

## **MODEL ZONING REGULATIONS FOR IMPLEMENTATION OF TRANSIT-SUPPORTIVE DEVELOPMENT CONCEPTS**

**Prepared by Dyett & Bhatia, Urban and Regional Planners, under contract to Tri-County,  
Metropolitan Transportation District of Oregon**

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### **INTRODUCTION**

These model regulations are intended to serve as a guide for local governments to use in formulating provisions for transit-supportive development to be included in their development codes and zoning ordinances. The model regulations show the form and content of transit-supportive zoning; they should be considered a frame of reference — source material for thinking about specific policies, standards and implementing actions that are appropriate for each jurisdiction. They provide examples of how the Design Guidelines for Transit-Supportive Development<sup>1</sup> could be implemented through zoning and development standards; however, they require tailoring to fit each jurisdiction's needs. The model regulations are not appropriate for adoption verbatim by each jurisdiction without independent review.

The commentary, in *italics*, is intended to explain major provisions or describe alternative controls, standards, or procedures that may be used. Where specific provisions would implement state law, references to Oregon Revised Statutes (ORS) or Administrative Rules of the Land Conservation and Development Commission (OAR) are included in the Comments column. In places where it is obvious how a blank space should be filled in, only the space appears; in other places an explanation of the required addition is included in parentheses (*in italics*).

These model regulations will need to be complemented by and should build on continuing planning work and other implementation programs, including:

- Comprehensive Plan amendments to establish a policy basis for transit-supportive development;
- Corridor Plans and Specific Plans for transit corridors and light rail station areas;
- Development Plans for individual projects in transit corridors and light rail station areas;
- Public financing programs and, where appropriate and available, tax credits and tax abatement;
- Redevelopment assistance (land assembly, land cost writedowns, relocation costs, infrastructure financing and housing financing); and
- Monitoring programs to gauge progress toward attaining the community's objectives for transit-supportive development.

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<sup>1</sup> See Tri-County Metropolitan Transportation District of Oregon, *Planning and Design for Transit*, 1993. These regulations were included as an appendix to this report.

The specific model regulations, in the form of chapters which can be added to local development codes, are as follows:

Chapters:

- 1 -TS Transit Station Area Overlay District
- 2 -TC Transit Corridor Overlay District
- 3 -P Pedestrian Access Overlay District
- 4 TSDPD Transit-Supportive Development Plan District
- 5 Urban Planned Unit Developments
- 6 Supplemental Development Standards
- 7 Use Classifications
- 8 Definitions

Text	Comments
<b>Chapter 1 -TS Transit Station Area Overlay District</b>	
<b>Sections:</b>	
1.010 Purpose 1.020 Applicability and Zoning Map Symbol 1.030 Reserved 1.040 Land Use Regulations 1.050 Development Regulations	
<b>1.010 Purpose</b>  The -TS Transit Station Overlay District is intended to encourage a mixture of residential, commercial, and employment opportunities within identified light rail transit station areas. This district allows for a more intense and efficient use of land for the mutual re-enforcement of public investments and private development. The development standards of the overlay district and supplemental development standards that apply to all transit-supportive development are designed to encourage a safe and pleasant pedestrian environment near transit stations by allowing a mix of retail, commercial and residential uses and activities, by encouraging amenities such as benches, kiosks, and outdoor cafes, and by limiting conflicts between vehicles and pedestrians and prohibiting incompatible uses.	<i>Supplemental development standards apply to both overlay districts and the TSD Plan Districts.</i>
<b>1.020 Applicability and Zoning Map Symbol</b>  The -TS Transit Station Overlay District may be applied to land within one-half (1/2) mile of a transit station. The -TS district is shown on the Zoning Map by adding a -TS map symbol to the base zoning district designation.	
<b>1.030 Reserved</b>	<i>Existing or future transit station areas to which the -TS Overlay District applies may be listed.</i>

Text	Comments
<b>1.040 Land Use Regulations</b>	<i>See General Guidelines C.1.2 and D.1.1 and TSD District Guidelines.</i>
(a) <b><u>Commercial Parking Facilities.</u></b> Commercial parking facilities are prohibited in the -TS Overlay District.	<i>Exceptions may be appropriate for commuter parking in certain locations and for short-term parking serving a retail use in a CBD.</i>
(b) <b><u>Auto-oriented Uses.</u></b> All of the following auto-oriented uses are prohibited within 300 feet of a transit station:	<i>See District Guideline C.3.2.</i>
(1) Gas stations and vehicle repair;	
(2) Quick vehicle servicing, including tire and muffler installation and service, oil, and lubrication services;	
(3) A retail sales and service use where a drive-through facility is the primary method of selling or servicing; and	
(4) Fast food restaurants and banks with drive-through facilities.	
(c) <b><u>Offices.</u></b> Within 150 feet of transit station platforms, business and professional offices only are allowed as a secondary use on the ground-floor, occupying no more than 50 percent of the floor area.	<i>See General Guideline C.1.1 and District Guidelines. Limits on the size of stores also could be established by setting a limit on apparent storefront width (such as 50 feet) to encourage small shops and limit large-scale commercial development, such as a shopping center.</i>
(d) <b><u>Housing.</u></b>	
(1) <b><u>Single-Family Dwellings.</u></b> The siting of new houses, mobile homes, and mobile home parks on standard lots ( <i>new residential development</i> ) is prohibited in areas subject to a -TS Overlay District where multi-family housing is allowed.	<i>See District Guideline B.4.1.</i>
(2) <b><u>Duplexes.</u></b> Duplexes are allowed by right on lots of at least 7,000 square feet ( <i>alternate threshold</i> ) in a zone where only single-family housing is allowed.	

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<p>(3) <u>Attached Houses.</u> Attached housing at a density of _____ (<i>appropriate multi-family density to be added</i>) is allowed in single-family zoning districts subject to a -TS Overlay District if it is proposed to be sited on a corner, on a light rail street, or on locations where the side lot line of the development abuts a multi-dwelling, commercial, or industrial zone. When developed at such density, attached housing must meet the development requirements of the _____ (<i>reference to an applicable zoning district to be added</i>).</p>	
<p>(4) <u>Ancillary Dwelling Units.</u> This subsection establishes supplemental development controls for ancillary dwelling units on residential lots to provide for a greater diversity of housing types in transit-supportive development. An ancillary dwelling unit that meets the requirements of this subsection may be allowed on any lot within a -TS Overlay District, subject to the issuance of a _____ (<i>reference to applicable type</i>) permit.</p> <p>(A) No more than one ancillary dwelling unit per lot shall be permitted.</p> <p>(B) No ancillary dwelling unit shall be located on a lot with less than _____ square feet of lot area.</p> <p>(C) An ancillary unit shall comply with applicable building, fire, and health and safety codes and development standards required for the primary</p>	<p><i>See General Guideline D.2.1.</i></p>

	<b>Text</b>	<b>Comments</b>
	residence, including but not limited to building height, setbacks, side yard and rear yard requirements.	
(D)	The total gross floor area of an ancillary dwelling unit, including the area required for a single-car garage or carport parking space, shall not exceed 650 square feet ( <i>or alternate limit</i> ) and an ancillary dwelling unit shall not contain more than one bedroom.	
(E)	A minimum of one on-site parking space shall be provided for an ancillary dwelling unit, unless the Planning Director determines that adequate on-street parking is available in the vicinity and/or the ancillary unit is designed for occupancy by senior citizens.	
(F)	The exterior appearance of an ancillary dwelling unit shall be architecturally compatible with the primary residence. Compatibility includes coordination of architectural style, exterior building materials and colors, roofing form, landscaping, and other architectural features.	
(G)	The location and orientation of the ancillary dwelling unit shall not materially reduce the privacy of the adjoining parcels, obstruct significant views, or create noise constituting a private	

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nuisance.

- (H) Occupancy Restrictions. The property owner shall occupy either the principal or the ancillary dwelling unit. The owner shall record a deed restriction setting forth this occupancy requirement. If neither unit is owner-occupied, then the use of the property shall revert to a single-family occupancy. Nothing in this subsection shall be construed to prohibit one or both of the units from remaining vacant.

Exception. The Planning Director may grant a temporary exception from the owner-occupancy requirement for a maximum of one (1) year, with two (2) possible additional one (1) year extensions, upon finding that the owner has a bona fide, unavoidable reason for absence and the owner has appointed in writing another person to occupy and take responsibility for maintaining the property.

**1.050 Development Regulations**

- (a) Minimum Floor Area Ratio. The minimum floor area ratio (FAR) for all new non-residential development within a -TS Overlay District is 0.5 to 1 (*or alternative threshold*). Expansions of pre-existing transit-supportive development as of \_\_\_\_\_ (*effective date of ordinance*) are exempt from this FAR minimum, but no expansion of development

*See Guidelines A.4.1 and C.4.1.*

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<p>that is not transit-supportive is permitted. The purpose of the minimum FAR is to create within the -TS Overlay District a more intensely built-up environment that is oriented to pedestrians.</p>	
<p>(1) <b>Bonus Floor Area.</b> Additional FAR (<i>insert appropriate bonus</i>) may be approved for (a) structure or underground parking, (b) special pedestrian amenities or assistance in funding transit facilities, or (c) housing over non-residential uses.</p>	<p><i>Local jurisdictions should determine whether this is an "as-of-right" bonus or review by the Planning Commission is required.</i></p> <p><i>See District Guidelines A.4.1 and B.4.1 for discussion of alternative minimums.</i></p>
<p>(b) <b>Minimum Density.</b> The minimum residential density within a -TS Overlay District is ____ units per net acre.</p>	
<p>(c) <b>Park-and-Ride Facilities.</b> Park-and-ride facilities when allowed by the base zoning district must comply with the standards listed below.</p>	
<p>(1) In Commercial and Industrial districts, parking structures on sites that abut a light rail street must develop at least 50 percent of the ground floor of the structure's street frontage for retail sales and service or office uses. This standard does not apply to underground parking.</p>	
<p>(2) In a Residential district, park-and-ride facilities must be constructed so that the primary vehicle entrances and exits are not onto a light rail street.</p>	
<p>(d) <b>Building Setbacks from Streets.</b> At least 25 percent of the building frontage shall be located at the front property line, or front setback line if one is required. Within the -TS Overlay District, the minimum setback between buildings and the street property line shall not exceed 10 feet, but exceptions may be granted by (<i>insert reference to</i></p>	<p><i>See General Guidelines C.2.1 and D.3.1.</i></p>



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<p><i>appropriate official or board) for specified uses or pedestrian amenities, such as plazas. Garage prosceniums, if allowed, shall be setback at least 15 feet from the property line to avoid vehicles blocking sidewalks.</i></p>	
<p>(e) <b><u>Ground Floor Windows.</u></b> The following ground floor window standards apply to all non-residential development in a -TS Overlay District.</p> <p>(1) Exterior walls facing a transit station shall have windows for at least 50 percent of the length and 25 percent of the area of the ground level wall area, which is defined as the area up to 9 feet above finished grade. Residential structures and parking structures setback at least 5 feet from the street property line and screened by landscaping are exempt from this requirement.</p> <p>(2) Required windows must provide either views into building work areas or lobbies, or displays of merchandise or artworks.</p> <p>(3) <b><u>Exceptions.</u></b> The Planning Commission may grant a waiver from this standard for uses with unique requirements, such as a cinema or theater, provided the exterior walls are designed to provide architectural relief or they are screened by landscaping and pedestrian amenities, such as wider sidewalks or benches. Unscreened, flat, blank walls at the ground level shall not be permitted along designated transit corridors.</p>	<p><i>See General Guidelines C.3.2. and D.4.2.</i></p>
<p>(f) <b><u>Improvements Between Buildings and the Street.</u></b> The land between a building or exterior improvement and a street must be landscaped and/or hard-surfaced for use by pedestrians. If hard-surfaced, the area must</p>	

