that are leased or rented as individual units for the storage of household or business goods. May contain an accessory office. Also called “mini-storage.”

Service Station

~~A commercial establishment which provides retail sale of motor fuel and oil for motor or marine vehicles, services batteries, furnishes repair and service, excluding painting, body work, steam cleaning, tire recapping and mechanical car washing equipment capable of washing more than one car at a time, and at which accessory sales or incidental services are conducted.~~

Social, Recreational, or Cultural Facility, Non-profit

Swimming pools, tennis courts, recreation centers, community centers, cultural facilities, open space, view points, and similar uses operated by a nonprofit organization made up of a homeowners association or associations, neighborhood groups or an association of such groups or neighbors, designed and intended for use by residents of the development.

Theater, Indoor

A building used primarily for the commercial exhibition of motion pictures to the general public or used for performance of plays, acts, dramas by actors and/or actresses.

Towing Service and Yard

A business that removes vehicles by towing, carrying, hauling, or pushing from public or private property when such vehicle has been either requested by the vehicle owner to be moved, or ordered by the property owner or law enforcement agency to be impounded. Towed vehicles are stored on the site of the establishment until retrieved by the owner for a fee. Use does not include junked, salvage, or permanently inoperable vehicles or equipment.

Transportation Depot

A facility that includes single or multiple structures, including outdoor areas for storage of vehicles, that serves as a distribution or dispatch center for transportation, such as buses, taxis, and other similar modes of transportation. Accessory vehicle repair, fueling, and office uses are permitted.

Truck and Trailer Rental

Use of any building or land area for the rental of heavy trucks, trailers, vans, and other vehicles primarily used in transporting property or freight, and includes

sales of moving accessories. This does not include auto and light vehicle rental or general storage, which are listed as a separate uses.

Use, Principal

The main or primary purpose for which land or a structure is arranged, designed or intended, or for which either land or a structure is, or may be, occupied or maintained.

Veterinary Clinic

A facility providing surgical and medical treatment to animals, which may include overnight accommodations for treated animals, but not crematory facilities. This use may include an outdoor run meeting the use-specific standards in LOC 50.03.003.6.z. A larger outdoor run or other outdoor facilities may only be allowed with a conditional use permit. Accessory uses may include grooming, retail, short-term boarding, training, physical therapy, and similar pet-related services.

Wholesale Distribution

A business primarily engaged in selling and/or distributing merchandise to retailers, business users, or other wholesalers, or acting as agents or brokers and buying merchandise for, or selling merchandise to, such retailers, business users, or other wholesalers.

Wrecking Yard

Any premises used for the storage, dismantling or sale of either inoperable motor vehicles, trailers, machinery and/or building materials, or parts of such items.

LOC CHAPTER 47 SIGN CODE

ARTICLE 47.03 IN GENERAL

47.03.015 Definitions.

Commercial Zones. Commercial Zones shall mean the CR&D, EC, GC, HC, MC, NC, WLG RMU, OC, and WLG OC ~~and WLG RLW~~ zones as described and established in the Lake Oswego Community Development Code.

ARTICLE 47.10 PERMIT REQUIREMENTS

47.10.410 Permanent Signage Requiring Permit Allowed in Commercial Zones (GC, NC, WLG RMU, and WLG OC, ~~and WLG RLW~~).

In addition to the temporary and permanent signage allowed without permit in the following commercial zones: GC, NC, WLG RMU, and WLG OC ~~and WLG RLW~~, the following signage is allowed subject to permit and fee.

1. Freestanding Signs.

- d. Sign Types: Monument signs shall be allowed. Pole signs shall only be allowed when necessary to provide vision clearance at driveways or intersections and when there is no alternative, visible on-building or monument sign location. No pole signs shall be allowed in the WLG RMU, and WLG OC ~~and WLG RLW~~ zones.

2. Sign Attached to Buildings.

- a. Allowable Area: The 32-square-foot maximum allowed for freestanding signs may be transferred to allow signs attached to buildings as an alternative. Except in the WLG RMU, and WLG OC ~~and WLG RLW~~ zones, an additional sign or signs

shall be allowed within a two-foot-high horizontal sign band. The sign band length may be 75 percent of the building or business frontage whichever is less.

3. Additional Signs Allowed.

a. Awning or canopy signs meeting the same size and number restrictions as sign bands may be substituted for the sign band signs allowed by LOC 47.10.410(2). The awning or canopy may extend over the right-of-way, but shall come no closer than two feet from areas subject to vehicular travel. No such signs shall be allowed in the WLG RMU, and WLG OC ~~and WLG RLW~~ zones.

b. Multi-building complexes shall be allowed an additional monument sign of 32 square feet. This sign shall be located at the primary entrance to the complex and shall not extend more than 10 feet in height. No such signs shall be allowed in the WLG RMU, and WLG OC ~~and WLG RLW~~ zones.

c. Service stations and any business which is required by law to post specific signs shall be allowed up to an additional 22 square feet of signage to communicate the mandated message. The sign may be installed with the primary sign or installed as a separate 5-1/2-foot-tall monument sign. No such signs shall be allowed in the WLG RMU, and WLG OC ~~and WLG RLW~~ zones.

d. A theater or movie house with more than one auditorium shall be allowed an additional 48 square feet of signage. No such signs shall be allowed in the WLG RMU, and WLG OC ~~and WLG RLW~~ zones.

e. Second story businesses shall be allowed an eight square foot sign erected at the second story level. No tenant signage shall be allowed above the second story. No such signs shall be allowed in the WLG RMU, and WLG OC ~~and WLG RLW~~ zones.

f. Overhanging signs which hang from canopies or awnings over the right-of-way perpendicular to the direction of pedestrian movement shall be allowed, but shall come no closer than two feet from areas subject to vehicular travel. The signs shall be consistently eight inches in height and shall not exceed six feet in length. The bottom of the sign shall have 8-1/2 feet of clearance to the walkway or ground below. One sign shall be allowed for each ground floor tenant. No frontage is required. An overhanging sign shall be allowed in the WLG RMU, and WLG OC ~~and WLG RLW~~ zones only as an alternative to a monument or wall sign.

g. A single overhanging sign not hung from a canopy or awning may be substituted for the 32-square-foot maximum sign. The overhanging sign shall be

allowed to overhang the right-of-way provided it is attached to the building, comes no closer than two feet from areas subject to vehicular travel, maintains eight and one-half feet of clearance to the walkway or ground below and does not extend more than 14 feet above that sidewalk or ground surface. No such signs shall be allowed in the WLG RMU, and WLG OC and ~~WLG RLW~~ zones.