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<p>contain pedestrian amenities such as benches, drinking fountains, and/or other design elements (such as public art, planters, and kiosks), and be physically separated from parking areas by a 3-foot deep landscaped area. Single-family dwellings, duplexes, and attached houses are exempt from this requirement.</p>	
<p>(g) <b><u>Parking Between Buildings and the Street.</u></b> Parking areas between the main building(s) and a light rail are prohibited unless it is a deep lot. On a deep lot, the parking area must be more than 300 feet from the light rail street. Houses, duplexes, and attached houses are exempt from this requirement. In order to qualify as a deep lot, the lot must have enough depth to accommodate the 300-foot front setback, the rear setback, and the development. An adjustment to the 300-foot distance is prohibited.</p>	
<p>(h) <b><u>Maximum Number of Parking Spaces.</u></b> The number of parking spaces for nonresidential uses may not exceed 150 percent of the required parking spaces (<i>cite reference to applicable standards</i>). Park-and-ride facilities are exempt from this requirement.</p>	<p><i>Alternate thresholds may be appropriate where public parking is available.</i></p>
<p>(i) <b><u>Exterior Display, Storage, and Outdoor Facilities.</u></b> Exterior display, storage, and outdoor facilities are prohibited. Outdoor seating for restaurants and pedestrian-oriented accessory uses, such as flower, food, or drink stands, are exempt from this requirement.</p>	
<p>(j) <b><u>Drive-through Facilities.</u></b> Drive-through facilities, when allowed in the base zone, must be constructed so that the primary vehicle entrances and exits are not onto a light rail street.</p>	<p><i>See General Guideline C.1.2 and District Guideline A.3.2. Alternatively, the restriction could be imposed only within 250 feet of a light rail station platform.</i></p>
<p>(k) <b><u>Curb cuts.</u></b> Consolidation of curb cuts may be required as a condition of approval of a</p>	<p><i>See General Guidelines B.2.2 and B.2.3 and ODOT Best Management Practices for</i></p>

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discretionary land use permit or limited land use permit. New curb cuts along light rail streets are subject to review and approval by the City Traffic Engineer (or another reviewing official), taking into account safe traffic flow, the objectives of this chapter, and access points needed for the proper functioning of the development.

*transit streets.*

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**Chapter 2 -TC Transit Corridor Overlay District Sections:**

- 2.010 Purpose
- 2.020 Applicability and Zoning Map Symbol
- 2.030 Reserved
- 2.040 Land Use Regulations
- 2.050 Development Regulations

**2.010 Purpose**

The -TC Transit Corridor Overlay District is intended to encourage moderate density residential and commercial land use within designated corridors with high frequency bus transit service. This overlay district provides incentives for increased density to improve access to transit and support investment in transit and pedestrian facilities. The development standards of the district are designed to encourage a safe and pleasant pedestrian environment in the transit corridors with an attractive streetscape, ground floor retail uses and compatible activities, by encouraging amenities such as benches, kiosks, and outdoor cafes, and by limiting conflicts between vehicles and pedestrians and prohibiting incompatible uses.

*These corridors could include arterial streets Tri-Met will off 10-minute service and other transit corridors which may be designated in local comprehensive plans.*

**2.020 Applicability and Zoning Map Symbol**

The -TC Transit Corridor Overlay District may be applied to land within one quarter (1/4) mile of a designated transit corridor. The -TC Overlay District is shown on the Zoning Map by adding a -TC map symbol to the base zoning district

Text	Comments
designation.	
<b>2.030 Reserved</b>	<i>Specific transit corridors to which the -TC designation applies may be listed.</i>
<b>2.040 Land Use Regulations</b>	
(a) <b>Commercial Parking Facilities.</b> Vehicle access to commercial parking facilities shall be located at least 100 feet from bus stops.	<i>Exceptions may be appropriate for commuter parking in certain locations and for short-term parking serving a retail use in a CBD.</i>
(b) <b>Auto-related Uses.</b> All of the following auto-related uses are prohibited within 150 feet of an express bus stop:	<i>See District Guideline C.3.2.</i>
(1) Automobile washing and major vehicle repair uses;	
(2) Quick vehicle servicing, including tire and muffler installation and service, oil and lubrication services; and	
(3) Auto-oriented retail sales and service use where a drive-through facility is the primary method of selling or servicing.	
(c) <b>Housing.</b>	
(1) <b>Single-Family Dwellings, Duplexes and Attached Houses in Residential Districts.</b> Second units on lots with existing single-family dwellings and attached single-family dwellings and duplexes are allowed on lots zoned for single-family uses that are subject to a -TC Overlay District and abut a non-residential zoning district. The intent of this provision is to allow some intensification of residential land use on "transitional" lots abutting non-residential uses.	<i>See District Guideline B.4.1.</i>
(2) <b>Multi-Family Housing.</b> Multi-family housing is permitted above the ground floor in any non-residential zoning district subject to a -TC Overlay District, subject to the requirements of ____ ( <i>add reference</i>	

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**Comments**

*to applicable regulations of a moderate or higher density residential multi-family zoning district that would be appropriate)*

- (3) Ancillary Dwelling Units. This subsection establishes supplemental development controls for ancillary dwelling units on residential lots to provide for a greater diversity of housing types in transit-supportive development. An ancillary dwelling unit that meets the requirements of this subsection may be allowed on any residential lot within a -TC Overlay District, subject to the issuance of a \_\_\_\_\_ *(reference to applicable type)* permit.
- (A) No more than one ancillary dwelling unit per lot shall be permitted.
  - (B) No ancillary dwelling unit shall be located on a lot with less than \_\_\_\_\_ square feet of lot area.
  - (C) An ancillary unit shall comply with applicable building, fire, and health and safety codes.
  - (D) An ancillary unit shall conform to existing zoning requirements for the primary residence, including but not limited to building height, setback, side yard and rear yard requirements.
  - (E) The total gross floor area of an ancillary dwelling unit, including the area required for a single-car garage or carport parking space, shall not exceed 650 square feet *(or alternate limit)*.
  - (F) An ancillary dwelling unit shall not contain more than one bedroom.
  - (G) A minimum of one on-site parking space shall be provided for an ancillary dwelling unit, unless the Planning Director determines that adequate on-

<b>Text</b>	<b>Comments</b>
street parking is available in the vicinity and/or the ancillary unit is designed for occupancy by senior citizens.	
(H) The exterior appearance of an ancillary dwelling unit shall be architecturally compatible with the primary residence. Compatibility includes coordination of architectural style, exterior building materials and colors, roofing form, other architectural features and landscaping.	
(I) The location and orientation of the ancillary dwelling unit shall not materially reduce the privacy of the adjoining parcels, obstruct significant views, or create noise constituting a private nuisance.	
(J) An ancillary dwelling unit that generates vehicular traffic that cannot be safely accommodated by the surrounding street system shall not be permitted.	
(K) <u>Occupancy Restrictions.</u> The property owner shall occupy either the principal or the ancillary dwelling unit. The owner shall record a deed restriction setting forth this occupancy requirement. If neither unit is owner-occupied, then the use of the property shall revert to a single-family occupancy. Nothing in this subsection shall be construed to prohibit one or both of the units from remaining vacant.	
<u>Exception.</u> The Planning Director may grant a temporary exception from the owner-occupancy requirement for a maximum of one (1) year, with two (2) possible additional one (1) year extensions, upon finding that the owner has a bona fide, unavoidable reason for absence and the owner has appointed in writing another person to occupy and take responsibility for maintaining the	

Text	Comments
property.	
<b>2.050 Development Regulations</b>	
<p>(a) <b><u>Minimum Floor Area Ratio.</u></b> The minimum floor area ratio (FAR) for all new non-residential development within a -TC Transit Corridor Overlay District is 0.35 to 1 (<i>or alternative threshold</i>). Expansions of pre-existing transit-supportive development as of _____ (<i>effective date of ordinance</i>) are exempt from this FAR minimum, but no expansion of development that is not transit-supportive would be permitted. The purpose of the minimum FAR is to create within the -TC Transit Corridor Overlay District a more intensely built-up environment that is oriented to pedestrians.</p>	<p><i>See District Guideline C.4.1 for discussion of FAR minimums.</i></p>
<p>(b) <b><u>Minimum Residential Density.</u></b> The minimum residential density within a -TC District is _____ units per net acre.</p>	<p><i>See District Guidelines C.4.1 and D.4.1 for details.</i></p>
<p>(c) <b><u>Park-and-Ride Facilities.</u></b> Park-and-ride facilities, when allowed by the base zoning district, must comply with the standards listed below.</p> <p>(1) In Commercial and Industrial districts, parking structures on sites that abut a light rail street must have at least 50 percent of the ground floor of the structure's street frontage developed for Retail Sales and Service or Office uses. This standard does not apply to underground parking.</p> <p>(2) In a Residential district, park-and-ride facilities must be constructed so that the primary vehicle entrances and exits are not onto a designated transit corridor.</p>	
<p>(d) <b><u>Building Setbacks from Streets.</u></b> The maximum setback between buildings and a street lot line is 25 feet on lots with a width of 100 feet or less and 50 feet on lots with a width of more than</p>	<p><i>See General Guidelines C.21 and D.31.</i></p>

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<p>100 feet. In addition, at least 25 percent of the building frontage facing the transit corridor shall be located on the front property line or the front setback line if a front setback is required by the base zoning district.</p>	
<p>(e) <b><u>Ground Floor Windows.</u></b> The following ground floor window standards apply to all non-residential development in a -TC Transit Corridor Overlay District.</p>	
<p>(1) Exterior walls within 15 feet of a designated transit street shall have windows for at least 50 percent of the length and 25 percent of the area of the ground level wall area, which is defined as the area up to 9 feet above finished grade. Residential structures and parking structures setback at least 5 feet from the property line and screened by landscaping are exempt from this requirement.</p>	
<p>(2) Required windows must provide either views into building work areas or lobbies, or displays of merchandise or artworks.</p>	
<p>(3) <b><u>Exceptions.</u></b> The Planning Commission may grant a waiver from this standard for uses with unique requirements, such as cinemas or theaters, provided the exterior walls are designed to provide architectural relief or they are screened by landscaping and pedestrian amenities, such as wider sidewalks or benches. Unscreened, flat, blank walls at the ground level are not permitted along designated transit corridors.</p>	
<p>(f) <b><u>Improvements Between Buildings and the Street.</u></b> The land between a building or exterior improvement and a street must be landscaped and/or hard-surfaced for use by pedestrians. If hard-surfaced, the area must contain pedestrian amenities such as benches, drinking fountains, and/or other design elements (such as public art, planters, and kiosks), and be physical separated</p>	



Text	Comments
<p>from parking areas by a 3-foot deep landscaped area. Single-family dwellings, duplexes, attached houses, and multi-family dwellings are exempt from this requirement.</p>	
<p>(g) <b><u>Parking Between Buildings and the Street.</u></b> Parking areas between the main building(s) and a designated transit corridor are prohibited unless the Planning Director determines that there is no feasible alternative means of providing required parking and the parking area is more than 50 feet from the front property line facing the designated transit corridor. Houses, duplexes, and attached houses are exempt from this requirement.</p>	
<p>(h) <b><u>Maximum Number of Parking Spaces.</u></b> The number of parking spaces for nonresidential uses may not exceed 150 percent of the required parking spaces (<i>cite reference to applicable standards</i>). Park-and-ride facilities are exempt from this requirement.</p>	
<p>(i) <b><u>Exterior Display, Storage, and Outdoor Facilities.</u></b> Exterior display, storage, and outdoor facilities are prohibited within 100 feet of a designated transit street. Outdoor seating for restaurants and pedestrian-oriented accessory uses, such as flower, food, or drink stands, are exempt from this requirement.</p>	
<p>(j) <b><u>Drive-through Facilities.</u></b> Drive-through facilities, when allowed in the base zone, must be constructed so that the primary vehicle entrances and exits are at least 150 feet from an express bus stop in a designated transit corridor.</p>	<p><i>See General Guidelines C.3.2 and D.4.2.</i></p>
<p>(k) <b><u>Curb cuts.</u></b> Consolidation of curb cuts may be required as a condition of approval of a landscape permit or a limited land use permit. New curb cuts along designated transit corridors are subject to review and approval by the City Traffic Engineer (<i>or another reviewing official</i>), taking into account safe traffic flow, the objectives of this chapter, and access points needed for the proper functioning of the</p>	<p><i>See General Guidelines B.2.2 and B.2.3 and ODOT Best Management Practices for transit streets. As an incentive, density bonuses for consolidation of vehicle access could be offered, such as a 5 or 10 percent increase in FAR or the maximum number of units permitted.</i></p> <p><i>As an alternative to review by the City</i></p>

<b>Text</b>	<b>Comments</b>
development.	<i>Engineer, a standard such as no more than 0.1 feet of vehicle access per foot of lot frontage could be set.</i>

Text	Comments
<p><b>Chapter 3 -P Pedestrian Access Overlay District</b></p>	
<p><b>Sections:</b></p>	
<p>3.010 Specific Purposes</p>	
<p>3.020 Applicability and Zoning Map Designator</p>	
<p>3.030 Land Use Regulations</p>	
<p>3.040 Development Regulations</p>	
<p>3.050 Guarantees of Pedestrian Access</p>	
<p>3.060 Pedestrian Access Program</p>	
<p><b>3.010 Specific Purposes</b></p>	
<p>The specific purposes of the -P Pedestrian Access Overlay District are to:</p>	
<p>(a) Provide maximum pedestrian access to transit corridors and light rail stations and to transit-supportive development consistent with the Comprehensive Plan.</p>	<p><i>This overlay district may be useful where pedestrian connections need to be provided within existing development because the sidewalk system cannot provide adequate access from surrounding neighborhoods to transit stations or designated transit corridors. It is consistent with OAR 660-12-045(3)(b), which requires local governments to adopt regulations requiring "convenient pedestrian access" and, where appropriate, "separate pedestrian ways."</i></p>
<p>(b) Provide appropriate standards and criteria for reviewing proposals for pedestrianways in and adjacent to transit-supportive development.</p>	
<p><b>3.020 Applicability and Zoning Map Designator</b></p>	
<p>The -P Pedestrian Access Overlay District may be applied to any district bordering a -TS or -TC Overlay District and to any district subject to a -TS or -TC Overlay District. The -P Overlay District boundaries shall be shown on the zoning map by adding the designator "-P" to the base district.</p>	
<p><b>3.030 Land Use Regulations</b></p>	
<p>Land use regulations shall be those of the base district with which the -P District is combined.</p>	

<b>Text</b>	<b>Comments</b>
<p><b>3.040 Development Regulations</b></p> <p>Development regulations shall be those of the base district with which the -P District is combined unless modified by another overlay district, provided that the following additional review criteria shall apply and shall govern where conflicts arise.</p> <p>(a) Maximum feasible pedestrian access to transit corridors and light rail transit stations and to transit-supportive development shall be provided, consistent with the Comprehensive Plan.</p> <p>(b) Proposed pedestrian access shall connect with existing sidewalks and planned walkways on adjacent lots.</p> <p>A development project that requires Planning Commission approval shall be reviewed by the Commission for consistency with these criteria. For all other projects, the Planning Director shall review the plans for consistency with these criteria prior to issuing a permit or other land use entitlement.</p> <p><b>3.050 Guarantees of Pedestrian Access</b></p> <p>Approval of permits for development within a -P District shall require guarantees of pedestrian access to transit corridors and light rail transit stations as prescribed by this section. Nothing in this section shall constitute a waiver of possible historic rights to public use at the site of an access guarantee.</p> <p>(a) <b><u>Access Requirements.</u></b> Prior to any approval for development in a -P district, the access provisions required by this section shall be found legally sufficient.</p> <p>(b) <b><u>Legal Instrument Required.</u></b> The applicants for development on a site in a -P District shall record one or a combination of the following documents as specified by the Planning Director or shall pay an in-lieu fee.</p>	

Text	Comments
<p>(1) <u>Offer of Dedication.</u> The applicant shall submit a preliminary title report and shall record an irrevocable offer to improve and to dedicate the required pedestrian accessway to the City (or County) as an easement or fee interest free of prior liens and encumbrances. The offer shall be valid for 20 years. Institutions or individuals holding an encumbrance on the property shall execute agreements subordinating their claims to the offer. Title insurance may be required when deemed necessary by the Planning Director to ensure that the offer is an enforceable option.</p>	
<p>(2) <u>Outright Grant of Fee Interest or Easement.</u> If the City (<i>or County</i>) is willing to accept the offer made in subsection (1) above, a grant of an easement or fee title shall be required.</p>	
<p>(3) <u>Deed Restrictions.</u> Deed restrictions specifying pedestrian access maintenance, improvements, and conditions of public use may be recorded in lieu of an offer of dedication.</p>	
<p>(4) <u>In-Lieu Fee Payments Required.</u> As a condition of approval of a final subdivision map or land use permit on a lot subject to a - P Overlay District where no pedestrian access is required on that site by the Comprehensive Plan, an in-lieu fee shall be paid. The amount to be paid shall be determined by a schedule adopted by the City Council (<i>or Board of County Commissioners</i>) by resolution. In-lieu fees shall be paid to the _____ Access Fund to be used for a specific public project identified in a Comprehensive Plan's Pedestrian Access Program adopted pursuant to Division 15 of the Oregon Administrative Rules for Land Conservation and Development Commission. Fees collected shall be committed within five years after payment thereof.</p>	<p><i>Exceptions for single-family dwellings on pre-existing lots and small projects which do not create additional demands for pedestrian access to transit stations and transit corridors should be established in the resolution adopting the in-lieu fee schedule.</i></p>
<p>(c) <u>Legal Review.</u> The City Attorney (<i>or County</i></p>	

**Text**

**Comments**

*Counsel*) shall review and approve all legal documents specified in the conditions of approval of a development permit requiring pedestrian access to transit stations and transit corridors.

**3.060 Pedestrian Access Program**

The City Council (*or Board of County Commissioners*), upon recommendation by the Planning Commission, may adopt a Pedestrian Access Program, pursuant to this section, to be used as a guideline for review of development proposals that are required or proposed to include pedestrian access to transit stations and transit corridors.

**Text**

**Comments**

**Chapter 4 TSDPD Transit-Supportive  
Development Plan District**

**Sections:**

- 4.010 Specific Purposes
- 4.020 Applicability and Zoning Map  
Designator
- 4.030 Land Use Regulations
- 4.040 Development Regulations
- 4.050 Required Plans and Materials for Transit-  
Supportive Development Plan District
- 4.060 Approval of Transit-Supportive  
Development Plan District
- 4.070 Amendments to Adopted Transit-  
Supportive Development Plan District  
Specific Plan
- 4.080 Fees and Charges

**4.010 Specific Purposes**

Transit-Supportive Development Plan Districts may be established to:

- (a) Create standards and review procedures for areas of the City (*or County*) with unique land use characteristics where existing base and overlay zoning provisions are inadequate to carry out Comprehensive Plan policies for that area, and specific planning solutions, development controls and public actions are required. This includes areas served by light rail transit and other dedicated transit service where sensitive planning can improve pedestrian circulation and access to public transportation.
- (b) Encourage mixed use to support transit service by allowing greater diversity of house types and better means to provide access, light, open space and amenities than is provided in existing base and overlay zoning provisions, and to allow for compatible commercial development within neighborhoods and urban and suburban corridors served by transit facilities.

**Text**

**Comments**

**4.020 Applicability and Zoning Map Designator**

An amendment to the Zoning Map to reclassify property to a TSDPD Transit-Supportive Development Plan District may be initiated by a property owner or group of owners, a qualified applicant, the Planning Commission, or the City Council (*or Board of County Commissioners*). If the property to be included in the District is not under a single ownership, each owner must join in the application, or the amendment must be initiated by the City (*or County*) or a duly constituted community or civic organization. A map showing the extent of ownership must be submitted with a property-owner initiated application. A Transit-Supportive Development Plan District is indicated on the Zoning Map by the designation "TSDPD," numbered and identified sequentially in the order of enactment and by reference to the enacting ordinance.

**4.030 Land Use Regulations**

No use other than an existing use or a single-family dwelling on a pre-existing lot is permitted in a TSDP District except as allowed by an adopted Transit-Supportive Development Plan District Plan and the land use regulations established for the TSDP District in the enacting ordinance. Any permitted or conditional use authorized by this Zoning Ordinance may be included in an adopted Transit-Supportive Development Plan for a TSDP District, provided such use is consistent with the Comprehensive Plan.

**4.040 Development Regulations**

- (a) **Minimum Area.** The minimum area of a TSDP District shall be 10 acres.
- (b) **Development Standards.** All general development standards and supplemental use and development regulations prescribed by this Zoning Ordinance shall apply, except as they



Text	Comments
<p>may be changed for each Transit-Supportive Development Plan District. Standards for residential density and commercial building intensity shall be consistent with the Comprehensive Plan.</p>	
<p><b>4.050 Required Plans and Materials for Transit-Supportive Development Plan District</b></p>	
<p>In addition to the information required to accompany an application for a Zoning Map amendment, an application for rezoning to a TSDP District must include a Transit-Supportive Development Plan incorporating such information, drawings, exhibits, reports, and supporting data necessary to describe the plan, including the following items:</p>	<p><i>The TSDP District can be used for master plans, specific area plans and for small TSD projects which meet the minimum area requirements of the Design Guidelines for Transit-Supportive Development.</i></p>
<p>(a) A statement of the relationship between the proposed Transit-Supportive Development Plan, the Comprehensive Plan and the purposes of the Zoning Ordinance, demonstrating that the proposed Transit-Supportive Development Plan District conforms to and is consistent with the intent of the Comprehensive Plan and this ordinance, and supporting documentation evidencing support by property owners and residents within the proposed District boundaries.</p>	
<p>(b) A map showing the proposed District boundaries; and a map or aerial photo of the proposed District and 100 feet beyond its boundary showing the type, location, and condition of mature trees and other natural vegetation, and the location of existing development, streets, rights of way and utilities.</p>	
<p>(c) Land Use Regulations and Development Standards applicable in the TSDP District, to be included in the enacting ordinance.</p>	
<p>(d) A Land Use and Circulation Plan indicating the existing and proposed uses, maximum allowable building heights, lot patterns and configurations and circulation plan, including existing and</p>	

Text	Comments
proposed streets, driveways, parking areas, and transit service.	
(e) An Open Space Plan, describing the use of open space areas and indicating existing vegetation, proposed planting areas and bufferyards, types and sizes of plant materials, and design of walkways, trails, recreation areas, paved areas, benches, water features, and lighting.	
(f) A Utilities Plan, indicating the proposed location and capacity of major components of sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the Transit-Supportive Development Plan District.	
(g) A Manual of standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable.	<i>The standards and criteria should be incorporated into the enacting ordinance and made part of the specific land use regulations that govern development within the TSDP District.</i>
(h) A program of implementation measures, including regulations, programs, public works projects and financing mechanisms necessary to carry out the proposed Transit-Supportive Development Plan District.	
(i) Guidelines for the physical development of key elements of the District, including illustrations of proposed architectural, urban design, and landscape concepts.	<i>These could be based on the Tri-Met Design Guidelines for Transit-Supportive Development, as modified to reflect specific requirements of the TSDP District.</i>

**4.060 Approval of Transit-Supportive Development Plan District**

- (a) **General Procedures.** An application for approval of a Transit-Supportive Development Plan shall be processed at the same time as consideration of the application for reclassification to a TSDP District. A recommendation of the Planning Commission to reclassify to a TSDP District must include a resolution recommending a specific plan for a Transit-Supportive Development Plan District in the form submitted or as modified by the Commission, including any proposed condition

Text	Comments
<p>of approval. Prior to taking an action to adopt a Transit-Supportive Development Plan District, the City Council (<i>or Board of County Commissioners</i>) shall find that the proposed specific plan for the Transit-Supportive Development Plan District:</p>	
<p>(1) Is consistent with the Comprehensive Plan and the purposes of the Zoning Ordinance for the City;</p>	
<p>(2) Specifies through text and/or diagrams the distribution, location, and extent of the uses of land, including open space, and vehicular and pedestrian circulation within the area covered by the plan;</p>	
<p>(3) Specifies through text and/or diagrams the proposed distribution, location, extent and intensity of major components of public and private transportation, sewage, water, drainage, solid waste disposal, energy, and other essential facilities proposed to be located within the area covered by the plan and needed to support the land uses described in the plan;</p>	
<p>(4) Specifies through text and/or diagrams the standards and criteria by which development will proceed, and standards for the conservation, development, and utilization of natural resources, where applicable;</p>	
<p>(5) Specifies a program of implementation measures including regulations, programs, public works projects, and financing measures necessary to carry out findings (2), (3), and (4) above; and</p>	
<p>(6) Addresses any other subjects which are necessary for implementation, such as phasing.</p>	

Text	Comments
<p>(b) <b><u>Transit-Supportive Development Plan District Specific Plan Effective Date.</u></b> A TSDP District Specific Plan is effective on the same date as the ordinance for which the TSDP District Specific Plan was created is approved.</p>	
<p>(c) <b><u>Transit-Supportive Development Plan District Specific Plan Procedures.</u></b> A TSDP District Specific Plan is administered as prescribed by the City Council (<i>or Board of County Commissioners</i>) in the adopting ordinance.</p>	<p><i>The adopting ordinance would define types of permits for development and distinguish what type of development would be subject to land use decisions, requiring notice and hearings and what type of development would be considered only subject to limited land use decisions for which only notice is required.</i></p>
<p><b>4.070 Amendments to Adopted Transit-Supportive Development Plan District Specific Plan</b></p>	

An amendment to an adopted Specific Plan for a Transit-Supportive Development Plan District is initiated in the same manner as an application for a Zoning Map amendment and the requirements of this Division; no amendment may be approved unless it is consistent with the adopted Transit-Supportive Development Plan District and the District's Specific Plan.

**4.080 Fees and Charges**

The City Council (*or Board of County Commissioners*) shall by resolution establish and occasionally amend a schedule of fees imposed for the adoption and amendment of TSDP Districts and TSDP District Specific Plans. The City Council (*or Board of County Commissioners*), after adopting a TSDP District, may impose a special TSDP District fee upon persons seeking governmental approvals which are required to be consistent with the TSDP District and the TSDP Specific Plan. Fees shall be established by resolution so that, in the aggregate, they defray, but as estimated do not exceed, the cost of preparation, adoption, and administration the TSDP District.

<b>Text</b>	<b>Comments</b>
<b><u>Chapter 5 Urban Planned Unit Developments</u></b>	
<b>Sections:</b>	
5.010 Purpose	<i>These PUD provisions are called "Urban" to distinguish them from suburban standards often found in PUD regulations. A 10-percent density bonus is offered as an incentive, the intent being to encourage transit-supportive PUDs in existing urban areas. This provision is consistent with OAR 660-12055(2)(a), which calls for increasing residential densities within one-quarter mile of transit lines, major employment areas and major regional shopping centers. A one-acre minimum lot size may require land assembly, so the density bonus is a type of financial incentive.</i>
5.020 Zones and Locations Allowed	
5.030 Land Use Regulations	
5.040 Development Standards	
5.050 Streets and Walkways	
5.060 Review and Approval	
<b>5.010 Purpose</b>	
The Urban Planned Unit Development (PUD) regulations are specifically intended for infill sites in developed areas where greater flexibility than the conventional multi-family zoning and subdivision regulations provide is needed to achieve transit-supportive residential development. The specific objectives are to:	
(a) Provide flexibility in architectural design, placement, and clustering of buildings; use of open areas and outdoor living areas; provision of circulation facilities and parking; and related site and design considerations in urban areas in order to support transit use in new residential development;	
(b) Encourage mixed use in new residential development;	
(c) Foster pedestrian-oriented environments; and	
(d) Provide for efficient use of public services and improvements through compact, higher density development.	
<b>5.020 Zoning and Locations Allowed</b>	
Urban PUDs are allowed in all residential and commercial zones on sites that are within one-quarter mile of light rail transit stations and designated transit streets.	<i>Urban PUDs might not be allowed in existing single-family neighborhoods, or allowed only with approval of a conditional use permit, in order to avoid potential land use conflicts and adverse impacts on residents.</i>

Text	Comments
<b>5.030 Land Use Regulations</b>	
(a) <b>Standard uses.</b> Urban PUDs may include all of the uses which are allowed in the base zone by right, with limitations, or as a conditional use.	
(b) <b>Support Commercial.</b> Urban PUDs in residential zones may contain neighborhood-serving ground floor commercial space.	<i>A size limit such as 2,500 square feet could be imposed.</i>
<b>5.040 Development Standards</b>	
(a) <b>Base Zone Standards.</b> The development standards of the base zone, overlay zone or plan district apply unless they are superseded by the standards of this chapter.	
(b) <b>Minimum Site Area.</b> 40,000 sq. ft.	<i>This minimum area is sufficient to establish a site identity and buffer adjacent uses, if necessary.</i>
(c) <b>Density in Residential Zones.</b> The number of dwelling units allowed in Urban PUD's in residential zones is calculated in the following manner.	
(1) Streets and land set aside for schools, religious institutions, daycare facilities, parks, or commercial uses are subtracted from the gross site area to determine net usable site area. When non-residential areas are in a mixed use building with residential units on upper floors, no allowance for land set aside is allowed.	
(2) In a residential zone, net usable site area is divided by the density of the base zone (site area per unit) and then multiplied by 1.1 (a density bonus) to yield the maximum number of allowed units.	<i>An alternate density bonus could be set. The objective is to encourage land assembly for transit-supportive PUDs.</i>
(3) If the Urban PUD is located in more than one residential zone, the total allowed number of units for the Urban PUD is calculated by adding up the number of units allowed by each zone (with the	

Text	Comments
<p>"bonus" units). However, the dwelling units may be placed without regard to zone boundaries.</p>	
<p>(d) <b><u>Density in Commercial Zones.</u></b> The maximum residential density for Urban PUDs in commercial zones is calculated by determining the maximum amount of non-residential space allowed in each zone, based on FARs or outer limits (building height and setbacks), and then dividing this number by the average dwelling unit size proposed. However, dwellings units may be allocated throughout the Urban PUD without regard to zone boundaries, unless specifically restricted by a plan district or overlay zone. The maximum intensity of non-residential development shall be governed by the standards of the base zone.</p>	
<p>(e) <b><u>Minimum Lot Sizes.</u></b> None</p>	
<p>(f) <b><u>Housing Types Allowed.</u></b> No restrictions are imposed.</p>	
<p>(g) <b><u>Height.</u></b> The height limit of the base zone applies. Solar access standards of the base zone apply along the perimeter of the Urban PUD, and the solar regulations for new subdivision apply to all Urban PUDs which are also subdivisions.</p>	
<p>(h) <b><u>Building setbacks.</u></b> Building setbacks are established as part of the preliminary development plan approval.</p>	
<p>(i) <b><u>Outdoor Living Area.</u></b> At least 60 square feet of private open space must be provided for each unit.</p>	
<p>(j) <b><u>Landscaping.</u></b> 15 percent of the site shall be planting area.</p>	
<p>(k) <b><u>Parking.</u></b> The number of parking spaces otherwise required by <i>(add reference to section)</i> may be reduced 10 percent.</p>	<p><i>The objective is to recognize the potential value of proximity to transit in reducing parking demand. Whether this reduction could be combined with other reductions</i></p>

Text	Comments
<b>5.050 Streets and Walkways</b>	<i>should be determined on a case-by-case basis. If combined reductions are not allowed, the ordinance should state this restriction.</i>
<p>(a) <b>Public Streets.</b> New public streets in an Urban PUD must conform to City (or County) street and street lighting standards. Narrower rights-of-way and roadways may be approved (by the review body) upon a recommendation of approval of the Traffic Engineer (or _____), where they are consistent with Tri-Met's Guidelines for Planning and Design for Transit (or alternate standards). Where right-of-way dedications are required to provide future service to abutting properties, reserve strips or street plugs may be required.</p> <p>(b) <b>Private Streets.</b> The street specifications of the Fire Marshal must be met to ensure safe maneuvering areas for emergency vehicles. Streets must be kept open and passable at all times. However, obstructions to access, such as gates, may be allowed if approved by the Fire Marshal, Police Chief, Water Engineer, and City Engineer. Private streets must be separated from the public roadway by a driveway-type entrance and posted as a private street.</p> <p>(c) <b>Walkways.</b> Pedestrian circulation systems must be provided to facilitate movement within the Urban PUD and to ensure pedestrian access to adjacent walkways and residential streets and to public uses, including schools, parks, and transit facilities. The City Engineer may require the walkways to be within public right-of-way or easements dedicated to allow rights of passage.</p>	<i>The Guidelines for Planning and Design for Transit may be used to review proposals for narrower streets in Urban PUDs.</i>
<b>5.060 Review and Approval</b>	
Urban PUDs shall be reviewed and approved in the same manner as other planned unit developments (see ).	<i>Add citation to appropriate Chapter, Article or Section.</i>



Text	Comments
<p><b>Chapter 6 Supplemental Development Standards</b>  <b>Sections:</b></p>	
6.010 Purpose	
6.020 Applicability	
6.030 Streets, Sidewalks, and Street Trees	
6.040 Bikeways	
6.050 Off-Street Parking	
6.060 Reduced Parking Through Incentives, Performance Criteria, and Industrial Uses	
6.070 Bicycle Parking	
6.080 Dedication for Local Transit Facilities	
<p><b>6.010 Purpose</b></p> <p>This chapter sets forth supplemental development standards for transit-supportive development (TSD). The standards are intended to ensure that streets, pedestrian and bicycle circulation, parks and open space, and off-street parking and loading facilities are designed to complement and enhance transit-supportive development, consistent with the Comprehensive Plan.</p>	
	<p><i>Cross-references to appropriate Planning and Design Guidelines are provided for those seeking background information.</i></p>
<p><b>6.020 Applicability</b></p> <p>The supplemental standards for TSD established in this chapter shall apply to all development on land subject to a -TS Transit Station or a -TC Transit Corridor Overlay District and all development in a TSD Plan District, unless these standards are modified by the enacting ordinance for a TSD Plan District.</p>	
	<p><i>The Specific Plan for TSD in an area may include special standards that reflect the unique requirements of the site plan or existing conditions that need to be accommodated.</i></p>
<p><b>6.030 Streets, Sidewalks, and Street Trees</b></p>	
(a) <b>Configuration.</b> Streets shall be designed to provide direct connections between light rail transit stations and transit stops, commercial and residential areas, schools, parks and other public facilities. New local streets shall connect with existing local streets and arterials. Cul-de-sac streets shall be permitted only where there is no feasible connection with an adjacent local street.	<p><i>See Guideline B.1.1.</i></p>

Text	Comments
<p>If cul-de-sac streets represent more than 10 percent (<i>or alternative threshold</i>) of the total lane-miles in a development, the subdivider shall be required to demonstrate to the satisfaction of the _____ (<i>City Engineer or other reviewing authority</i>), that alternative internal circulation systems which would minimize use of cul-de-sac streets are infeasible.</p>	<p><i>This provision implements Guideline B.2.1. Streets should be listed for each classification, or a map prepared and adopted by reference illustrating the functional classification and hierarchy of streets within areas designated for TSD. Pedestrian streets would be those where higher volumes of pedestrian traffic are anticipated, such as in downtown shopping areas; this designation may apply to a designated transit street or to a local street without transit service.</i></p>
<p>(b) <b>Functional Classification and Hierarchy.</b> Transit street and pedestrian streets are designated as follows:</p>	<p><i>See Guideline A.2.1 and A.2.2 and ODOT Best Management Practices.</i></p>
<p><u>Name of Street</u> <u>Segment</u> <u>Classification</u></p>	
<p>(c) <b>Transit Streets.</b> All designated transit streets shall be designed to accommodate transit vehicles, and right of way for future transit improvements, if established by Tri-Met, shall be reserved or dedicated. Bus turnouts shall be provided where required by Tri-Met. Crosswalks for pedestrians shall be provided at all signalized intersections and at all transit stops. Sidewalks adjacent to transit stops and LRT stations shall be at least 8 feet wide.</p>	<p><i>See Guidelines B.6.1 and B.6.2.</i></p>
<p>(d) <b>Pedestrian Streets.</b> Sidewalks on designated pedestrian streets shall be at least 10 feet wide (<i>or alternative dimension</i>) with a minimum of 5 feet free of obstructions. Intersections shall be designed to facilitate both pedestrian and vehicular movement.</p>	<p><i>See Guideline B.6.1</i></p>
<p>(e) <b>Sidewalks.</b> Sidewalks, constructed of Portland Cement concrete (PCC) to standards and specifications approved by _____ (<i>cite appropriate authority</i>), shall be provided along both frontages of all public streets that are within one-quarter mile of existing and planned</p>	

Text	Comments
<p>transit stops or LRT stations and on at least one side of a public street for all development within one-half mile of existing and planned transit stops or LRT stations.</p>	
<p>(f) <b><u>Street Trees</u></b>. Street trees, spaced no further than 30 feet on center, shall be planted on all streets. The Planning Director may grant an exemption from this requirement if existing trees can be used as a substitute for street trees and will create a unified image for the street and provide an effective canopy. Street trees to be planed shall be selected from a list approved by the Planning Director <i>(or alternate authority.)</i></p>	<p><i>See Guideline B.6.2.</i></p>
<p><b>6.040 Bikeways</b></p>	
<p>(a) <b><u>Coordinated System</u></b>. A system of interconnected bikeways, consistent with the Comprehensive Plan and any applicable Specific Plan or corridor plan, shall be provided. Designated bike lanes <i>(Class II or alternate designation)</i> shall be provided on collector and arterial streets that converge on LRT stations or transit centers. Bikeways shall be provided at ends of cul-de-sacs between subdivisions where the routes would otherwise be excessively circuitous. Sidewalk bike paths shall be avoided because they put cyclists in conflict with pedestrians.</p>	<p><i>See Guideline B.7.1.</i></p>
<p>(b) <b><u>Standards</u></b>. All bikeways shall conform to standards specified by the Oregon Bicycle Plan, as adopted by the Oregon Transportation Commission, and the American Association of State Highway and Transportation Officials' (AASHTO) manual "Guide for Development of Bicycle Facilities, 1991" (or _____).</p>	<p><i>Engineering specifications and standards for public works may be adopted by the local jurisdiction or prescribed in Specific Plans.</i></p>
<p>(c) <b><u>Timing of Construction</u></b>. Bikeways shall be constructed at the same time that new streets are built or existing streets are improved, unless a deferred completion agreement is approved by _____<i>(cite appropriate reviewing authority).</i></p>	<p><i>Deferred completion may be appropriate where a residential project occurs in phases, but a bond should be required from the developer or a Local Improvement District (LID) established to ensure timely completion.</i></p>

Text	Comments
<b>6.050 Off-Street Parking</b>	
(a) <b>Spaces Required for Multiple Uses.</b> Except as otherwise provided in this Code, if more than one use is located on a site, the number of off-street parking spaces to be provided shall be equal to the sum of the requirements prescribed for each use unless reduced parking is approved under subsection 6.050(f). This requirement applies not only to multiple uses under separate ownership but also to multiple uses in the same ownership.	<i>See Guideline 6.1.2.</i>
(b) <b>Joint Use.</b> Off-street parking required by this Code for any use shall not be considered as providing parking spaces for any other use except where the provisions of subsection 6.050(e): Collective Provision of Parking apply or a joint facility exists. Such a facility shall contain not less than the total number of spaces as determined individually, except that fewer spaces may be permitted where adjoining uses on the same site have different hours of operation and the same parking spaces or loading berths can serve both without conflict. A determination of the extent, if any, to which joint use will achieve the purposes of this chapter shall be made by the Planning Director, who may require submission of a site development plan and a survey or other data necessary to reach a decision.	
(c) <b>Location.</b> Along designated transit streets and pedestrian streets, parking required to serve a residential use shall be on the same site as the use served. Parking required to serve a non-residential use may be on the same or a different site under the same or different ownership as the use served, provided that parking shall be within the following distances of the use served, measured from the near corner of the parking facility to the public entrance of the use served via the shortest pedestrian route:	

Customer/Visitor Spaces   Employee Spaces

Text	Comments
200 ft.	400 ft.
<p>Required front and corner-side yards and open space shall not be used to meet off-street parking requirements.</p>	
<p>(d) <b><u>Parking Access from Street.</u></b> All spaces in a parking facility shall be accessible without re-entering a public right-of-way unless it is determined by the Planning Director to be physically impossible to provide for such access. However, an alley may be used as maneuvering space for access to off-street parking. Off-street parking shall generally be located so as to be more convenient and accessible than on-street parking with respect to entrances of buildings and pedestrian circulation on the site served.</p>	
<p>(1) <b><u>Limitations in Transit Station Areas.</u></b>  Vehicle access to any parking lot or parking structure is prohibited within 100 feet of a light rail transit station platform, provided that access to pre-existing facilities as of _____ (<i>date of adoption of ordinance</i>) may be maintained as a nonconforming use.</p>	
<p>(e) <b><u>Collective Provision of Parking.</u></b> A permit (<i>specify type</i>) may be approved for shared parking on a site of 5,000 square feet or more that serves more than one use or site and is located in a zoning district in which parking for the uses served is a permitted or conditional use. A permit for collective off-street parking may reduce the total number of spaces required by this Code if the following findings are made:</p>	
<p>(1) The spaces to be provided will be available as long as the uses requiring the spaces are in operation;</p>	
<p>(2) The adequacy of the quantity and efficiency of parking provided will equal or exceed the level that can be expected if collective parking is not provided;</p>	

Text	Comments
<p>(3) The Planning Commission has determined that existing and planned transit service in the vicinity justifies the reduction requested, and/or a transportation management plan to be implemented by the building owner or major tenants will permanently reduce the parking demand; and</p> <p>(4) The maximum allowable reduction in the number of spaces to be provided shall not exceed 25 percent of the sum of the number required for each use served.</p>	<p><i>Although it is possible that there would be no overlap in use of parking to the extent that it could justify up to a 50 percent reduction, assuming equal parking requirements, a limit on the maximum amount of reduction will help ensure adequate parking if schedules or hours of operation change.</i></p>
<p>An applicant for a collective parking permit may be required to submit survey data substantiating a request for reduced parking requirements. A permit for collective parking shall describe the limits of any area subject to reduced parking requirements and the reduction applicable to each use.</p>	
<p>(f) <b><u>Reduced Parking for Other Uses.</u></b> The Planning Director may approve a reduction in the required number of spaces to less than the number specified in the schedules in (<i>add reference to parking requirements</i>), provided that the following findings are made in writing:</p> <p>(1) The parking demand will be less than the requirement in Section _____; and</p> <p>(2) The probable long-term occupancy of the building or structure, based on its design, will not generate additional parking demand; or</p> <p>(3) Existing buildings are converted to new uses, leading to findings (1) and (2), above.</p>	<p><i>See Guideline G.1.1. An alternative, more specific approach to reduced parking is presented in this Section.</i></p>
<p>In reaching a decision, the Director shall consider survey data submitted by an applicant or collected at the applicant's or the Director's request and the applicant's expense. The maximum allowable reduction in the number of</p>	

Text	Comments
<p>spaces shall not exceed 25 percent of the number required for the use served.</p>	
<p>(g) <b>Parking In-Lieu Payments.</b> Within designated parking districts established by the City Council and shown on the zoning map, a parking requirement serving non-residential uses on a site may be met by a cash in-lieu payment to the City (or County) prior to issuance of a building permit or a certificate of occupancy if no permit is required. The fee shall be to provide public off-street parking in the vicinity of the use. The City (or County) shall not be obligated to accept a fee for more than 20 spaces, and then only with the express approval of the City Council (or Board of County Commissioners).</p>	<p><i>Reduced parking also may be justified where public parking will be provided.</i></p>
<p>In establishing such parking districts, the City may set limitations on the number of spaces or the maximum percentage of parking spaces required for which an in-lieu fee may be tendered. Determinations as to whether an in-lieu fee will be accepted and the factors used to calculate the amount of the fee, e.g., estimated values for land and improvement costs for parking spaces, shall be at the sole discretion of the City (or County).</p>	
<p>(h) <b><u>Parking Area Plan Required in Transit Corridors and Transit Station Areas.</u></b> Prior to the construction of an off-street parking area for a non-residential use or a multi-family dwelling in a transit corridor or transit station area, a site plan shall be submitted to the Planning Director for the purpose of indicating compliance with the provisions of this Chapter. This plan shall include:</p>	
<p>(1) The location and placement of required landscaped areas, including a computation of the required area;</p>	
<p>(2) A planting plan including a list of plants by name and size keyed to their location on the parking area;</p>	

Text	Comments
<ul style="list-style-type: none"><li>(3) Location and description of fencing and architectural screen walls;</li><li>(4) Layout and method of irrigation of landscaped areas;</li><li>(5) Location and placement of parking stalls, including bumpers, striping and circulation, and directional signs, all dimensioned to permit comparison with approved parking standards;</li><li>(6) Location and placement of lights provided to illuminate the parking area; and</li><li>(7) Method of drainage.</li></ul>	
<p><b>6.060 Reduced Parking Through Incentives, Performance Criteria, and Industrial Uses</b></p>	<p><i>These provisions are based on a Model Parking Code prepared for the Federal Highway Administration. They are intended to implement OAR 660-12-045, which calls for a 10 percent reduction in parking spaces per capita over a 20-year planning period.</i></p>
<ul style="list-style-type: none"><li>(a) <b><u>Applicability.</u></b> The following provisions apply only to office uses in zones subject to a -TS or -TC Overlay District or office or industrial uses in _____ districts (<i>suburban employment centers</i>) with at least 50,000 square feet of space or 200 employees (<i>or alternate thresholds</i>). Reductions in parking shall be computed using the number of spaces required by other provisions in this ordinance as a base (<i>cite applicable sections</i>).</li><li>(b) <b><u>Options for Reduced Parking Requirements.</u></b> An eligible landowner may choose one of the following options:<ul style="list-style-type: none"><li>(1) Basic Incentives Option; or</li><li>(2) Performance Standard Option.</li></ul></li><li>(c) <b><u>Basic Incentive Option.</u></b> A 10 percent reduction in the number of off-street parking spaces is permitted when the landowner agrees to:<ul style="list-style-type: none"><li>(1) Designate a transportation coordinator</li></ul></li></ul>	



Text	Comments
<p>(TC) responsible for promoting public transit use and ridesharing among employees and others making trips to the site;</p>	
<p>(2) Participate in areawide ridematching system or provide a ridematching program at the site; and</p>	
<p>(3) Designate a minimum of 20 percent of the off-street parking spaces to be offered at a discount parking rate for vehicles containing two or more persons. If there is to be no charge for parking, then the landowner shall reserve a minimum of 20 percent of the off-street parking spaces for vehicles with two or more persons. The reserved preferential spaces shall be located in close proximity to the building entrances relative to other spaces, and shall be clearly signed or marked "Reserved – Carpool/Vanpool Only." Discounted or reserved spaces may be used for visitor parking after 9:30 a.m., if desired.</p>	
<p>(d) <b>Performance Standard Option.</b> The number of off-street parking spaces required may be reduced by up to 30 percent when the landowner submits a transportation management plan (TMP) demonstrating a comprehensive approach to reduce the parking demand at the site. The parking space reduction shall be commensurate with the parking demand reduction projected by the TMP. Such plan will be reviewed by (<i>reviewing authority</i>) to determine the adequacy in reducing parking demand through increased ridesharing and landowner or employer commitment to such program. Reductions in the number of spaces shall be computed as follows:</p>	<p><i>A transportation management plan may include the following:</i></p> <ol style="list-style-type: none"> <li>(1) <i>Provision of vanpools or subscription bus service for employees if transit service is not available within one-quarter mile of the site;</i></li> <li>(2) <i>Subsidy of employee use of HOVs.</i></li> <li>(3) <i>Instituting a significant parking charge and not permitting such charge to be subsidized by an employer or other agent.</i></li> <li>(4) <i>Provision of parking cost subsidies or free parking for HOVs, if a parking charge exists.</i></li> <li>(5) <i>Provision of amenities, such as bicycle lockers, showers, and transit shelters, to</i></li> </ol>
<p><b>Parking Space Reduction Formula</b></p>	
<p>The number of spaces to be provided shall be computed as follows:</p>	

Text	Comments
Where:	<i>encourage employee use of alternative travel modes.</i>
$N_t$ = total number of spaces to be provided	(6) <i>Provision of, or participation in, shuttle services from transit stations or from off-site parking facilities owned or leased by the site landowner.</i>
$N_e$ = number of spaces normally expected to be used by employees	(7) <i>Provision of subsidized transit passes.</i>
$AO_B$ = base auto occupancy as established by the Planning Director (or _____)	(8) <i>Any other technique or combination of techniques capable of reducing parking demand at the work site.</i>
$AO_P$ = projected auto occupancy as determined in the TMP	
$\%A_B$ = percent of employees normally expected to commute to the site by auto, established as a base by the Planning Director (or _____)	
$\%A_P$ = percent of employees expected to commute to the site by auto, as determined in the TMP plan	
$N_o$ = number of spaces normally expected to be used by others	

(Note:  $N_e + N_o$  shall total the number of spaces required in the absence of any TMP.)

- (e) **Enforcement of TMP**. Enforcement of the TMP or TSM measures agreed to in exchange for the parking space reductions granted shall be guaranteed by execution and recordation of a written contract that describes the range of landowner commitments to carry out the TSM measures selected for implementation. Such contract will specify the enforcement terms agreed to, such as monthly payments of liquidated damages for non-compliance or acknowledgement that the City or County will seek injunctive relief for established non-compliance. For the performance standard option only, the TMP shall be guaranteed by one of the

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following:

- (1) Execution of a performance bond in an amount equal to the cost of 50 percent of the average cost of constructing a parking space at the site multiplied by the number of parking spaces reduced, as established by the City Council (*or Board of County Commissioners*). The bond shall be a pre-condition to development approval and will be held in escrow for a minimum of three years (*or other time period established by the jurisdiction*) from the date of 75 percent building occupancy and may be released when, at the discretion of the Director, continued compliance with the TSM tactics agreed to has been assured.
  - (2) The provision of land, extra-strength parking structure footings, or other plans to permit subsequent addition of parking on the site. The set-aside land or provision for additional parking spaces must equal the reduction granted from the code requirements. Construction of additional parking shall be required if the landowner fails to comply with the TSM measures within a reasonable time (not to exceed six months) after written notice from the Planning Director.
- (f) **Monitoring of TMP.** As a condition of development approval, all landowners receiving parking space reductions under this section must submit an annual certification to the Planning Director. For the basic incentives option, the landowner shall certify that the measures agreed to were implemented and are currently operational. For the performance criteria options, the landowner shall certify that parking demand reductions have been achieved.
- (g) **Determination of Non-Compliance.** The Planning Director shall have the authority to make a finding of non-compliance. Upon a

Text	Comments
<p>finding of continued non-compliance, the enforcement provisions in _____ shall be applied at the discretion of the Planning Director. The Director's action may be appealed under the provisions of _____ (<i>cite appropriate section</i>).</p>	
<p><b>6.070 Bicycle Parking</b></p>	
<p>(a) <b>Where Required.</b> Bicycle parking spaces shall be provided as required by this section. Bicycle parking shall be in addition to automobile parking spaces.</p>	<p><i>See Guideline B.8.1 and ODOT Best Management Practices.</i></p>
<p>(b) <b><u>Number Required.</u></b></p>	
<p>(1) <u>Residential Use Classifications:</u></p>	
<p>Multi-family Dwelling: 1 space per unit (0.25 per unit if occupancy restricted to 55 years or older)</p>	
<p>(2) <u>Public and Semipublic Use Classifications:</u></p>	
<p>Colleges: 0.25 spaces per full-time equivalent student</p>	
<p>Elementary Schools: 4 spaces per 4th, 5th and 6th grade classroom</p>	
<p>Jr. High Schools: 4 spaces per classroom</p>	
<p>High Schools: 8 spaces per classroom</p>	
<p>Other uses: As specified by conditional use permit. A requirement for annual or periodic review of bicycle usage may be imposed, and additional spaces may be required if demand warrants.</p>	
<p>(3) <u>Commercial and Industrial Use Classifications:</u> 5 percent of the</p>	

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<p>requirement for automobile parking spaces, except for the following classifications, which are exempt:</p> <p>(A) Animal Sales and Service</p> <p>(B) Auto-related Uses</p> <p>(C) Warehousing; Wholesale and Distribution</p>	<p><i>Other exempt uses may be added, as appropriate.</i></p>
<p>(c) <b><u>Bicycle Parking Space and Aisle Dimensions.</u></b></p> <p>(1) Uncovered spaces shall be at least 6 feet long and 2 feet wide.</p> <p>(2) Covered spaces shall be at least 7 feet long and 2 feet wide.</p> <p>(3) A 5-foot wide aisle is required adjacent to each row of bicycle parking.</p>	
<p>(d) <b><u>Design Requirements.</u></b> For each bicycle parking space required, a stationary rack shall be provided which can accommodate bicyclists' locks securing the frame and wheels, or a lockable enclosure in which the bicycle is stored.</p> <p>(1) All of the required bicycle parking for colleges, schools, multi-family residences, and industrial uses and at least 50 percent of the required bicycle parking for commercial uses shall be covered to provide rain protection.</p> <p>(2) If the required vehicle parking spaces are covered, then the bicycle parking spaces shall be covered.</p> <p>(3) Required bicycle parking shall be provided within a building or in well-lighted, secure locations within 50 feet of an entrance to a building occupied by the use served, but not further from the building entrance than the closest automobile parking space.</p>	

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(4) Bicycle parking may be provided within the public right of way in zoning districts where no front setback is required, subject to approval of _____(appropriate local official).	

An encroachment permit may be required.

**6.080 Dedication for Local Transit Facilities**

As a condition of approval for development, the property owner shall dedicate, or make an irrevocable offer of dedication, additional right-of-way, as necessary, on public streets or roads for local transit improvements. Local transit improvements may include, but are not limited to, shelters, benches, bus turnouts, and similar items which directly benefit the residents or uses of the development. This dedication shall be required if the proposed development is expected to generate \_\_\_ vehicle trips per day based on the most recent Institute of Traffic Engineers (ITE) trip generation rates for the proposed use(s) when the development is complete and occupied and (a) the City (or County) finds that transit services are available, or (b) transit services will be available to the development within a reasonable period of time, not to exceed five years (or alternate limit). The requirement for such improvements shall be based on service and facility standards adopted by Tri-Met.

*State law and administrative regulations (particularly for LCDC's Rule 12) and standard development code practices do not generally limit right of way dedication to subdivisions and partitions, so it makes sense to apply this requirement to all land development. In some cases, the local transit improvements may fit within the standard ultimate right of way for some road classifications, so no additional land dedication may be required.*

**Chapter 7 Use Classifications**

**Sections:**

- 7.010 Purpose and Applicability
- 7.020 Uses Not Classified
- 7.030 Residential Use Classifications
- 7.040 Public and Semipublic Use
- 7.050 Commercial Use Classifications

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<p>7.060 Industrial Use Classifications</p> <p><b>7.010 Purpose and Applicability</b></p> <p>Use classifications describe one or more uses having similar characteristics, but do not list every use or activity that may appropriately be within the classification. The Planning Director shall determine whether a specific use shall be deemed to be within one or more use classifications or not within any classification in this ordinance. The Planning Director may determine that a specific use shall not be deemed to be within a classification, whether or not named within the classification, if its characteristics are substantially incompatible with those typical of uses named within the classification. The Planning Director's decision may be appealed to the Planning Commission.</p> <p><b>7.020 Uses Not Classified</b></p> <p>Any new use, or any use that cannot be clearly determined to be in an existing use classification, may be incorporated into the zoning provisions by a Zoning Ordinance text amendment.</p> <p><b>7.030 Residential Use Classifications</b></p> <p>(a) <b><u>Group Residential.</u></b> Shared living quarters without separate kitchen or bathroom facilities for each room or unit. This classification includes boarding houses, but excludes residential hotels or motels.</p> <p>(b) <b><u>Multi-family Residential.</u></b> Two or more dwelling units on a site. This classification includes manufactured homes.</p> <p>(c) <b><u>Single-Family Residential.</u></b> Buildings containing one dwelling unit located on a single lot. This classification includes manufactured homes.</p>	<p><i>A general system of use classifications allows district regulations to be streamlined with use of tables and charts. Additional use limitations and standards can be imposed, as required to implement the specific purposes of the district. Local communities may find this approach easier to use than traditional "use lists" because uses with similar characteristics are grouped under common headings.</i></p> <p><i>In the interest of creating a general system to define transit-supportive development, details on industrial uses, water-related uses, utilities and special uses, such as cemeteries, which may be needed for other purposes have not been included.</i></p>

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<b>7.040 Public and Semipublic Use Classifications</b>	
(a) <b><u>Clubs and Lodges.</u></b> Meeting, recreational, or social facilities of a private or nonprofit organization primarily for use by members or guests. This classification includes union halls, social clubs and youth centers.	
(b) <b><u>Community and Human Service Facilities.</u></b>	
(1) <b><u>Drug Abuse Centers.</u></b> Facilities offering drop-in services for persons suffering from drug abuse, including treatment and counseling without provision for on-site residence or confinement.	
(2) <b><u>Primary Health Care.</u></b> Medical facilities, including clinics, counseling and referral services, offering assistance to persons afflicted with bodily or mental disease or injury without provision for on-site residence or confinement.	
(3) <b><u>Emergency Kitchens.</u></b> Establishments offering food for the "homeless" and others in need.	
(4) <b><u>Emergency Shelters.</u></b> Establishments offering food and shelter programs for "homeless" people and others in need. This classification does not include facilities licensed for residential care, as defined by the State of Oregon, which provide supervision of daily activities.	
(5) <b><u>Residential Alcohol Recovery, General.</u></b> Facilities providing 24-hour care, such as personal services, supervision, protection or assistance, for more than six persons suffering from alcohol problems. These facilities may include an inebriate reception center as well as facilities for treatment, training, research, and administrative services for program	



Text	Comments
<p>participants and employees. This classification includes only those facilities licensed by the State of Oregon.</p>	
<p>(6) <b><u>Residential Care, General.</u></b> Facilities providing 24-hour non-medical care for seven or more persons, including wards of the juvenile court, in need of personal services, supervision, protection or assistance essential for sustaining the activities of daily living. This classification includes only those facilities licensed by the State of Oregon.</p>	
<p>(c) <b><u>Convalescent Facilities.</u></b> Establishments providing 24-hour care for persons requiring regular medical attention, but excluding facilities providing surgical or emergency medical services.</p>	
<p>(d) <b><u>Cultural Institutions.</u></b> Nonprofit institutions displaying or preserving objects of interest in one or more of the arts or sciences. This classification includes libraries, museums, and art galleries.</p>	
<p>(e) <b><u>Day Care, General.</u></b> Establishments providing of non-medical care for 7 or more persons on a less than 24-hour basis. This classification includes nursery schools, preschools, and day-care centers for children or adults.</p>	
<p>(f) <b><u>Emergency Health Care.</u></b> Facilities providing emergency medical service with no provision for continuing care on an inpatient basis.</p>	
<p>(g) <b><u>Government Offices.</u></b> Administrative, clerical, or public contact offices of a government agency, including postal facilities, together with incidental storage and maintenance of vehicles.</p>	
<p>(h) <b><u>Hospitals.</u></b> Facilities providing medical, surgical, psychiatric, or emergency medical services to sick or injured persons, primarily on an inpatient basis. This classification includes incidental</p>	

Text	Comments
<p>facilities for out-patient treatment, as well as training, research, and administrative services for patients and employees.</p>	
<p>(i) <b><u>Maintenance and Service Facilities.</u></b> Facilities providing maintenance and repair services for vehicles and equipment, and materials storage areas. This classification includes corporation yards, equipment service centers, and similar facilities.</p>	
<p>(j) <b><u>Park and Recreation Facilities.</u></b> Noncommercial parks, playgrounds, recreation facilities, and open spaces.</p>	
<p>(k) <b><u>Public Safety Facilities.</u></b> Facilities for public safety and emergency services, including police and fire protection.</p>	
<p>(l) <b><u>Religious Assembly.</u></b> Facilities for religious worship and incidental religious education, but not including private schools as defined in this section.</p>	
<p>(m) <b><u>Schools, Public or Private.</u></b> Educational institutions having a curriculum comparable to that required in the public schools of the State of Oregon.</p>	

**7.050 Commercial Use Classifications**

- (a) **Ambulance Services.** Provision of emergency medical care or transportation, including incidental storage and maintenance of vehicles as regulated by Chapter 5.20 of the Municipal Code.
- (b) **Animal Sales and Services.**
  - (1) **Animal Boarding.** Provision of shelter and care for small animals on a commercial basis. This classification includes activities such as feeding, exercising, grooming, and incidental medical care.

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(2) <u>Animal Grooming</u> . Provision of bathing and trimming services for small animals on a commercial basis. This classification includes boarding of domestic animals for a maximum period of 48 hours.	
(3) <u>Animal Hospitals</u> . Establishments where small animals receive medical and surgical treatment. This classification includes only facilities that are entirely enclosed, soundproofed, and air-conditioned. Grooming and temporary (maximum 30 days) boarding of animals is included, if incidental to the hospital use.	
(4) <u>Animal Retail Sales</u> . Retail sale and boarding of small animals, provided such activities take place within an entirely enclosed building. This classification includes grooming, if incidental to the retail use, and boarding of animals not offered for sale for a maximum period of 48 hours.	
(c) <b><u>Banks and Savings and Loans</u></b> . Financial institutions that provide retail banking services to individuals and businesses. This classification includes only those institutions engaged in the on-site circulation of cash money. It also includes businesses offering check-cashing facilities.	
(1) <u>With Drive-up Service</u> . Institutions providing services accessible to persons who remain in their automobiles.	<i>Drive-up service is classified separately because it is not appropriate at all locations.</i>
(d) <b><u>Building Materials and Services</u></b> . Retailing, wholesaling, or rental of building supplies or equipment. This classification includes lumber yards, tool and equipment sales or rental establishments, and building contractors' yards, but excluding establishments devoted exclusively to retail sales of paint and hardware,	

Text	Comments
and activities classified under <u>Vehicle/Equipment Sales and Services</u> , including vehicle towing services.	
(e) <b><u>Commercial Recreation and Entertainment.</u></b> Provision of participant or spectator recreation or entertainment. This classification includes theaters, sports stadiums and arenas, amusement parks, bowling alleys, billiard parlors, poolrooms, dance halls, ice/roller skating rinks, golf courses, miniature golf courses, scale-model courses, shooting galleries, tennis/racquetball courts, health/fitness clubs, pinball arcades or electronic games centers having more than 4 coin-operated game machines, card rooms, and fortune telling.	
(1) <u>Limited.</u> Indoor movie theaters, game centers and performing arts theaters and health/fitness clubs occupying less than 2,500 square feet.	
(f) <b><u>Communications Facilities.</u></b> Broadcasting, recording, and other communication services accomplished through electronic or telephonic mechanisms. This classification includes radio, television, or recording studios; telephone switching centers; and telegraph offices; and cellular telephone facilities.	
(g) <b><u>Eating and Drinking Establishments.</u></b> Businesses serving prepared food or beverages for consumption on or off the premises.	
(1) <u>With Fast-Food or Take-Out Service.</u> Establishments where patrons order and pay for their food at a counter or window before it is consumed and may either pick up or be served such food at a table or take it off-site for consumption.	
(A) Drive-through. Service from a building to persons in vehicles through an outdoor service window.	

Text	Comments
(B) Limited. Establishments that do not serve persons in vehicles or at a table.	
(h) <b><u>Food and Beverage Sales.</u></b> Retail sales of food and beverages for off-site preparation and consumption. Typical uses include groceries, liquor stores, or delicatessens.	
(i) <b><u>Laboratories.</u></b> Establishments providing medical or dental laboratory services; or establishments with less than 2,000 square feet providing photographic, analytical, or testing services. Other laboratories are classified as <b><u>Industrial Uses.</u></b>	
(j) <b><u>Maintenance and Repair Services.</u></b> Establishments providing appliance repair, office machine repair, or building maintenance services. This classification excludes maintenance and repair of vehicles or boats; see (Vehicle/Equipment Repair).	
(k) <b><u>Nurseries.</u></b> Establishments in which all merchandise other than plants is kept within an enclosed building or a fully screened enclosure, and fertilizer of any type is stored and sold in package form only. This classification includes wholesale and retail nurseries and growing grounds offering plants for sale.	
(l) <b><u>Offices, Business and Professional.</u></b> Offices of firms or organizations providing professional, executive, management, or administrative services, such as architectural, engineering, graphic design, interior design, real estate, insurance, investment, legal, veterinary, and medical/dental offices. This classification includes medical/dental laboratories incidental to an office use, but excludes banks and savings and loan associations.	
(m) <b><u>Personal Improvement Services.</u></b> Provision of instructional services or facilities, including photography, fine arts, crafts, dance or music	

Text	Comments
studios, driving schools, business and trade schools, and diet centers, reducing salons, and fitness studios.	
(n) <b><u>Personal Services.</u></b> Provision of recurrently needed services of a personal nature. This classification includes barber and beauty shops, seamstresses, tailors, shoe repair shops, dry-cleaning businesses (excluding large-scale bulk cleaning plants), photo-copying, and self-service laundries.	
(o) <b><u>Research and Development Services.</u></b> Establishments primarily engaged in industrial or scientific research, including limited product testing. This classification includes electron research firms or pharmaceutical research laboratories, but excludes manufacturing, except of prototypes, or medical testing and analysis.	
(p) <b><u>Retail Sales.</u></b> The retail sale of merchandise not specifically listed under another use classification. This classification includes department stores, drug stores, clothing stores, furniture stores, pawn shops, secondhand stores, and businesses retailing the following goods: toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies, medical supplies and equipment, electronic equipment, records, sporting goods, surfing boards and equipment, kitchen utensils, hardware, appliances, antiques, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, and new automotive parts and accessories (excluding service and installation).	
(q) <b><u>Travel Services.</u></b> Establishments providing travel information and reservations to individuals and businesses. This classification excludes car rental agencies.	
(r) <b><u>Vehicle/Equipment Sales and Services.</u></b>	
(1) <b><u>Automobile Rentals.</u></b> Rental of automobiles, including storage and	

Text	Comments
incidental maintenance, but excluding maintenance requiring pneumatic lifts.	
(2) <u>Automobile Washing</u> . Washing, waxing, or cleaning of automobiles or similar light vehicles.	
(3) <u>Commercial Parking Facility</u> . Lots offering short-term or long-term parking to the public for a fee.	
(4) <u>Service Stations</u> . Establishments engaged in the retail sale of gas, diesel fuel, lubricants, parts, and accessories. This classification includes incidental maintenance and minor repair of motor vehicles, but excluding body and fender work or major repair of automobiles, motorcycles, light and heavy trucks or other vehicles.	
(5) <u>Vehicle/Equipment Repair</u> . Repair of automobiles, trucks, motorcycles, mobile homes, recreational vehicles, or boats, including the sale, installation, and servicing of related equipment and parts. This classification includes auto repair shops, body and fender shops, transmission shops, wheel and brake shops, and tire sales and installation, but excludes vehicle dismantling or salvaging and tire retreading or recapping.	
(A) Limited. Light repair and sale of goods and services for vehicles, including brakes, mufflers, tires, oil and lube services, and accessory uses, but excluding body and fender shops.	
(6) <u>Vehicle/Equipment Sales and Rentals</u> . Sale or rental of automobiles, motorcycles, trucks, tractors, construction or agricultural equipment,	

Text	Comments
manufactured homes, boats, and similar equipment, including storage and incidental maintenance.	
(7) <u>Vehicle Storage</u> . Storage of operative or inoperative vehicles. This classification includes storage of parking tow-aways, impound yards, and storage lots for automobiles, trucks, buses and recreational vehicles, but does not include vehicle dismantling.	
(s) <u>Visitor Accommodations</u> .	
(1) <u>Bed and Breakfast Inns</u> . Establishments offering lodging on a less than weekly basis in a converted single-family or multi-family dwelling, with incidental eating and drinking service for lodgers only provided from a single kitchen.	
(2) <u>Hotels and Motels</u> . Establishments offering lodging on a less than weekly basis. Motels may have kitchens in no more than 25 percent of guest units, and "suite" hotels may have kitchens in all units. This classification includes eating, drinking, and banquet service associated with the facility.	
(3) <u>Residential Hotels</u> . Buildings with 6 or more guest rooms without kitchen facilities in individual rooms or kitchen facilities for the exclusive use of guests, and which are intended for occupancy on a weekly or monthly basis.	

**7.060 Industrial Use Classifications**

- (a) **Industry, Custom**. Establishments primarily engaged in on-site production of goods by hand manufacturing involving the use of hand tools and small-scale equipment.
  - (1) Small-scale. Industrial establishments



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<p>that sell to consumers only those goods produced on-site and that use mechanical equipment not exceeding 2 horsepower or a single kiln not exceeding 8 kilowatts. Typical uses include ceramic studios, candle-making shops, and custom jewelry manufacture.</p>	
<p>(b) <b><u>Industry, General.</u></b> Establishments that manufacture products, primarily from extracted or raw materials, or that engage in bulk storage and handling of such products and materials. Uses in this classification typically involve a high incidence of truck or rail traffic, and/or outdoor storage of products, materials, equipment, or bulk fuel. This classification includes chemical manufacture or processing, food processing and packaging, laundry and dry cleaning plants, auto dismantling within an enclosed building, stonework and concrete products manufacture (excluding concrete ready-mix plants), small animal production and processing within an enclosed building, and power generation.</p>	
<p>(c) <b><u>Industry, Limited.</u></b> Establishments manufacturing finished parts or products, primarily from previously prepared materials and providing industrial services, both within an enclosed building. This classification includes processing, fabrication, assembly, treatment, packaging, and food processing for human consumption, but excludes basic industrial processing from raw materials and <u>Vehicle/Equipment Services.</u></p>	
<p>(d) <b><u>Industry, Research and Development.</u></b> Establishments primarily engaged in the research, development, and controlled production of high-technology electronic, industrial or scientific products or commodities for sale. This classification does not include uses that may be objectionable in the opinion of the Planning Director, by reason of production of offensive odor, dust, noise, vibration, or in the</p>	

<b>Text</b>	<b>Comments</b>
opinion of the Fire Chief by reason of storage of hazardous materials. Uses include aerospace and biotechnology firms, and non-toxic computer component manufacturers.	
(e) <b><u>Wholesaling, Distribution and Storage.</u></b> Storage and distribution facilities without sales to the public on-site or direct public access except for public storage in small individual space exclusively and directly accessible to a specific tenant. This classification includes mini-warehouses.	

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**Chapter 8 Definitions**

**Auto-Related Uses.** Establishments primarily engaged in the sale, rental, service or repair of automobiles, trucks and motorcycles, including gas service stations, tire sales and installation, drive-up oil service, automobile washing, body and fender shops, wheel and brake shops, vehicle dismantling and salvage, vehicle storage, and commercial parking facilities categories.

*These definitions relate specifically to the concepts of transit-supportive development and proposed model implementing regulations. The definitions can be added to a list of general definitions or included within specific chapters establishing regulations for transit-supportive development.*

**Block or Street Frontage.** All of the property fronting on one side of a street that is between intersecting or intercepting streets, or that is between a street and a water feature, or end of a dead end street. An intercepting street determines only the boundary of the block frontage on the side of the street which it intercepts.

**Design Guidelines.** A set of design parameters for development which apply within a design district, subdistrict, or overlay zone. The guidelines are adopted public statements of intent and are used to evaluate the acceptability of a project's design.

*Specific reference to Tri-Met's Guidelines for Planning and Design for Transit-Supportive Development could be included.*

**Desired Character.** The preferred and envisioned character (usually of a neighborhood or commercial area) based on the purpose statement or character statement of the base zone, overlay zone, or plan district. It also includes the preferred and envisioned character based on any adopted area plans or design guidelines for an area.

**Development.** The division of land into two or more lots; the construction, reconstruction, conversion, exterior or structural alteration (excluding normal maintenance and repair), relocation or enlargement of a structure; any mining, excavation, or fill; or extension of use of land.

**Development Types**

- (a) **Auto-Accommodating Development.**  
Development which is designed with an emphasis on customers who use autos to travel to

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the site, rather than those which have an emphasis on pedestrian customers or residents. This type of development usually has more than the minimum required number of parking of parking spaces. The main entrance is oriented to the parking area. In many cases, the building will have parking between the street and the building. Other typical characteristics are blank walls along much of the facade, more than one driveway, and a low percentage of the site covered by buildings.

(b) **Pedestrian-Oriented Development.**

Development which is designed with an emphasis primarily on the street sidewalk and on pedestrian access to the site and building, rather than on auto access and parking areas. The building is generally placed close to the street and the main entrance is oriented to the street sidewalk. There are generally windows or display cases along building facades which face the street. Typically, buildings cover a larger portion of the site. Although parking areas may be provided, they are generally limited in size and they are not emphasized by the design of the site.

**District.** A portion of the city within which the use of land and structures and the location, height, and bulk of structures are governed by this ordinance. The zoning ordinance establishes "base zoning district" for residential, commercial, industrial, public, and open space uses, and "overlay districts," which modify base district provisions and standards.

**Drive-Through Facility.** A facility or structure that is designed to allow drivers to remain in their vehicles before and during an activity on the site. Drive-through facilities are a type of site development that is usually found in conjunction with "fast food" or "quick vehicle servicing. Drive-through facilities also include facilities designed for the rapid serving of vehicles, where the drivers may or may not remain in their vehicles, but where the drivers usually either perform the service for themselves, or wait on the site for the service to be rendered. Drive-through

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facilities may be the primary use of the site or may serve accessory uses. Examples are drive-up windows; menu boards; order boards or boxes; gas pump islands; car wash facilities; auto service facilities, such as air compressor, water, and windshield washing stations; quick-lube or quick-oil change facilities; and drive-in theaters.

**Floor Area, Gross.** The total enclosed area of all floors of a building measured to the outside face of the structural members in exterior walls, and including halls, stairways, elevator shafts at each floor level, service and mechanical equipment rooms, and habitable basement or attic areas, but excluding area for vehicle parking and loading.

**Floor Area Ratio, FAR.** Determined by dividing the gross floor area of all buildings on a lot by the area of that lot.

**Proscenium, Garage.** The structural frame of a garage door.

**Residential Structure Types**

- (a) **Attached Duplex.** A duplex, located on its own lot, that shares one or more common or abutting walls with one other duplex (for a total of four dwelling units). The common or abutting wall must be shared for at least 50 percent of the length of the side of the dwelling.
  
- (b) **Attached House.** A 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 must be shared for at least 50 percent 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 or a common-wall house.
  
- (c) **Duplex.** A structure that contains two primary dwelling units on one lot. The units may share common walls or common floor/ceilings.

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(d) <b><u>Dwelling Unit</u></b> . A building, or a portion of a building, that has independent living facilities including provisions for sleeping, cooking, and sanitation, and that is designed for residential occupancy by a group of people.	
(e) <b><u>Group Living Structure</u></b> . A structure that contains sleeping areas and at least one set of cooking and sanitary facilities that is used as a residence for group living uses.	
(f) <b><u>Mobile Home</u></b> . A dwelling unit constructed off of the site and which is not constructed to the standards of the uniform building code. Mobile homes include residential trailers and manufactured homes.	
(g) <b><u>Multi-Family Dwellings</u></b> . A structure that contains three or more dwelling units that share common walls or floor/ceilings with one or more units. The land underneath the structure is not divided into separate lots. Multi-dwelling includes structures commonly called garden apartments, apartments, and condominiums.	
(h) <b><u>Single-Family Dwelling</u></b> . A detached or attached dwelling unit on its own lot. (A mobile home may be considered a single-family dwelling in certain zoning regulations.)	
(i) <b><u>Single Room Occupancy Housing (SRO)</u></b> . A structure that provides living units that have separate sleeping areas and some combination of shared bath or toilet facilities. The structure may or may not have separate or share cooking facilities for the residents. SRO includes structures commonly called residential hotels and rooming houses.	
<b><u>Specific Plan</u></b> . A plan for a defined geographic area in single or multiple ownership that is consistent with the Comprehensive Plan and includes a land use and circulation plan, land use regulations, development standards, and design guidelines, an open space plan, a utilities plan, and a program of implementation measures and other mechanisms needed to carry out	

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the plan.

**Structured Parking.** A covered structure or portion of a covered structure that provides parking areas for motor vehicles. The structure can be the primary structure for a commercial parking facility or be accessory to a multi-dwelling residential, commercial, office, industrial, institutional, or other structure. A structure that is accessory to a single-dwelling unit is a garage and is not considered structured parking.

**Transit-Supportive Use.** A transit-supportive use provides services or activities which are attractive and convenient to transit riders and pedestrians. The design and character of a transit-supportive use is highly compatible with rail transit station areas and areas where high frequency bus service is provided. As compared to less supportive uses, a transit supportive use generates a high level of trips relative to vehicular trips and minimizes the need for surface parking lots.

**Transportation-Related Definitions**

- (a) **Arterial.** Any street designated as an arterial street on the Comprehensive Plan that is **not** a local street.
- (b) **Cul-de-Sac.** A local street terminating in a deadend turnaround.
- (c) **Light Rail Line.** A public rail transit line that usually operates at grade level and that provides high capacity, regional level transit service. Low capacity, district level, or excursion rail transit service, such as a vintage trolley line, is not included. A light rail line is designed to share a street right-of-way although it may also use a separate right-of-way.
- (d) **Light Rail Street.** A street upon which a light rail line is operated.
- (e) **Rail Right-of-Way.** A public or private right-of-

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<p>way for the purpose of allowing rail travel.</p>	
<p>(f) <b><u>Right-of-Way</u></b>. A public or private area that allows for the passage of people or goods. Right-of-way includes passageways such as freeways, streets, bike paths, alleys, and walkways. A public right-of-way is a right-of-way that is dedicated or deeded to the public for public use and under the control of a public agency.</p>	
<p>(g) <b><u>Roadway</u></b>. The portion of a street that is improved for motor vehicle travel. Roadway includes vehicle travel lanes and on-street parking areas. Roadway does not include area devoted to curbs, parking strips, or sidewalks.</p>	
<p>(h) <b><u>Street</u></b>. A public or private right-of-way that is intended for motor vehicle access to abutting property. The term "street" includes all the area within the right-of-way such as roadways, parking strips, bikeways, and sidewalks, but does not include alleys or rail rights-of-way that do not also allow for motor vehicle access, or the Interstate freeways and state highways, or their ramps.</p>	



